

# ANNEX

Dear John,

Please see below an e-mail from a constituent of mine expressing concerns about advice being provided in schools to transgender children.

I would be grateful if you were able to comment on the content of the e-mail and address the issues REDACTED is raising in order for me to respond.

Kind Regards,

Kezia

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Kezia Dugdale MSP

MSP for Lothian Region (Labour & Co-op)

RE: Advice on trans-gender children

First I want to thank you for your commitment to Scotland and your hard work to assist and benefit the nation.

Nevertheless, as a leader in the community I would like to express my concern at reports in the press that advice is being given to teachers in Scotland to allow 3-5year-olds to choose their gender 'without the knowledge of their parents'. Furthermore, the indication is that teachers are advised that it may be useful to approach the local authority if the parent of a trans child is 'struggling to come to terms with their child's identity.' Is the implication here is that if the parent does not agree with the state, the child may be taken into social care?

Firstly, I think we are heading down a seriously misguided route to let young children make these choices for themselves. It is not 'PC' in these child-centred times to suggest that anyone but the child knows best what is right for them; this should always be the parent before the professional.

The whole issue throws up many complications, perhaps the least being those often cited of changing facilities and school trips. The government and Education Department are rushing through major changes to societal norms that have been established over millennia. We need to have a much more balanced debate, that does not seek to silence faith groups or those consider 'reactionary', but listen to wisdom and experience. If we race head-long down this road we will continue to politicise the issue and exaggerate a notion of fluidity of gender. There appears to be a causal link between the vast increase in referrals of trans cases and the media/political hype surrounding the issue.

As one who has had to counsel many people over the years who have suffered from issues arising during childhood, I raise strong concerns about these developments. Creating a climate of gender confusion will cause untold misery in the years to come. Apparently a young person's brain does not stop developing until they are 25yrs old, and identity is a slowly emerging awareness.

Of course, there are exceptional situations where through reasons of birth the gender of a child may need medical help, and should be treated with the greatest sensitivity and compassion. We will, however,

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end up causing far greater harm if we make it a suggestion to ALL young children that they might be born under the wrong gender, and encourage them to explore both.

Except in the most extreme cases of harm, the best place for children is also with their parents. We should not let the state undermine the responsibility and right for parents to raise their children -rather we should be strengthening families and encouraging parents in their role.

An expert, Dr Sharon James, has said: "There is a growing sense of unease at the lack of wisdom in allowing children and young people to socially transition or undergo medical treatment to treat dysphoria. Children and young people should be protected from medical interventions that are dangerous both physically and psychologically. To intervene medically is unnecessary and unwise.

Underage youngsters are not mature enough to make such momentous choices and decisions. It is far wiser to allow puberty to take its natural course."

Please ask the Scottish Government to change their approach and allow children to develop naturally, leaving such serious matters until they at least are 18yrs old or more.

Yours sincerely,

Ms Kezia Dugdale MSP  
The Scottish Parliament  
EDINBURGH  
EH99 1SP

Thank you for your e-mail of 9 January 2018 on behalf of your constituent REDACTED, regarding advice on transgender children.

REDACTED also wrote to the Minister for Childcare and Early Years, Maree Todd MSP, on 27 November 2017. Scottish Government officials responded on 11 December and I attach a copy of the response.

## JOHN SWINNEY

Thank you for your e-mail of 27 November 2017 to the Scottish Ministers about advice on transgender children. I have been asked to reply to you as I have policy responsibility for relationships, sexual health and parenthood (RSHP) education in the Scottish curriculum.

The Scottish Government wants to ensure all young people, no matter their sexual orientation or identity, are respected and receive the support they need to make informed choices for themselves. That is why schools will promote children's health and wellbeing right throughout early years, primary and secondary education through refreshed, age-appropriate and inclusive strategies and resources. This will enable children to learn about tolerance, respect and equality to help address and prevent prejudice.

RSHP education is an integral part of the health and wellbeing area of the curriculum and it is for local authorities and schools to decide how it is delivered based on local needs and circumstances. The Scottish Government published guidance for teachers on RSHP education in 2014<sup>1</sup>. This guidance encourages equality and mutual respect from an early age and supports teachers to deal with issues effecting transgender people in Scotland's schools. This guidance is also clear that RSHP education must speak to all children and young people, and be inclusive of their identities and characteristics and the diverse family circumstances in which they grow up. We ask teachers to work closely with parents in the delivery of RSHP education, by discussing proposed lessons and resources with them in advance to ensure children and young people gain knowledge appropriate to their age and stage of education.

