

Podcast: Ungagged! Talking Sense: with Maggie Chapman

Interviewers: @kat_cary and Erin (@Seunte)

<https://www.podbean.com/media/share/pb-h9dsb-11cd8c7>

Published 13 March 2022

At 41:35:

Maggie Chapman MSP:

So I'm the Vice-convenor, the Deputy Convenor, of the Equalities, Human Rights and Civil Justice Committee in the Scottish Parliament and the... when the Bill passes Stage 1 when it's agreed by Parliament to go to the next stage it will go to... it'll come to our committee, to the Equalities, Human Rights and Civil Justice Committee, um to discuss, to debate, to take further evidence on, all of that stuff.

So what... there are a couple of things that the Bill seeks to do. It's the Gender Recognition Reform Bill and it seeks to make it easier for trans people to get a gender um... reassignment certificate also called a GRC. And that is... um... basically what the GRC does is allows trans people to have their... um... their gender as they live recognised and registered in law on... on personal documentation like birth certificates, passports, that kind of thing.

So at the moment the process to get a GRC requires medical intervention. It requires um... medical professionals to confirm a diagnosis of gender dysphoria or to confirm that this is actually the best thing for that individual and then... for that individual to live in their "acquired gender" for two years before they make an application. And obviously for some people, that might be OK but for... for many people those two years would be ... would be hell. Those two years would mean they might be putting themselves at risk because of prejudice and stigma in their home, in their community, at work, all of... all of those kind of things.

So the GRR Bill seeks to take away that requirement for a medical professional to make that... that... that diagnosis and to ... er ... reduce at the moment the draft Bill says to three months the... the two year period. Um ... the Bill also seeks to... and in taking away the requirement for medical diagnosis it introduces what is broadly um... well, what is called um... self-identification... so all it is, is a trans person will say "yes, this is who I am, this is who... what my gender is, this is how I will be ... what I will define", um... live in that gender for three months so that's down from two years and then make the application and then there'll be a three month cooling off period.

The GRR reform also seeks to lower the age at which... at which somebody can... can apply from 18 to 16 so... Personally and within the Greens I support the lowering of the age to 16. I don't think the three months... er... period prior to application or the three month cooling off period is required. I think we know from a lot of research that trans people know their own minds, they don't need to be treated with kid gloves, they don't need to be second guessed, which to me is what the three months... the three months plus three months feels like.

But I think... I think broadly what this will mean is it'll take out... it'll make the process easier... it will take out that invasive and intrusive medical... um... diagnosis, medical intervention

requirement. It will hopefully make... hopefully reduce the costs for... for some people, some people who might... who might need to... to take... to take on legal costs to challenge... um employers who won't recognise during that two year living period... won't recognise their acquired gender, all of those things, and fundamentally I think the main point of this is to reduce trauma for... for trans people. I think there are... there are going to be discussions around some of those elements... the time scales involved. I know there'll be people who are very unhappy with the reduction of the age limit to 16... um... and I think...

Interviewer: On that...

Interviewer 2: No, sorry, go ahead...

Interviewer: I find that very interesting, since the age to vote is 16, so you're saying...

Interviewer 2: And to get married...

Interviewer: and to get married, right, and is there a cooling off period to get married? No. [laughter] I meet a lot of people who in their lives [indistinct]. We don't try and force people, and infantilise them in that decision, so when you start breaking it down and you stop like sensationalising this one choice in someone's life, you're saying "No, this is like a pretty large commitment that someone is making"... um... yeah.

Maggie Chapman:

And I mean one of the challenges to it.. the challenges that comes "Oh well" is that abusive or predatory men will wake up one morning and self-identify and therefore be able to get into women's spaces and abuse women.

One of the things is this is a statutory declaration, part of that statutory declaration is that as a trans person... um... you... you are saying that this... this is how you are going to live for the rest of your life and if that declaration is made falsely that... that is breaching... that is a breach of law and I know what we've said already about enforcement of law... um...within our... our police and criminal justice system but I think... I think there is something quite clear about this.

You know it's not somebody who just takes a notion, they wake up one morning and think "Oh, I know what I can do in order to get into women's only spaces or whatever". Predatory men have never needed to identify as a woman to get into women's-only spaces, for a start.

I think a lot of the discussion about women's-only spaces also fundamentally forgets that there are transmen too and that women... people who... who are assigned... er... female at birth are not female and... and... become... become... men and as trans men are therefore men.

And I think there is... there is just so much information and so much fear stoked up by... by people who have ulterior motives or who may be misinformed, some of whom definitely are bigots and are transphobic and I think you know it's... it's... Kat you, well, you both said just how much abuse Shona Robison has already taken and it's going to be... it's not going to be a pleasant few months in Scottish politics, that's for certain, but these relatively small changes to our laws will hopefully minimise or at least reduce the trauma that trans people er... experience and I hope that as the

Bill passes through parliament we can actually bust some of the myths and challenge some of the misinformation that's going around.

The point that Kez makes in her article around you know being on the opposite side to women that we've stood we've linked arms with shoulder to shoulder in so many campaigns in so many struggles that is... that is hard and I think that's... that's going to be the reality of parliamentarians as well because there are people in that chamber who I know fundamentally disagree with me on this and yet there are a whole range of struggles that we have stood on the same side as each other on...

So yeah it's going to be a challenging few months, but I think you know Shona very clearly set the tone of debate on... on Thursday. Most contributions in response to her statement in response to her statement on the launching of the Bill um... were in step with it. I think there were a couple that were not and certainly within parliamentary spaces, within parliamentary discussions we're all going to have to work pretty hard to maintain that... maintain that tone. I cannot promise to maintain that tone when I am not in a parliamentary committee or in the Chamber because ... well, I know I won't so there's no point in trying to promise it ...um ... I will lose the plot at some point, I'm sure .. um...

Interviewer:

You weren't the only person who stood up and made a point that we need to make sure that trans people, their lives their worth is up for debate. You know like I'm a cis woman but like I think it's so important to say like that some people are saying for whatever reason that they think this is the be all end all ... you know, in America it's abortion, reproductive rights that do it, where people turn on each other but here it's like let's not bring trans people's lives their worth and their dignity up for debate, I think that's really important. Because trans women and are women and this is their history month too!

Maggie Chapman:

Indeed, indeed I've said all along through all of this because you know it's only been in the last few years that this issue has created division in the way that it has recently that you know, people talk about it being a polarised debate. Quite frankly, I don't call it a debate because I will not debate somebody's right... somebody's right to exist and that...

Interviewer: Well, I think call it a "moral panic" ...

Maggie Chapman:

Yeah, well yeah, I have called it a moral panic before and got piled on as a consequence but ... yeah ... it... you know ... it's ... so many of the arguments against trans people, against gender recognition reform now, are exactly the same arguments that were used against... er gay... gay people, lesbians in the 1980s and 90s, you know around section 28, around teaching... teaching about homosexuality in schools "Oh no, you know, whatever will happen next?". And we're seeing exactly the same tropes, exactly the same um... types of arguments used against self-ID and against trans people's rights to exist and that for me should never be up for debate.