

## Written evidence submitted by Jane Carnall (GRA0012)

I am a 53-year-old cisgender woman, born in Scotland, citizen of the UK, lived in the UK all of my life: I identify as a lesbian-feminist. I support the changes to the Gender Recognition Act, and the only thing I object to in this consultation is that it is taking place at all - it is already clear that the majority of people supported the changes, supported self-ID in the process of applying for a GRC, and only a small crowd of noisy bigots were loudly inventing imaginary negative consequences. The key point for us cisgender people about the Gender Recognition Act is that - now the ban on same-sex marriage and mixed-sex civil partnership has been lifted - any change to the GRC process doesn't affect us. (Applying for a GRC when same-sex marriage was banned obviously affected the spouse of a transitioning person, but that no longer applies.) We don't have to apply for a GRC, so changing the process for applying doesn't affect us at all.

- Will the Government's proposed changes meet its aim of making the process "kinder and more straight forward"?

I hope so. The process of getting a gender recognition certificate ought to be simple, straightforward, and reasonably priced. Changing all other forms of ID is, I gather, either free or priced at a nominal administration fee - an enrolled deed poll to change your name costs only £36, and it seems hard to justify pricing a GRC above the cost of an enrolled deed poll.

- Should a fee for obtaining a Gender Recognition Certificate be removed or retained? Are there other financial burdens on applicants that could be removed or retained?

Make the price of a GRC the same as applying for an enrolled deed poll. There seems no justification for pricing it higher.

- Should the requirement for a diagnosis of gender dysphoria be removed?

Yes. If a person wants to change the gender on their birth certificate, the only reason for this is that they have gender dysphoria and do not identify as the gender on their birth certificate. Demanding they provide medical evidence of the diagnosis is an unnecessary, time-consuming burden both on the individual and on the doctors/clinics concerned. Replace this with the applicant signing a legally-binding document affirming they have the intent of living for the rest of their lives as the gender of their GRC.

- Should there be changes to the requirement for individuals to have lived in their acquired gender for at least two years?

Yes. Again, the issue is that providing proof of all this is unnecessary and timeconsuming. If there is a concern about fraudulent applicants - predatory cis men applying because they

suppose having a GRC will mean they get free access to women is often raised, though there is no evidence this actually happens - again, replace this with the applicant signing a legally-binding document affirming they have the intent of living for the rest of their lives as the gender of their GRC. If someone has applied for a GRC fraudulently, this can be prosecuted just as someone applying for a marriage licence fraudulently can be prosecuted.

- What is your view of the statutory declaration and should any changes have been made to it?

Remove all references to marriage or civil partnership. In no part of the UK is that now relevant.

- Does the spousal consent provision in the Act need reforming? If so, how? If it needs reforming or removal, is anything else needed to protect any rights of the spouse or civil partner?

Now that the UK has equal marriage and civil partnership, there is no reason for any spousal consent. Whether or not a person decides to divorce their spouse because of their spouse's transition, is a separate and painful matter - it ought not, for the sake of both partners and any children, to be related to the transitioning spouse's right to legal documents. The couple remain legally married or civil-partnered, whatever gender each of them is, until one or both decide to end the legal relationship. Neither of them can force the other to stay married: neither of them can legally force the other not to transition. That's how it should be, and those two decisions ought to be completely separate.

- Should the age limit at which people can apply for a Gender Recognition Certificate (GRC) be lowered?

Yes. A 16-year-old can legally work in the UK, and be registered to pay National Insurance and taxes. A 16-year-old may need to present their birth certificate to their employer in order to prove their legal right to work in the UK: they must, therefore, be able to have a birth certificate in accordance with their gender. If there is a concern that a 16-year-old might change their mind in later life, this can be remedied by allowing people to re-apply for a GRC to change their birth certificate back.

- What impact will these proposed changes have on those people applying for a Gender Recognition Certificate, and on trans people more generally?

I can see only beneficial effects, if the process is made more humane, simpler, cheaper, less dependent on medical documentation, and obviously, not dependent on spousal approval.

- What else should the Government have included in its proposals, if anything?

Recognition of non-binary people.

- Does the Scottish Government's proposed Bill offer a more suitable alternative to reforming the Gender Recognition Act 2004?

I think the key changes necessary are to remove the requirement for medical evidence, remove the requirement for having lived in their gender for two years, reduce the cost, and remove the waiting period to apply and lower the age limit to 16.

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