



The Scottish Parliament  
Pàrlamaid na h-Alba

Mark Ruskell MSP  
Office MG.12  
The Scottish Parliament  
Edinburgh  
EH99 1SP  
0131 3486468

**14<sup>th</sup> September 2023 (by email)**

Dear Ariane,

**European Charter of Local Self Government (Incorporation) (Scotland) Bill**

Thank you for your letter on the European Charter of Local Self-Government (Incorporation) (Scotland) Bill on the 29<sup>th</sup> August. I appreciate your Committee's ongoing interest in the Bill, including monitoring its progress towards reconsideration stage.

As you are aware this Bill was introduced by Andy Wightman MSP in the last parliamentary session. It was passed at the very end of the session on 23 March 2021. I supported the policy set out in that Bill and had on that basis been content to be nominated to act as the member in charge of the bill under Standing Orders Rule 9.2A.2(b). In other words, I had agreed that, should Andy Wightman MSP be unable to act as the member in charge during parliamentary scrutiny of the Bill, I would act as the member in charge. As Andy Wightman MSP was not re-elected in 2021, when the Supreme Court judgment was announced in 2022, I effectively became the member in charge of the bill.

Under Standing Orders Rule 9.9.1 it is only the member in charge of the bill who can lodge a motion for a reconsideration stage of a bill. I indicated to Parliament following the Supreme Court Judgment that I wanted to lodge such a motion so that the Bill could progress to reconsideration stage "to ensure that the work of Mr Wightman, the Convention of Scottish Local Authorities and the Parliament as a whole is not lost." (Official Report 24 May 2022, col. 19).

I also sought in that contribution to ensure COSLA's and my involvement with the development of amendments being developed by the Scottish Government on the Bill. As part of this ongoing work, I arranged a meeting earlier this year with the then Minister for Social Security and Local Government, Ben Macpherson MSP and COSLA. I attach the letter from the Minister summarising the meeting for your reference. As you will see from the annexe, the timeline from the Scottish Government sets out the reconsideration stage of the UNCRC Bill proceeding before the European Charter of Local Self-Government (Incorporation) (Scotland) Bill can commence. Part of the basis for this position from the Government is that there is a read across, to an extent, between the means by which the UNCRC Bill will need to be amended and the means by which the European Charter of Local Self-Government (Incorporation) (Scotland) Bill will need to be amended. Please note that I will have an opportunity, as part of the process set out by the Government, to seek to ensure the proposed Government amendments reflect the Supreme Court judgment and I will do so in consultation with the Non-Government Bills Unit.

I have continued to seek updates from the Scottish Government on the timescales for the development of the amendments for the reconsideration stage for the European Charter of Local Self-Government (Incorporation) (Scotland) Bill. I hope that the motion that was laid by the Scottish Government on the UNCRC Bill for debate by Parliament this week is indicative of progress being made towards the European Charter of Local Self-Government (Incorporation) (Scotland) Bill reconsideration stage and I will closely consider the implications of any decisions made in relation to the UNCRC Bill.

I will continue to work closely with COSLA on this issue and keep them informed of any progress in this area. As you can see from the annexe to the attached letter, it is absolutely anticipated that COSLA and the Local Government, Housing and Planning Committee will be fully involved in the process.

Yours sincerely,

Mark Ruskell

MSP for Mid Scotland and Fife