

Fife Women's Aid

1 Do you have any comments on the proposal that applicants must live in their acquired gender for at least 3 months before applying for a GRC?

Yes

If yes, please outline these comments.:

Medical studies have confirmed that gender dysphoria is a condition that can be diagnosed following an in-depth assessment by two or more specialists over a significant period of time. This position is also supported by the NHS. Therefore, the suggested timeline of 3 months that is being proposed under the Bill is not sufficient enough for any individual to come to the conclusion that they require a sex change.

We believe that while reforms to the current system surrounding the legalities of a sex change process are lengthy, the recommendations of the proposed Bill remove all safeguards aimed to prevent abuse of the system. The shortened timeline also takes away the gravity of such a rare medical condition and trivialises the process.

2 Do you have any comments on the proposal that applicants must go through a period of reflection for at least 3 months before obtaining a GRC?

Yes

If yes, please outline these comments.:

Our sentiment is that a period of self reflection is not sufficient to ensure that an individual has the much-needed tools to make such a life-changing decision. An extensive and thorough medical assessment allowing the individual to go through the process is essential and should remain obligatory to ensure that each case is correctly assessed.

3 Should the minimum age at which a person can apply for legal gender recognition be reduced from 18 to 16?

No

If you wish, please give reasons for your view.:

Medical studies have shown that a large number of children that experience feelings of gender dysphoria at a young age often overcome this experience as they get older and pass through puberty. There is no doubt that children and teenagers often develop confused sentiments surrounding their sexuality and in some cases their gender, and therefore need the time to determine the validity of such life-changing decision. Reducing the minimum age will not prove a positive step. We completely agree that there are a number of young people and children that are aware from early on that they are not comfortable in their own gender and seek help. However, this can only be determined through a continuous medical assessment that this Bill seeks to remove. Therefore, this Bill needs to protect the children that have genuine gender dysphoria, as well as the ones that are simply going through a 'phase' or are confused and end up at a later stage regretting their decision to go through a sex change.

4 Do you have any other comments on the provisions of the draft Bill?

Yes

If yes, please outline these comments.:

It is important to note that the current legislation is in full compliance with European law and it does not require any further reforms. The proposed Bill presents an extreme position in regards to the issue of gender dysphoria. While every effort needs to be made in order to make the transition process easier and less painful for the people who are genuinely diagnosed with gender dysphoria, at the same time it is imperative that the Bill does not increase opportunities for the system to be abused. There is already evidence in other countries that have adopted similar legislative measures, that by removing important safeguards, such as extensive medical assessments and promoting self-identification, opportunities have been created for predators to take advantage of a more stringent system.

5 Do you have any comments on the draft Impact Assessments?

Yes

If yes, please outline these comments.:

The draft Impact Assessments are not based on sufficient empirical evidence and they do not provide a comprehensive assessment of both positions relating to the proposed changes. These assessments do not take into consideration the growing number of people who go through sex change and regret it and try to de-transition. Failure to present the issue 'de-transitioning' within the impact assessments is a serious omission.

The proposed Bill conflates the use of the terms 'sex' and 'gender' which has the potential to undermine existing legal measures under the Equalities Act 2010 which provide protections on the basis of sex and sexual orientation. The potential effects of this have not been fully explored within the existing impact assessments.

It is essential that an independent view of the impact of the proposed Bill is sought to reflect both the positive and adverse outcome of such legislative changes prior to any action being taken by the government.