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Clare Haughey
Convener
Health, Social Care and Sport Committee
Scottish Parliament
Edinburgh
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5 September 2025

Dear Clare

**ASSISTED DYING FOR TERMINALLY ILL ADULTS (SCOTLAND) BILL –
LEGISLATIVE COMPETENCE**

Further to my letter of 27 June 2025, in which I informed you that I had written to the UK Government regarding the legislative competence of Liam McArthur MSP's Assisted Dying for Terminally Ill Adults (Scotland) Bill, I am writing to provide an update on the further engagement that we have had with the UK Government since, and next steps.

As you are aware, of particular note is section 15(8), which gives power to the Scottish Ministers to specify, in regulations, a drug or other substance as an "approved substance" (to be provided to the terminally ill adult to end their own life), which appears to relate to the reserved matter of medicines, medical supplies and poisons (section J4 of schedule 5 of the Scotland Act 1998).

We also consider that a number of provisions in the Bill may relate to the reserved matter of regulation of the health professions (section G2 of schedule 5 of the Scotland Act 1998). My letter to the UK Government sought their views on the legislative competence of the Bill and the steps that they might be willing to take to try to resolve these competence issues.

The UK Government responded to my letter on 29 July and officials from both governments have since been engaging and developing proposals which will be put to the UK Government as a formal request to take the necessary steps to try to resolve the legislative competence issues with the Bill.

Both the Scottish and UK Government are mindful of the challenging timescales that we are working to, given the Parliament's dissolution next year.

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I remain committed to ensuring that Members are kept informed as this work develops, and I will provide further detail as substantive progress is been made. I have also met with Mr McArthur to update him on this.

Yours sincerely



NEIL GRAY

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