The Gender Recognition Act 2004

1 The initial view of Scottish Government is that applicants for legal gender recognition should no longer need to produce medical evidence or evidence that they have lived in their acquired gender for a defined period. The Scottish Government proposes to bring forward legislation to introduce a self-declaratory system for legal gender recognition instead.

Agree

If you want, you can give reasons for your answer or make comments.:
City of Glasgow College agrees with this proposal. We support this as it would bring Scotland in line with international best practice. This change would show a welcome move towards allowing an individual to make a choice on their identity rather than depending on outdated medical model. This also would remove a cost barrier which could cause problems for some audiences, particularly those from low socio-economic backgrounds.

Our named LGBT Student Advisor notes that currently our students generally do use a self-declaration model. In our equality monitoring forms, on recommendation of best practice, we are moving to allow people to self-identify. This proposal would thus bring the law in line with operational practice.

2 Should applicants to the proposed gender recognition system in Scotland have to provide a statutory declaration confirming they know what they are doing and intend to live in their acquired gender until death?

Don't know

If you want, you can give reasons for your answer or make comments.:

3 Should there be a limit on the number of times a person can get legal gender recognition?

Don't know

If you want, you can give reasons for your answer or make comments.:

4 If the Scottish Government takes forward legislation to adopt a self-declaration system for legal gender recognition, should this arrangement be open:

C. Don't know

If you want, you can give reasons for your answer or make comments.:

5 The Scottish Government proposes that people aged 16 and 17 should be able to apply for and obtain legal recognition of their acquired gender. Do you agree or disagree?

Agree

If you want, you can give reasons for your answer or add comments.:
The College agrees with this proposal. At 16-17 years old, students are able to make political decisions, get married and make other choices which recognise their capacity to live autonomous lives. This age-group encompasses many of those starting college-life and, by allowing them to start this journey with their preferred gender, would be a positive move. We have seen the issues that can later arrive when transitioning, so having the opportunity to take ownership of their identity at a younger age would be welcome.

6 Which of the identified options for children under 16 do you most favour?

None of these options

If you want, you can give reasons for your answer, add comments, or describe your preferred option if none of the options given reflects your views.:

Marriage and Civil Partnership

7 Should it be possible to apply for and obtain legal gender recognition without any need for spousal consent?

Don't know

If you want, you can give reasons for your answer or add comments.:

8 Civil partnership is only available to same sex couples. This means that the civil partners cannot remain in their civil partnership if one of them wishes to obtain a full Gender Recognition Certificate.
Don’t know

If you want, you can give reasons for your answer or add comments.:

9  Should legal gender recognition stop being a ground of divorce or dissolution?

Don’t know

If you want, you can give reasons for your answer or add comments.:

Other aspects of the 2004 Act

10  Are any changes to section 22 (prohibition on disclosure of information) necessary?

Don’t know

If you answered Yes, describe the changes you consider are needed.:

11  Should a person who has been recognised in their acquired gender under the law of another jurisdiction be automatically recognised in Scotland without having to make an application?

Don’t know

If you want, you can give reasons for your answer or add comments.:

Non-binary people

12  Should Scotland take action to recognise non-binary people?

Yes

If you answered No, and if you want, you can give reasons for your answer.:
The College would welcome action to recognise non-binary people. In our equality monitoring forms, we are moving to allow staff and students to self-identify, which would include non-binary people. We are always striving to be more inclusive in our approaches for those who define out with the socialised norm of two genders. The College notes the evidence from the Equal Recognition Campaign (http://equalrecognition.scot/) that it is likely that several thousand people in Scotland identify as non-binary.

13  If you answered Yes to Question 12, which of the identified options to give recognition to non-binary people do you support? You can select more than one option.


If you want, you can give reasons for your answer, add comments or, if you think none of Options 1 to 6 is suitable, describe your preferred option.:
For parity of recognition, the College supports giving non-binary people access to the same gender recognition process as trans men and trans women. Option 4 would recognise their identity as legitimate which is a crucial move to eradicating prejudice.

Options 1 and 3 would allow forms to be completed that are in line with their identity, which is an important part of everyday life.

