

Radio 4, Interview with Nicola Sturgeon, 07 March 2022

Interviewer:

One other issue, rather sidebar issue given what we're talking about, but I would like to just ask you about because it's been a big change in Scotland, and been rather controversial change, which is the rules on gender certification. The author JK Rowling has tweeted that the law that you are trying to pass in Scotland at the moment will harm the most vulnerable women in society. How do you respond to that?

Nicola Sturgeon:

Em, I fundamentally disagree with that and, of course, the rules haven't yet changed. The legislation was introduced to Parliament last week and it will now go through a full legislative process with all the normal parliamentary scrutiny.

Interviewer:

And a free vote?

Nicola Sturgeon:

Well, well, that's for different parties to decide.

Interviewer:

[unclear] in favour of a free vote?

All of the MSPs in my party were elected on a manifesto commitment to do this. So whether or not it's a free vote is a decision for my parliamentary group. But can I come on to the substance of this because this is about a process, an existing process, by which people can legally change their gender. And it's about making that process less traumatic and inhumane for trans people, one of the most stigmatised minorities in our society. It doesn't give trans people any more rights, doesn't give trans people one single additional right that they don't have right now. Nor does it take away from women any of the current existing rights that women have under the Equalities Act. This is about making a pre existing...

Interviewer:

So it doesn't change anything about safe spaces?

Nicola Sturgeon:

No, it doesn't.

Interviewer:

So then..

Nicola Sturgeon:

No, it doesn't.

Interviewer:

So which...what's the point then?

Nicola Sturgeon:

The point is because if you want to legally change your gen...and actually your question to me there illustrates the misunderstanding around this, it doesn't change anything about safe

species. What it does, is if you are a trans person wanting to legally change your gender, and very few people do it, instead of having to go through a process that means you have to go before a medical panel to prove gender dysphoria, you can self declare. It's still a statutory process with criminal implications if you do that fraudulently. But it's about making an existing process more humane and less traumatic for one of the most stigmatised and discriminated against groups in our society.

Interviewer:

So if you think that, should JK Rowling be allowed to say what she says in her tweets?

Nicola Sturgeon:

I haven't actually seen the tweet. But the very fact she said it would suggest that she's allowed to say it.

Interviewer:

I'm just wondering if you think she should be because there are some things that society stop and given your argument, the argument you've put forward.

Nicola Sturgeon:

There's nothing in my argument I've put forward that would suggest JK Rowling can't say what she's said. I haven't seen what she said. But I don't think somebody that's got, I don't know, followers of no doubt, several million, who has tweeted, obviously, because you're putting in a question to me, can claim that they're not allowed to say what they want to say.

Interviewer:

She's not complaining.

Nicola Sturgeon:

Okay, well I don't know what your question then is.

Interviewer:

Well, my question is, whether you feel given what you say about the law..

Nicola Sturgeon:

How, how, sorry, how can what I say about changing an existing process to make it less traumatic and more humane for people be then read as me saying that people like JK Rowling can't express their opinion?

Interviewer:

Okay, is th...because one of the concerns about this is the way that the debate is handled. JK Rowling says something and then there's a pile on on her and then people try to defend...

Nicola Sturgeon:

You're telling me, I literally have not seen what so, you know. And the way you described it to me, this was a tweet directed at me. I haven't seen it. I don't know about any pile on. She's clearly free to express her opinion, as am I, as is, is everybody. But that's not what this debate is about. In fact, on Thursday in the Scottish Parliament as this legislation was introduced and one of my ministers made a statement, almost unanimously across parties, there was a plea to have a debate that was civilised, that was respectful of different opinions, but that didn't give inadvertently succour to those - and I'm not describing anybody, like JK

Rowling or anybody else in this way, for the avoidance of doubt - but for those who do try to exploit this issue for purposes of prejudice and transphobia.

Interviewer:

Nicola Sturgeon, thank you very much.

Nicola Sturgeon:

Thank you.