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Scottish Parliament
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Dear James

Supreme Court judgment on the Named Person

I wrote to you on 9 August 2016 explaining the Scottish Government position following the Supreme Court judgment and informed you that the Scottish Government will not commence any provisions within Part 4 (Provision of Named Persons) and Part 5 (Child's Plan) of the 2014 Act on 31 August 2016.

The Scottish Government has today laid three orders to the Scottish Parliament to halt commencement of Parts 4 and 5 of the Children and Young People (Scotland) Act 2014 and revoke the associated orders which implement Parts 4 and 5 (the Named Persons Order, Child's Plan Order and the Complaints Order) of the 2014 Act. The three orders are as follows:

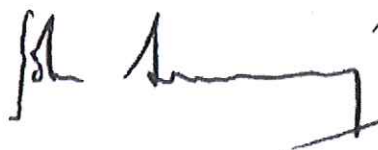
- Draft SSI: The Children and Young People (Scotland) Act 2014 (Part 4 and Part 5 Complaints) Revocation Order 2016
- SSI 2016/234: The Named Persons (Training, Qualifications, Experience and Position) and the Child's Plan (Scotland) Revocation Order 2016
- SSI 2016/233 (C. 20): The Children and Young People (Scotland) Act 2014 (Commencement No. 11) Partial Revocation Order 2016

Due to the Supreme Court's judgment being issued during the Parliamentary recess, we were required to take action prior to 31 August and therefore it was necessary to lay these instruments during the Parliamentary recess. This has necessitated a breach of the 28-day laying rule in the case of the Named Persons (Training, Qualifications, Experience and Position) and the Child's Plan (Scotland) Revocation Order 2016. I have also written to the Presiding Officer explaining this. I attach a copy of this letter.



As you will be aware the Supreme Court judgment dismissed a number of challenges to the Named Person policy and described its aims as 'unquestionably legitimate and benign'. We remain firmly committed to implementing the Named Person service to support children and their families. We will engage with key partners across public services, the third sector, Parliament and the wider public to take this forward.

I am committed to keeping Parliament fully informed about developments and I intend to make a statement to MSPs in the first week after the summer recess, outlining how we are working towards the implementation of the Named Person service and to achieving the shared objectives of Getting it Right For Every Child that have been developed across the country.



JOHN SWINNEY