

JUSTICE COMMITTEE

HATE CRIME AND PUBLIC ORDER (SCOTLAND) BILL

SUBMISSION FROM MAGDA RAKITA, ICON UK

I am writing to you in regards to the evidence hearing about the inclusion of intersex and VSC in the hate crime bill (Scotland) on Tuesday the 17th of November. I have attached this email text as a word document and would like them to be considered as supplementary evidence with regards to the changes in the bill.

I want to address a couple of points raised during the committee session.

1) The use of terminology within the community:

My experiences as support groups facilitator as well as support group participant, as an intersex person and a member of the chair of trustees of Interconnected UK, tell me that the terminology intersex and VSC (I/VSC) is more accepted and used than DSD.

- 'I/VSC' terminology was used in the UK Government's call for evidence on the subject.
- Research from Australia suggests that only 3% of people with intersex traits are using terminology like DSD.
- 'DSD' is the terminology used by those with an I/VSC mostly only when in medical settings.
- When not in healthcare settings (i.e. in social situations), individuals prefer to use different terminology including the name of their specific variation/condition/diagnosis or 'intersex.'

2) The necessity for inclusion of I/VSC within the Bill outside of other protected groups such as protection on basis of disability:

I do not have a disability. To include I/VSC under this category is very difficult to understand. As a female-presenting person who may have (for example) facial hair growth, and who has experienced bullying and attacks based on those characteristics, I have not been a subject of hate crime due to a disability. I have been a subject of prejudice and hate crime due to my difference due to my variation is sex characteristics. I believe that the inclusion of intersex traits under disability umbrella could lead to further medicalisation of our bodies, which we know often, has tragic consequences.

Nobody negates the need for education, awareness arising and psychosocial support. Those things are incredibly important. They are not mutually exclusive with the inclusion of I/VSC in the proposed hate crime bill.

3) The suggestion of a sex aggravator:

Though there may be some support for the motion of including 'sex' as an aggravation within the bill at some stage, this must only be considered providing the

category is not defined as typically male and typically female sex characteristics only, but must be inclusive of less typical variations in sex characteristics.

Thank you for your time and consideration.

Magda Rakita

23 November 2020