

Glasgow LGBTQI+ Substance Use Working Group

Questions

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.:

There is no evidence to suggest this arbitrary 3 month time period is necessary and we do not support it.

Imposing a waiting period for trans people who are applying for a gender recognition certificate is paternalistic and undermines the capacity of trans people to make their own decisions about their own gender identity and lives.

The government should not impose any unnecessary or arbitrary waiting periods - this is insulting to trans people's autonomy and is a personal decision that should not be regulated or controlled by Government.

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.:

We are not in support of imposing a 'period of reflection' on trans people in order to have their gender recognised under law. This is paternalistic and it is not a role for government to impose such a waiting period.

Trans people have spent their whole lives reflecting on their gender and at the point of applying for a gender recognition certificate they have been through their own personal process of accepting themselves and their gender identity.

The next step for many trans people at this point is to ensure that their gender is adequately reflected and recognised on legal documents, as is their right.

The implication that trans people should further reflect is no different to old homophobic rhetoric around sexual orientation being a 'phase'. We would hope the government would not legislate such backwards and discriminatory bias into law.

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

Yes

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

We support lowering the minimum age to 16yo. Further to this, we are in support of lowering the age further where the child or young person expresses a desire to have their gender recognised and there is parental or guardian consent and/or evidence that this would be beneficial to the young person or child's wellbeing and happiness.

Trans young people go through a huge amount of trauma and distress throughout the process of puberty and having their gender formally recognised and a society that supports them for who they are is undeniably value.

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

Yes

If yes, please outline these comments.:

As a partnership of LGBTQI services, drug and alcohol services, family support services & academics working to tackle LGBTQI+ health inequalities on alcohol & drugs, we support reform to the Gender recognition Act, including additional reform in line with our comments above.

It is essential that trans people are empowered to make autonomous decisions about their own lives, without the approval of medical professionals and psychologists and without any imposed wait times or 'periods of reflection'.

Additionally, the current reforms do not provide any legal recognition for non-binary people, representing a significant and harmful gap in the proposed reforms.

We would strongly support the inclusion of additional gender options for non-binary people to avoid exacerbating the ongoing difficulties that non-binary people face in having their gender recognised in both society and legally.

Non-binary people should not be excluded from these reforms and we would urge the Government to reconsider how to include all members of the trans and gender diverse communities.

Additionally, as a partnership of professionals concerned about the disproportionate alcohol and drug related harm impacting LGBTQI+ communities, including trans and non-binary communities, we view any reforms that enhance the rights of trans people as a step toward reducing health inequalities experienced by trans or gender diverse people.

More inclusive societies make for healthier people and any step towards equality is a step in the right direction.

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

Yes

If yes, please outline these comments.:

The Glasgow LGBTQI+ Substance Use Working Group opposes any suggestion that gender recognition will impact on the rights of women. Conversely, we believe that trans rights are integral to a society and government that is working to advance gender equality.

The small but loud group of people claiming to represent the voices of women and some LGB people do not represent the view of the many professionals involved in our working group.

We support equal rights and gender recognition for transgender people and believe that social and legal equality contributes to the health of our communities. We believe that trans people and trans women are allies to LGB people, as LGB people should be to trans people. We urge the government to resist pressure from small but loud groups who are not representative of what the Scottish people believe or support and to push for reforms that make the lives of trans and non-binary people better.