



The Scottish Parliament
Pàrlamaid na h-Alba

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Rural Affairs Committee

Scottish Parliament

By Email: rural.committee@parliament.scot

Dear Mark,

Islands Act post-legislative scrutiny & the Committee

We are writing to you and the wider committee to ask that consideration be given to conducting post-legislative scrutiny of the Islands (Scotland) Act 2018 by the committee.

The Act will be 10 years old next year, which offers a timely opportunity to review whether it has achieved all that it set out to do. Feedback from various stakeholders across sectors has made clear to us that people feel it has not. As a landmark piece of legislation at the time, which gave many in our island communities a sense of hope that structural challenges would be addressed, its lack of success in doing so merits further scrutiny.

There are various elements of the Act that would provide useful areas of focus for the committee if you were minded to conduct post-legislative scrutiny more broadly.

However, the most regular frustration with the Act that we hear from constituents and stakeholders relates to the limitations of island communities impact assessments. If the committee is not minded to conduct a full review, this key aspect of the Act would provide a useful focus for post-legislative scrutiny.

Stakeholders have made clear to us a number of ongoing concerns with island communities impact assessments, including:

- Concerns that these are not conducted in a consistent and timely manner
- The perception that these do not alter policy outcomes and are conducted out of necessity, rather than as a meaningful exercise within policy design
- Frustration that these are not co-delivered with island stakeholders, who know first-hand the contexts in which any legislation or policy would be delivered and are therefore best placed to assess its impact

More broadly, there is a strong sense that the ambition of “island proofing” legislation and policy has not been realised in practice. Many islanders do not feel that government or public bodies routinely and effectively consider the distinct circumstances of island communities when developing policy.

A further consideration is the role of Parliament and its committees in ensuring that the island dimension of policy and legislation is properly examined. In the last session, committees found themselves under increasing time pressures, and better opportunities must be found this session to ensure full scrutiny of island issues can take place.

We look forward to your response and would be happy to support this work where we can if the committee wishes to pursue it.

Yours sincerely,

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