

OneBodyOneFaith

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 believe that the Scottish Government should remove the requirement for living in your acquired gender for at least 3 months. As an organisation, we work with Trans and Non-Binary people and see first-hand the harm this delay causes to their overall wellbeing and ease of functioning in society.

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 believe that the Scottish Government should remove the requirement to go through a period of reflection for at least 3 months. This requirement suggests that a Trans person has not already spent countless time reconciling with themselves, their family, and friends as to how they identify.

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 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.

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

Yes

If yes, please outline these comments.:

We support Gender Recognition Act reform but that they must go further, so that every part of the trans community can benefit from this legislative change. Making legal gender recognition a more straightforward process will relieve a lot of stress for

many trans people, who will no longer need to gather evidence and medical reports to be recognised as who they are.

Trans people will still be able to access medical care and social and psychological support as part of their transition, but that will be separate from their application to update their birth certificate.

We believe that this Bill is not a success for the whole trans community while it leaves non-binary people out. There are major gaps that will mean it only benefits some trans people. Non-binary people 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.

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

Yes

If yes, please outline these comments.:

We believe this Bill will not have a detrimental impact on anyone else's rights. The only thing that the Bill covers is how trans 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.

Access to single-sex spaces and facilities, such as toilets, changing rooms, and women-only services will not be impacted. Nobody is required to show a birth certificate to prove their eligibility for these spaces or services now, and this will not change. In fact, much of the women's sector in Scotland has been including trans women in their women's services for a decade, with no reported difficulties. Remember that how someone applies for gender recognition – or whether their birth certificate matches who they are - does not impact on their access to single sex spaces, or anything else that does not require a birth certificate. Trans people can already change the sex on their passports and medical records by statutory declaration as soon as they start living as who they are.