



The Convener, Deputy Convener and Members  
The Equalities, Human Rights and Civil Justice Committee  
The Scottish Parliament

Monday 20 June 2022

### **Gender Recognition Reform (Scotland) Bill**

Dear Convener, Deputy Convener and Members of the Committee,

Further to the Church of Scotland's written evidence and my oral evidence at the session on 7 June, I wished to add some brief supplementary comments.

I regret that my words have been misinterpreted to imply that I – or the Church of Scotland – think that survivors of violence against women who oppose this Bill are confused or being used. I apologise for any offence caused. I spoke in the context of expressing support for the evidence provided by representatives of organisations that work with survivors, I did not in any way seek to ascribe blame or shame to any individual. Survivors have legitimacy and all voices in this debate should be listened to with respect and dignity. I tried to make clear that these remarks were to emphasise our view that *more needs to be done for all victims of gender-based violence*. I would also like to clarify that this specific section of my opening remarks reflected the views of Integrity (the Church's violence against women task group), and may not reflect the widespread opinion of the Church of Scotland membership.

Rachael Hamilton MSP asked *Who does the Church of Scotland engage with to come up with the policy positions that you are presenting today?*

I was not anticipating this question and the answer I gave on reflection was not very specific. I now offer this description of how the Church of Scotland makes public policy decisions which I hope will be helpful to you.

The Church of Scotland has a Presbyterian polity. The General Assembly is the supreme court of the Church. It makes decisions on behalf of the whole Church. When it comes to matters of policy, the General Assembly frequently expresses an opinion through agreeing deliverances (resolutions). Often the deliverances are broad statements of principle. Sometimes they make specific policy recommendations.

The General Assembly directly appoints members and a Convener and Vice Convener to various committees which have the responsibility and remit for furthering the work of the Church and

implementing the wishes of the General Assembly. Members are nominated to ensure a balance of views, diversity and breadth of experience.

The Faith Impact Forum has a responsibility for the Church of Scotland's engagement with issues of parliamentary, political and societal issues. They have a remit which includes making *theological, ethical and spiritual contributions to public policy and decision-making on issues of societal, economic, and political significance.*

The Forum does this based on decisions and statements of the General Assembly.

With regards to our approach to the Bill, the principles of inclusion and pastoral care for people with diverse gender identities were expressed by the deliverance of the General Assembly of 2016: *Instruct the Mission and Discipleship Council, working with the Church and Society Council and others, where appropriate, to promote congregational learning and awareness of the issues transgender and gender non-conforming people experience, in order to better facilitate pastoral care to and inclusion of transgender and gender non-conforming people at a local level.* This deliverance led to the publication of the resource booklet *Diverse Gender Identities and Pastoral Care* and the statement of principle of inclusion and pastoral care have formed the basis of our response to the Bill.

The usual process for developing a policy response involves staff researching and drafting a submission, which is signed off by Forum members.

For the response to this issue, recognising that it is potentially a more contentious issue than most, a different approach was followed. Three meetings were held to consider the issue and develop a response, in October 2021, February 2022 and May 2022. These meetings were attended by the Forum Convener, Forum members and Faith Action Programme staff.

Our draft written evidence was also circulated prior to submission – with an invitation to comment - to:

the Principal Clerk  
the Moderator  
the Solicitor  
the Convener of the Legal Questions Committee  
the Convener of the Theological Forum  
the Head of Faith Action Programme  
the Chief Officer  
the Head of Communications  
the Convener of the Faith Nurture Forum

When the Faith Impact Forum makes a public policy response in between General Assemblies, the normal form of accountability is to report to the subsequent General Assembly. When engaging in public life, it is rare that issues are conveniently timed for the General Assembly to consider. This is why it appoints a committee to look at these issues on behalf of the Church. From time to time the output of this process might produce a result which some do not agree with. This does not mean that the process is inherently flawed or the individuals involved are wrong, but we do reflect on how to improve and adapt our way of working following experience and suggestions

In coming to the position we presented we also read and listened to a wide diversity of ideas, opinions and research that had been shared over recent years, from within the Scottish and UK context, as well as in other countries.

We are always careful to acknowledge that the views of our written evidence and my contributions to you will not be the only Church of Scotland view. The opening statement said "...I am confident that the opinions that are represented in our written evidence and what I am here to say to the committee today reflect the broad majority of views in the Church of Scotland." It should have said "I am confident that the opinions that are represented in our written evidence and what I am here to say to the committee today are considered by the Forum's working group to reflect the broad majority of views in the Church of Scotland. However, I respect those who hold contrary convictions, within and outwith the membership of the Church."

Every good wish for the rest of your deliberations

Rev Karen Hendry  
Convener, Faith Impact Forum