

Minister for Victims and Community Safety  
Ministear airson Luchd-fulaing is Sàbhailteachd  
Chòimhearsnachd  
Siobhian Brown MSP  
Siobhian Brown BPA

 **Scottish Government**  
Riaghaltas na h-Alba

Minister for Equalities  
Ministear airson Cho-ionannachdan MSP/BPA  
Kaukab Stewart MSP  
Kaukab Stewart BPA

Karen Adam  
Equalities, Human Rights and Civil Justice  
Committee  
The Scottish Parliament  
Edinburgh  
EH99 1SP

06 March 2025

Dear Karen Adam,

Thank you for your letter of 26 February 2026 regarding the updates in relation to the Children (Scotland) Act 2020, Domestic Abuse (Protection) (Scotland) Act 2021 and the Female Genital Mutilation (Protection and Guidance) (Scotland) Act 2020.

We apologise that this update was not provided earlier in January in line with the commitment to provide quarterly updates to the Committee. Please see attached a template which has updates on the progress with the implementation of these Acts since our last update to the Committee on 26 September 2025.

I hope this information is of assistance to the Committee. Once the successor committee is in place we will be ready to provide a further update on the progress of the implementation of these Acts.

Yours sincerely,

**KAUKAB STEWART**

**SIOBHIAN BROWN**

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**Equalities, Human Rights And Civil Justice Committee Update - Non-implementation of legislation  
(March 2026)**

LEGISLATION	Provisions to be implemented	Update on progress to implement	Key milestone (s)
<p><b>Children (Scotland) Act 2020</b></p>	<p>A number of provisions in the Children (Scotland) Act 2020 have already been brought into force. The commencement regulations made so far are:</p> <p><a href="#">The Children (Scotland) Act 2020 (Commencement No. 3 and Saving Provision) Regulations 2025</a></p> <p><a href="#">The Children (Scotland) Act 2020 (Commencement No. 2) Regulations 2021</a></p>	<p>SSIs to introduce the regulation of child contact centre services were made on 19 November 2025.</p> <p>The Scottish Government has established a working group on child welfare reporters on what work needs to be done to implement the register of reporters under the 2020 Act: <a href="#">Child Welfare Reporter Working Group - gov.scot</a>. A plan for implementing the register in the next session of Parliament is being prepared.</p> <p>The Scottish Government is working on the next set</p>	<p>The SSIs that have been made in relation to the regulation of child contact centre services put the Care Inspectorate in place as the independent regulator. The Care Inspectorate are now carrying out preparatory work ahead of regulation fully coming into force on 1 April 2027.</p> <p>The <a href="#">Victims, Witnesses, and Justice Reform (Scotland) Act 2025</a>, which gained Royal Assent on 30 October 2025, amends or repeals provisions in sections 4 to 8 of the 2020 Act to extend special measures to civil cases generally, not just certain family proceedings.</p> <p>Given the interdependencies, the provisions in the 2020 Act will need to be commenced and implemented at the same time as the provisions in Part 5 of the 2025 Act.</p> <p>Implementation is expected to take 2 years from commencement. Time is needed to establish a register of solicitors, contract out duty to</p>

	<p><a href="#">The Children (Scotland) Act 2020 (Commencement No. 1 and Saving Provisions) Regulations 2020</a></p> <p>Work continues on implementing remaining provisions in the Act.</p>	<p>of regulations to commence further provisions of the 2020 Act.</p> <p>The Scottish Government estimates that implementing the 2020 Act in full will cost around £15 million per annum.</p>	<p>maintain the register, propose court rule changes.</p>
<p><b>Domestic Abuse (Protection) (Scotland) Act 2021 – Part 1</b></p>		<p>As previously outlined, a short life working group has been convened to look at what legislative changes may be required to enable progress with the aims of introducing domestic abuse protection notices/orders.</p> <p>That Group met for the first time on 11 September and has met on a regular basis since then.</p> <p>Membership of the group includes Justice partners,</p>	<p>This work will inform a consultation in early 2026 on possible changes to the legislation.</p> <p><a href="https://www.parliament.scot/chamber-and-committees/questions-and-answers/question?ref=S6W-43709">https://www.parliament.scot/chamber-and-committees/questions-and-answers/question?ref=S6W-43709</a></p>

		<p>local government representatives, and service providers.</p> <p>The Group is considering the existing legislative framework and what changes may be required and why, as well as having a focus on cost and sustainability.</p>	
<p><b>Domestic Abuse (Protection) (Scotland) Act 2021 – Part 2</b></p>	<p>Part 2 of the Domestic Abuse (Protection) (Scotland) Act 2021 which will provide additional powers to social landlords to apply to the court to end the tenancy rights of persons who have been abusive to their partner or ex-partner.</p>	<p>The secondary legislation required to bring Part 2 of the 2021 Act into force was laid in the Scottish Parliament on 18 December 2025. Subject to parliamentary approval, Part 2 of the 2021 Act will come into force on 1 August 2026.</p> <p>We have worked closely with the Scottish Courts and Tribunals Service to co-ordinate the required changes to court rules and forms. The</p>	<p>Secondary legislation was laid on 18 December 2025. Statutory guidance for social landlords on the use of the new powers is expected to be published in Spring 2026.</p>

		<p>commencement date of 1 August 2026 will provide sufficient time for the Scottish Courts and Tribunals Service to be operationally ready to deal with cases.</p> <p>Draft statutory guidance for social landlords on the use of powers at Part 2 of the 2021 Act is currently being revised to take account of comments from key stakeholders. We expect to publish the revised guidance in Spring 2026.</p>	
<p><b>Female Genital Mutilation (Protection and Guidance) (Scotland) Act 2020</b></p>	<p>All provisions within the Act to be implemented</p>	<p>Work to implement falls into three main development areas: court rules, statutory guidance and training and awareness raising.</p>	<p>We have sent court rules proposal papers to the Scottish Civil Justice Council and Criminal Courts Rules Council for their consideration. The Criminal Courts Rules Council considered the criminal paper in February 2026 and the civil paper will be considered by Family Law Committee in March 2026.</p>

		<p>Officials have been continuing to engage with various justice partners to work together to ensure that there is effective implementation of the Act within both criminal and civil courts. Officials have prepared court rules proposal papers for both the Scottish Civil Justice Council and Criminal Courts Rules Council for their consideration. The criminal paper was considered by the Criminal Courts Rules Council in February 2026 and the Civil paper will be considered by the Family Law Committee in March 2026.</p> <p>The Statutory Guidance Working Group, established for the implementation, brings together representatives from key sectors,</p>	<p>We have received feedback on the first draft of the statutory guidance from our Statutory Guidance Working Group for feedback which includes representatives from Police Scotland, social work, education, health and child protection. The second draft is now with the AVAMEWAG network for their feedback.</p>
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		<p>including operational partners, to help shape and develop the statutory guidance, training and wider support materials.</p> <p>Officials have received feedback on the first draft statutory guidance from the working group and the second draft is currently being reviewed by the Addressing Violence Against Minority Ethnic Women and Girls (AVAMEWAG) network.</p> <p>Additionally, we have engaged with academics from University of Bristol who are conducting a literary review into risk and protective factors associated with FGM. This work will feed into our guidance and training and awareness raising resources.</p>	
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		<p>Awareness raising work will be shaped by the guidance and court rules, and as such, the main release of the awareness raising materials will likely take place on completion of implementation.</p> <p>Officials have continued to engage with the Addressing Violence Against Minority Ethnic Women and Girls (AVAMEWAG) for inform this work.</p> <p>Funding for the Implementation of the Act has been previously budgeted for.</p>	
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