



Equality Hub

Joe FitzPatrick MSP

Convener

Equalities, Human Rights and Civil Justice Committee

The Scottish Parliament

By Email: EHCJ.committee@parliament.scot

23 January 2023

Dear Mr FitzPatrick,

Thank you for your letter of 19 January and your invitation to appear before the Committee on Tuesday 24 January at 09:30.

I am grateful for the invitation. However, with due respect to the Committee, in light of the First Minister's view that this matter will "inevitably end up in court", I believe it would not be appropriate to attend at this time.

As you will be aware, the Secretary of State for Scotland wrote to the First Minister and the Cabinet Secretary for Social Justice, Housing and Local Government on Monday 16 January to inform them of the UK Government's decision to make an order under section 35 of the Scotland Act 1998 preventing the Gender Recognition Reform (Scotland) Bill from proceeding to Royal Assent. I have attached a copy of that letter here. I understand the Scottish Government is considering the Order and the statement of reasons.

I have also enclosed a copy of the statement the Secretary of State for Scotland gave to Parliament on Tuesday 17 January and accompanying documents which set out the UK Government's reasons for using a section 35 order to prevent the Gender Recognition Reform (Scotland) Bill proceeding to Royal Assent.

Yours sincerely,

RT HON KEMI BADENOCH MP

Minister for Women and Equalities, Secretary of State for Trade and President for the Board of Trade