The guidance recently published on transgender issues highlights the importance of schools and teachers working with parents and does not ask schools to change young people's gender without their consent. It does, however, ask that children and young people seeking guidance on transgender issues are able to get the support they need without breaching their confidentiality. This guidance outlines the simple steps that can be taken to ensure no-one experiences discrimination or prejudice because of their gender identity.

I hope this letter reassures you the Scottish Government expects that teaching should be based on facts and should enable pupils to develop an understanding of the issues affecting them but that, ultimately, schools are responsible for the content of lessons.

Yours sincerely

Dear DFM, please see an email below from a constituent. He wishes to understand more about transgender education and the SG's approach to the proposed bill on physical punishment.

Grateful for your comments  
Best wishes  
Aileen

Both my wife and myself are very unhappy about the route on which you appear to be going regarding transgender information for 4-year-olds, Named persons, criminalising smacking etc. We feel that these things are totally inappropriate and are blatant interferences with the family unit. What has happened to the good Christian attitude as this seems to be sadly missing? We are being told we have to watch what we say, watch what we do by minority groups with agendas. We feel that we are part of the silent majority.

We have been SNP members for some considerable time. You may loose a large number of votes from the people who vote most - older people. Young parents are so busy working and bringing up their children they just don't notice what the SNP are trying to force through.

We have three wonderful daughters who were brought up in a loving family home without interference from any government legislation and we are concerned about the education of our five grandchildren.

It appears nowadays everybody has to be politically correct. As members of the Free Church of Scotland we are also allowed to have our own beliefs and opinions, but it appears that these other views are being rammed down our throats and the Christian

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<sup>1</sup> <http://www.gov.scot/Publications/2014/12/8526>  
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view seems to be getting persecuted.

We would be obliged if you would vote against this legislation in the Scottish Parliament.

Yours sincerely

Ms Aileen Campbell MSP  
The Scottish Parliament  
EDINBURGH  
EH99 1SP

You have written to me on behalf of your constituents, REDACTED. REDACTED have raised concerns regarding transgender education and the proposed bill on physical punishment.

REDACTED email refers to transgender information for 4 year olds, which may reflect some of the press coverage of a particular approach being taken within England and Wales. It may be helpful therefore if I set out the position on this issue in Scotland in some detail.

Education about transgender issues is set within a wide context in Scotland, both within the legal framework and the context of the Scottish curriculum.

The Scottish Government believes in a Scotland where everyone, regardless of background, has the right to live and raise their family in peace. Our work to tackle all forms of bigotry, prejudice and discrimination is built on this fundamental premise.

The Equality Act 2010 places duties on responsible bodies (local authorities, managers of independent and grant aided schools) to actively deal with inequality, this includes preventing discrimination, harassment or victimisation of pupils on the basis, or a perceived basis, of their religion or belief, race, sex (gender), disability, sexual orientation, pregnancy or maternity.

The Health and Wellbeing Outcomes for Curriculum for Excellence, set the context for learning and teaching on relationships, sexual health and parenthood. I attach a link to the outcomes for your constituent's information <https://education.gov.scot/Documents/health-and-wellbeing-eo.pdf>. These describe the type of learning which should be undertaken from the Early years through to Fourth Level. The experiences and outcomes are designed to reflect the development within learning and maturity of pupils across their learning journey, and therefore what a pupil would learn at aged 4 is quite different from that in S4.

In addition to the curricular experiences and outcomes relationships, sexual health and parenthood (RHSP) education is guided through statutory guidance for schools and education authorities. RSHP education focuses on equipping children and young people with the knowledge, skills and values to make informed and positive choices about forming relationships. It can assist with making safer decisions about their sexual and emotional health and wellbeing in a responsible and healthy manner, as an important part of preparation for adult life. Children and young people develop an understanding of how to maintain positive relationships with a variety of people and are aware of how thoughts, feelings, attitudes, values and beliefs can influence decisions about relationships and sexual health. They also develop an understanding of the complex role and responsibilities of being a parent or carer. This revised guidance also reflects the need for discussion of all types of relationships as part of RSHP education. I attach a link to the guidance for [REDACTED] information <http://www.gov.scot/Publications/2014/12/8526/1>

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We recognise the particular disadvantage experienced by trans people across many aspects of their life, and are supportive of all measures to increase inclusion in schools for pupils and staff alike. We are working with a range of organisations to ensure that schools have information and advice available to them to ensure that all pupils are supported within school.

