

EMAIL EXCHANGES WITH SCOTLAND OFFICE

On Wed, 26 Jan 2022 at 11:35, <(redacted)[@gov.scot](mailto:(redacted)@gov.scot)> wrote:

Hi all

We are looking to introduce the Gender Recognition Reform (Scotland) Bill in the near future and given the cross-border issues it will need a Scotland Act Order process.

We have been engaging with officials in Government Equalities Office, who have had conversations with other UK Government departments. There is an outstanding question about whether UK Ministers will want to recognise Gender Recognition Certificates issued in Scotland under the new process in the Bill. They have not stated a formal position on this but decided not to implement similar reforms for England and Wales.

I understand we need to initiate a formal process through the Office of the Advocate General ahead of introduction so it would be helpful to have a conversation in the next couple of days to talk that through.

The draft Bill was published in December 2019 here: [Gender Recognition Reform \(Scotland\) Bill: consultation - gov.scot \(www.gov.scot\)](https://www.gov.scot/consultation/GRR/consultation/GRR-Scotland-Bill-consultation-201912) The Bill for introduction has only minor changes from that draft Bill. We are aiming for introduction on 2 March so because of SP recess we need to get Bill documents to the Presiding Officer next Wednesday. Apologies for not initiating this conversation earlier.

Can you let me know your availability for a conversation about this?

Thanks very much

(redacted)
Gender Recognition Unit (redacted)

From: (redacted)[@ukgovscotland.gov.uk](mailto:(redacted)@ukgovscotland.gov.uk)>
Sent: 27 January 2022 10:18
To: (redacted)[@gov.scot](mailto:(redacted)@gov.scot)>
Cc: (redacted)[@gov.scot](mailto:(redacted)@gov.scot)>; (redacted)[@gov.scot](mailto:(redacted)@gov.scot)>; (redacted)[@gov.scot](mailto:(redacted)@gov.scot)>; (redacted)< [\(redacted\)@gov.scot](mailto:(redacted)@gov.scot)>; (redacted)[@ukgovscotland.gov.uk](mailto:(redacted)@ukgovscotland.gov.uk)>; (redacted)[@ukgovscotland.gov.uk](mailto:(redacted)@ukgovscotland.gov.uk)>; (redacted)[@advocategeneral.gov.uk](mailto:(redacted)@advocategeneral.gov.uk)>; (redacted)[@ukgovscotland.gov.uk](mailto:(redacted)@ukgovscotland.gov.uk)>
Subject: Re: Gender Recognition Reform (Scotland) Bill

Hi (redacted)

Thanks for your email.

The process for accepting Scotland Act Order (SAOs) requests is overseen by the Scotland Office, and the first stage is for you to please complete the attached policy summary setting out the proposed SAO.

The formal process for starting work on SAOs is unrelated to the introduction of Bills, and we hope to respond with initial comments to completed policy summaries 2 weeks after we receive them.

Hope the summary template makes sense - please let me know if you need anything further to complete this.

Best Wishes,

(redacted)
Policy Advisor - Office of the Secretary of State for Scotland
(redacted)

On Tue, 26 Apr 2022 at 15:13, <(redacted)[@gov.scot](mailto:)> wrote:

Hi (redacted)

We have a draft policy summary but have been discussing in the team the timing of the s.104 process with for example potential changes to the Bill during the parliamentary passage.

Grateful for a chat to discuss if you're around this week and I can set something up.

Many thanks

(redacted)

From: (redacted) [@ukgovscotland.gov.uk](mailto:)>
Sent: 26 April 2022 17:14
To: (redacted) [@gov.scot](mailto:)>
Cc: (redacted) [@gov.scot](mailto:)>; (redacted) [@gov.scot](mailto:)>; (redacted) [@gov.scot](mailto:)>; (redacted) [@gov.scot](mailto:)>; (redacted) [@ukgovscotland.gov.uk](mailto:); (redacted) [@advocategeneral.gov.uk](mailto:); (redacted) [@ukgovscotland.gov.uk](mailto:); (redacted) [@ukgovscotland.gov.uk](mailto:)>; (redacted) [@ukgovscotland.gov.uk](mailto:)>
Subject: Re: Gender Recognition Reform (Scotland) Bill

Hi (redacted),

Thanks for getting in touch. We can certainly arrange a meeting to talk this through, but could we meet early next week please? The rest of this week is looking pretty manic so I hope it will be ok if we can arrange for w/c 2nd May.

Some possible times that would work for me are:

Tues 3rd from 4pm

Wed 4th 1:30-2

Thurs 5th from 4pm

Just to give you a quick overview of how timings work generally for these orders:

- The timeline for delivery of a s.104 is always dependent on how quickly the draft legislation can be agreed by all interested parties. Due to a number of steps involved (which I will explain during the meeting) s.104s usually take 12-18 months to fully complete.
- As the s.104 is consequential on its parent Act, we can only bring a s.104 into force 4-6 months (at the earliest) after your Bill has received Royal Assent.

