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Rapist guilty of attacking women before gender change

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Isla Bryson, who was found guilty at the High Court in Glasgow, faces a custodial sentence

A transgender woman has been found guilty of raping two women in attacks carried out before she changed gender.

Isla Bryson committed the crimes in Clydebank and Glasgow in 2016 and 2019 while known as Adam Graham.

The High Court in Glasgow heard that the 31-year-old has now started the process of gender re-assignment.

Judge Lord Scott said she had been convicted of two extremely serious charges and a significant custodial sentence was inevitable.

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BBC Scotland understands Bryson is being sent to Cornton Vale women's prison in Stirling but will not be held alongside the jail's general population.

A risk assessment will then be carried out to decide where Bryson should go after that.

Bryson had first appeared in the dock in July 2019 as Adam Graham.

The following year Bryson told jurors she had made the decision to transition from a man to a woman.

At the trial, she was then known as Isla Bryson with jurors told Adam Graham was now her "dead name".

Bryson had been on bail, but was remanded in custody by Lord Scott.

She attacked the first victim at a flat in Clydebank, West Dunbartonshire, having met on the Badoo dating site while known as Adam Graham.

This was immediately after Bryson's marriage to a woman had ended.

The rape occurred on 16 September 2016 after Bryson locked the door and got into bed beside the woman.





The victim recalled feeling "crushed" as the attacker she knew as Adam raped her.

She stated: "I told him to stop and he did not. He kept going. That is when I closed my eyes and let him do what he wanted to do."

Bryson denied that charge. She said: "I would never do that. I would never hurt any woman."

After the verdict, prosecutor John Keenan KC said the first rape had been reported to the authorities in 2016, but that there were no further "proceedings at that stage".

Lord Scott deferred sentencing on Bryson until 28 February in Stirling.

She already had three summary levels convictions - not for sexual matters - and has never been jailed before.

The judge told her: "You have been convicted of two extremely serious charges. Given what you have been convicted of, a significant custodial sentence is inevitable."

The media and public had to watch proceedings from a viewing room elsewhere in the court building.

A previous trial was abandoned due to Bryson reporting being unwell after having her photo taken as she arrived at court.



Analysis

By David Cowan

Home affairs correspondent, BBC Scotland

Since 2014, the Scottish Prison Service's policy has been that prisoners should be accommodated on the basis of self-declared identity, subject to a risk assessment.

That accommodation must best suit "the person's needs and should reflect the gender in which they are currently living".

Initially, Isla Bryson will be held on remand at the women's prison at Cornton Vale where it is expected she will be segregated from other inmates.

The judge has made it clear she will receive a lengthy prison sentence when she is brought back to court.

After that, the prison service will have to work out what to do with her.

A multi-disciplinary assessment will decide whether she should serve her sentence with male or female prisoners.

The assessment will gauge the risk Bryson poses to others, and the risk that would be posed to Bryson, depending on where she was sent.

Sandy Brindley, chief executive of Rape Crisis Scotland, believes it is the first time a trans woman has been convicted of raping women in Scotland.

She said: "If someone has been convicted of a serious sexual offence they should not be held with the general female population."

The community safety spokesman for the Scottish Conservatives Russell Findlay MSP referred to the fact that Bryson has not yet had gender reassignment surgery.

He said: "It would be wrong to put a male-bodied rapist in a women's prison."

Discussing the general issue of trans prisoners in 2018, the Scottish Trans Alliance said the prison service "isn't daft" and scrutinises each case with great care.

Clearly, Bryson cannot be held in segregation - solitary confinement - forever. It would breach her human rights.

At some point she will mix and be housed with other prisoners. One commentator with extensive knowledge of Scotland's jails said the prison service "is in a very difficult position facing very difficult choices."

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