

Parliamentary Bureau – Designation of a Bill at Stage 1

Children (Withdrawal from Religious Education and Amendment of UNCRC Compatibility Duty) (Scotland) Bill

Introduction

1. The Children (Withdrawal from Religious Education and Amendment of UNCRC Compatibility Duty) (Scotland) Bill was introduced in the Parliament on 30 April by the Cabinet Secretary for Education and Skills, Jenny Gilruth MSP.

Discussion

2. The Bill provides a child with the right to express their views in relation to a parent's request to withdraw the child from religious education and/or religious observance in school. Where the child's views are different from the parent's views, the school would have to follow the child's wishes.
3. The Bill also amends the duty on public authorities not to act in a way that is incompatible with the United Nations Convention on the Rights of the Child (UNCRC) (as set out in section 6 of the UNCRC (Incorporation) (Scotland) Act 2024). The Bill creates an exception to the section 6 duty where an Act of the Scottish Parliament requires a public authority to act incompatibly (a similar exception already applies to Acts of the UK Parliament).
4. The Bill falls within the remit of the following committees—

Equalities, Human Rights and Civil Justice Committee

The remit of the Equalities, Human Rights and Civil Justice Committee includes to consider and report on matters relating to human rights. The Bill relates to the rights of children and the UNCRC. The remit of the Equalities, Human Rights and Civil Justice Committee is therefore engaged.

Education, Children and Young People Committee

The remit of the Education, Children and Young People Committee includes to consider and report on matters falling within the responsibility of the Cabinet Secretary of Education and Skills. The Bill has been introduced by the Cabinet Secretary for Education and Skills. The remit of the Education, Children and Young People Committee is therefore engaged.

5. It is understood that the Equalities, Human Rights and Civil Justice Committee has the main interest in the Bill. The Education, Children and Young People Committee is not seeking any formal designation as a secondary committee. Lack of formal designation does not, of course, prevent the Committee from considering the Bill if it subsequently decides to do so.

Recommendation

6. The Bureau is invited to consider recommending to the Parliament by motion that it agrees, under Rule 9.6.1, that the Equalities, Human Rights and Civil Justice Committee be designated as lead committee.
7. A draft motion can be found below.

Draft Parliamentary Bureau motion on the Children (Withdrawal from Religious Education and Amendment of UNCRC Compatibility Duty) (Scotland) Bill:

Designation of Lead Committee – That the Parliament agrees that the Equalities, Human Rights and Civil Justice Committee be designated as the lead committee in consideration of the Children (Withdrawal from Religious Education and Amendment of UNCRC Compatibility Duty) (Scotland) Bill at Stage 1.

Parliamentary Business Team
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