

The Church and Society Committee of the United Free Church of Scotland

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.:

A period of as little as 3 months is inappropriate length of time. Changing legal sex is a life-altering step that should not be quick or easy so that it is not undertaken lightly.

People claiming to have gender dysphoria often suffer from a range of mental health problems. Such issues need to be identified and responded to appropriately and compassionately, instead of rushing people into life-changing decisions about their legal sex.

The existing safeguards mean there is less risk of people changing their legal sex without giving the matter serious consideration and it gives time to discuss the matter with others about the consequences. The existing requirement for two doctors to confirm a diagnosis means there is an independent assessment and there is opportunity for the individual to receive support and the possibility of a referral to genuinely helpful treatment. The proposed system will not have this check.

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.:

A period of reflection is very important but three months is an insufficient amount of time. The media has drawn attention to the increasing number of people who have changed their sex and now deeply regret having done so. Even after two years of transitioning, many realise that their anxiety has not been alleviated and so return to living in their birth sex.

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

No

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

Changing sex is a life-changing decision and at 16 children are still developing both physically and mentally. They can often be influenced by their peers and social media. As stated in the paper 'A Follow-Up Study of Girls With Gender Identity Disorder' by Drummond, Bradley, Peterson-Badali, et al [Developmental

Physiology, 44(1), 2008], as many as 9 in 10 children who experience feelings of gender dysphoria do not have gender dysphoria as adults.

In Scotland 16 and 17-year olds cannot buy cigarettes, get a tattoo, buy fireworks or possess them in a public place, have a credit card or place a bet, so surely they should not be able to apply for legal gender recognition on their own volition, particularly as the proposals would have little in the way of scrutiny.

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

Yes

If yes, please outline these comments.:

The Gender Recognition Act 2004 disconnected legal sex from biological sex. The new Scottish Government proposals would go further so that legal sex would be disconnected from medical diagnosis. In the eyes of the law, sex would become a matter of choice alone, with the terms male and female becoming meaningless.

There is growing concern expressed in the media and elsewhere about a change in the law affecting single-sex spaces. The Scottish Government says that Equality Act exceptions will still give protection for these but with the changes proposed in the Gender Recognition Act it is difficult to see how this would be the case when the distinctions between men and women would be completely blurred.

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

No

If yes, please outline these comments.: