

Equalities, Human Rights and Civil Justice Committee

Gender Recognition Reform (Scotland) Bill - Summary of short survey responses

The Equalities, Human Rights and Civil Justice Committee ran a call for views on the Gender Recognition Reform (Scotland) Bill between 21 March and 16 May. The public could respond to a short survey on the general principles of the Bill or share detailed views on specific provisions in the Bill. This presents the findings of the short survey. Detailed submissions will be published in due course.

The Committee received 11,154 submissions.

The contested nature of the debate around Gender Recognition Reform meant that there was a possibility for participants and campaigns to amplify their views by making multiple submissions. The data was reviewed and the small minority of users who created multiple submissions had duplicate submissions removed. The following analysis is based on 10,800 individual submissions.

The data gathered from this exercise is not intended to be a representative sample of the population, but rather give a snapshot of some of the experiences, opinions, questions, improvements, comments and concerns the public have about the Bill.

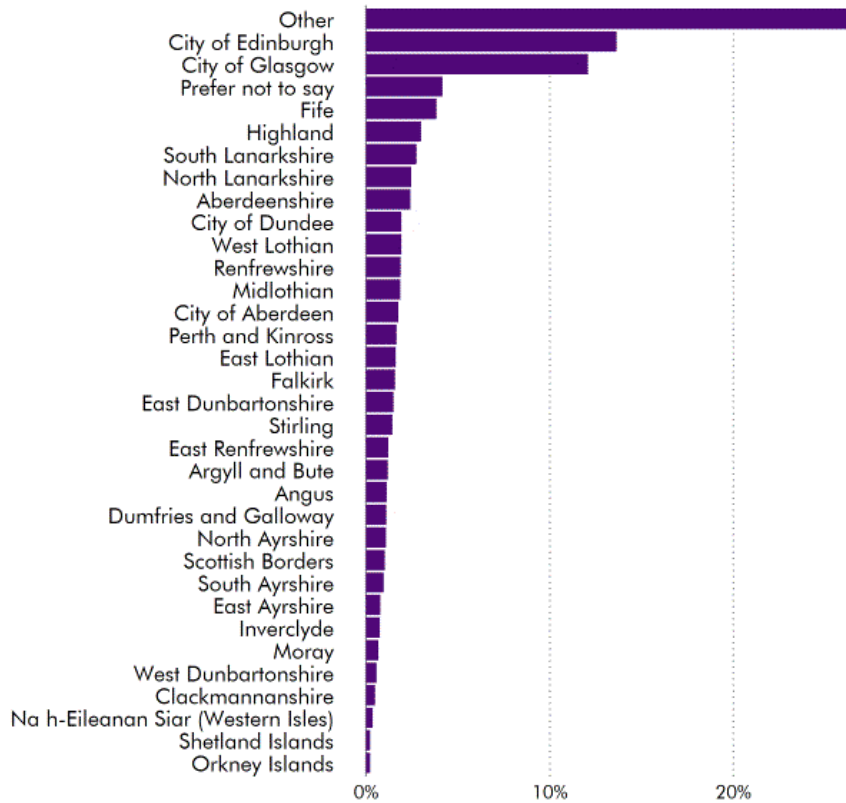
Where did respondents come from?

While the data is not intended to be representative, the engagement activity achieved strong levels of participation with users from every Scottish Local Authority area taking part.

Detail of the location of participants is outlined below:

Which local authority area do you currently live in?

