

MBM review of party manifestos for the 2021 Scottish Parliament elections

28 April 2021

Criteria:

1. We sought to review the manifestos of the 13 parties standing candidates in all eight regions. We were unable to find manifestos for three of the parties.
2. We conducted a word search for references to 'gender recognition' and 'Equality Act'.
3. We only considered the main manifesto documents.

A. Manifesto commitments from parties represented in the last parliament

Scottish National Party

"In the next parliament we will work with trans people, women, equality groups, legal and human rights experts to identify the best and most effective way to improve and simplify the process by which a trans person can obtain legal recognition, so that the trauma associated with that process is reduced. We remain committed to making necessary changes to the *Gender Recognition Act* that arise from this work at the earliest opportunity.

We will ensure that these changes do not affect the rights or protections that women currently have under the *Equality Act*.

It is important that concerns about reforms to *gender recognition* law are addressed through informed and respectful discussion. However we must not allow them to be a cover for transphobia or disinformation."

Scottish Conservatives

No reference to either 'gender recognition' or the 'Equality Act' were found.

Scottish Labour

"The Equality Act 2010 will continue to frame our equality policies.

We will reform the Gender Recognition Act to demedicalise the process and allow for the recognition of people who identify as neither men nor women."

Scottish Green Party

"Deliver long overdue reforms to the *Gender Recognition Act*, including statutory self-declaration, recognising non-binary identities and all genders, and providing access to health care for trans minors with parental or guardian consent."

Scottish Liberal Democrats

"Improve laws on *gender recognition* in line with international best practice to allow trans people to change the legal gender on their birth certificate with a simple process based on the principle of self-determination, and without intrusive medical diagnosis requirements, and include the recognition of non-binary people. This de-medicalised system to change legal gender will better support trans people to live their lives free from discrimination."

B. Manifesto commitments from other parties standing candidates in all eight regions

Alba Party

“Alba believes women have the right to maintain their sex based protections as set out in the *Equality Act 2010*.

Alba acknowledges and promotes all of the protected characteristics of the *Equality Act 2010* which are age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sexual orientation and sex.

Alba invites and will endorse a Citizens’ Assembly on how best to reform the *Gender Recognition* process in a respectful, sensitive and positive fashion.”

Scottish Family Party

“We oppose the proposed *Gender Recognition Act*. Officially changing sex/gender should not be possible merely at the request of an individual.

Even the current system of recognising gender change undermines the right of women to same sex spaces, makes a mockery of women’s sport, and communicates a harmful understanding of sex and gender.

So, we propose that there should be no provision to change gender legally. The only exception to this should be for intersex people, though we would allow those who have already changed gender to remain in their new legal gender.

The *Equality Act’s* section on “harassment” should be repealed. Again, “offence” should not be a matter for the law, nor should vague concepts such as “violating your dignity.” The *Equality Act* has led to many injustices and serves to enforce a political philosophy by threat of legal consequence.

The *2010 Equality Act* mandates “positive action,” stating that a candidate can be selected for a job because of their race, sex etc in order to meet statistical targets. This is unjust and discriminatory and should be repealed.

The *Equalities Act* [sic] also makes harassment based on protected characteristics an offence. This is unnecessary. The law should apply equally to all. This provision actually makes some employers reluctant to employ applicants with certain “protected characteristics,” fearing that they will use their special protection to raise complaints and manipulate.”

C. Other parties

There were no references to ‘gender recognition’ or the ‘Equality Act’ in the manifestos of Alliance4Unity, UKIP and the Libertarian parties. We were unable to find manifestos for Reform UK, the Freedom Alliance and the Abolish Holyrood Party.

Manifesto references to 'Equality Act'

Party	Manifesto wording
SNP	<p>"We will ensure that these changes* do not affect the rights or protections that women currently have under the <i>Equality Act</i>."</p> <p>*changes to the GRA</p>
Conservatives	No references
Labour	"The <i>Equality Act 2010</i> will continue to frame our equality policies."
Scottish Greens	No references
Liberal Democrats	No references
Alba	<p>"Alba believes women have the right to maintain their sex based protections as set out in the <i>Equality Act 2010</i>."</p> <p>"Alba acknowledges and promotes all of the protected characteristics of the <i>Equality Act 2010</i> which are age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sexual orientation and sex."</p>
Scottish Family Party	<p>"The <i>Equality Act's</i> section on "harassment" should be repealed. Again, "offence" should not be a matter for the law, nor should vague concepts such as "violating your dignity." The <i>Equality Act</i> has led to many injustices and serves to enforce a political philosophy by threat of legal consequence."</p> <p>"The <i>2010 Equality Act</i> mandates "positive action," stating that a candidate can be selected for a job because of their race, sex etc in order to meet statistical targets. This is unjust and discriminatory and should be repealed."</p> <p>"The <i>Equalities Act</i> [sic] also makes harassment based on protected characteristics an offence. This is unnecessary. The law should apply equally to all. This provision actually makes some employers reluctant to employ applicants with certain "protected characteristics," fearing that they will use their special protection to raise complaints and manipulate."</p>
Alliance4Unity	No references
UKIP	No references
Libertarian	No references

Manifesto references to 'gender recognition'

Party	Manifesto wording
SNP	<p>"In the next parliament we will work with trans people, women, equality groups, legal and human rights experts to identify the best and most effective way to improve and simplify the process by which a trans person can obtain legal recognition, so that the trauma associated with that process is reduced. We remain committed to making necessary changes to the <i>Gender Recognition Act</i> that arise from this work at the earliest opportunity."</p> <p>"It is important that concerns about reforms to <i>gender recognition</i> law are addressed through informed and respectful discussion. However we must not allow them to be a cover for transphobia or disinformation."</p>
Conservative	No references
Labour	"We will reform the <i>Gender Recognition Act</i> to demedicalise the process and allow for the recognition of people who identify as neither men nor women."
Scottish Greens	"Deliver long overdue reforms to the <i>Gender Recognition Act</i> , including statutory self-declaration, recognising non-binary identities and all genders, and providing access to health care for trans minors with parental or guardian consent."
Liberal Democrats	"Improve laws on <i>gender recognition</i> in line with international best practice to allow trans people to change the legal gender on their birth certificate with a simple process based on the principle of self-determination, and without intrusive medical diagnosis requirements, and include the recognition of non-binary people. This de-medicalised system to change legal gender will better support trans people to live their lives free from discrimination."
Alba	"Alba invites and will endorse a Citizens' Assembly on how best to reform the <i>Gender Recognition</i> process in a respectful, sensitive and positive fashion."
Scottish Family Party	<p>"We oppose the proposed <i>Gender Recognition Act</i>. Officially changing sex/gender should not be possible merely at the request of an individual."</p> <p>"Even the current system of recognising gender change undermines the right of women to same sex spaces, makes a mockery of women's sport, and communicates a harmful understanding of sex and gender."</p> <p>"So, we propose that there should be no provision to change gender legally. The only exception to this should be for intersex people, though we would allow those who have already changed gender to remain in their new legal gender."</p>
Alliance4Unity	No references
UKIP	No references
Libertarian	No references