In relation to the issue of the proposed Children (Equal Protection from Assault) (Scotland) Bill. The proposal for a Member's Bill was brought forward to the Scottish Parliament by John Finnie MSP. The Bill proposal was consulted upon and brought before Parliament to be voted upon in October 2017. As you may be aware from the media coverage at the time, the Member's Bill was voted for. As a result of this, Mr Finnie has won the right to introduce a Member's Bill. He has the right to introduce a Member's Bill to give effect to the proposal until 1 June 2020 (or, exceptionally, until 30 September 2020). I attach information on the process so far, for REDACTED information  
<http://www.parliament.scot/parliamentarybusiness/Bills/104602.aspx>

It is expected that Mr Finnie will bring forward a Member's Bill on this issue, to which the public Bill's process will apply. Information on that process is attached at <http://www.parliament.scot/parliamentarybusiness/Bills/15707.aspx>. The Scottish Government has been clear that, although this is not a Scottish Government proposal, it is supportive of the legislative proposals to remove the existing defence for parents and outlaw all forms of physical punishment. It is believed that physical punishment can have negative effects on children which can last long after the physical pain has died away. We support positive parenting through, for example, funding for family support services."

I trust that the information I have provided is helpful to you and REDACTED.

**JOHN SWINNEY**

Dear John

**REDACTED**

I have been contacted by my constituent, REDACTED, to raise her concerns about the "proposed exposure of primary school children to gender reassignment guidance". My constituent's letter is attached for your information.

I would be grateful if you could address my constituent's concerns please.

Kind regards.

Yours sincerely,

John Lamont MP

Berwickshire, Roxburgh & Selkirk

Dear Mr lamont,

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I am writing to express my deep concern at the proposed exposure of primary school children to gender reassignment guidance.

While an adult is able to make objective choices regarding their sexual identity, children of primary school age lack this ability, are inexperienced and lack discernment.

Gender is a biological fact and not a social construct. This is a totally misguided and ill-thought out objective.

The Scottish Government backtracked over its prominent endorsement of guidance for schools that transgender rights are more important than the rights of other children and parents.

For example, it was proposed that parents should not be told if their daughter was required to share a room overnight with a boy who self-identifies as a girl.

By ignoring existing law, this guidance was misleading to schools, parents and pupils into believing transgender rights trump the rights of everyone else.

Local authorities need to be challenged if they continue to endorse this guidance.

Also, I am extremely concerned that the NHS is proposing to give gender altering drugs to nine year olds, plus giving puberty blocking drugs to autistic teenagers.

It would be a tragedy if twenty years from now people who are not transgender have been stuck on this medical pathway because NHS personnel are told not to challenge young people who say they are transgender.

I write as the mother of a son who was born a girl and transitioned in his late twenties. While he has the love and support of his family and friends, it is not the solution for everyone who question their sexuality.

Yours sincerely,

Mr John Lamont MP  
25 High Street,  
Hawick  
TD9 9BU

Thank you for your letter e-mailed on 7 August 2018 on behalf of your constituent, REDACTED, which raised her concerns in relation to the teaching primary one children about gender.

I believe that REDACTED correspondence to you may be as a result of recent media coverage, and it may be helpful if I set out the factual position below.

The Scottish Government wants all children and young people in Scotland to build positive relationships as they grow older, which is why relationships sexual health and parenthood (RSHP) education is an integral part of the health and wellbeing area of the curriculum in Scotland. RSHP education should present facts in an objective, balanced and sensitive manner within a framework of sound values and an awareness of the law. Schools will equip young people with information on a wide range of issues, depending on their age and stage of learning. Children and young people will be encouraged to discuss these subjects with

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their peers and parents, to help them gain the knowledge and skills to become confident in making healthy lifestyle decisions for themselves.

Recent media coverage has referred to national guidelines. However, this is not the case. They are draft documents, which form part of ongoing work being led by NHS Greater Glasgow and Clyde, involving partners from health boards and local authorities, to deliver a new web-based RSHP teaching resource. This new resource is being developed in line with Curriculum for Excellence, drawing on best practice currently available from across Scotland and providing content that fully meets children and young people's rights, experiences and learning needs. This will be an interactive web-based learning and teaching resource covering the full 3-18 age range within Curriculum for Excellence. The curriculum provides significant flexibility, within broad national guidelines, for teachers to develop lessons which best meet the needs of individual learners. Ultimately, it is for schools to decide how they deliver RSHP education, based on the needs of the children or young people in their classroom, using whatever resources they deem suitable.