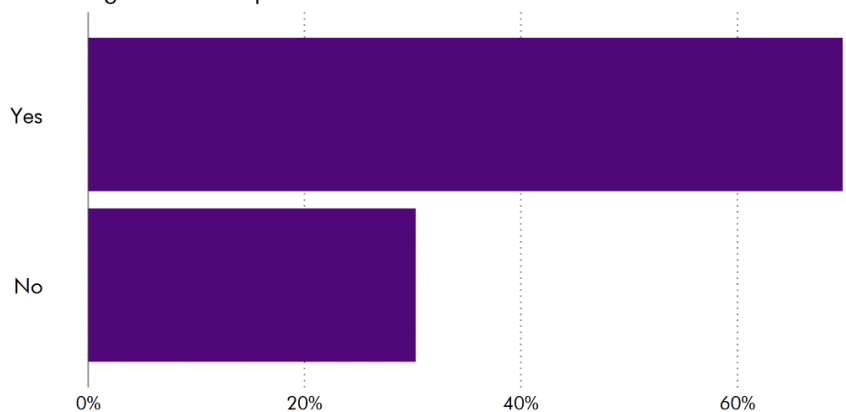
Percentage of total responses



The data also shows there was a large amount of interest in the Bill from outside of Scotland with around 30% of respondents living outside of Scotland.

Do you live in Scotland?

Percentage of total responses



A random sample of comments for and against the Bill were also analysed in more detail to draw out the key issues raised by respondents. The issues raised by those in support of the Bill were:

- The Bill provides trans people the "rights they deserve" providing people the "freedom to be their true selves" and "helps further secure the dignity of trans people" and changes their lives "for the better".
- Being "recognised as your identified gender can hugely boost mental health and life satisfaction" and the reduction in time to acquire a GRC "will save lives" as the current "suicide rate amongst trans youth is terrifyingly high."
- It makes the legal and administrative process of obtaining a GRC "more straight forward" and less "intrusive" and "traumatic" for trans people.
- The provisions in the Bill would not impact "the rights and protections of any other parts of society" rather the Bill brings obtainment of a GRC "in line with other legal documents" such as "driving licenses, passports and changes to bank accounts."
- The Bill is a progressive "step forward" for the rights of LGBTI people akin to the repeal of "section 28".
- Similar "world leading" legislation has already passed "in many other countries with no ill effects noticed" and "no evidence" and "no cases where the system has been abused".
- Previous Government consultation has shown "well documented support" for the changes to the GRC process and it "should not be delayed any further."

Those in favour of the Bill also made comments to **improve the Bill** such as:

- The need to include "recognition" and "provision" for non-binary people and intersex individuals
- The need to provide provision for those "under the age of 16 with parental consent"
- Removing the additional 3-month reflection period as many trans people have been "agonising" over their gender identity "all their lives" and adding a reflection period is "deeply patronising" to trans people who think "deeply, richly, and carefully" about their gender identity.
- Adding a reflection period is "out of line with best practice" seen in "similar bills that have already been implemented in other countries."

- Concerns about Section 8S as there could be "scope for malicious use" by a "person of interest" that would lead "individuals to be "forced to defend their identity in court which would be a traumatic experience."
- More clarification is required on the definition of a "person of interest" and "how the revoking system would work."
- Disappointment that political institutions have used this Bill to allow "trans people to become political football in a culture war designed to erode the rights of LGBT+ people"
- Concern that the Bill has been "watered down"
- The "toxic debate" around the Bill has helped incubate an exceptionally hostile environment" for trans people in Scotland and this "rise in hate" should not put legislators off "doing the right thing".
- Concern that the debate has been dominated by "small" and "vocal" "astroturfing" groups against the Bill that claim to have mass support "but do not represent the vast majority of women" and "women's groups at the sharp end of single-sex support delivery are content with this bill and see no new problems arising out of it."
- While the changes in the Bill are welcomed more should be done to "reduce the wait time and improve the overall provision for trans healthcare" in Scotland.

the use of “puberty blockers” and surgery, especially in the context of the discourse around “neurodevelopment” in the justice system, which suggests that the brain is not “fully developed” until the age of 25.

