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Good afternoon, friends.

I want to say something about how we got here but more importantly about how we get somewhere better, for everyone.

So, how we got here.

First, it is perfectly reasonable to revisit a 16 year old piece of legislation. When policy makers and MSPs were told that some people thought the current GRA was not working well, it was reasonable of them to listen.

It's how government responded that's the problem.

The reason we all find ourselves here today is – most basically - because of very bad policy process.

A policy process which has been one sided, in which there has been unquestioning acceptance both of the nature of the problem and the solution put forward to it by one set of interests.

A process in which there has been no exploration of different options, poor assessment of impact, lack of curiosity about evidence. A process in which – several years in – the government is unable to describe clearly what the law currently does, before it tries to change it.

A process where the door has been wide open to one side of the argument for years, while the other has had to lean on the door bell just to get a conversation over the safety chain in the last few weeks.

It's a process that exhibits all the characteristics of what the OECD describes as “policy capture”. The OECD says that this happens when “public decisions over policies are consistently or repeatedly directed ... towards a specific interest, [which] can exacerbate inequalities and undermine democratic values... and trust in government”.

How do we get somewhere better? Well, the OECD can tell us that too.

Its prescription is “engaging stakeholders with diverging interests; ensuring transparency and access to information; promoting accountability; and identifying and mitigating the risk of capture through organisational integrity policies.”

What could that mean here?

It would mean looking at the issue of GRA reform in a process where all interests are properly recognised and represented from start, all rights are valued with no hierarchy of rights, where protecting rights under the ECHR for everyone is taken as the starting point.

A process where the issues are properly explored.

That would include disentangling criticisms of practical points about the current application process for a GRC from basic objections of principle that campaigners for self-declaration have to restrictions in the current law. This is a distinction the Scottish Government has been really poor at recognising.

It would be a process built on a clear shared understanding of the current law, with proper evidence-based impact analysis.

A process that puts right what the evidence now available from the government's own historic files shows, which is that in the run up to the original GRA in 2004, the impact on women was given very limited attention and women's interests were not well-represented.

It would be a process based on what Claire Heuchan beautifully described last year as "compassion across difference", built on thoroughness, transparency and honesty, producing law reform that respects and values everyone's rights, and seeks to create real consensus, not an outcome forced through by the aggressive use of parliamentary mathematics.

That is what Kath Murray, Lisa Mackenzie and I will be arguing for in our response to the consultation.

I'll finish with a message to our legislators and policymakers from Robert Burns. In 1792, itself a time of no small political turmoil, Burns wrote:

While Europe's eye is fix'd on mighty things,
The fate of Empires and the fall of Kings;
While quacks of State must each produce his plan,
And even children lisp the Rights of Man;
Amid this mighty fuss just let me mention,
The Rights of Woman merit some attention.