Minister for Equalities & International Development
Simita Kumar MSP

Scottish Government
Riaghaltas na h-Alba

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

Katie Hagmann MSP
Convener
Equalities, Human Rights and Civil Justice Committee
Email: EHRCJ.committee@parliament.scot

3 November 2026

Dear Katie,

NON-IMPLEMENTATION OF LEGISLATION

Thank you for your letter of 8 October 2026 to Jamie Hepburn, Minister for Parliamentary Business, about the FGM (Protection and Guidance) (Scotland) Act 2020 (the "FGM Act 2020"), the Children (Scotland) Act 2020, and Part 1 of the Domestic Abuse Protection (Scotland) Act 2021. As Minister for Equalities and International Development, I have portfolio responsibility for implementation of the FGM Act 2020.

I would be happy to provide regular updates to the Committee on implementation of the FGM Act 2020.

As you will be aware from previous updates provided to the Committee, all provisions of the FGM Act 2020 remain to be commenced and I am working closely with officials to ensure that we are able to lay commencement regulations at the earliest appropriate opportunity.

We are currently awaiting confirmation from the Scottish Courts and Tribunals Service (SCTS) that new civil court rules will be required. If new civil court rules are required, and we expect they will be, draft rules will need to be prepared by the Scottish Civil Justice Council, and submitted to the Court of Session for consideration. The preparation and approval of any new court rules will necessarily take time, and I have asked officials to discuss timescales with the SCTS so that we can prepare for commencement.

Draft Statutory Guidance for the 2020 Act was shared with the Committee in March of this year and since then it has been further refined in response to feedback from the working group which was established to support its development. A further iteration of the guidance was shared with the working group on 16 October.

In addition to the Statutory Guidance, we have commissioned the Women's Support Project to develop a national resource for practitioners. This is intended to help professionals across education, health, social work, and policing to build understanding and trust, and equip them with the knowledge to respond appropriately and confidently. I would be happy to share this with the Committee.

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

I hope this update is helpful. The Scottish Government remains committed to commencing the provisions of the FGM Act 2020 as soon as the necessary implementation arrangements are in place, and I will continue to keep the Committee informed of progress.

Yours sincerely,

SIMITA KUMAR

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

INVESTORS IN PEOPLE™ We invest in people Silver
disability confident LEADER