- Concerns that young autistic people “aren’t being allowed to understand their neurodivergent place within society.”
- It is not truly possible to change sex as it is “observed” at birth and is an “irrefutable fact.”
- The GRR Bill is misogynistic as it reinforces gender stereotypes.
- The GRR Bill is homophobic as it undermines homosexuals' sexual orientation and encourages people to “trans the gay away”.
- The impact on women’s sport.
- The impact on data collection used to inform crime statistics and public service provision.
- Cross-border implications – a common campaign response submitted by multiple respondents included the following questions:
 - What is meant by “ordinarily resident” in Scotland? How long would someone have to live in Scotland before applying?
 - Will 16 and 17 year-olds from elsewhere in the UK be able to access the Scottish process?
 - What about Scottish-born prisoners held in English prisons?
 - Will a GRC obtained by self-declaration in Scotland have the same effect in other parts of the UK?
- The cost implications for the NHS including increase in demand for transition operations and mental health support.
- The preference to support those with gender dysphoria via mental health support as opposed to gender reassignment or transition.
- Disagreement around the “de-medicalisation” of the GRC process as “such life changing decisions should have medical input.”
- An increase in those wishing to de-transition in the future after “rushing” the GRC process and the issue of “criminalising” those who wish to de-transition as they could be seen as making a “false declaration.”
- False declaration offense would be “impossible to police.”
- The Bill is “badly drafted” and “poorly thought out” and “riddled with the dangers of unintended consequences.”

Results: Multiple choice questions

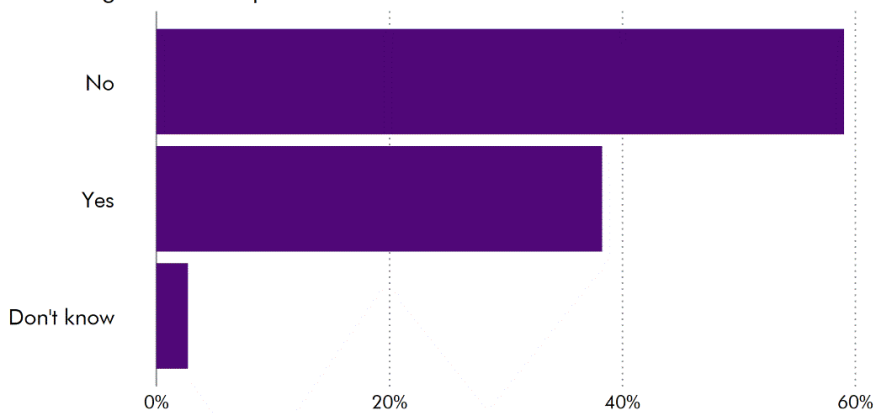
Respondents were asked seven questions about provisions in the Bill, each with the options of Yes, No, and Don't know available. An outline of the results is available below.

This survey data is based on 10,800 self-selecting respondents and is not intended to be representative of public opinion.

Do you agree with the overall purpose of the Bill?

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Percentage of total responses

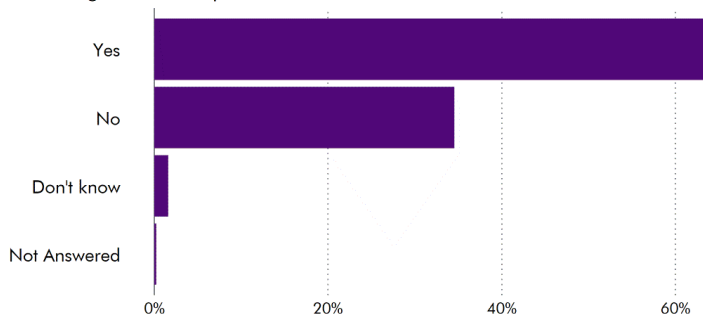


59% of those who responded disagreed with the overall purpose of the Bill; 38% agreed; and 3% indicated that they did not know if they agreed with the overall purpose of the Bill.

Should applicants for a GRC require a medical diagnosis of gender dysphoria or supporting documentation?

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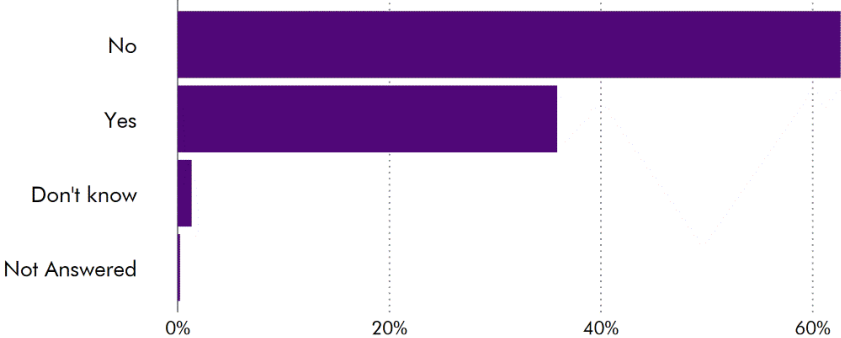
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Should the period of living in an acquired gender be reduced from 2 years to 3 months (with an additional 3 month reflection period)?

