

Glasgow City Council

Question 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?

We have no detailed comment from a service provider perspective. We have experience of a number of our citizens as our customers and clients transitioning and will draw on that experience to support our citizens while meeting the requirements of the Equality Act 2010. We expect the guidance from the Scottish Government will clarify any specific operational issues for the public sector and Councils

Question 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?

We have no detailed comment from a service provider perspective. We have experience of a number of our citizens as our customers and clients transitioning and will draw on that experience to support our citizens while meeting the requirements of the Equality Act 2010. We expect the guidance from the Scottish Government will clarify any specific operational issues for the public sector and Councils.

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

From a registration perspective, consideration should be given to potential issues around reducing the age from 18 to 16 for young people who are still subject to laws of another country and therefore may have issues around consent.

Further consideration may be required for potential service implications for services defined by age.

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

Cost

Glasgow City Council have no comment on cost but the Scottish Government may be interested in the recent Glasgow Youth Council motion on February 2020.

Motion 2- Gender Recognition Certificate Cost

'The Glasgow Youth Council believes that the cost of obtaining a Gender Recognition Certificate should be substantially reduced, to ensure that it is more accessible.'

Trans people and single sex provision

Glasgow Council Family welcomes the Scottish Governments commitment to develop guidelines for policy makers and service providers to ensure that the rights of women and trans people can be collectively realised. We would ask that consideration be given, in the guidance, for how to comply with the Equality Act 2010, and how to apply the exception rule in practical terms on the day to day running of services.

Registration and Documentation

Glasgow Council Family asks for further consideration and would welcome guidance on the following points that have been raised from a registration and documentation processing perspective.

- The disaggregation of current and historical data to ensure consistency of approach and that it can be retraced historically. Birth and death registrations are recorded as male or female and many statistics are drawn from those events including breakdowns of medical conditions by sex, population impacts, education etc.
- If the option becomes available to convert GRC to non-binary, consideration should be given for those who did not have the option available at the point of their registration. Associated potential impacts, on recording of Births and Deaths, should also be considered if this option becomes available.
- At the moment Civil Partnerships are not available for mixed sex couples in Scotland. This highlights an issue for the Registrar General, if following the current consultation on “Civil Partnerships for Mixed Sex Couples” is not committed to law, where the applicant is in a civil partnership and both parties wish to stay in the relationship and a GRC is requested.
- The Bill mentions “in other cases, the Registrar General should issue an interim GRC”. Consideration should be given to the consequences should a full certificate either not be granted or the interim certificate revoked as well as the validity of this certificate in terms of responsibility and law.
- Although rare or not well documented, there may be occasions where someone may wish to revoke this decision at some stage and guidance from the Scottish government on the process and implications of this would be welcomed

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

The Bill covers how transgender people’s birth certificates are changed, which impacts the level of privacy they are entitled to, such as when getting a job or marrying, and how they are recognised after death.

The Equality Impact Assessment articulates well the issues of balancing access rights for both trans people and women.

Glasgow Council Family welcomes the Scottish Governments commitment to develop guidelines for policy makers and service providers to ensure that the rights of women and trans people can be collectively realised. We would ask that consideration be given, in the guidance, for how to comply with the Equality Act 2010, and how to apply the exception rule in practical terms on the day to day running of services.