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.:

Scouts Scotland is committed to diversity and inclusion. We are open to all young people and adults, regardless of their gender identity.

In Scouting we already use a self-declaration model, with support available for local Leaders and Line Managers available online and through The Scout Information Centre.

In terms of young people, there is great potential to offer support at a time when they may feel excluded from many of the social activities that most young people take for granted. Scouting is co-educational and values based, enabling groups to offer safe places for all young people to always be themselves. There is also a legal duty to make reasonable adjustments to ensure that transgender young people can access Scouting.

Leaders are supported in making Scouting inclusive for transgender young people by having conversations with young people. We provide advice on language, preventing bullying, and points to consider when planning activities.

With regards adults we provide guidance to Line Managers on supporting their volunteers, with specific guidance for those undergoing gender reassignment or transition during their role. Should an adult wish to change their name, we ask that when updating records Line Managers have seen proof of the name change (eg. driving license; bank statement), enabling the changes to be made. Once the current name is added, no previous names are visible within our portal and there would be no evidence to other Members that a change has been made.

Further information on the advice we provide can be found here:

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?

Not Answered

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?

Not Answered

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:

Not Answered

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?
Not Answered
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 wishesto obtain a full Gender Recognition Certificate.
Not Answered
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?
Not Answered
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?
Not Answered
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:
The current system of gender recognition causes issues when it comes to official forms and documentation for our adult volunteers. The majority of adult appointments require a PVG. Part of the ID checking for a disclosure is gender. As the UK only legally recognises two genders- male and female, the only gender options within our membership database, are reflective of the current legal recognition in the UK. Legal recognition of non-binary gender identities would help us in making our processes more accessible and move us closer to being a truly inclusive organisation.

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: [redacted]

What is your email address?

Email: [redacted]

Are you responding as an individual or an organisation?

Organisation

What is your organisation?

Organisation: Scouts Scotland

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:

We are the largest mixed volunteer-led Movement for young people in Scotland. We offer fun, challenge and life changing adventure to almost 40,000 young people in Scotland, who are supported by over 11,000 adult volunteers.

Scouting exists to make young people’s lives better, helping them to realise their full potential, and providing them with the skills they need to succeed in life.

Where are you resident?

Scotland

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

Publish response only (without name)