



The Scottish Parliament
Pàrlamaid na h-Alba

Equalities, Human Rights and Civil Justice Committee

Jamie Hepburn MSP
Minister for Parliamentary Business
Scottish Government

24 February 2025

Dear Jamie

Non-Implementation of Acts of the Scottish Parliament

At its meeting on Tuesday 4 February the Committee considered its work programme and, amongst other things, agreed to invite you to give evidence to the Committee at its meeting on **24 June 2025** on the non-implementation of the following Acts:

- Female Genital Mutilation (Protection and Guidance) (Scotland) Act 2020
- Domestic Abuse Protection (Scotland) Act 2021 (Part 1)
- The Children (Scotland) Act 2020

While the Committee appreciates that it has taken oral evidence and received written evidence from you on this very recently, the Committee remains concerned about the lack of progress in implementing these Acts.

The Committee was not assured by your letter of 14 January 2025 and to inform the session on 24 June the Committee would welcome a further written update in advance of that session. In particular, the Committee would welcome further information on how you will progress the implementation of the Female Genital Mutilation (Protection and Guidance) (Scotland) Act 2020 as it found the update on that Act in your letter of 14 January particularly unsatisfactory. We would ask, however, that you provide updates in relation to all three Acts.

On the Children (Scotland) Act 2020, the Committee would be grateful if the update is focused on the provisions set out in the appendix to this letter.

I would be grateful of a written response as well as confirmation of your attendance at the Committee meeting on 24 June by **14 March 2025**.

Yours sincerely

Karen Adam MSP
Convener

Contact: Equalities, Human Rights and Civil Justice Committee, The Scottish Parliament, Edinburgh, EH99 1SP. Email EHRCJ.committee@parliament.scot. We welcome calls through Relay UK and in BSL through Contact Scotland BSL.

Appendix

Provisions of the Children (Scotland) Act 2020 on which the Committee is seeking an update:

- sections 1-3 (participation of children and young people in decision-making)
- section 9 (regulation of child welfare reporters)
- sections 10-12 (regulation of child contact centres)
- section 16 (factors to be considered before making a court order)
- section 18 (duty to consider child's best interests when allowing access to information)
- section 20 (explanation of a court's decisions to a child)
- section 21 (duty to ensure availability of child advocacy services)
- section 22 (failure to obey a court order)
- sections 23-24 (alternative dispute resolution)
- section 30 (delay in court proceedings)

On the regulation of child welfare reporters and child contact centres (sections 9-12), note that the Committee's interest is focused on any possible secondary legislation associated with these policy areas.

On alternative dispute resolution (sections 23-24), note that the Committee is seeking an update on Scottish Ministers' progress in relation to fulfilling their statutory duties under the relevant provisions. The Committee is aware that the relevant provisions are in force.