Cabinet Secretary for Justice and Home Affairs
Angela Constance MSP

F/T: 0300 244 4000
E: scottish.ministers@gov.scot

Scottish Go
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vernment

Sue Webber
Convener
Education, Children and Young People Committee
Scottish Parliament
ecyp.committee@parliament.scot

23 January 2024

Dear Convener

Anonymity and deceased child victims – international evidence paper

During the Committee's consideration of the Children (Care and Justice) Bill, there has been discussion around the end point for anonymity for child victims and whether it should extend beyond their natural life. This issue has also been raised by stakeholders in relation to the Victims, Witnesses, and Justice Reform Bill.

In advance of stage 2 of the Children (Care and Justice) Bill, I thought it would be helpful to share with you an evidence paper that has been developed by officials to inform the Scottish Government's response to questions around the end point of anonymity that were raised in the context of the Children (Care and Justice) Bill and the Victims, Witnesses, and Justice Reform Bill.

The paper highlights a number of themes emerging from the evidence from other jurisdictions, namely:
- The potential negative impact of anonymity on bereaved family members
- The risks of introducing new laws in this area without full consultation
- Considerations around open justice and public interest
- The lack of international consensus on a model for anonymity extending beyond natural life

The paper is not intended to be a comprehensive description of the law in other countries but rather provides an insight into the experience of a number of jurisdictons and their approach to the end point for anonymity.

St Andrew's House, Regent Road, Edinburgh EH1 3DG
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I hope the Committee find this information useful. I have also provided the paper to the Criminal Justice Committee

Yours sincerely

ANGELA CONSTANCE

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