

REFORM OF THE GENDER RECOGNITION ACT 2004 NOTE OF MEETING WITH ██████████ ON 12 FEBRUARY 2019

Attendees:

██████████, member of Forwomen.scot
██████████, Family Law team, Scottish Government

Welcome and introductions

1. ██████████ thanked ██████████ for taking the time to come and meet to allow ██████████ to set out her views so that these could be passed on to the Cabinet Secretary, Shirley-Anne Somerville. Ms Somerville has portfolio responsibility for reform of the 2004 Act. Following ██████████ correspondence with ██████████, the Cabinet Secretary wanted to hear more about these views, which will feed into work as the Scottish Government take forward gender recognition reform. ██████████ said that she appreciated the opportunity to set out her views.

Forwomen.scot

2. ██████████ had responded to the consultation on reform of the 2004 Act and became aware of the group forwomen.scot afterwards through a friend. The group did not have a formal structure though this might come in the future, and ██████████ would welcome that.

Influence of trans and LGBT groups generally

3. ██████████ expressed concerns the definition of trans/transgender now being used by organisations such as Stonewall being much too wide and thereby capable of including people who simply crossed dressed occasionally, even just for purposes of entertainment or parties. A petition had been raised last year aimed at changing Stonewall's approach with which lots of people agreed and had signed. Many transsexuals felt that their experience was being diminished and ignored as a result of trans groups having such a wide trans definition. ██████████ confirmed that she considered use of transsexual to be in terms of the protected characteristic of gender reassignment as used in the Equality Act 2010. [That definition is in section 7 and says a person has this protected characteristic if they are proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex. The Equality and Human Rights Commission confirm that you do not need to have undergone any specific treatment or surgery to be protected from discrimination.]

4. ██████████ noted that a new campaign group had recently been formed called TransRational, of transsexuals who are gender critical and who do not go along with the tenets of trans activism¹.

¹ ██████████ later emailed to advise that another similar gender critical group of transsexuals called Seven Hex had published a statement of dissatisfaction with Stonewall at <https://sevenhex.com/why-we-transsexuals-are-leaving-the-stonewall-umbrella/>

10. ██████ set out that she believed that it would be highly irresponsible not to follow best practice as stated by the BMJ article and psychiatric advice prior to reinforcing any delusion whatsoever in law, and this should have to be rigorously proven to have both been done and been seen to have been done by medical professionals. She noted that a failure to do so and making what she believed was unwise reckless law could render the Scottish Government culpable and responsible for the consequences which could prove costly in many ways³.

11. ██████ asked if Forwomen had approached gender identity clinicians in Scotland to hear from them the approach they take in practice, noting there was a specialist young people's service at Sandyford. ██████ thought that someone from the group would have been in touch with them, but she was not involved in that.

12. She noted that she had seen reports of a 4000% increase in the numbers of girls presenting at Tavistock in England for support in relation to their concerns about their gender, and this was a serious concern to her. She also noted that she was worried about an apparent five-fold increase in referrals from Scotland for female to male genital and chest reconstruction.

Prisons and trans prisoners

13. ██████ view was that the existing SPS policy didn't take proper account of the need to protect women prisoners from the delusions of male offenders. Male prisoners knew that if they identified as women then they would both get better treatment but also access to women as their victims. The SPS policy placed too much emphasis on what a male offender wanted. She was also concerned about the experience of women prison officers who were being required to carry out body searches on male offenders.

14. She was particularly concerned for women prisoners as they were a very vulnerable group in society and had often already experienced domestic abuse or abuse as a child for example, before offending. Ultimately, the offences of women in prison were often of a minor nature, like shoplifting.

Freedom of speech

15. ██████ was very aware that there was a lot of social media where there was an encouragement of violence against those who were opposed to gender recognition reform, and the use of abusive language such as TERF (Trans-exclusionary radical feminist). The Scottish Secular Society had recently published information about a Christian teacher who had been threatened with violence. Fundamentally, the movement for greater trans rights was a 'men's rights' movement and was, in her view, sexist in its approach to natal women. ██████ later provided further information about her view of the effect of trans activism on lesbian women and the effect on freedom of speech, which is set out in the Annex to this note.]

³ ██████ later sent on a link to a youtube video that was a question and answer session with four young women who had identified as trans and non-binary but had later de-transitioned: https://www.youtube.com/watch?feature=youtu.be&v=kxVmSGTgNxI&fbclid=IwAR0DnNWdwKxqBU-34ZqSx6TXz79yle2z95wbDD_bUINKb1orzNNTyedjaT0&app=desktop

16. ██████ asked ██████ whether, if a Bill to reform the 2004 Act was taken forward whether there might be a need for a provision protecting people's freedom of expression rights under the European Convention on Human Rights. ██████ said that she thought this would be useful.

