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Scottish Government
Riaghaltas na h-Alba

Jenni Minto MSP
Convener
Standards, Procedures and Public Appointments Committee

By email: SPPA.Committee@parliament.scot

14 October 2026

Dear Jenni,

Further to my own earlier letter to you dated 22 September, in which I set out the actions the Scottish Government is taking to progress its FOI Policy Objectives, I have your recent correspondence with Katy Clark MSP regarding her own work on FOI reform.

The Scottish Government has engaged with Ms Clark and other Members with an interest in the future of FOI rights in Scotland, and I would reiterate the government's willingness to continue that engagement across the chamber, and with the Committee.

The Freedom of Information (Scotland) Act 2002 is a well established piece of legislation which is operating effectively to secure access to information held by Scottish public authorities for requesters across Scotland and beyond. It is important that any changes to the legislation that might be made in the future are well considered and serve to improve, and do not undermine, the operation of the legislation which is recognised as having important strengths both domestically and internationally.

Our work on extension in the care sector is a significant project, on which we have rightly taken the time to engage a wide community of stakeholders who would be affected by the proposed change, and to consult the wider public. As I set out in my letter to the Committee on 22 September, the analysis of responses to that consultation was published in the summer and the Scottish Government is currently considering its next steps.

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I do recognise the important point made by Ms Clark in her letter of 24 September about the growing impact of AI and other changes to technology. I am aware the Scottish Information Commissioner has also been candid about the impact of this on his own office and on Scottish public authorities generally. The Commissioner has also written to my Ministerial colleague the Cabinet Secretary for Public Service Reform on behalf of all the Scottish Parliamentary appointees to raise the issue of AI driven demand on public services. I will be discussing those issues with the Commissioner when I meet with him later this month.

Yours sincerely,



JAMIE HEPBURN

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