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Stuart McMillan, MSP
Convener,
Delegated Powers and Law Reform Committee

By email
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28 March 2023

Dear Convener,

Trusts and Succession (Scotland) Bill

Thank you to your fellow Committee Members for the opportunity to provide discuss details of the Trusts and Succession (Scotland) Bill. At that session, you asked for information on the public consultation the Scottish Government carried out in 2016, including the questions it asked, how it was promoted, and which individuals and organisations responded to it. I have included this information below, in the Annex.

I hope you and the Committee find this of assistance.

Kind regards,

Michael Paparakis

Civil Law and Legal System,
Justice Directorate

Consultation questions

A list of the questions asked can be found in this [consultation document](#).

The consultation

The consultation was publically accessible on the Scottish Government's website for a period of 12 weeks.

Unfortunately, our records do not contain any details of how the consultation was promoted or whether copies of the consultation document were sent to particular individuals or organisations.

Profile of respondents

A total of 46 responses were received to the consultation. This included 21 individual respondents and 25 organisational respondents. However, one of the organisational respondents stated it had no comment to make on the consultation. This response was acknowledged, but was not included within the analysis of the 71 individual questions.

This meant that 45 responses were analysed. Five broad respondent categories were agreed.

Respondent category	Number	Percentage
Legal	16	36%
Academic	11	24%
Members of the public	9	20%
Land	6	13%
Other	3	7%

The 'other' group includes a housing association, an accounting firm and the Scottish Courts and Tribunals Service.

Of the 45 responses, 41 gave permission for their response to be published by the Scottish Government. Those who gave their permission were:

- 1) Adrian Sinfield;
- 2) Alan Barr;
- 3) Brian & Anne Cox
- 4) British Holiday & Home Parks Association Ltd;

- 5) BTO Solicitors;
- 6) David Bartos;
- 7) Dot Reid;
- 8) Ellyn Fyvie;
- 9) Faculty of Advocates;
- 10) Frankie McCarthy;
- 11) George Gretton;
- 12) Gillespie McAndrew LLP;
- 13) Historic Houses Association Scotland;
- 14) James Aitkenhead;
- 15) Jill Robbie;
- 16) James Aitkenhead;
- 17) James & Katherine Walker;
- 18) John MacLeod;
- 19) Johnston Carmichael LLP;
- 20) Julie Hufstetler;
- 21) Kenneth Norrie;
- 22) Lindsays Solicitors and Estate Agents;
- 23) Maclay Murray & Spens LLP;
- 24) Malcolm Combe;
- 25) Murray Beith Murray;
- 26) Nicole Sweeney;
- 27) NFU Scotland;
- 28) Patrick Anderson;
- 29) Queen's and Lord Treasurer's Rembrancer;
- 30) Roderick Paisley;
- 31) Sandy McDonald;
- 32) Scottish Courts and Tribunals Service;
- 33) Scottish Land & Estates;
- 34) Scottish Tenant Farmers Association;
- 35) Seafield & Strathspey Estates;
- 36) Shoosmiths Solicitors;
- 37) Steven Beaton;
- 38) The Law Society of Scotland;
- 39) The Trusts Fiduciaries and Executries Bar Group ("TrustBar");
- 40) Turcan Connell;
- 41) W. & J.S. Gordon (Solicitors).

