11 October 2013

Dear Douglas

MARRIAGE AND CIVIL PARTNERSHIP (SCOTLAND) BILL: RESPONSES FROM SCOTLAND FOR MARRIAGE

1. I am writing to advise the Committee about a point raised with us by Scotland for Marriage.

2. As you will be aware, the Scottish Government published on 27 June the analysis of responses to the Government consultation on the draft Bill. Dr Macdonald of Care for Scotland, part of the Scotland for Marriage campaign, wrote on 21 August to tell us about a perceived discrepancy of 4,187 responses between the number of Scotland for Marriage responses noted in the analysis and the number of responses Scotland for Marriage believe were sent through their campaign. Subsequently, Dr Macdonald has told us that the difference is 4,110 responses.

3. We have checked the e-mail records which we still hold for March, which is when Scotland for Marriage ran its campaign. Over 4,000 responses sent by Scotland for Marriage did not reach the consultation mailbox.

4. We have obtained information from Scotland for Marriage on the email addresses used to send the responses. Their records show that over 2,000 emails had the return-path of www-data@c4m.org.uk, and over 4,000 had the return-path of www-data@recovery. This latter address is missing, at the end, a top level domain (such as .com or org.uk). This appears to be why the emails did not reach the consultation mailbox.

5. The responses the Government received through the Scotland for Marriage campaign mostly followed a standard format. However, individual respondents could make changes to this standard format. We have advised Scotland for Marriage that the Scottish Government is prepared to consider any additional points made in responses which we did not.

1 This analysis is at http://www.scotland.gov.uk/Publications/2013/06/2782
2 This standard format is shown at Annex A of the analysis.
not receive that were sent before the closing date for the consultation. The Scottish Government is also prepared to put information on its website about this consideration. In considering these points, the Government would reach a view about whether any amendments at Stages 2 or 3 might be desirable and whether, therefore, the Government should lodge amendments to the Bill.

6. Dr Macdonald has asked the Scottish Government to request that the Scottish Parliament suspend consideration on the Bill until the matter is resolved. The Scottish Government does not consider it appropriate to make this request to the Parliament.

7. We will keep the Committee advised of our consideration of any additional points in the 4,110 responses.

Yours sincerely

Simon Stockwell
Family and Property Law