Hope that all makes sense. Please let me know if you have any questions/if we need to find an alternative time.

(redacted)

Policy Advisor - Scotland Office

(redacted)

On Thu, 5 May 2022 at 16:01, (redacted) [@gov.scot](#)> wrote:

Hi (redacted)

Thanks for the discussion yesterday, please see attached the policy summary.

Many thanks

(redacted)

On Thu, 5 May 2022 at 16:11, (redacted) [@ukgovscotland.gov.uk](#)> wrote:

Hi (redacted)

Many thanks for sending over the summary. I'll be in touch once we've reviewed the document :)

Best Wishes,

(redacted)

Policy Advisor - Scotland Office

(redacted)

From: (redacted) [@ukgovscotland.gov.uk](mailto:ukgovscotland.gov.uk)>
Sent: 16 June 2022 16:47
To: (redacted) [@gov.scot](mailto:gov.scot)>
Cc: (redacted) [@gov.scot](mailto:gov.scot)>; (redacted) [@gov.scot](mailto:gov.scot)>; (redacted) [@gov.scot](mailto:gov.scot)>; (redacted) [@gov.scot](mailto:gov.scot)>; (redacted) [@gov.scot](mailto:gov.scot)>; (redacted) [@gov.scot](mailto:gov.scot)>; (Redacted) [@ukgovscotland.gov.uk](mailto:ukgovscotland.gov.uk); (redacted) [@ukgovscotland.gov.uk](mailto:ukgovscotland.gov.uk); (redacted) [@ukgovscotland.gov.uk](mailto:ukgovscotland.gov.uk); (redacted) [@advocategeneral.gov.uk](mailto:advocategeneral.gov.uk)>; (redacted) [@advocategeneral.gov.uk](mailto:advocategeneral.gov.uk)>
Subject: Re: Gender Recognition Reform (Scotland) Bill

Hi (redacted)

Many thanks for the policy summary you sent us last month.

We've reviewed the summary, but I'm afraid we are going to need greater detail on your proposed changes through the legislation before we can complete our full review. Specifically, we will need to know what legislation, both primary and secondary, you propose should be included in a s.104 Order, and what those amendments might be.

I attach an example from a s.104 SAO that we're currently working on - this is the level of detail it would be really helpful if you could provide us with please.

I hope that all makes sense. Please let me know if you have any questions.

Best Wishes,
(redacted)
Policy Advisor - Scotland Office
(redacted)

From: (redacted)
Sent: 04 October 2022 14:38
To: (redacted) [@ukgovscotland.gov.uk](mailto:ukgovscotland.gov.uk)' (redacted) [@ukgovscotland.gov.uk](mailto:ukgovscotland.gov.uk)>
Cc: (redacted) [@gov.scot](mailto:gov.scot)>; (redacted) [@gov.scot](mailto:gov.scot)>; (redacted) [@gov.scot](mailto:gov.scot)>; (redacted) [@gov.scot](mailto:gov.scot)>; (redacted) [@gov.scot](mailto:gov.scot)>; (redacted) [@gov.scot](mailto:gov.scot)>; (redacted) [@gov.scot](mailto:gov.scot)>; (redacted) [@gov.scot](mailto:gov.scot)>; (redacted) [@gov.scot](mailto:gov.scot)>
Subject: RE: Gender Recognition Reform (Scotland) Bill

Hi (redacted)

I understand you have temporarily taken over from (redacted) in this area but please do let us know if there's someone else we should be in touch with.

As was discussed with (redacted) in the summer (to see below), attached is an updated policy summary and table of reserved provisions (with Scottish extent) we have considered for possible inclusion and other provisions for review.

Happy to set up a meeting to discuss if that would be helpful.

Many thanks
(redacted)

(redacted)
Scottish Government | Justice | Civil Law and Legal System | Gender Recognition
GW-15 | St Andrew's House | Edinburgh | EH1 3DG

From: (redacted)
Sent: 21 October 2022 12:52
To: (redacted)@ukgovscotland.gov.uk
Cc: (redacted) @gov.scot>; (redacted) @gov.scot>; (redacted) @gov.scot>; (redacted) @gov.scot>; (redacted) @gov.scot>; (redacted) @gov.scot>; (redacted) @gov.scot>; (redacted) @gov.scot>; (redacted) @gov.scot>
Subject: RE: Gender Recognition Reform (Scotland) Bill

Hi (redacted)

For information, please see attached a letter that issued today from our Minister to the Minister for Equalities, copied to the Secretary of State for Scotland.

