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.

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.

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.

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.

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.

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

Option 3 – parental application

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?

Yes

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.

Yes

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?

Yes

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?

Not Answered

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?

Yes

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:

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.

Not Answered

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

Conclusion

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

Not Answered

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?

Not Answered

If you answered Yes, add your comments:

About You

What is your name?

Name:

What is your email address?

Email:

Are you responding as an individual or an organisation?

Organisation

What is your organisation?

Organisation:

Queer Sport Split
Queer Sport Split (acronym QSS) operates as initiative since 2005 (initially as qSPORT volleyball team) and since 2011 it is registered as non-profit organization empowering LGBTQ community through sport, culture and social activities, combining sports, recreation and hobbies, including swimming, running, boules, volleyball, hiking, but also creative workshops on knitting, cooking and making public installations/interventions. In 2012 QSS co-hosted a conference of Council of Europe/EPAS and General Annual Assembly of European Gay and Lesbian Sport Association (EGLSF) in Split, Croatia (http://Split-2012.qSPORT.info) - as EGLSF member. Internationally QSS teams and individuals took part in many LGBT sport tournaments, conferences and workshops in EU, while regionally it is recognized for creative interventions with knitting (yarn-bombing) in CLUTTURE network and locally for annual participation at swim marathon at Island of Vis where LGBTQ swimmers meet. QSS also collaborate with Split Pride since its first edition in 2011 and were partners with Zagreb Pride on EU project on LGBT equality in 2013. In 2014 QSS merged with its sister organization qSPORT Zagreb that had a long history in cultural and media work also, as well as networking activities in connecting international, regional and local sport, media and human rights initiatives/organizations. In 2016 QSS presented its work in exhibition Contesting/Contexting SPORT 2016 in Berlin. In 2017 QSS joined ERA regional LGBTI equal rights network for Western Balkans. Since January 2018, together with partners from Scotland, Germany, France and Slovenia Queer Sport Split implements project Beyond2, a project dealing with inclusion of trans persons in aquatic sports and dance.

Activities and experiences: QSS has a long experience in gathering informal groups of LGBTIQ youth around sport, recreational and hobby events in Split and the region, as well as in organising international gatherings. QSS is well connected both locally and on European level with LGBTIQ sport organisations and individuals. Collaborations with qSPORT Zagreb, Zagreb Pride and Split Pride have delivered many activist action, most notable ones are Inflatable rainbow at Vis open water long distance swim event in summer of 2014 and knitting installation with rainbow flags at the event of Split Pride in 2012 and on several other events after that. Both actions included participation of local and international young LGBTIQ activists, enthusiasts and allies. With qSPORT Zagreb merging into QSS additional experience of cultural and media productions as well as media-literacy and dance workshops became a part of expertise/offerings for the community and partners.

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 only (without name)