We would support the changes to the Equality Act 2010, as proposed in Option 6.

14  At paragraph 7.26. and in Annex J we have identified the consequential legal impacts if non-binary people could obtain legal gender recognition using the proposed self-declaration system.

Don’t know

If you answered Yes, describe the impacts you have identified.:

Conclusion

15  Do you have any comments about, or evidence relevant to:

No

If you answered Yes, add your comments or evidence.:

16  Do you have any further comments about the review of the Gender Recognition Act 2004?

Yes
If you answered Yes, add your comments.

In response to this consultation, the College invited input from their LGBTQ+ Student Society, LGBTQ+ Staff Network and LGBT Named Advisor. The College is currently preparing for a specific LGBTQ+ hate crime awareness campaign due to negative experiences reported by students. The College participates in the Stonewall Workplace Equality Index, which includes an independent staff survey in which responses are benchmarked against national and sector average participating organisations. The results from 2017 found that fewer LGBT staff than non-LGBT staff believe that: “The workplace culture in my organisation is inclusive of LGBT people”; “I feel able to be myself in the workplace”.

We have a specific Equality Outcome targeted at improving these experiences, outlined in our Equality Outcomes 2017-2021 (https://www.cityofglasgowcollege.ac.uk/sites/default/files/Equality-Outcomes-Framework-2017-2021_0.pdf). Legislation that would further recognise the rights of trans and non-binary people would be part of the necessary shift that would result in better lived experiences. The need for this is reflected in our staff data included in our Mainstreaming Report 2017 (https://www.cityofglasgowcollege.ac.uk/sites/default/files/Equality-Mainstreaming-Report-2017.pdf) as the number of staff declaring as trans has increased from 1 member of staff in 2013-14 to 4 in 2015-16 (out of a total of 1,214).

About You

What is your name?

Name: Lynn Pilkington

What is your email address?

Email: 

Are you responding as an individual or an organisation?

Organisation

What is your organisation?

Organisation: City Of Glasgow College

If you are responding as an organisation and want to tell us more about your organisation’s purpose and its aims and objectives, you can do so here.

If you are responding to this consultation as an organisation and want to tell us more about your organisation’s purpose and its aims and objectives, please do that here.: City of Glasgow College is ranked top two in the UK for WorldSkills and composite overall number one in the Scottish sector for success in student attainment in combined Further and Higher Education. We are leading the way in tackling gender inequality within the curriculum - our Women into Engineering course applications doubled in its second year alone.

Our College, like Scotland as a nation, is a melting pot of diversity, equality and excellence. We deliver above average success rates for our students. Our innovative approaches to teaching and learning enable personalised development across a range of over 2,000 courses from Access Level to Masters. There are opportunities to study at a level that encourages success and progression, enabling our students to reach their full potential and improve their life chances, regardless of background or protected characteristic.

Our Equality Outcomes for 2017-2021 are as follows:

1.1. Student representation of gender in courses characterised by significant imbalance is redressed.

2.1. Students and staff – across all protected characteristics - experience and contribute to a culture of dignity and respect.

3.1. Disabled students and staff confidently access relevant facilities and support.

3.2. LGBTQ+ students and staff confidently access relevant facilities and support.

3.3. International students and staff from all ethnicities are supported and integrated into life in the College and Glasgow.

4.1. The diversity of student identities, experiences and needs is accounted for in the design and delivery of Learning & Teaching.

4.2. The diversity of staff identities, experiences and needs is accounted for in the design and delivery of Learning & Development.
5.1. The successful course completion of students – across all protected characteristics - is increased.

5.2. The completion of Learning & Development is increased for support staff, younger, older and pregnant staff.

The College’s Equality, Diversity & Inclusion Statement is:
‘Equality, Diversity & Inclusiveness for all: Fairness, Opportunity, Respect’.

The College’s Equality, Diversity & Inclusion (ED&I) Policy details the aims, scope and responsibilities for ED&I. The College’s Mainstreaming Vision is:
“To nurture an environment in which the equality, diversity and inclusion of students, staff and visitors from all backgrounds are routinely anticipated, expertly accommodated and positively celebrated.”

Where are you resident?

Scotland

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

Publish response with name