

BRIEFING: GENDER RECOGNITION REFORM (SCOTLAND) BILL – STAGE 1 DEBATE



Introduction

On 27th October, MSPs will debate the general principles of the Scottish Government's [Gender Recognition Reform \(Scotland\) Bill](#). The purpose of the Bill is to amend the Gender Recognition Act 2004: a law which allows individuals to apply for a Gender Recognition Certificate to legally change gender. The Bill, if successful, will remove the current requirement for a diagnosis of gender dysphoria and reduce the requirement to have 'lived in' the 'acquired' gender for two years to three months. The Bill also seeks to reduce the age at which someone can apply for a Gender Recognition Certificate from 18 to 16 years.

A Catholic Perspective

Compassion

The Church is pastorally sensitive to the experience of those who, even at certain moments in life, desire to have a body and identity other than their biological gender and may begin to behave in ways culturally associated with this orientation. They are to be met with **compassion and a particular care and support** in the challenges and distress that come with gender dysphoria.

A Catholic Understanding

The fullest Catholic understanding of sexuality flows from our faith in God's Revelation that the human person is made in His image, male and female. **The Church holds that human life, from the moment of conception, has its sexual state fixed genetically, anatomically and physiologically.** Moreover, the Church, aware of the evidence of both life and human sciences, is convinced that gender identity and sexual identity, which are innate and unchangeable, arise from one and the same foundation and are inseparable from each other in principle.

Affirming the objective foundation of sex and gender from long-standing human experience confirmed in the data of the natural sciences, **the Church does not recognise a legitimate prerogative of the State to redefine in law what is male and female in a way that denies the biological reality of sexual difference.** These are part of the natural law which expresses the unchanging principles of the human person in society. The Church, therefore, opposes the Gender Recognition Act 2004 in principle.

64 Aitken Street, Airdrie ML6 6LT, Tel: 07903952985, Email: office@rcpoltics.org. The Catholic Parliamentary Office is an agency of the Bishops' Conference of Scotland (also known as the Catholic National Endowment Trust Charity No. SCO 16650)

Concerns about the Bill

Religious Freedom and Freedom of Expression

Freedom should be upheld for those who, holding the reasonable view that sex and gender are given and immutable, reject the idea of gender as fluid and separable from biological sex. This is particularly the case for those who work in education, healthcare, or as marriage celebrants who, from both reasonable and religious perspectives, hold an understanding of marriage as a union between one man and one woman, for prison staff and religious representatives. Likewise, the Catholic Church must be able to declare the marriages of its people in accordance with our own teaching.

Self-Identification

The government's proposal will in effect introduce a system of self-identification, allowing a person to change their legal sex without the need for a medical diagnosis of gender dysphoria or having to see a doctor. Removing this requirement, and the important medical oversight that goes with it, will inevitably **reduce the opportunity for crucial healthcare, support, and protection for vulnerable individuals, including children.**

Protecting children

Children must be protected from making permanent legal declarations about their gender which may lead to irreversible elective interventions, including surgery. Lowering the minimum age from 18 to 16 and introducing a system of self-identification will put more children and young people on this path.

NHS England's Gender Identity Service at the Tavistock clinic in London has been closed after an independent review found its affirmative approach to gender identity issues was 'not safe'.¹ This included **prescribing puberty blockers to children, despite a lack of clarity about the long-term effects of the drugs.** Scotland's equivalent clinic, the Sandyford clinic in Glasgow, remains open, despite offering a similar affirmative approach to the Tavistock.

