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Scottish Government
Riaghaltas na h-Alba

Kenneth Gibson MSP
Presiding Officer
Scottish Parliament

By email: Presidingofficers@parliament.scot

27 October 2026

Dear Presiding Officer,

NORTHERN IRELAND TROUBLES BILL

I am writing to let you know that the Scottish Government is considering the need to lodge a supplementary Legislative Consent Memorandum (LCM) in respect of the UK Government Northern Ireland Troubles Bill.

Scottish Parliament Standing Orders provide that an LCM should normally be lodged with the Scottish Parliament two weeks after the introduction of a relevant Bill in Westminster or, as in this case, two weeks after relevant amendments to the Bill are tabled by a UK Minister, or with a UK Minister's support. In the case of amendments to this Bill, the deadline for lodging would have been 27 October 2026. Unfortunately, we will not be able to meet the Standing Order deadline as despite prior engagement with the Northern Ireland Office, we only received partial sight of the final text of circa 150 amendments before they were tabled on 13 October 2026. As a result, we do not consider that the necessary devolution analysis to inform the LCM can be concluded by 27 October. Nor is there adequate time for consultation with Police Scotland and COPFS/the Lord Advocate who are most directly affected.

The UK Government assessed that most provisions of The Troubles Bill 2025 extend to Scotland and that consent would be required for them on the basis that they relate to devolved matters such as criminal justice (including the detection and investigation of crime) and the investigation of deaths and policing, or because they confer functions on the Scottish Ministers or the Lord Advocate. Amendments tabled on 13 October touch on all of these areas. LCMs relating to this Bill have been considered by the Criminal Justice Committee.

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Although not yet complete, based on our analysis of the amendments so far, we conclude that an LCM is required.

We anticipate lodging the LCM by 16 November 2026. My officials will keep in contact with yours regarding anticipated timescales for lodging the memorandum.

I am copying this letter to the Cabinet Secretary for Justice and to the Convener of the Criminal Justice Committee.

Yours sincerely,

JAMIE HEPBURN

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