



The Scottish Parliament
Pàrlamaid na h-Alba

Delegated Powers and Law Reform Committee

Siobhian Brown MSP
Minister for Victims and Community
Safety
Scottish Government

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7 July 2023

Dear Minister

Trusts and Succession (Scotland) Bill

Thank you for giving evidence to the Committee on the Trusts and Succession (Scotland) Bill (“the Bill”) on Tuesday, 6 June. Your evidence was very helpful and appreciated by the Committee.

The Official Report from that meeting can be viewed [here](#).

Following on from the discussion on issues around capacity in the Bill, including, in particular, the removal of trustees deemed incapable, do you have anything further you would like to add given the Scottish Government has now published its response to the [Scottish mental health law review](#)?

Can you set out the Scottish Government’s views on how to ensure that the Bill will be able to be easily amended in the future, once further changes to the law around incapacity are implemented? Does the reasonably long-term timeframe that has been set to finish the consideration of what constitutes a “mental disorder” – a sub-set of incapacity – influence your views on the best way of future-proofing the Bill?

I would appreciate a response by **Friday, 18 August 2023**.

Yours sincerely

Stuart McMillan MSP
Convener of the Delegated Powers and Law Reform Committee