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Equalities, Human Rights and Civil Justice Committee

Subordinate legislation considered by the Equalities, Human Rights and Civil Justice Committee on 4 November 2025



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Equalities, Human Rights and Civil Justice Committee

To consider and report on the following (and any additional matter added under Rule 6.1.5A)—

- a. matters relating to equal opportunities, and upon the observance of equal opportunities within the Parliament; and
- b. matters relating to human rights.
- c. matters relating to civil justice within the responsibility of the Cabinet Secretary for Justice and Home Affairs.

2. In these Rules

(a) “equal opportunities” includes the prevention, elimination or regulation of discrimination between persons on grounds of sex or marital status, on racial grounds or on grounds of disability, age, sexual orientation, language or social origin or of other personal attributes, including beliefs or opinions such as religious beliefs or political opinions; and

(b) “human rights” includes Convention rights (within the meaning of section 1 of the Human Rights Act 1998) and other human rights as for example contained in any international convention, treaty or other international instrument ratified by the United Kingdom.

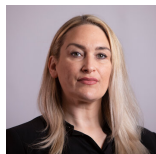


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Introduction

1. This report concerns the following two affirmative instruments:

- [The Regulation of Care \(Child Contact Services\) \(Scotland\) Order 2025 \[draft\]](#)
- [Regulation of Care \(Child Contact Services\) \(Equality\) \(Scotland\) Regulations 2025 \[draft\]](#)

The instruments, which were laid in draft on 23 September 2025, are subject to the affirmative procedure - which means they cannot come into force unless they have been approved by a resolution of the Parliament.

If approved, the instruments come into force on 1 April 2027.

2. It is for the Equalities, Human Rights and Civil Justice Committee, as lead committee, to decide whether or not to recommend approval of the instruments.

About the instruments

3. Both instruments were laid under the [Public Services Reform \(Scotland\) Act 2010](#) to confer additional functions upon Social Care and Social Work Improvement Scotland (commonly known as "the Care Inspectorate") in relation to child contact services.

The Regulation of Care (Child Contact Services) (Scotland) Order 2025 [draft]

4. The main purpose of this instrument is to extend the Care Inspectorate's (statutory name being the Social Care and Social Work Improvement Scotland) regulatory framework to include child contact services. It does so by amending the 2010 Act to add child contact services to the list of care services regulated under that Act.
5. The instrument makes transitional provision for child contact services already operating when this Order comes into force on 1 April 2027. In practice, this will mean that those services will be temporarily deemed to have been registered by the Care Inspectorate at that time. They will then have a grace period between 1 April - 30 September 2027 to make an application for registration. If no application is made during those six months, the deeming will end, and the service will no longer be registered at the end of that period. Finally, for services deemed to be registered during the transitional period, the instrument disapplies certain provisions containing technical rules (in the 2010 Act and elsewhere) which would normally apply to services having gone through the registration process.

The Regulation of Care (Child Contact Services) (Equality) (Scotland) Regulations 2025 [draft]

6. This instrument will confer an additional function on the Care Inspectorate in relation to the regulation of child contact services, requiring the Care Inspectorate to notify the Equalities and Human Rights Commission of any failure, or possible failure, by a child contact service provider to comply with its duties under the Equality Act 2010, in particular the duty to make reasonable adjustments for disabled people.
7. This instrument is linked to the Regulation of Care (Child Contact Services) (Scotland) Order 2025, which will add child contact services to the list of care services that the Care Inspectorate regulates under the Public Services Reform (Scotland) Act 2010.
8. The purpose of the instrument is to help ensure child contact services are meeting their duties under the Equality Act 2010 in relation to service users without placing any additional duties upon the providers of those services.

Consideration by the DPLR Committee

9. The Delegated Powers and Law Reform (DPLR) Committee is required to consider every instrument laid before the Parliament and decide whether to draw it to the attention of the Parliament on any of the “reporting grounds” set out in Rule 10.3 of the Parliament’s standing orders.
10. The DPLR Committee considered the instruments at its meeting on [30 September 2025](#) and agreed that they did not need to be drawn to the Parliament’s attention on any of the reporting grounds.

Consideration by the Equalities, Human Rights and Civil Justice Committee

11. At its meeting on 4 November 2025, the Equalities, Human Rights and Civil Justice Committee took evidence on the instruments from the Minister for Victims and Community Safety and officials.
12. In the evidence session the Committee explored the Scottish Government's consultation process with the Minister. The Committee noted that the consultation process had not included voices from Black, Asian and Minority Ethnic groups. Nor had it included consultation with British Sign Language users.
13. The Committee appreciates that instruments do not come into force until 1 April 2027 and welcomes the Minister's commitment to work with a more diverse range of organisations in the lead in to the coming into force date. The Committee asks that the Minister keeps the Parliament informed of its work during this lead in period.
14. Following the oral evidence, the Minister moved the following motions—
 - [S6M-19400](#) - That the Equalities, Human Rights and Civil Justice Committee recommends that the Regulation of Care (Child Contact Services) (Scotland) Order 2025 [draft] be approved; and
 - [S6M-19401](#) - That the Equalities, Human Rights and Civil Justice Committee recommends that the Regulation of Care (Child Contact Services) (Equality) (Scotland) Regulations 2025 [draft] be approved.
15. The motions were agreed to.

Recommendation

16. Accordingly, the Committee recommends to the Parliament that the draft Regulation of Care (Child Contact Services) (Scotland) Order 2025 and the draft Regulation of Care (Child Contact Services) (Equality) (Scotland) Regulations 2025 be approved.

