



The Scottish Parliament
Pàrlamaid na h-Alba

Equalities, Human Rights and Civil Justice Committee

Ms Sharron Davies

Via email only

T2.60

The Scottish Parliament
Edinburgh
EH99 1SP

Tel: 0131 348 5224

EHRCJ.committee@parliament.scot

16 June 2022

Dear Ms Davies

Gender Recognition Reform (Scotland) Bill

Thank you for your email of 7 June expressing concerns about the Gender Recognition Reform (Scotland) Bill (“the GRR Bill”) on women’s elite sport.

The call for written views for the Committee’s scrutiny of the Bill was well publicised and open to any organisation or individual who wished to give evidence to the Committee including elite athletes and their representatives.

The Committee agreed its timetable for its stage 1 scrutiny of the Bill initially in March and then again in May and, as part of that timetable, considered and agreed a set of witnesses who would be invited. This was a decision made collectively by the whole Committee.

The Bill has a number of aspects on which the Committee must focus its scrutiny and you will appreciate that sport is just one of those aspects. For the evidence session you refer to, which took place on Tuesday 24 May, the Committee agreed to invite sportscotland, Scotland’s national sports agency and LEAP Sports who are a leading LGBTI charity in sports.

You will be aware that Section 195 of the Equality Act 2010 makes provision for sporting bodies to restrict access to sporting competition for trans people. The scope of the GRR Bill does not affect the provisions under section 195 of the Equality Act.

The points raised in your email relate to the much broader issue of trans inclusion in sport, how the restrictions under the Equality Act 2010 are applied and whether trans women athletes retain a biological advantage. I acknowledge the complexity of this important issue and that balancing rights for elite athletes and trans communities is one which may require further

scrutiny. However, this matter is one that goes far beyond the Committee's scrutiny of the specific provisions of the GRR Bill.

Accordingly, and following consideration of this issue at the Committee's meeting last week, it made a collective decision not to hold a further evidence session with elite female athletes.

I know you will be disappointed that the Committee does not intend to explore this issue further as part of its Stage 1 scrutiny of the GRR Bill. However, your concerns are noted and trans inclusion in sport in a broader sense may be a topic that the Committee may wish to consider further in a future inquiry.

I am grateful for the time you have taken to write to the Committee and for your interest in our work.

Yours sincerely,

A handwritten signature in blue ink that reads "Joe FitzPatrick". The signature is written in a cursive style with a long horizontal flourish at the end.

Joe FitzPatrick
Convener
Equalities, Human Rights and Civil Justice Committee