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.

Disagree

If you want, you can give reasons for your answer, or make comments.
This proposal would allow any male sexual predator to identify as a woman for the purposes of gaining access to women and children to commit sexual offences - these include voyeurism, indecent exposure, sexual harassment and sexual assault - most trans identified males do not have their male genitalia removed over 80% according to their own statistics (Gires 2015). If they truly wanted to be women why not? There is a very high level of sexual offending by biological males who identify as females already over 40% according UK prison statistics, and this figure excludes those who have either been convicted but have not received a prison sentence, or where the crime has not yet come before a court or not been reported. You are putting women and children at risk. As the scottish state you have a legal obligation under human rights legislation to safeguard children. You also have responsibility to uphold the sex-based rights of the vast majority of women who are born into the female sex, as well as the sexual orientation rights of lesbians. The legal definition of a lesbian is a woman who is same -sex attracted to her own sex, not those who claim their gender identity as a woman. Lesbians are already being sexually harassed by males who self-identify as lesbians.

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.
Making a statutory declaration is meaningless. They at least should have to be medically and psychologically assessed and the law should be strengthened so that only those who have had their male genitals removed can call themselves a transgender woman. They should not be allowed to call themselves an actual woman they should have transgender woman on official documentation so that it is known that they are not biological females. These transsexuals should still not be allowed to access female only spaces, jobs reserved for females, changing rooms and toilets, hospital wards and leisure facilities which are female only and female sports, because sex is determined by chromosomes not taking hormones or cosmetic surgery. Males born males have a much bigger musculature which cannot be changed, so they can still use their superior physical strength to commit violence against women, or win in sports reserved for women. A long term study undertaken Sweden on transsexual males who had had their penises removed showed that their level of violence was exactly the same as for non-transsexual males. (Cecilia Dhejene et al ‘Long-term study of transsexual persons undergoing reassignment surgery.Cohort Study.- in Sweden’ 2011 https/plos.org)

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

Yes

If you want, you can give reasons for your answer or make comments.
If you decide to pass this anti-woman law then they should only be allowed to make a self-declaration once. They should not be allowed to chop and change. The research shows that at least 60% of men who self-identify as women are cross-dressers another name for them is drag queens. These men get a sexual kick out of wearing ultra feminine clothing - and posing as women, called autogynephilia (see S. Jeffreys 'Gender Hurts,' Routledge, 2014 and R. Blanchard ‘Early History of the concept of Autogynephilia,’ 2005 Archives of Sexual Behaviour 34 (4) 439-46.

These men often choose to revert back to being male when it suits them.

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.
As a Uk founder of the lesbian rights alliance I would hope that you would not pass this legislation, as it will have terrible consequences for lesbian equal rights as highlighted above. Gender identity is not the same as biological sex, yet this term is misleadingly used as if it was. The concept of gender identity is based on subjective belief not biological facts - there is no scientific evidence that proves that someone can be born with a female brain in a male body or a male brain in a female body. Infant neuro-scientific research shows the opposite is the case (www.telegraph.co.uk/news/science/10684179/Men-and-women-do-not-have-different-brains)

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?

Disagree
If you want, you can give reasons for your answer or add comments:
Evidence from lesbian young women who have now detransitioned shows that even 18 is not old enough to be able to make an informed decisions about self-defining as men. Are you aware that research shows that 95% of young women who have transitioned are same sex attracted - in other words they are actually lesbians. But, because of the current stigma and bullying associated with being lesbian, as well pressure from the transgender community particularly towards gender non-conforming lesbians (sometimes also called butch) to self-define themselves as young men this age limit is far too low. Ironically it is these young lesbians who are physically harming themselves by wearing breast binders which inevitably cause restricted breathing, and often unwanted side-effects such as damaged breast tissue, blood clots, collapsed lungs, compression of the spine and heart attacks. These young women also seek medical transition as soon as possible such as puberty blockers which can now prescribed at age 9, which also have many unwanted side effects such as depression and hypertension and then move on as early as possible to taking testosterone which effectively produces an early menopause and can cause diabetes stroke, ovarian cancer and so on (Mclean Clinic 2016).

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

Option 1 – do nothing for children under 16

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:

Option 1 – do nothing for children under 16

the reasons are the same as the above - children under 18 should not be allowed to self-identify as the opposite sex. Research from the adolescents gender identity clinic in London - the Tavistock clinic shows that at least 80% of those who want to transgender accept the sex they are born in as they mature (evidence submitted to the Parliamentary Women and Equalities Committee Transgender Enquiry 2015)

Marriage and Civil Partnership

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

No

If you want, you can give reasons for your answer or add comments:
If someone wants to claim to change sex then they should get divorced before doing this - they should not inflict this on their spouses (usually women while still in the marriage)

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.

No

If you want, you can give reasons for your answer or add comments:
Same sex partnerships are about relationships between people of the same sex. If a person wants to claim to be the opposite sex, then they cannot remain in a same sex partnership. Lesbians for example do not want to have relationships with someone claiming to be a man.

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

No

If you want, you can give reasons for your answer or add comments:
It is an obvious ground for divorce if someone claims they are the opposite sex and wants to live as such

Other aspects of the 2004 Act

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

No

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?

No

If you want, you can give reasons for your answer or add comments:
No if they are applying for citizenship in the Uk they should have disclose that they are transgender and reapply for recognition

Non-binary people

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

No
If you answered No, and if you want, you can give reasons for your answer.
A none binary person still has a male or female sex there is no such thing 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.

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.

No

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

Conclusion

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

Yes

If you answered Yes, add your comments or evidence.

you need to properly assess the impact on women's sex based rights and on the welfare of children - the transing of children can be considered child abuse as children do not have the understanding to know what this means. Gender is the socially constructed characteristics, behaviours and roles of male-dominated societies. All children should be allowed to challenge these socially constructed gender stereotypes without being told they have to change sex, to be adventurous and wear trousers and have short hair and play football if they are a girl, similarly boys should be allowed to wear bright clothes and undertake what are considered feminine activities in our societyThis is part of child development that children are allowed to experiment!

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

No

If you answered Yes, add your comments.

About You

What is your name?

Name:
Dr Lynne Harne

What is your email address?

Email:

Are you responding as an individual or an organisation?

Organisation

What is your organisation?

Organisation:
Lesbian Rights Alliance

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.

Our aim is to defend the sex-based rights of lesbians to have same sex relationships, to promote positive images and visibility of lesbians and to change educational approaches in schools in order to recognise being lesbian and lesbian sexuality as something which is positive not negative and to stop the trans erasure of lesbians by telling young lesbians they must be boys.

Where are you resident?

Rest of the UK

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