Many thanks
Claire

EMAIL EXCHANGES WITH GEO

From: (redacted)

Sent: 06 January 2022 16:41

To: (redacted) @cabinetoffice.gov.uk

Cc: (redacted); (redacted)@geo.gov.uk; (redacted)@finance-ni.gov.uk; (redacted)

Subject: SG-GEO-NI Gender Recognition Reform (Scotland) Bill

Hi everyone, hope you all had a good break.

We mentioned in December it would be helpful to discuss s.104 and mutual recognition further with legal advisers. I've suggested a few dates that would so far work for us (copied to Northern Ireland as discussed) let me know when might suit:

Tuesday 11 January between 11.00 – 14.00

Thursday 13 January between 12.00 – 16.00

Friday 14 January between 11.00 – 16.00

Monday 17 January between 11.00 – 14.00

I have added some further information below in relation to the questions raised at the December meeting and a couple of questions from our side if helpful to consider in advance:

(redacted)

Many thanks

(redacted)

(redacted)

On Thu, 6 Jan 2022 at 17:07, (redacted) [@geo.gov.uk](mailto:(redacted)@geo.gov.uk)> wrote:

Dear (redacted)

Thank you for the email - I am one of the lawyers in GEO that will be working with (redacted) on this. Could you please add me to the copy list?

Re: availability, me and (redacted) can do Tuesday 11th (12.30am-2pm) and Thursday 13th (12-4pm).

Many thanks

(redacted)

Legal Advisor | Government Equalities Office | Government Legal Department | Level 1, Sanctuary Buildings, Great Smith Street, London SW1P 3BT

(redacted)

Email address: (redacted)@geo.gov.uk

(redacted)

From: (redacted)@finance-ni.gov.uk>

Sent: 07 January 2022 09:18

To: (redacted)@gov.scot>; (redacted)@cabinetoffice.gov.uk;
(redacted)@cabinetoffice.gov.uk

Cc: (redacted) @gov.scot>; (redacted) @gov.scot>; (redacted) @gov.scot>;
(redacted)@gov.scot>; (redacted)@geo.gov.uk; (redacted)@finance-ni.gov.uk>

Subject: RE: SG-GEO-NI Gender Recognition Reform (Scotland) Bill

Good morning, (redacted)

I'm free to attend on any of the proposed dates.

(redacted)

From: (redacted)@geo.gov.uk>

Sent: 07 January 2022 09:56

To: (redacted) @finance-ni.gov.uk; (redacted); (redacted) @finance-ni.gov.uk;
(redacted)

Subject: Re: SG-GEO-NI Gender Recognition Reform (Scotland) Bill

Hi all,

Apologies for the further email.

Thank you for the additional information you have provided. We would like to take the time to consider this before having any further discussion. With this in mind we would prefer to not go ahead with a meeting next week.

Please do keep us informed of any further developments and we will be in touch once we have had a chance to consider further.

Many thanks

(redacted)

Legal Advisor | Government Equalities Office | Government Legal Department | Level 1,
Sanctuary Buildings, Great Smith Street, London SW1P 3BT

(redacted)

Email address: (redacted)@geo.gov.uk

(redacted)

From: (redacted) [@cabinetoffice.gov.uk](mailto:)>

Sent: 02 March 2022 16:41

To: (redacted) [@gov.scot](mailto:)>; (redacted) [@gov.scot](mailto:)>

Cc: (redacted) [@geo.gov.uk](mailto:)>; (redacted) [@geo.gov.uk](mailto:)>; (redacted) [@cabinetoffice.gov.uk](mailto:)>; (redacted) [@cabinetoffice.gov.uk](mailto:)>; (redacted) [@geo.gov.uk](mailto:)>; (redacted) [@geo.gov.uk](mailto:)>; (redacted) [@finance-ni.gov.uk](mailto:)>; (redacted) [@finance-ni.gov.uk](mailto:)>; (redacted) [@gov.scot](mailto:)>; (redacted) [@cabinetoffice.gov.uk](mailto:)>

Subject: Gender Recognition Reform Scotland Bill

(redacted)

Hope you're both well.

We understand you're introducing the Gender Recognition Reform Scotland Bill tomorrow.

While we've discussed some of the details of the proposed Bill previously in our calls, in advance of introduction we also wanted to raise a few questions that it would be great to get responses to to support our thinking, including:

(redacted)

I've attached these as a word document if that's easier to respond via. I've also cc'd Martin and Michael as this will help their considerations in Northern Ireland too.

Best of luck with introduction tomorrow.

