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Claire Baker MSP
Convener, Economy and Fair Work Committee
The Scottish Parliament
Edinburgh
EH99 1SP

By e-mail

5 September 2023

Dear Convener,

Bankruptcy and Diligence (Scotland) Bill

As foreshadowed in my letters of 12 June and 4 September, enclosed is a copy of the report from the Mental Health Moratorium Working Group.

Feedback from both stakeholders in Scotland and those with experience of the Mental Health Breathing Space in England and Wales had advised that early collaboration with mental health professionals would be of vital importance for the successful development of an equivalent scheme in Scotland.

Therefore, earlier this year, a working group was formed to consider the practical application of a mental health moratorium in Scotland. The membership of this group consists of mental health professionals, representatives from the advice community and the creditor sector. Through many meetings and in-depth discussions the group has produced a report of their recommendations for Scottish Ministers to consider. The group was facilitated by officials from the Accountant in Bankruptcy, but its approach, conclusions and recommendations were decided independently by its members

The group focussed on 4 key aspects of the mental health moratorium:

- Entry criteria
- Period of protection
- Levels of protection
- Exit process

The report represents the views of the group members on each of these areas with recommendations to be considered.

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I am currently reviewing the group's recommendations, in discussion with officials, to develop this further with the intention of having draft regulations available later in the year.

A public consultation on the report will be published in the near future to gauge wider stakeholder views on the specific aspects of the proposed mental health moratorium. The responses to this will also feed into our consideration.

Yours sincerely



TOM ARTHUR MSP

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