

Proposed Sanitary Products (Free Provision) (Scotland) Bill

Page 2: About you

Are you responding as an individual or on behalf of an organisation?

on behalf of an organisation

Which of the following best describes you? (If you are a professional or academic, but not in a subject relevant to the consultation, please choose "Member of the public".)

No Response

Please select the category which best describes your organisation

Third sector (charitable, campaigning, social enterprise, voluntary, non-profit)

Please choose one of the following; if you choose the first option, please provide your name or the name of your organisation as you wish it to be published.

I am content for this response to be attributed to me or my organisation

Please insert your name or the name of your organisation. If you choose the first option above, this should be the name as you wish it to be published. If you choose the second or third option, a name is still required, but it will not be published.

Scottish Trans Alliance/Equality Network

Please provide details of a way in which we can contact you if there are queries regarding your response. Email is preferred but you can also provide a postal address or phone number. We will not publish these details.

Page 7: Your views on the proposal

Q1. Which of the following best expresses your view of the proposed Bill?

Fully Supportive

Q1. Which of the following best expresses your view of the proposed Bill?

Please explain the reasons for your response

We support the content of Engender's submission in relation to the proposed Bill. Our remaining answers relate specifically to the proposed Bill's potential impacts on and inclusion of transgender people. At Scottish Trans Alliance and Equality Network, we use transgender as an inclusive umbrella term to refer to trans men, trans women, non-binary people and cross-dressing people. The content of this consultation response will focus only on those transgender people who menstruate - including some transgender men, and some non-binary people.

Page 8: Universal provision of sanitary products

Q2. Do you think a universal, card-based system (modelled on the c-card system for free condoms) would be an effective means of providing sanitary products for free to those who need them?

Yes

Please explain the reasons for your response

We agree with the reasoning outlined in Engender's submission to the consultation, which makes reference to feedback they got at events where they consulted with people directly on how they would like to see period poverty alleviated. Their engagement on the issue showed that a universal card-based system would be popular.

Q3. Which of the following best expresses your view in relation to a card-based system?

The card should be available to anyone; card-holders should have unlimited access to free sanitary products

Please explain the reasons for your response.

We agree with the position outlined in Engender's submission. In particular, they found that people felt having the card be means-tested would compound stigma for those people already experiencing poverty. Furthermore, if period poverty is considered a health issue, then there is no reason to not make access to free sanitary products universal.

Q4. Do you have a view on which locations would be most suitable for dispensing free sanitary products (e.g. GP surgeries, pharmacies, community centres, health clinics)?

We think it's important to ensure that those trans men and non-binary people who menstruate are able to access free sanitary products in a way that maintains their privacy and dignity. For this reason, it would be important that at least some of the locations that were dispensing free sanitary products were not exclusively identified as doing so, so that trans people who menstruate could feel comfortable using these locations without feeling like they were necessarily outing themselves (by 'outing' we mean revealing that they are transgender or have a transgender history). Community health settings would therefore be ideal, at counters where other things may be being dispensed. This way, transgender people could discretely request free sanitary products, rather than having to join a designated queue or enter a designated space/area in order to do so.

This is particularly important for ensuring transgender people's safety. Our recent hate crime report found that 80% of trans people had experienced a hate crime (Scottish LGBTI hate crime report 2017 available at: <http://bit.ly/2A7zL5J>).

Page 11: Schools, colleges and universities

Q5. Do you agree that there should be specific obligations on schools, colleges and universities to make sanitary products available for free (via dispensers in toilets)?

Unsure

Please explain the reasons for your response

Following on from the answer to the previous question, it is also important to think about where dispensers may be placed in schools, colleges and universities. The proposal is that they be placed in women's and gender neutral toilets. We think that there will be many schools and colleges, in particular, which only have male and female toilets, and that therefore only placing dispensers in the women's toilets would pose problems for those trans people who menstruate. The gender neutral toilets in schools, colleges and campuses are often single stall accessible toilets, and placing dispensers in these is likely to be inappropriate as the space they would take up may then render the toilet inaccessible. It is important therefore to ensure that there is also somewhere else discreet on a school, college or university campus with a dispenser where a student who was a trans man or a non-binary person could go without having to inappropriately enter the women's toilets, or ask someone else to get free sanitary products for them. All students should be made aware at the start of each year where they can get free sanitary products, including the toilets and the additional location(s). Ensuring the information is given neutrally to all students will prevent outing trans students, and also prevent trans students having to out themselves due to needing to ask staff where they may be able to access free sanitary products. This is particularly important for ensuring transgender people's safety. We know that many young trans people face bullying at school, college or university. LGBT Youth Scotland's education report found that 77% of trans young people had been bullied at school, 69% in college and 38% in university (Life in Scotland for LGBT Young People: Education Report (2012) available at: <http://bit.ly/2A6vQGf>)

Page 12: Personal experience (questions 6 and 7 are for individual respondents only)

Q6. Have you ever struggled to access or afford sanitary products during menstruation? (e.g. financial barriers, unexpected circumstances, health issues)

No Response

Q7. If sanitary products were available for free, which of the following would apply to you?

No Response

Page 14: Financial implications

Q8. Taking account of both costs and potential savings, what financial impact would you expect the proposed Bill to have on:

	Significant increase in cost	Some increase in cost	Broadly cost-neutral	Some reduction in cost	Significant reduction in cost	Unsure
(a) Government and the						x

Q8. Taking account of both costs and potential savings, what financial impact would you expect the proposed Bill to have on:

public sector (e.g. local authorities, the NHS)						
(b) Colleges and universities						X
(c) Businesses (including suppliers/retailers of sanitary products)						X
(d) Individuals (including consumers of sanitary products)						X

Q9. Are there ways in which the Bill could achieve its aim more cost-effectively (e.g. by reducing costs or increasing savings)?

Unsure.

Page 16: Equalities

Q10. What overall impact is the proposed Bill likely to have on equality, taking account of the following protected characteristics (under the Equality Act 2010): age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation?

Unsure

Please explain the reasons for your response

The proposed Bill would likely have a positive impact for people with the protected characteristic of gender reassignment who menstruate. However as is also mentioned in Engender's submission, little research has been done into period poverty experienced by trans people, so it is hard to be certain of the impact it might have.

Q11. In what ways could any negative impact of the proposed Bill on equality be minimised or avoided?

No Response

Page 18: Sustainability

Q12. Do you consider that the proposed Bill can be delivered sustainably i.e. without having likely future disproportionate economic, social and/or environmental impacts?

No Response

Page 19: General

Q13. Do you have any other comments or suggestions on the proposal?

We welcome the fact that the proposal acknowledges that while this is an issue that overwhelmingly affects women and girls, it does not exclusively impact them, as some trans men and non-binary people will also menstruate and experience period poverty. We would welcome being included going forward in discussing the particular ways any Bill can ensure it includes trans people.