Thanks,
(redacted)

(Redacted) **LGBT Health, Education, Data, Parliamentary and Legislation**

LGBT Team, Government Equalities Office

(redacted) 6th floor Sanctuary Buildings, Great Smith Street, London, SW1P 3BT

(redacted)

*We cannot tell by looking at someone or by their name how they self-define their gender

<https://www.gov.uk/government/organisations/government-equalities-office>
<https://twitter.com/WomenEqualities>

On Thu, 3 Mar 2022 at 10:58, (redacted) [@gov.scot](mailto:)> wrote:

Thanks (redacted), we will come back with further responses in due course.

The Bill was introduced yesterday and public from today. For information, you can find [the Bill on the Scottish Parliament website](#) and you can find some further general information on the [Scottish Government website](#).

After our last meeting, we spoke with colleagues in Scotland Office on Scotland Act Orders. We are taking forward the first step of the formal process which we will send to Scotland Office who I think will then take forward liaising with the relevant departments. Thanks for your help with this so far.

In terms of timescales, this would of course be up to Parliament but we are operating towards the three Parliamentary stages being able to be completed by the end of the year.

Many thanks

(redacted)

From: (redacted)@cabinetoffice.gov.uk>

Sent: 03 March 2022 16:14

To: (redacted)

Cc: (redacted) @geo.gov.uk; (redacted)@[geo.gov.uk](#);
(redacted)@[cabinetoffice.gov.uk](#);
(redacted)@cabinetoffice.gov.uk;
(redacted)@geo.gov.uk; (redacted)@geo.gov.uk;
(redacted)@finance-ni.gov.uk; (redacted)@finance-ni.gov.uk; (redacted); (redacted)@cabinetoffice.gov.uk;
(redacted)

Subject: Re: Gender Recognition Reform (Scotland) Bill

Many thanks (redacted), I hope introduction went well today.

(redacted) will be leading on this and other aspects in this portfolio so will likely be your/Scotland Office's main point of contact going forward on your Bill (although some of the wider GRA work, non-binary, VSC etc will stay with me).

Thanks again,

(redacted)

(Redacted) **LGBT Health, Education, Data, Parliamentary and Legislation**

LGBT Team, Government Equalities Office

(redacted) 6th floor Sanctuary Buildings, Great Smith Street, London, SW1P 3BT

(redacted)

*We cannot tell by looking at someone or by their name how they self-define their gender

<https://www.gov.uk/government/organisations/government-equalities-office>
<https://twitter.com/WomenEqualities>

From: (redacted)

Sent: 24 March 2022 09:15

To: (redacted)@cabinetoffice.gov.uk; (redacted)@cabinetoffice.gov.uk

Cc: (redacted); (redacted)@finance-ni.gov.uk; (redacted)

Subject: Responses to GEO - Gender Recognition Reform (Scotland) Bill

Attachments: Gender recognition - Responses to UK Government Equalities Office - March 2022.docx

Morning (redacted)

Please see attached further responses to the questions below.

Happy to discuss.

Thanks

(redacted)

From: (redacted)@cabinetoffice.gov.uk>

Sent: 24 March 2022 19:18

To: (redacted)

Cc: (redacted)@cabinetoffice.gov.uk; (redacted)@finance-ni.gov.uk;
(redacted)@finance-ni.gov.uk; (redacted);
(redacted)@geo.gov.uk; (redacted)@geo.gov.uk;
(redacted)@cabinetoffice.gov.uk;
(redacted)@geo.gov.uk; (redacted)@geo.gov.uk

Subject: Re: Responses to GEO - Gender Recognition Reform (Scotland) Bill

Hi (redacted)

Thanks very much for sending this through. We're considering your responses and may come back to you with some further questions once we've worked it all through.

Many thanks,

(redacted)

LGBT Team | [Government Equalities Office](#)

(redacted) | Sanctuary Buildings, Great Smith Street, London SW1P 3BT

From: (redacted) @cabinetoffice.gov.uk>
Sent: 21 June 2022 12:52
To: (redacted) @gov.scot>
Subject: Home Office FOI

Hi (redacted)

In last week's meeting you mentioned you have the FOI from Home Office referring to moving to a mandatory approach to recording data on trans people - would you be able to share the FOI please to help me track down the best contact?

Many thanks,

(redacted)

LGBT Team | [Government Equalities Office](#)
(redacted) | Sanctuary Buildings, Great Smith Street, London SW1P 3BT
(redacted)

From: (redacted)
Sent: 21 June 2022 13:31
To: (redacted) @cabinetoffice.gov.uk>
Subject: RE: Home Office FOI

Hi (redacted)

I don't think have a copy of the letter itself but the recipient of the response posted their response to twitter and it seems to have an FOI reference number which should help.

