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: 
Self-declaratory? What does this mean?

Also, define gender. Scientifically and legally.

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?

No

If you want, you can give reasons for your answer or make comments: 
The brain does not mature until the 20s. Also define what is meant by "live in their acquitted gender" - scientifically and legally.

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

No

If you want, you can give reasons for your answer or make comments: 
With no legal or scientific definitions of what gender identity means why punish the confused individual struggling with 'gender identity'?

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

B. to everyone?

If you want, you can give reasons for your answer or make comments: 
See my comment on question #3.

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: 
The brain doesn't mature until your 20s. If you can't vote yet why can you self declare an unscientifically provable/describable "gender identity".

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: 
Children under 16 should be given adequate resources to celebrate the bodies they were born in and that their sexual preferences amongst their peer group are natural.

A free kid's help line should be available 24/7 for children who feel unsupported.

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: 
Sexual preferences are identified in the original marriage document. I can't understand how one partner change the union legally without the consent of the other.
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:

My country has full recognition of any coupled partnership. I don't understand or know of the Scottish situation.

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:

My country has a 'without cause' access to easy divorce/dissolution in any circumstance.

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?

No

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

Examine the legal/scientific definitions of 'acquired gender'. There is no consensus.

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:

What is a non-binary person? Legal/scientific explanation please.

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?

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?

No

If you answered Yes, add your comments.

About You

What is your name?
Name: Orla M Hegarty

What is your email address?

Email: 

Are you responding as an individual or an organisation?

Organisation

What is your organisation?

Organisation: Newfoundland and Labrador Feminists and Allies

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.: The liberation of females, as a well defined class.

Where are you resident?

Rest of the World

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

Publish response with name