



Lucy Blackburn
request-632143-db09ac44@whatdotheyknow.com

Our Reference: 202000011201

Your Reference: Information on Dunne, P. (Trans)forming single gender services and communal accommodations (2017)

31 January 2020

Dear Lucy Blackburn,

REQUEST UNDER THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002 (FOISA)

1. Thank you for your request dated 6 January 2020 under the Freedom of Information (Scotland) Act 2002 (FOISA).

Your request

2. You asked for "all information held in the Scottish Government's records regarding the article (Trans)forming single gender services and communal accommodations (2017), published in Social and Legal Studies 26(5), which is cited on p174 of the consultation paper on the Gender Recognition reform (Scotland) Bill, issued on 17 December 2019. This includes, but is not limited to, anything recording how the article came to the attention of the Scottish Government, any analysis or summary produced of the article, any record of discussions of the article, whether internal or with third parties, and any records of how the article was selected for citation in the consultation paper."

Response to your request

3. The Scottish Government worked on the evidence base for the consultation in-house. The Scottish Government Library conducted a literature search and this drew the article to our attention. We then prepared a literature review based on the literature search. It was then decided not to publish the literature review and instead include relevant information in the Equality Impact Assessment.

4. I attach the following:

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

St Andrew's House, Regent Road, Edinburgh EH1 3DG
www.gov.scot



**INVESTORS
IN PEOPLE**

Accredited
Until 2020



- Document 1 (August 2019 - December 2019) email exchanges collecting and discussing the literature
- Document 2 (6 December 2019) an extract of submission to the Cabinet Secretary
- Document 3 (21 August 2019) a Scottish Government Library literature search request
- Document 4 (5 September 2019) the Scottish Government Library literature search results for Document 3
- Document 5 (November 2019) an earlier version of the literature review
- Document 6 (5 December 2019) a revised version of the literature review

Reasons for not providing information

An exemption applies

An exemption under section 38(1)(b) of FOISA applies to some of the information you have requested, because it is personal data of a third party, in that it consists of the names, email addresses and other information that may identify an individual and disclosing it would contravene the data protection principles in Article 5(1) of the General Data Protection Regulation and in section 34(1) of the Data Protection Act 2018. This exemption is not subject to the 'public interest test', so we are not required to consider if the public interest in disclosing the information outweighs the public interest in applying the exemption.

Your right to request a review

If you are unhappy with this response to your FOI request, you may ask us to carry out an internal review of the response, by writing to Neil Rennick, Director of Justice, Room GW-02, St Andrew's House, Regent Road, Edinburgh, EH1 3DG or by email to Neil.Rennick@gov.scot. Your review request should explain why you are dissatisfied with this response, and should be made within 40 working days from the date when you received this letter. We will complete the review and tell you the result, within 20 working days from the date when we receive your review request.

If you are not satisfied with the result of the review, you then have the right to appeal to the Scottish Information Commissioner. More detailed information on your appeal rights is available on the Commissioner's website at: <http://www.itspublicknowledge.info/YourRights/Unhappywiththeresponse/AppealingtoCommissioner.aspx>.

Yours sincerely

Claire Martin
CLLS : Family Law

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

St Andrew's House, Regent Road, Edinburgh EH1 3DG
www.gov.scot



INVESTORS
IN PEOPLE

Accredited
Until 2020

