

T: 0300 244 4000

Rt Hon Alister Jack MP  
Secretary of State for Scotland  
Dover House  
Whitehall  
London  
SW1A 2AU

14 April 2022

Dear Alister

I understand that, following our correspondence earlier this year, and discussions between officials, you have decided that the UK Government is unwilling to give further consideration to any steps to allow incorporation of the UNCRC in Scotland beyond the bounds of the Scottish Parliament's current powers, as clarified by the Supreme Court.

The Scottish Government has proposed various options to increase the effectiveness of incorporation beyond those currently available to the Scottish Parliament, including steps that could be taken by the UK Government to ensure all devolved legislation is brought quickly and efficiently within the scope of the UNCRC Bill without altering the devolution settlement.

This is a very disappointing approach from the UK Government, which is at odds with your commitment in the House of Commons in late October "to engage constructively with the Scottish Government to ensure relevant issues that may arise are addressed at the earliest possible stage". It would be very helpful if you could clarify why you are unwilling to engage in further consideration of the options.

As I mentioned in my letter of 1 February, in parallel with the engagement described above, we have been working on amendments that can be made to the Bill within the current competence of the Scottish Parliament. We will return the Bill to the Scottish Parliament for reconsideration as soon as practicable, with proposals to deliver UNCRC incorporation to the maximum extent possible within the limits of the devolution settlement,. We will again be looking to engage constructively with the UK Government on those proposals, and hope that that spirit will be reciprocated..

I am copying this letter to the First Minister and The Rt Hon Michael Gove MP.

**JOHN SWINNEY**

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)

St Andrew's House, Regent Road, Edinburgh EH1 3DG  
[www.gov.scot](http://www.gov.scot)