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Dear Convener

Children (Care and Justice) (Scotland) Bill

I would like to thank you and committee members for your ongoing diligent scrutiny regarding the Children (Care and Justice) (Scotland) Bill (“the Bill”).

I am aware that the committee wanted to take extra time following Stage 1 to undertake additional scrutiny, given the level of interest in these important matters. As the Bill takes forward key measures to improve outcomes for children under Scotland’s obligations on the UN Convention of the Rights of the Child and to Keep the Promise, I agree that it is crucial that sufficient time and care is taken to consider proposals in necessary detail.

My series of meetings with committee members over the summer highlighted the strength of feeling many members hold across the broad and complex matters contained in the Bill. I am particularly aware following these meetings, my own meetings with stakeholders, the Committee’s evidence session on 25th October and my session with you on 1 November that ensuring strengthened rights for victims through the Bill must be a central consideration, and I am determined to ensure that the views of the Committee and of stakeholders fully inform the Government’s approach.

I have further engagement sessions planned with committee members and with stakeholders ahead of Stage 2 and I am keen to ensure that this engagement fully informs the Government’s detailed approach to amendments, and that we can ensure consensus on what I believe are aims shared across parties in Parliament. The current deadline of 15 December for Stage 2 means that this engagement would inevitably be limited – particularly as I would like to be able to maximise meetings with committee members.

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As such, I am writing to notify you that I have asked that the Minister for Parliamentary Business, subject to Committee's agreement, to ask the Parliamentary Bureau to agree to recommend extending the Stage 2 deadline from 15 December 2023 to 2 February 2024. This is to allow time for the government to engage fully with committee members, as well as stakeholders, and to ensure that the issues raised with me by members are able to be reflected in the Government's approach to Stage 2, which the current government amendment lodging deadline of 27 November would not allow for.

I am acutely cognisant of committee business planning and scheduling and do not come to this view lightly. In terms of timing, the government wants to act on views which have come forward during Parliamentary scrutiny. This, coupled with the complex statutory framework surrounding the matters with which the Bill intersects, means I intend to table a significant number of amendments and would welcome more time to discuss some of the issues with Committee members and stakeholders. I am also aware that members will want to bring forward their own amendments, which I am keen to be able to fully discuss and consider ahead of the formal Stage 2 proceedings.

Given that the current deadline is very close to Parliament rising for recess, proceeding under that timeline in order to conclude before this juncture will not, I believe, allow sufficient time for detailed discussions and for these then to be reflected in the government's approach.

Given the importance of these matters and need to ensure they are not rushed, it appears prudent to seek a new deadline for Stage 2 allowing the consideration of amendments in January. This approach will also allow the committee flexibility to ensure three weeks scrutiny, should that be needed, instead of the current two.

At my appearance on 1 November I committed to write to the Committee on a number of matters. While I intend to undertake detailed engagement with members of the Committee ahead of the formal proceedings, I will nonetheless follow up in writing with the information requested by the Committee later this week.

Yours sincerely,

Natalie Don
Minister for Children, Young People and Keeping the Promise

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