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By email

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Dear colleagues,

The Minister for Parliamentary Business, Graeme Dey MSP, today announced the Government's plans for managing its legislative programme in light of the impacts of COVID-19.

He advised that, as an unavoidable consequence of the need to focus resource on dealing with the current pandemic, protecting lives and supporting the NHS, it is regrettably the case that work within government is being halted for now on the reform of the Gender Recognition Act, along with other planned bills on Moveable Transactions, and Foxhunting. Mr Dey also noted that the Good Food Nation and Circular Economy Bills, which were scheduled to come forward shortly, will also be affected and that the Transient Visitor Levy would not be progressed at this time.

As you know, we committed to reviewing and reforming the Gender Recognition Act 2004 in the Fairer Scotland Action Plan in 2016 because of the concerns that had been raised about the existing arrangements, including the intrusive nature of the medical requirements.

The consultation on the draft Gender Recognition Reform (Scotland) Bill was intended to build consensus. We will, when resources allow, complete the work of analysing the consultation responses although I cannot give a timetable at this point as the government's focus must be, of course, on dealing with the COVID-19 pandemic. I know you will understand why this decision has been taken and we will discuss further with you the outcomes of the consultation in due course.

In communicating the position on the legislative programme to you, I want to be very clear on a number of points.

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The Scottish Government continues to have a strong commitment to reform the Gender Recognition Act 2004 and improve the current process for trans people. It also remains committed to improving the lives of trans and non-binary people more generally. I recognise that trans people in particular continue to suffer poorer outcomes relative to the wider population, and this needs to change. You have raised a number of issues around the inequalities trans people continue to experience and I have asked that – once the COVID-19 pandemic has passed – officials work with you to develop proposals that deliver meaningful improvement to the lives of trans people in Scotland.

The focus of the Scottish Government at present is the response to the COVID-19 pandemic. In due course, other non-legislative work to which I committed in my parliamentary statement last year on gender recognition will continue including the non-binary working group; delivering guidance on improving and enhancing trans rights and women's rights; and work on identifying the additional support that trans children and young people may need.

Finally, let me assure you that both I and my officials – in the Equality Unit, in the Family Law Team and elsewhere – will remain fully accessible during the current emergency. Please do not hesitate to contact us if there is anything we can do in these difficult times.

Yours sincerely,



SHIRLEY-ANNE SOMERVILLE

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