Reform of the Gender Recognition Act 2004

17. ██████ took the view that although the 2004 Act clearly had a good motivation behind it, it was a mistake to allow a person recognised under those arrangements to change their birth certificate. In her view, a birth certificate is a factual and historical document and related to the biological sex observed at birth. In her view, the Act sent out the wrong message that a person can change the reality of their biological sex.

18. In her view, it was also critical that there was a medical professional offering oversight as part of the legal recognition process, but she did not know whether that meant it should remain a requirement that there is a diagnosis of gender dysphoria for an applicant. ██████ mentioned that in some Canadian provinces with an otherwise administrative gender recognition process, a doctor was required to confirm the applicant's gender identity as consistent with the sex which they wanted disclosed on their new birth certificate, as distinct from a diagnosis of gender dysphoria.]

19. She was very concerned that there was a demand that gender recognition be open to children and younger people. She was concerned that the Scottish Government would face a backlash if gender recognition was open to children because many will change their minds, there were many de-transitioners. In her view, many who as a child felt that they were trans would later come to realise that they were gay.

Services like refuges and rape crisis centres- exceptions under the Equality Act 2010

20. ██████ view as that service providers don't properly understand the exceptions in the Equality Act both which permit single-sex spaces and those which permit a trans person to be excluded where it was justifiable to do so. There might need to be more or better guidance. In Scotland, those which received SG funding were in any event required to take a trans-inclusive approach. They are frightened to challenge or contradict the trans movement and in any event a trans group or Stonewall who offer training to groups cannot be trusted to properly advise them of how the exceptions can be operated.

Trans people in the media

21. ██████ raised concerns about recent events covered in the media for example trans people being convicted of rape and trans people taking posts in political parties reserved for women.

**APPENDIX TO MEETING NOTE: FURTHER INFORMATION RECEIVED FROM [REDACTED]
[REDACTED] AFTER THE MEETING**

Mermaids

Extracts from email dated 14 February

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] I attach a copy of psychiatric best practise advice regarding delusion, posted by a transsexual on Twitter [REDACTED] whose account has just been suspended for being gender critical.

BMJ and psychiatric best practise advice should be followed carefully in dealing with children and young people. [REDACTED] Mermaids should have no place at all and nor should Stonewall who are pushing a transgender agenda against lesbians, gay men and transsexuals. The transgender movement has powerful corporate advocates in America and elsewhere who are pushing the transing of children in order to validate their own adult identities. Phrases such as 'we must let the children lead' were also used by the Paedophile Information Exchange in order to advocate for their agenda. Responsible adults should not 'let children lead' themselves into harm."

Effect of trans activism on lesbian women and freedom of speech

Extract from email dated 14 February

"I am also particularly concerned about the effect of trans activism on lesbian women, both by alienation from LGBT spaces and events which have become actively hostile to them, such as parading signs attacking 'TERFs' and stating they are not wanted at events (the First Minister has extremely unfortunately herself even been photographed in front of such signs at last year's Glasgow Pride), venues displaying 'no TERFs' signs and a woman being told to leave a gay pub for wearing a t-shirt with the dictionary definition of 'woman' on it, and also the effect of confused and unhappy lesbian women who find it difficult to come to terms with their sexuality identifying as trans (and therefore a heterosexual male) as a more acceptable option, both in wider society and within the 'LGBT' (all about the T) culture, than being lesbian. Of course very many radical feminists and those fighting to protect women's rights are lesbian so this is very much a direct attack on them. A hostile and discriminatory prejudicial attitude to androgynous and gender non-conforming women is fuelling much of this with trans activists even stating 'this is the most unattractive aesthetic, just transition' and asking such women when they are going to come out as trans, telling them they're trans or look trans. Androgynous and gender non-conforming women have always existed but are now under attack in a most personal, insidious and damaging way, a graphic illustration of how sexist, regressive, homophobic and sex stereotyping transgender ideology is.

Threats of extreme violence against women as 'TERFs' are an everyday occurrence on social media. Transgender activism has unleashed a virulent misogyny within some men who now feel freed to aggressively attack women under the banner and behind the shield of social justice. I believe transgender activism is very much an assault on women's and children's rights and protections. Transgender activism has been leapt upon by male abusers, fetishists, narcissists and sociopaths who are using it to gain access to women, children and sex specific positions from which they should be exempt."

Family Law
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