

Staff Pride Network: University of Edinburgh

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.:

We feel that this undermines trans people's autonomy and needlessly delays the process of gaining legal gender recognition. We feel that trans people are the experts on their own gender and they should be able to be recognised in law without having to 'prove' themselves by demonstrating that they have lived in their acquired gender for any period of time. This requirement should be removed.

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.:

As detailed in our answer to question 1, we feel that this undermines trans people's autonomy and needlessly delays the process of gaining legal gender recognition. We feel that trans people are the experts on their own gender and they should be able to be recognised in law without having to 'reflect' on their gender for a proven period of time. This requirement should be removed.

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 the Scottish Government's proposals to lower the age for gender recognition to 16. This would be in line with the rights of 16- and 17-year olds in Scotland to marry, gain employment, vote, and be held legally responsible for their actions. We think that 16- and 17-year olds should also be able to change their birth certificate to match who they are. This would match with their existing ability to change their sex on their school records, medical records and passport. Often children and young people under 16 need to use their birth certificate more than adults do, so being able to change it is particularly important to protect their privacy.

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

Yes

If yes, please outline these comments.:

Although this Bill represents an improvement in trans people's rights, there are major gaps that will mean it only benefits some trans people. Non-binary people (those who don't identify as exclusively male or female) will still not be legally recognised, which will leave them with inconsistencies in important documents as well as a lack of recognition in day to day life. This Bill is not a success for the whole trans community while it leaves non-binary people out.

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

Yes

If yes, please outline these comments.:

It is true that improving trans people's rights doesn't have a negative impact on anyone else's rights. We are of the opinion that it makes the rights of all people stronger.