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Stuart McMillan MSP
Convener, Delegated Powers and Law Reform Committee, Scottish Parliament
By email: DPLR.Committee@parliament.scot

CC Audrey Nicoll MSP
Convener, Criminal Justice Committee, Scottish Parliament
By email: Justice.Committee@parliament.scot

13 March 2026

Dear Convener

Northern Ireland Troubles Bill

Thank you for your Committee's consideration of the Legislative Consent Memorandum and supplementary Legislative Consent Memorandum for the above bill on 10 March 2026, and your letter of the same date in which you ask for clarity regarding how the Scottish Government intends to facilitate scrutiny by the Scottish Parliament of the exercise of powers within legislative competence by the Secretary of State.

The Scottish Government is clear that, as a matter of principle, the Scottish Parliament should have oversight of the use, by UK Ministers, of delegated powers in devolved areas. The Scottish Government also believes that the UK Government should seek the consent of Scottish Ministers in exercising powers in devolved areas, whether that is required by statute or not.

The bill's timetable remains uncertain, therefore how to inform the Parliament of the planned use of the powers identified in your letter will be a matter for the incoming Scottish Government. As it stands the powers in this bill would fall outside the scope of the current protocol (SIP2), and in such cases the Scottish Government has undertaken to write to the relevant subject committee and DPLRC to inform them of the UKG intention to legislate in a devolved area, and provide details of any consultation by the UKG and of Scottish Ministers' response.

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In line with your suggestion, this letter is copied to the Convener of the Criminal Justice Committee for information.

Yours sincerely



ANGELA CONSTANCE

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