

CULTURE, TOURISM, EUROPE AND EXTERNAL AFFAIRS COMMITTEE

CENSUS (AMENDMENT) (SCOTLAND) BILL

SUBMISSION FROM ANONYMOUS

My major concern with the current wording of the proposed change is that it conflates gender identity and biological sex. These are two distinct issues and need to be treated as such.

Under current legislation, sex is a protected characteristic, while gender identity is not. We therefore need to know the former, not the latter, in order to ensure we are properly exercising current legislation. As sex-based discrimination is still present and, indeed, widespread, it is vital that we have accurate statistics about this characteristic. In order to identify which groups are affected by which factors - it is already well known that females are at higher risk for a number of impacts from poverty to violence, for example - it is crucial to gather data about biological sex.

In addition, gender identity is a particular set of beliefs not subscribed to by everyone, so this cannot be made a mandatory question.

If one of the purposes of the census is to provide reliable data on the size and locality of trans people in Scotland, then, unless there is a further proposed question which will document gender re-assignment or trans identity specifically, there need to be two questions. This is because a transwoman could respond to the gender identity question with "female", and therefore not be recorded as trans, thus providing inaccurate records of the trans population.

Therefore, my recommendation is the use of two separate questions: the first to ask about biological sex, with two possible answers (male or female); and a second, separate and optional, question about gender identity, with either several tick boxes with the most common gender identities and a write-in option, or a simple write-in option. This would allow data to be collected about both biological fact and social views on sex and gender identity, providing valuable information for service provision and social demography.

I would also like to register my concern about the poor quality of data that will be gathered in relation to sexual orientation with regards to gender identity. For example, if a trans man chooses "lesbian/gay" in this question, is this with reference to biological sex or according to gender identity?