Review of the Gender Recognition Act 2004: A Consultation

You can use this form to respond to the main questions in the Scottish Government's review of the Gender Recognition Act 2004. If you would like to see or complete the full consultation online, you can do so at: https://consult.gov.scot/family-law/review-of-the-gender-recognition-act-2004/

Question 1. (Paragraphs 3.01-3.29 of the consultation)

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.

Do you agree or disagree with this proposal?

☑ Agree    ☐ Disagree    ☐ Don’t know

If you want, you can give a reason for your answer or add comments

In our story Scotland
We have evidence from people’s life stories indicating how crucial this is.

Question 5. (Paragraphs 4.04 – 4.07)

(This question relates to the reduction of the minimum age of applicants for legal gender recognition to those aged 16 and over from the current age of 18. Question 6 will ask your views on the options for people younger than 16).

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    ☐ Disagree    ☐ Don’t know

If you want, you can give a reason for your answer or add comments
Question 6  (Paragraphs 4.08 – 4.41)
Which of the identified options for children under 16 do you most favour? (Please select only one answer)

☐ Option 1 – do nothing for children under 16  ☐ Option 2 – court process
☐ Option 3 – parental application  ☐ Option 4 – minimum age of 12
✔ Option 5 – application by capable children  ☐ None of these options

Question 12  (Paragraphs 7.01 – 7.06)
Should Scotland take action to recognise non-binary people?

✔ Yes  ☐ No  ☐ Don’t know
If you answered no, and if you want, you can give reasons for your answer

So many of the interviews we have
carried out in OurStory Scotland
give evidence of how the census that is

Question 13  (Paragraphs 7.08 – 7.41)
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.

✔ Option 1 – changes to administrative forms
✔ Option 2 – Book of Non-binary Identity
☐ Option 3 – Limited document changes
✔ Option 4 – Full recognition using proposed self-declaration system
☐ Option 5 – Incremental approach
☑ Option 6 – Amendment of the Equality Act 2010
☐ None of the above options

If you want, you can give reasons for your answer, add comments or, if you think none of options 1 to 5 is suitable, describe your preferred option.

Question 16.

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

☐ Yes  ☑ No

If you answered Yes, add your comments

Please ensure that you submit your consultation response before 5pm on the closing date, 1 March 2018.

ANNEX A: RESPONDENT INFORMATION FORM

Please note this form must be completed and returned with your response

Are you responding as an individual or an organisation?

☐ Individual  ☑ Organisation

Full name or organisation name: **JAIME VALENTINE (CHAIR)**

O ur Story SCOTLAND

Phone number: .......................................................... (Please turn over)
Address

Postcode...........................................

Email....................................................

Where are you resident? (please select one of the options below)

☑ Scotland   ☐ Rest of the UK   ☐ Rest of the World

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

☑ Publish response with name   ☐ Publish response only* (without name)

☐ Do not publish response**

Information for organisations: The option ‘Publish response only (without name)’ is available for individual respondents only. If this option is selected, the organisation name will still be published. If you choose the option ‘Do not publish response’ your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

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.

Our Story Scotland is a Scottish charity (SC10) collecting, archiving and presenting the lifestories of LGBT people in Scotland.

To return this response to the Scottish Government, send it by post to:
Gender Recognition Review
Room GW-15
St. Andrew’s House
Regent Road
Edinburgh
EH1 3DG