

Protected Characteristics Profile: Gender Reassignment

Purpose

This profile is one of nine, presenting quantitative (mainly through the Census) and qualitative (through locally run focus groups) data alongside desktop research. The purpose is to inform discussions about our local community.

Background

The Equality Act 2010 legally protects people from discrimination and unfair treatment in Britain; this is because of the Protected Characteristics they have. The Protected Characteristics are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

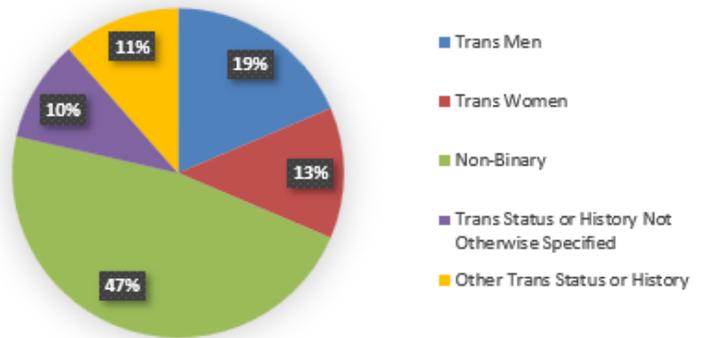
It is against the law to discriminate against someone because of a Protected Characteristic. Gender reassignment discrimination is when a person is are treated differently because they are trans in one of the situations covered by the Equality Act.¹

Key Points

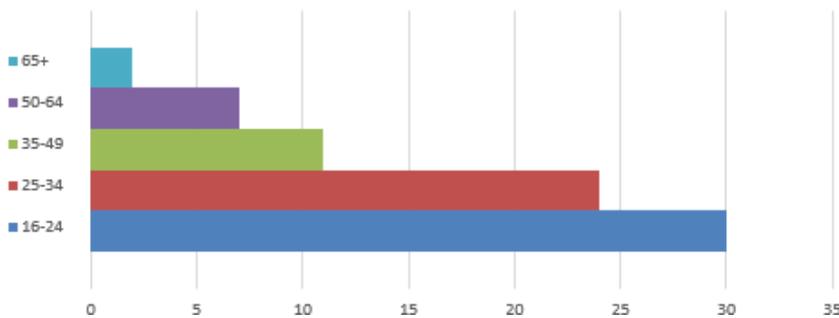
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In 2022 in Shetland, 47% of those who responded to the Census to say they were trans or have a trans history, were non-binary. Of the remaining respondents 19% were trans men, 13% trans women, 11% other trans status or history and 10% not otherwise specified. This trend is similar to Scotland, the Highlands, the Western Isles and Orkney.

Percentage of people who said yes to Trans Status and History in Shetland



Number of people who answered yes to Trans Status and History, by Age in Shetland



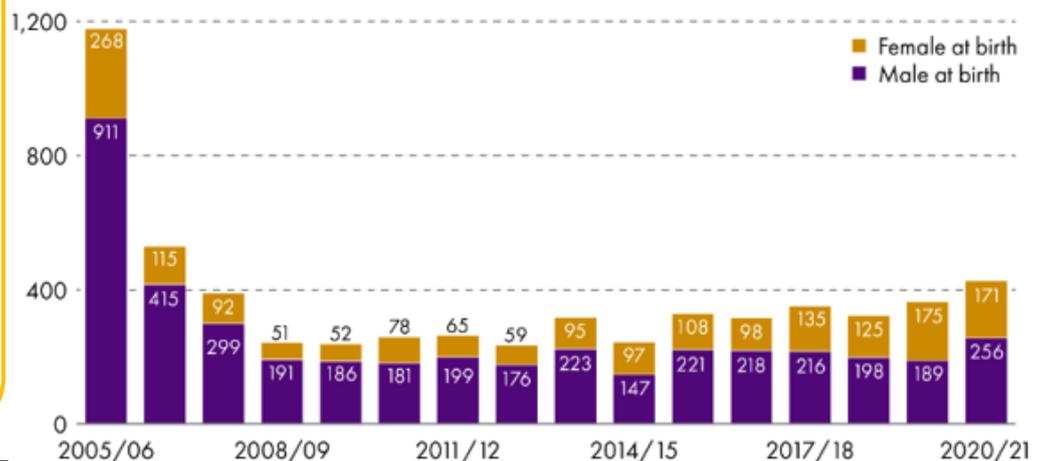
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Among those who answered yes to trans status and history in the Census, most were aged 16-34, with the numbers gradually decreasing with age. Compared to Scotland and other rural areas, Shetland had the highest percentage of those aged 25-34 to confirm their trans status.

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Since 2005, in the UK, there have been 6010 Gender Recognition Certificates granted, of which 4226 were male at birth (70%) and 1784 were female at birth (30%). The legislation created a process to enable trans people to change their sex on their UK birth certificates.¹

Gender Recognition Certificates (GRC) granted, by gender at birth in the UK, 2005-2021



¹ [Gender reassignment discrimination | EHRC \(equalityhumanrights.com\)](https://www.equalityhumanrights.com/en/sexual-orientation-gender-reassignment-discrimination/gender-reassignment-discrimination)

Data Sources: Scottish Census (2022);

Summary of Other Publications

Desk-top research of discrimination faced by individuals who identify as transsexual highlights several key findings:

Health Disparities

Research explained in the Herald, Scotland, explains that trans people experience disproportionately poorer health than those who fit their assigned birth gender. They are more likely to suffer from mental health issues and be victims of crime and, where their transgender status is known, be subject to bullying and harassment. Additionally, 37% of trans people avoid seeking healthcare for fear of discrimination from staff.

Workplace Discrimination

LGBT Health and Wellbeing research report reveals that employees may experience disadvantage due to their trans identity such as: experiences of trans identity negatively impacting on their job prospects, workplaces not being trans inclusive, harassment and unfair treatment at work impacting negatively on their mental health.

Hate Crimes

There were 84 charges reported to the Crown Office in Scotland in 2023/24, with an aggravation of prejudice relating to transgender identity. This is the second highest annual number of such charges recorded since 2010, two fewer than the 21/22 figure of 86.

Education Barriers

Research into the experience of trans and gender diverse applicants, students and staff in Scotland's colleges and Universities by TransEdu Scotland found that students often face significant barriers in education settings related to their trans status such as: provision of gender-neutral facilities, navigating administrative processes and feeling unsafe or unwelcome on campus. The biggest challenge concerned peer relationships with colleagues and students, with many experiencing ignorance and hostility.

Lack of Data and Understanding

Whilst there are no exact figures, SPICe Research that contributed to the Gender Recognition Reform (Scotland) Bill reveals there are approximately 200,000 – 500,000 trans people in the UK based on the prevalence range of 0.35% and 1% of the population. This is based on work carried out by the Gender Identity Research and Education Society.

Summary of Feedback from Local Focus Groups

A number of conversations were held with people in the local community, including members of the Pride Committee. To date, there has not been an opportunity to receive formal feedback. However, efforts are ongoing as we continue to engage with this community and seek their input.