[Terry Stock on Twitter: "FOIA response confirms that, in respect to sex and gender, @ukhomeoffice will now ask police forces to record the sex \(of both victims and suspects\) based on what was recorded on an individual's birth certificate or their gender recognition certificate. @NoXYinXXprisons https://t.co/XESBglSwkr" / Twitter](#)

Thanks
(redacted)

From: Google Calendar <calendar-notification@google.com> On Behalf Of
(redacted)@cabinetoffice.gov.uk
Sent: 21 July 2022 10:46
To: (redacted) @gov.scot>; (redacted)@gov.scot>; (redacted)@cabinetoffice.gov.uk;
(redacted)@gov.scot>; (redacted)@finance-ni.gov.uk; (redacted)@finance-ni.gov.uk;
(redacted)@gov.scot>; (redacted) @gov.scot>; (redacted)@cabinetoffice.gov.uk
Subject: NI/SG/GEO GRA catch up @ Every 2 weeks from 10am to 11am on Thursday

Hi All,

(redacted) Could we meet on Tuesday instead please, or at some point the following week?

Many thanks,
(redacted)

On Fri, 22 Jul 2022 at 15:36, (redacted)@gov.scot> wrote:

Hi (redacted), I'm off all of next week but I'll leave it for (redacted) to come back and set something up (they're both off until Monday). Happy for it to wait till the next week when I'm back or for you to do it on Tues in my absence.

(redacted)
Gender Recognition Unit (redacted)

From: (redacted) @cabinetoffice.gov.uk>
Sent: 22 July 2022 15:57
To: (redacted) @gov.scot>
Cc: (redacted)@gov.scot>; (redacted) @gov.scot>; (redacted) @cabinetoffice.gov.uk;
(redacted)@gov.scot>; (redacted)@finance-ni.gov.uk; (redacted)@finance-ni.gov.uk;
(redacted)@gov.scot>
Subject: Re: NI/SG/GEO GRA catch up @ Every 2 weeks from 10am to 11am on Thursday

Thanks (redacted)

Given (redacted) not around on Tuesday either, shall we reschedule for Thursday 4 August?

(redacted) - I think you own the calendar appointment, would you be able to move it once you're back please?

Thanks, and I hope everyone has had or will have a nice break!

(redacted)

LGBT Team | [Government Equalities Office](#)
(redacted) | Sanctuary Buildings, Great Smith Street, London SW1P 3BT
(redacted)

From: (redacted) [@gov.scot](#)>
Sent: 04 August 2022 11:22
To: (redacted) [@cabinetoffice.gov.uk](#)>; (redacted) [@gov.scot](#)>; (redacted) [@finance-](#)

ni.gov.uk

Subject: For info - Marriage and Civil Partnership and PRRs in Scotland Guide

[Marriage and civil partnership guide - gov.scot \(www.gov.scot\)](http://www.gov.scot)

[Parental responsibilities and rights - mygov.scot](http://mygov.scot)

Thanks

(redacted)

(redacted)

Scottish Government | Justice Directorate | Civil Law and Legal System | Gender Recognition

On Thu, 4 Aug 2022 at 11:39, (redacted) [@gov.scot](mailto:)> wrote:

On the question about regs on gender recognition and Marriage and Civil Partnerships, I think this is what you were referring to (redacted): [The Gender Recognition \(Marriage and Civil Partnership Registration\) \(Scotland\) Amendment Regulations 2022 \(legislation.gov.uk\)](http://legislation.gov.uk)

This was made in June and comes into force on 23 Sept and is about reregistering civil partnerships following a GRC now that mixed sex civil partnerships are possible. Our colleague (redacted) is the lead on this and I can provide contact details if helpful.

(redacted)

Gender Recognition Unit (redacted)

From: (redacted) [@cabinetoffice.gov.uk](mailto:)>

Sent: 04 August 2022 16:11

To: (redacted) [@gov.scot](mailto:)>

Cc: (redacted) [@gov.scot](mailto:)>; (redacted) [@finance-ni.gov.uk](mailto:)

Subject: Re: For info - Marriage and Civil Partnership and PRRs in Scotland Guide

Thanks for this (redacted), and thanks also for the info you shared, (redacted).

I've looked at our lawyer, (redacted), diary, and she's on holiday for the next few weeks, so could we aim to meet w/c 28th August please? I was also wondering if we could move our regular slot from 10am Thursdays as I frequently have a clash with another recurring meeting. Would 11am on Thursdays work instead by any chance?

Thanks,

(redacted)

LGBT Team | Government Equalities Office

(redacted) | Sanctuary Buildings, Great Smith Street, London SW1P 3BT
(redacted)

On Mon, 8 Aug 2022 at 16:55, (redacted) [@gov.scot](mailto:(redacted)@gov.scot)> wrote:

Hi (redacted)

Ok I'll reschedule the next meeting for 1 September and moving to 11am is fine for us.

