

# **Gender Recognition Reform (Scotland) Bill**

## **Fairer Scotland Duty Summary**

**March 2022**



**Scottish Government**  
Riaghaltas na h-Alba  
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## Fairer Scotland Duty Summary

<b>Title of Policy, Strategy, Programme etc</b>	<b>Gender Recognition Reform (Scotland) Bill</b>
<b>Summary of aims and expected outcomes of strategy, proposal, programme or policy</b>	The aim of the Bill is to replace the current system for obtaining legal gender recognition, which involves applying to a UK tribunal, the Gender Recognition Panel (GRP) with a system which involves applying instead to the Registrar General for Scotland. The key aim is to establish a more straightforward system for obtaining legal gender recognition in Scotland.
<b>Summary of evidence</b>	<p>There is some, largely self-reported, evidence that people with the protected characteristic of gender reassignment may experience socio-economic disadvantage when compared with the population generally. But more generally, there is a lack of evidence on the income levels of trans people when compared with the general population.</p> <p>There is also little robust evidence about how many trans people live in Scotland, or about other characteristics of the trans population as a whole, which means that it is not currently possible to know the degree to which the samples of trans people in surveys are representative of the transgender population. Scotland's Census 2022 will include a voluntary question asking whether individuals consider themselves to be trans or have a trans history. This will provide the first official estimate of the trans population in Scotland, the characteristics of this population and their outcomes across a range of policy areas.</p>
<b>Summary of assessment findings</b>	The draft Bill as consulted on contained a provision conferring power on the Registrar General, with the approval of the Scottish Ministers, to prescribe a statutory fee for an application for gender recognition. This would be in keeping with other similar arrangements for fees for services provided by the Registrar General. Some responses to the consultation highlighted the (then) £140 fee for applying to the GRP as being higher than for other

	comparable applications and could be a barrier to applicants. The Scottish Government is of the view that financial barriers should not stand in the way of applicants for gender recognition and that therefore no fee should be charged. The provision in the draft bill conferring power on the Registrar General to prescribe a fee has therefore been removed before introduction.
<b>Sign off</b>	<b>Name: Denise Swanson</b>  <b>Job title:Deputy Director</b> <b>Civil Law and Legal System Division</b> 28/02/2022



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