

19 June 2023

By email from: info@forwomen.scot
to: petitions.committee@parliament.scot

Dear Mr Carlaw,

We submitted a response to petition PE2001 on 13 June but the clerk informed us that due to a change in the management of petitions it could not be accepted. Only submissions from those the Committee has agreed to write to are now accepted.

The clerk kindly offered to make the Committee aware of our submission the next time the petition is discussed, to allow for consideration on whether to accept it or not.

We would like to raise concerns regarding this situation. Firstly, we feel we have important information to contribute and would like our submission to be considered in the Committee's further discussions and work on this petition. Having seen misinformation in other responses it would surely assist the Committee to hear a counter view and fresh evidence. There have been significant legal developments since the school guidance was written and, in particular, the judgments of the judicial reviews we brought against the Scottish Ministers means that certain elements of the guidance are clearly unlawful. This is confirmed by the legal opinion from Aidan O'Neill KC regarding the enforceable requirement for local authorities to provide single-sex toilets in schools. This is information the Committee needs to hear but restricting responses is not allowing for full participation or open democracy.

We are also aware that the Committee did not contact the full range of organisations suggested by the petitioner and we would appreciate an explanation for the reason behind this decision. In this case it has resulted in the Committee only hearing one side of the issue and not any critical or opposing views. Combined with the block on uninvited submissions this is surely detrimental to the ability to reach a balanced decision on the merits of the petition. We would suggest it would be beneficial to revisit the recent rule change to allow open submissions and would appreciate the Committee giving this due consideration.

For your information our submission can be viewed here.

<https://forwomen.scot/wp-content/uploads/2023/06/Petition-PE2001-FWS-submission-13Jun2023.pdf>

Yours sincerely,

Trina Budge, Marion Calder and Susan Smith
Directors, For Women Scotland