Thanks
(redacted)

From: (redacted) [@cabinetoffice.gov.uk](mailto:(redacted)@cabinetoffice.gov.uk)
Sent: 15 August 2022 13:11
To: (redacted) [@gov.scot](mailto:(redacted)@gov.scot)
Cc: (redacted) [@gov.scot](mailto:(redacted)@gov.scot); (redacted) [@finance-ni.gov.uk](mailto:(redacted)@finance-ni.gov.uk)>
Subject: Re: For info - Marriage and Civil Partnership and PRRs in Scotland Guide

Hi All,

I've had a chat with our lawyers and they're a bit swamped with Bill work at the moment, so asked if they could join our following meeting in mid-sept for this conversation - would that be ok? We should also have the benefit that way of having new Mins appointed, whose views we can hopefully pass on. Let me know if there's anything else it would be helpful to discuss in early Sept, or if we're best off just postponing for now.

(redacted)- my apologies I'd not come back to your question about the intended topic for discussion. I think the plan was to discuss the definition of sex under the Equality Act 2010, which has been under debate in the context of this Bill. I've pasted an extract below from one of the SP Committee sessions, which sums up the different views:

[Naomi Cunningham \(Outer Temple Chmbers and Sex Matters\):](#)

Some people say that "sex" already means self-identified sex. If they are right, getting a gender recognition certificate does not change a person's sex for the purposes of the 2010 act, because their sex is already whatever the person says it is. I think that, legally, that position is untenable.

Some people say that "sex" means legal sex—biological sex, except when modified by a gender recognition certificate. If those people are right, a gender recognition certificate undoubtedly changes the legal analysis of the way in which the single-sex exceptions operate. However, in my view, it is difficult to imagine real circumstances in which it would change the outcome of that analysis; it changes the route but it will never, or

almost never, change the destination. The reason why is that the single-sex exceptions in the 2010 act are justified or not justified as a matter of practical impact, rather than certification.

I will make that concrete, because it is important to think about the consequences of proposed legislation in concrete terms. If I, as a woman, look up while drying myself in the women's open-plan changing room at the swimming pool, and meet the eye of a naked male person, my feelings are going to be a mixture of surprise, embarrassment, anger and fear. Whether or not that male person has a secret certificate in a drawer at home is not going to make any difference to that mix of feelings in me.

Most of the exceptions are variations on that theme. They are conditioned by recognition of the needs and feelings of the general user of single-sex spaces. Bodies—not identities or certificates—affect those needs and feelings.

To pick from those three possible interpretations of what “sex” means in the 2010 act, my view is that it simply means biological sex. The consequence is that nothing about the way in which the sex discrimination provisions work is affected by whether someone has a gender recognition certificate. For those purposes, they remain their biological sex.

However, we have yet to learn which of those three views is right.

Thanks,

(redacted)

LGBT Team | [Government Equalities Office](#)
(redacted) | Sanctuary Buildings, Great Smith Street, London SW1P 3BT
(redacted)

From: (redacted) @finance-ni.gov.uk>

Sent: 15 August 2022 17:11

To: (redacted) @cabinetoffice.gov.uk>; (redacted) @gov.scot>

Cc: (redacted) @gov.scot>

Subject: RE: For info - Marriage and Civil Partnership and PRRs in Scotland Guide

Thanks (redacted)

I am on leave for the first two weeks in September so week beginning 19 September would suit, ideally mid to late in that week.

If earlier than that suits others happy for the next meeting to go ahead without me.

(redacted)

From: (redacted)

Sent: 26 August 2022 11:45

To: (redacted) @finance-ni.gov.uk>; (redacted) @cabinetoffice.gov.uk>

Cc: (redacted) @gov.scot>

Subject: RE: For info - Marriage and Civil Partnership and PRRs in Scotland Guide

Hi all

I can cancel our meeting for next week then and invite the lawyers to the following meeting in mid-September.

Many thanks

(redacted)

From: Google Calendar <calendar-notification@google.com> **On Behalf Of** (redacted) @cabinetoffice.gov.uk

Sent: 21 September 2022 15:49

To: (redacted) @gov.scot>; (redacted) @cabinetoffice.gov.uk; (redacted) @gov.scot>; (redacted) @gov.scot>; (redacted) @finance-ni.gov.uk; (redacted) @finance-ni.gov.uk; (redacted) @gov.scot>; (redacted) @gov.scot>

Subject: NI/SG/GEO GRA catch up @ Every 2 weeks from 11am to 12pm on Thursday

Hi all

Hope you're well?

Could we postpone this meeting tomorrow please, (redacted) now has a clash with our new Minister at this time. I'll let (redacted) get back to you tomorrow with potential times to rearrange

Thanks

(redacted)

On Wed, 21 Sept 2022 at 15:53, (redacted) @gov.scot> wrote:

We're happy to postpone as well. (redacted) sent the meeting request and is away on leave so please just delete.