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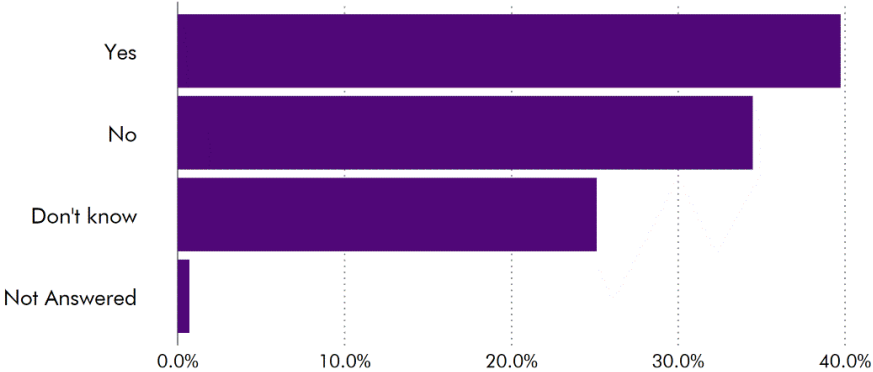
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Do you agree with the introduction of a 3-month reflection period before a GRC is granted?

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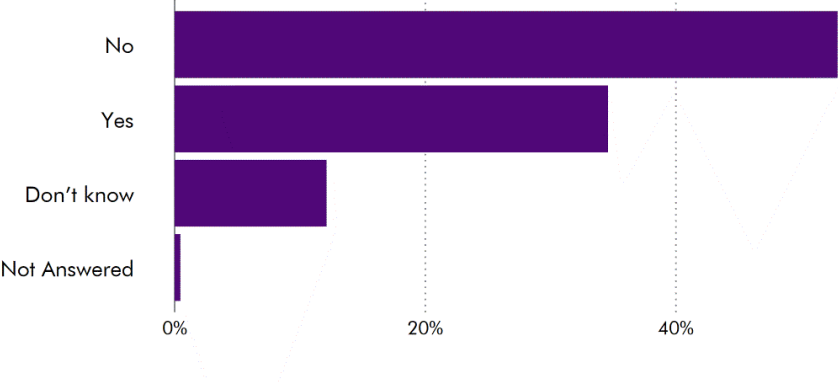
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Do you agree with the removal of the Gender Recognition Panel from the Process, with applications instead being made to the Registrar General?

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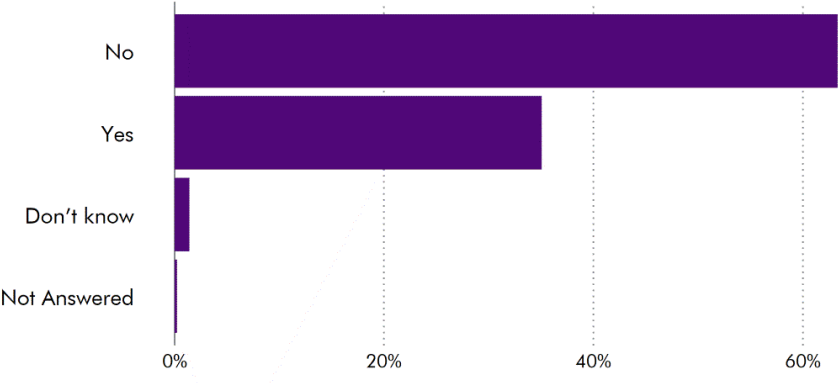
Percentage of total responses



Should the minimum age for applicants be reduced from 18 to 16?

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Percentage of total responses



Do you anticipate any negative impacts from the provisions in the Bill?

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Percentage of total responses

