

Ministear airson Cùram Sòisealta agus Sunnd Inntinn
Tom Arthur BPA

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Karen Adam MSP
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Justice Committee
The Scottish Parliament
Edinburgh, EH99 1SP

By email: EHRCJ.committee@parliament.scot

20 February 2026

Dear Convener

I am writing to provide an update on the Scottish Government commitment to invest £10 million in Changing Places Toilets (CPT).

As the Committee will be aware, the 2021-22 Programme for Government committed to invest £10 million to provide CPT facilities across Scotland over the lifetime of the Parliament. On 20 March 2025, my predecessor confirmed that £10 million would be made available over the final two years of the Parliament for the development of new facilities across Scotland.

The CPT Scotland Fund launched in August 2025 and 97 applications were received.

In December 2025, I announced awards of £4.7 million for 59 projects across Scotland. I am pleased to confirm that I have now also approved funding for an additional 25 projects, bringing total confirmed awards to over £7 million for 84 projects.

Access to toilets is a fundamental human right and the development of new CPT facilities across Scotland will make a huge difference to the lives of people with complex disabilities and health conditions, their families and carers by enabling them to participate fully in society and access community resources.

Tha Ministearan na h-Alba, an luchd-comhairleachaidh sònraichte agus an Rùnaire Maireannach fo chumhachan Achd Coiteachaidh (Alba) 2016. Faicibh www.lobbying.scot

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As you will be aware, the Scottish Government has included in its draft budget an additional £10 million for CPTs over the next three financial years, which would bring total investment to £20 million.

My Officials continue to work alongside Inspiring Scotland and PAMIS to engage with communities and distribute funding.

I will ensure that the Committee is updated on this work as it progresses.

I have copied this letter to the Convener of the Parliament's Health, Social Care and Sport Committee.

Yours sincerely

Tom Arthur MSP

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BROADER ISSUES

Learning Disabilities, Autism and Neurodivergence (LDAN) Bill

Work on the LDAN Bill is continuing to enable its introduction during the next parliamentary session, subject to the outcome of this year's election. Following a full consultation on the LDAN Bill and subsequent additional engagement with the Advisory Panels throughout 2025, the next stage will be to publish draft Bill provisions for further consideration in due course.

Law reform

We remain committed to modernising our mental health and capacity legislation to better reflect international human rights standards, with an Adults with Incapacity amendment bill expected in the next parliamentary term. Work is now underway to progress this, supported by the [Adults with Incapacity Reform: Expert Working Group](#) and the [Adults with Incapacity Reform: Ministerial Oversight Group](#), both of which were established in September 2025 to progress key areas of reform including deprivation of liberty and supported decision-making.

With regard to the Human Rights Bill, as outlined in the Scottish Government's Discussion Paper on the Human Rights Bill, the proposed Group Protection Duty will require certain duty bearers to actively consider the rights in CRPD, including Article 19, when delivering services and making decisions. We consider this proposal will provide a clear, coherent and accessible framework for rights holders and duty bearers, which also carefully navigates the limits of devolved competence. As you know, we are continuing to engage on proposals over the remainder of the Parliamentary term.

The Scottish Government treats UN treaty body guidance (including General Comments) as important and authoritative tools for policy development. While non-binding, the Scottish Government uses them as strategic and normative benchmarks, referring to them to shape law and policy where possible. This approach reflects our strong commitment to advancement of human rights and helps to align domestic law with international human rights standards. It is not intended for the proposed Human Rights Bill to contain a provision to alter the already established soft law status of UN treaty body guidance. For the purposes of interpretation of UN guidance, such as Concluding Observations and General Comments, it is proposed they will be viewed as non-binding, with courts considering them in their judgments where they see relevant or persuasive. This is consistent with the approach to interpretation taken in the UNCRC (Incorporation)(Scotland) Act 2024.

Forensic Mental Health

The Scottish Government recognises that current service fragmentation and lack of strategic capacity planning in forensic mental health services, as evidenced in the Barron Review, contribute to delays and complex transitions. As a result, the governance of such services is undergoing reform. The Forensic Governance Advisory Group submitted a report in June 2025. However, much has changed since then and significant developments have reshaped the context for decision making and shifted NHS priorities. The Scottish Government will now take time to consider the findings carefully and will issue a formal response in due course.

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This issue remains a priority, and we are committed to providing clarity as soon as possible to support effective planning and maintain momentum for change. In the meantime, the Forensic Network has been tasked with bringing Health Boards and forensic mental health services together to take forward a program of work to identify and address issues that will help streamline and shorten processes around access to services.

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