(redacted)

Gender Recognition Unit (redacted)

On Wed, 21 Sept 2022 at 15:57, (redacted) [@cabinetoffice.gov.uk](mailto:)> wrote:

Great thanks both!

(redacted)

(Redacted) LGBT Health, Education, Data, Parliamentary and Legislation

LGBT Team, Government Equalities Office

(redacted) 6th floor Sanctuary Buildings, Great Smith Street, London, SW1P 3BT

*We cannot tell by looking at someone or by their name how they self-define their gender

From: (redacted) [@cabinetoffice.gov.uk](mailto:)] Sent: 22 September 2022 14:42

To: (redacted) [@cabinetoffice.gov.uk](mailto:)

Cc: (redacted)@gov.scot; (redacted)@gov.scot; (redacted)@gov.scot;
(redacted)@gov.scot; (redacted)@finance-ni.gov.uk>; (redacted)@finance-
ni.gov.uk>; (redacted) [@gov.scot](mailto:)

Subject: Re: NI/SG/GEO GRA catch up @ Every 2 weeks from 11am to 12pm on Thursday

Hi All,

Looking ahead at mine and (redacted) (our lawyer) diaries for the next fortnight we could both do:

Thursday 29th Sept: 12-1, 2-3

Friday 30th Sept: 12-2

Monday 3rd Oct: 11.15-12.15. 2-3

Thursday 6th - we already have a session in at 11, which (redacted) would be free to join!

Let me know what works best and I'll get it booked in.

Thanks,

(redacted)

(redacted) | LGBT Team | Government Equalities Office

(redacted) | Sanctuary Buildings, Great Smith Street, London SW1P 3BT

(redacted)

From: (redacted) [@finance-ni.gov.uk](mailto:finance-ni@gov.uk)>

Sent: 22 September 2022 14:59

To: (redacted) [@cabinetoffice.gov.uk](mailto:cabinetoffice@gov.uk)>; (redacted) [@cabinetoffice.gov.uk](mailto:cabinetoffice@gov.uk)>

Cc: (redacted) [@gov.scot](mailto:gov.scot@gov.uk)>; (redacted) [@gov.scot](mailto:gov.scot@gov.uk)>; (redacted) [@gov.scot](mailto:gov.scot@gov.uk)>; (redacted) [@gov.scot](mailto:gov.scot@gov.uk)>; (redacted) [@finance-ni.gov.uk](mailto:finance-ni@gov.uk)>; (redacted) [@gov.scot](mailto:gov.scot@gov.uk)>

Subject: RE: NI/SG/GEO GRA catch up @ Every 2 weeks from 11am to 12pm on Thursday

Hi (redacted)

29th would suit best for me.

(redacted)

On Tue, 4 Oct 2022 at 11:52, (redacted) [@gov.scot](mailto:gov.scot@gov.uk)> wrote:

Hi (redacted)

Can I please confirm that our regular meeting is going ahead this Thursday with (redacted)? I will also then invite our lawyer.

Thanks

(redacted)

From: (redacted) [@cabinetoffice.gov.uk](mailto:cabinetoffice@gov.uk)>

Sent: 04 October 2022 12:10

To: (redacted) [@gov.scot](mailto:gov.scot@gov.uk)>

Subject: Re: NI/SG/GEO GRA catch up @ Every 2 weeks from 11am to 12pm on Thursday

Hi (redacted)

(redacted) was down to join us, but I've just checked in with her and a meeting with our new Minister has been scheduled at the same time, so she won't be able to attend.

However, we've just had a chat about the EA2010 definition of sex (which I think is what you wanted to discuss with her?) so I can give an overview of this, and then if there's any need for further discussion I can get her along to our next catch-up?

Thanks and apologies this has been so hard!

(redacted)

(redacted) | LGBT Team | Government Equalities Office
(redacted) | Sanctuary Buildings, Great Smith Street, London SW1P 3BT
(Redacted)

From: (redacted)
Sent: 04 October 2022 12:52
To: (redacted)
Subject: RE: NI/SG/GEO GRA catch up @ Every 2 weeks from 11am to 12pm on Thursday

Thanks (redacted), in that case I won't extend the invite to our lawyer but can follow up as required.

Speak on Thursday.

Thanks
(redacted)

From: (redacted)
Sent: 06 October 2022 09:49
To: (redacted) @cabinetoffice.gov.uk>; (redacted)@finance-ni.gov.uk
Cc: (redacted) @cabinetoffice.gov.uk; (redacted)@finance-ni.gov.uk>; (redacted)@gov.scot>
Subject: Stage 1 Report - Gender Recognition Reform (Scotland) Bill

(redacted)

To see the Equalities, Human Rights and Civil Justice Committee have this morning published their Stage 1 Report supporting the general principles of the Bill. You can access the report here [Stage 1 Report on the Gender Recognition Reform \(Scotland\) Bill | Scottish Parliament](#).