Dr David Bell, former staff governor at the Tavistock clinic, said that the Sandyford clinic in Glasgow should be **"closed down immediately"** and warned the Scottish Government's

¹ Cass Review Interim Report [Interim report – Cass Review](#)

stance on affirming gender transition was **“likely to make it more difficult for them to see the damage that is being done to children by inappropriate, experimental treatment.”**²

Writing in The Times, Dr Angus McKellar and Dr Antony Latham, both General Practitioners, said: ‘At least 98 per cent of children who “consent” to take puberty blockers go on to have sex hormone treatment, causing irreversible changes. Many then have sex-change surgery. Conversely, **more than 80 per cent of children with gender dysphoria who do not receive puberty blockers will become comfortable in due course with their biological sex.**’³

Protecting safe spaces for women and girls

Women’s organisations have recorded their own concern that the proposed reforms will increase risks to the safety of women and girls. The objection that a man self-declaring as female will have access to women’s hospital wards, women’s refuges and safe houses, or gain access to women-only prisons, is to be taken seriously. There are also real concerns that the proposals will mean a female healthcare practitioner will no longer be guaranteed for women and girls, even when it is requested. The proposed reforms will allow a larger number of people to self-declare their gender, including those who do not have gender dysphoria, and increase the risk of bad-faith actors taking advantage of the proposed system.

The government is out of step with public opinion

The Scottish Government is wildly out of step with public opinion on this issue. An analysis of the Scottish Parliament Equalities, Human Rights and Civil Justice Committee’s own short survey on the proposed Bill, which attracted 10,800 responses, shows significant public opposition to the Bill. **59 per cent disagreed with the overall purpose of the Bill**, while only 38 per cent agreed. When invited to provide further comments on the Bill, 1,687 (26%) were in favour, while **4,768 (74%) were opposed to the Bill**.

A recent poll commissioned by the Times and Sunday Times in October 2022⁴ showed that **sixty-two per cent opposed lowering the age at which a person can legally change their gender from 18 to 16**. Moreover, **only 26 per cent supported ending the requirement for a medical diagnosis of gender dysphoria**.

² *The Times*, Wednesday 3 August 2022 [Psychiatrist pleads to shut down Sandyford gender clinic in Glasgow | Scotland | The Times](#)

³ *The Times*, Letters to the Editor, Monday 25 April 2022 [Times letters: Examining the worth of a ban on smacking | Comment | The Times](#)

⁴ *Sunday Times Panelbase Poll JK Rowling: Sturgeon is deaf to women’s concerns over gender ID | Scotland | The Sunday Times* ([thetimes.co.uk](https://www.thetimes.co.uk))

How you can help

Please contact your MSPs and urge them to vote against the Bill at the Stage 1 debate on 27 October. You can use the arguments we have set out above but please do try to use your own words as much as possible. Below is a template letter/email you may wish to consider.

Please note that you have eight MSPs (one constituency, and seven regional). Please write to as many of them as you can. You can find contact details for your MSPs via the link, below (enter your postcode):

[Current Members of the Scottish Parliament \(MSPs\) | Scottish Parliament Website.](#)

Template email/letter

Dear [Insert name of MSP],

I am a resident in your [constituency/region] (*amend as appropriate depending on whether you are writing to your constituency MSP or a regional MSP*).

I am deeply concerned about the Scottish Government's proposals to amend the Gender Recognition Act 2004.

The Gender Recognition Reform (Scotland) Bill is concerning because it:

[Insert arguments against the proposals in the Bill e.g.

- It is a threat to the rights of those who hold the reasonable view that sex and gender are given and immutable and reject the idea of gender as fluid and separable from biological sex;
- Removing the requirement of a diagnosis of gender dysphoria, and the important medical oversight that goes with it, will inevitably reduce the opportunity for crucial healthcare, support, and protection for vulnerable individuals, including children;
- Children must be protected from making permanent legal declarations about their gender which may lead to irreversible elective interventions, including surgery. Lowering the minimum age from 18 to 16 and introducing a system of self-identification will put more children and young people on this path.

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- The objection that a man self-declaring as female will have access to women’s hospital wards, women’s refuges and safe houses, or gain access to women-only prisons, is to be taken seriously. There are also real concerns that the proposals will mean a female healthcare practitioner will no longer be guaranteed for women and girls, even when it is requested; and
- The Scottish Government is out of step with public opinion on this issue. [Please make sure you quote some of the figures from the briefing, highlighting strong public opposition to the Bill].]

For these reasons I would appreciate if you would vote against the Bill moving to Stage 2.

Kind regards,

[Insert your name and address]