

A statement from Scottish civil society organisations on the UK Government's intervention on the Gender Recognition Reform (Scotland) Bill

17th January 2023

This week, the UK government announced their intention to block the Gender Recognition Reform (Scotland) Bill, which was recently passed overwhelmingly in the Scottish Parliament, from becoming law. We, the undersigned, wish to make clear our strong opposition to this intervention and to any suggestion that these reforms would have an adverse effect on the Equality Act or women's rights.

Too much of the debate around the Bill has been shaped by misinformation on what the bill will actually mean in practice. The majority of human rights, women's and equalities organisations in Scotland have shown clear, consistent and unified support for this legislation throughout its seven years in development.

Years of detailed analysis by expert organisations in Scotland has considered the impact of the Bill in detail. This work has shown that the legislation will significantly improve the experiences of trans people, protecting them from the harms of a stigmatising and unnecessarily difficult process to access legal paperwork, while having no impact on women's services, the operation of the Equality Act, or single sex spaces. These findings have been echoed by the Scottish Parliament's Equalities, Human Rights and Civil Justice Committee's own indepth considerations of the Bill.

Specifically, the Equality Act has allowed for protection from discrimination of trans people on the basis of self-identification since its passage into law in 2010. This was the case before the Gender Recognition Reform Bill and will be the case after. Contrary to arguments made during the passage of the Scottish Bill, this legislation makes no changes to whether and when trans women can access women's spaces. If it is legitimate and proportionate, trans women can already be excluded from single sex services irrespective of whether they have a Gender Recognition Certificate (GRC) or not.

The legislation will have no impact on the experience or requirements of rape victims in court.

Violence Against Women (VAW) services in Scotland already operate on the basis of self-ID. Individuals are not required to provide their birth certificates to access services, something that would be hugely harmful. Instead, services have robust

safeguarding processes that allow for individuals to be excluded where there are legitimate concerns. Rape crisis services in Scotland have been providing trans inclusive services for 15 years without incident.

It is demoralising to see how trusted and highly experienced experts on equality and providers of services to women — many of whom have provided world-leading services in Scotland for decades — have been drowned out in this debate and denigrated for standing against misinformation.

There are currently a number of very real threats to women's rights in Scotland and the UK including but not limited to poverty, the cost of living crisis, cuts to services, rape conviction rates and the experiences of immigrant and refugee women. We find it particularly concerning that so much political and media attention has been devoted to the debate around this Bill in place of tackling these genuine barriers to women's equality.

Trans people across Scotland have endured seven years of being dangerously misrepresented in public discourse. We are deeply concerned about the impact of misinformation around what this Bill actually does, and the perception that it creates that women's rights and the rights of trans people are in conflict. They are not.

Our organisations see the paths to equality for women and trans people as being deeply interconnected and dependent on our shared efforts to dismantle patriarchal systems that impose barriers to full equality for us all.

Signed,
Amnesty International
Close the Gap
Engender
Human Rights Consortium Scotland
JustRight Scotland
National Union of Students Scotland
One Parent Families Scotland
Rape Crisis Scotland
Scottish Trades Union Congress
Scottish Refugee Council
Scottish Women's Aid
Scottish Women's Convention
Scottish Women's Rights Centre
Young Women's Movement
Zero Tolerance