Speak shortly.

Thanks
(redacted)

(redacted)

Scottish Government | Justice | Civil Law and Legal System | Gender Recognition
GW-15 | St Andrew's House | Edinburgh | EH1 3DG

From: (redacted)

Sent: 21 October 2022 12:46

To: (redacted) @cabinetoffice.gov.uk>

Cc: (redacted) @gov.scot>

Subject: Letter to Minister for Equalities - Gender Recognition Reform (Scotland) Bill

Hi (redacted)

For information, please see attached a letter that issued just now from our Minister to yours, copied to the Secretary of State for Scotland.

The Committee has also published our latest correspondence with EHRC [here](#).

Many thanks
(redacted)

(redacted)

Scottish Government | Justice | Civil Law and Legal System | Gender Recognition
GW-15 | St Andrew's House | Edinburgh | EH1 3DG

From: (redacted) @cabinetoffice.gov.uk>

Sent: 27 October 2022 10:33

To: (redacted)@gov.scot>; (redacted)@gov.scot>; (redacted)@finance-ni.gov.uk>

Subject: Next week's meeting

Hi All,

I'm afraid I've got a clash for our meeting next week, so wondered if we could move it to another time or day? I'm free all day Friday, or sometime between 12 and 3.30 on Thursday.

If you've got any questions about the implications of our new Minister for Women and Equalities in the meantime, feel free to give me a ring on the below number.

Thanks,

(redacted)

(redacted) | LGBT Team | Government Equalities Office
(redacted) | Sanctuary Buildings, Great Smith Street, London SW1P 3BT
(redacted)

From: (redacted)
Sent: 28 October 2022 11:05
To: (redacted) @cabinetoffice.gov.uk>
Cc: (redacted)@gov.scot>; (redacted)@finance-ni.gov.uk>
Subject: RE: Next week's meeting

Hi (redacted)

I'll reschedule our meeting for 12 next week then but let me know if this doesn't suit.

Thanks
(redacted)

From: (redacted)@cabinetoffice.gov.uk>
Sent: 24 November 2022 15:04
To: (redacted)@gov.scot>; (redacted) @gov.scot>
Subject: Letter from UN Special Rapporteur

Hello,

I assume you'll have received the original letter from the Special Rapporteur, but just sharing in case it's gotten stuck somewhere in the system.

Unfortunately on my side it got stuck in a colleague's inbox for a few days so I didn't get early sight or could have shared sooner - sorry about this.

Thanks,

(redacted)

(redacted) | LGBT Team | Government Equalities Office
(redacted) | Sanctuary Buildings, Great Smith Street, London SW1P 3BT
(redacted)

From: (redacted)
Sent: 01 December 2022 11:28
To: (redacted) @cabinetoffice.gov.uk>
Cc: (redacted) @gov.scot>
Subject: RE: Letter from UN Special Rapporteur

Hi (redacted)

Please see the letter to committee and includes the annex sent to UKG for responding formally:

Letter from Cabinet Secretary for Social Justice, Housing and Local Government regarding correspondence from UN Special Rapporteur | Scottish Parliament Website

Here is also the letter to the UNSR from human rights and the women's sector in Scotland:

Women's and Human Rights organisations restate support for Gender Recognition Reform Bill | Scottish Human Rights blog | 30 Nov 2022 | Amnesty International UK

Thanks
(redacted)

From: (redacted)
Justice Directorate
Gender Recognition Unit
11 August 2022

Extract from submission to Cabinet Secretary for Social Justice, Housing and Local Government

Official discussions with UK Government

1. Officials in the Gender Recognition Unit are undertaking a series of meetings with Officials in the Government Equalities Office (GEO) and the Northern Ireland Executive on cross-border issues connected with the Bill. (redacted)
2. As you know, we intend to work with the UK Government on an order under section 104 of the Scotland Act 1998 to make consequential changes to UK legislation as part of implementation of the Bill if passed. As an initial step a policy summary has been sent to Scotland Office who have requested further information before completing their review. (redacted)

Extract from submission to Cabinet Secretary for Social Justice, Housing and Local Government, 19 January 2023

Implementation – A Scotland Act Order is required for mutual recognition. Discussions are continuing with UK Government officials about the Order but there is a risk that UKG Ministers will not be willing to take this forward.

Extract from submission to Minister for Parliamentary Business, 19 January 2022

1. (redacted). Officials have good relationships with officials in the Government Equalities Office and are engaging with them on this matter.