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Ruth Maguire  
Convener  
Equalities and Human Rights Committee  
Scottish Parliament  
EH99 1SP

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6 October 2019

Dear Convener,

I am writing to you today in relation to some of the evidence provided for the Committee's Draft Budget Scrutiny 2020-21 inquiry. While I appreciate that I will have the opportunity to provide evidence to the Committee in due course, I do not want these significant inaccuracies to remain unchallenged until then.

The first inaccuracy is the suggestion that the Scottish Government only funds third sector organisations on the basis that they share or promote certain policy positions. This has been linked to a suggestion that we do not fund organisations that undertake work in relation to the protected characteristic of sex. Both of these suggestions are entirely wrong.

I am proud of the strong working relationships that the Scottish Government has with a wide range of third sector organisations. A number of them specifically support women and girls, including through the direct provision of services and by providing constructive challenge to us on how our policies work in practice. Absolutely nothing in our grant funding arrangements with these organisations requires them to be supportive of Scottish Government policy positions. There have been numerous examples over the years of organisations funded by the Scottish Government providing robust and constructive challenge to Government, Parliament and others, and actively campaigning for change.

I was pleased to see in your evidence session on 26 September that the witness from SCVO supported this, highlighting the fact that the Scottish Government has explicitly supported the ability of third sector organisations to advocate their viewpoints to policy makers without fear of negative consequences.

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The second inaccuracy concerns the suggestion that the Equally Safe (Violence Against Women and Girls) funding conditions requires organisations providing services to women not to use the single-sex exemptions available through the Equality Act 2010 or that they make it impossible for them to do so.

This is also entirely wrong. Grant recipients are explicitly required to comply with all relevant legislation, including the Equality Act 2010. In doing so they can therefore of course use the exceptions for single-sex services set out in it. What we require is that applicants provide an LGBTI Inclusion plan (or a GBTI plan for organisations providing direct support to men) as part of their application. This in no way precludes them using the exceptions for single-sex services.

I look forward to providing evidence in person at a future date.

*Jas*  
*Christina McKelvie*

**CHRISTINA MCKELVIE**

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