The guidance on transgender education which REDACTED referred to, is *Supporting Transgender Young People*. This guidance was developed by LGBT Youth Scotland in conjunction with the Scottish Trans Alliance and aims to help schools to support young people who are exploring their identity. The guidance explores the issues which schools and education authorities may have to consider when a young person is considering changing their identity. The guidance recognises this is a decision that the young person themselves may make, that it may not be easy and may impact negatively on their learning. The guidance document therefore explores the practical issues which schools may need to respond to. The guidance document mistakenly indicated that the Scottish Government had endorsed the guidance. The Scottish Government does not endorse materials for schools and therefore this error was rectified. The guidance was, however, funded by the Scottish Government. As indicated above it is for schools and education authorities to determine which resources within their local authority area.

I trust that this information is helpful to you and REDACTED.

**JOHN SWINNEY**

Dear REDACTED & REDACTED

Thank you for this.

I am forwarding this to the Education Secretary who is responsible for Education Scotland and I am sure he will be able to respond.

When he does so I will also be happy to give my own view , as I would wish to know a bit more about what the context is for this and how it fits into the educational experience for children, and particularly at what age before I express an opinion.

Yours aye

Michael

I submit a copy of a recent report in "The Scotsman" and if it contains a tittle of truth then I am beyond disgust. My wife and I are both parents and grandparents and have NO wish that such divisive propaganda be encouraged in our schools.

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## The Report

Children from the age of five could be taught in school that they should 'decide' their gender. Teachers across Scotland will tell children it's up to them to decide if they are a boy a girl or if they 'don't like to decide that' from as early as primary one. Read more at: <https://www.scotsman.com/news/primary-one-children-will-be-told-your-gender-is-what-you-decide-1-4779133>

The guidelines, set to come into effect in 2019, say, 'Your sex is what you are told by a doctor when you are born. Most people are told they are a male child (a boy) or a female child (a girl). People might think they know your gender because of the clothes you wear or the things you like to do. You are a unique person, you know who you are.' But politicians and experts have warned that the plans risk confusing young children before they are ready to understand gender and identity. Scottish Conservative education spokeswoman Liz Smith said, 'It's right that we teach children about gender diversity and the meaning of these terms. However, many parents might feel this is too young for their children to learn about it.'

Lessons will teach children that everyone is equal and that assumptions based on how others see our gender shouldn't limit what we can do in life. Under the plans, teachers will give examples challenging gender stereotypes, saying both boys and girls can play football or bake a cake and that both sexes can cry or express feelings. It has prompted fears that it's overloading children with too much too soon.

Read more at: <https://www.scotsman.com/news/primary-one-children-will-be-told-your-gender-is-what-you-decide-1-4779133>

We await your reply aware that this may be a holiday time for you and your colleagues.

Sincerely ,

Michael Russell MSP  
The Scottish Parliament  
Edinburgh  
EH99 1SP

Thank you for your email of 15 August 2018 on behalf of your constituents, REDACTED, regarding their concerns in relation to teaching primary one children about gender.

Your constituents' correspondence mentions recent media coverage, and it may be helpful if I set out the factual position below.

The Scottish Government wants all children and young people in Scotland to build positive relationships as they grow older, which is why relationships, sexual health and parenthood (RSHP) education is an integral part of the health and wellbeing area of the curriculum in Scotland. RSHP education should be presented in an objective, balanced and sensitive manner within a framework of sound values and an awareness of the law. Schools will equip young people with information on a wide range of issues, depending on their age and stage of learning. Children and young people will be encouraged to discuss these subjects with their peers and parents, to help them gain the knowledge and skills to become confident in making healthy lifestyle decisions for themselves.

Recent media coverage has referred to national guidelines. There are no such guidelines. They are draft documents, which form part of ongoing work being led by NHS Greater Glasgow and Clyde, involving partners from health boards and local authorities, to deliver a new web-based RSHP teaching resource. This new resource is being developed in line with Curriculum for Excellence (CfE), drawing on best practice currently available from across Scotland and providing content that fully meets children and young people's rights,

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