

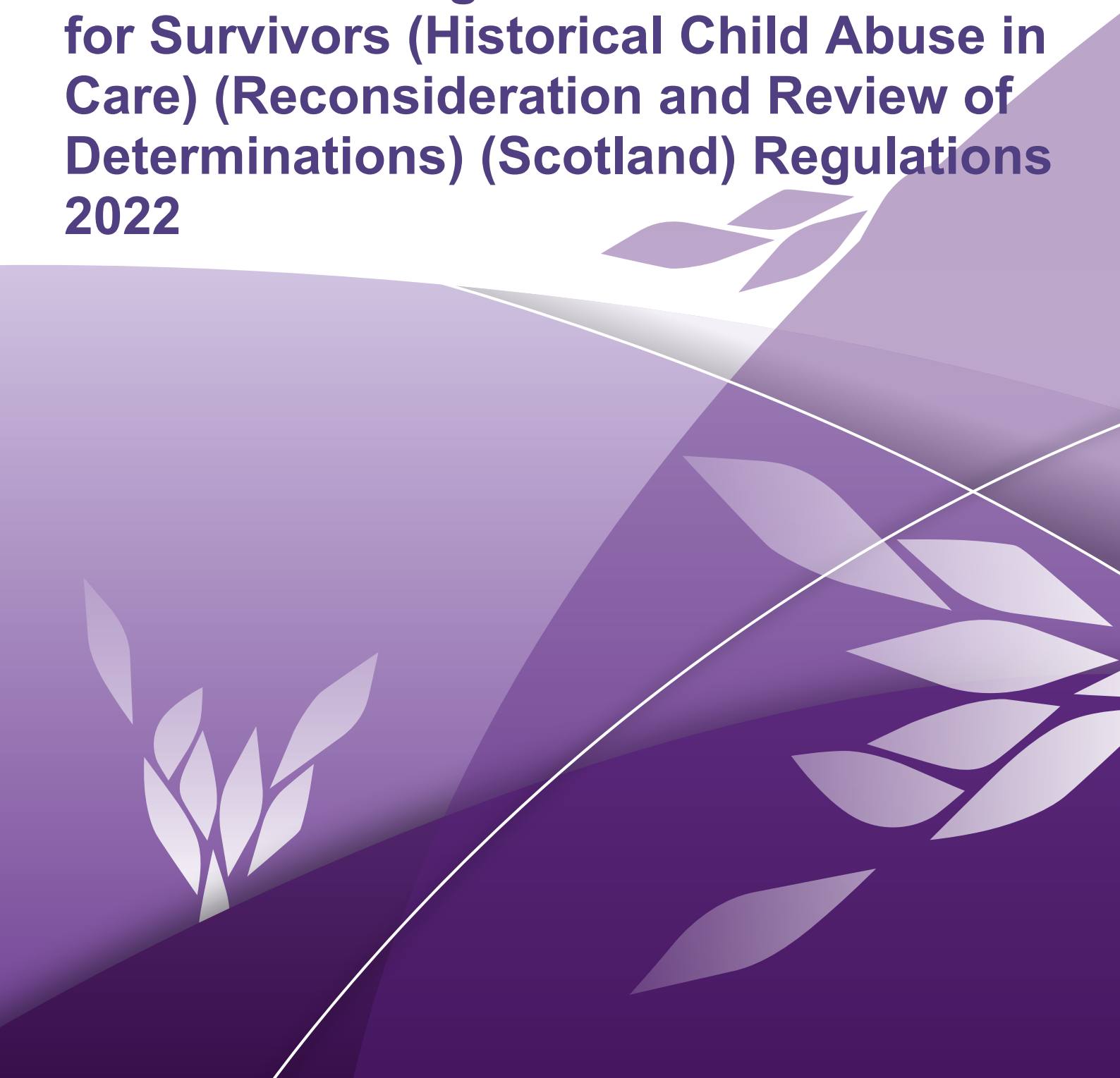


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Education, Children and Young People Committee

Subordinate Legislation: The Redress for Survivors (Historical Child Abuse in Care) (Reconsideration and Review of Determinations) (Scotland) Regulations 2022



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Education, Children and Young People Committee

To consider and report on matters falling within the responsibility of the Cabinet Secretary for Education and Skills and matters relating to the Historical Abuse Inquiry within the responsibility of the Deputy First Minister.



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Scottish Liberal
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Introduction

1. At its meeting on 26 January 2022, the Education, Children and Young People Committee considered a piece of subordinate legislation which is subject to the affirmative procedure.
2. The [minutes](#) of the meeting have been published on the Committee's webpages. The [Official Report of the meeting](#) will be published in due course.
3. This report summarises the purpose and the scrutiny of the instrument as well as confirming the Committee's decision.

Instrument Overview

4. The [Redress for Survivors \(Historical Child Abuse in Care\) \(Reconsideration and Review of Determinations\) \(Scotland\) Regulations 2022](#) were laid before the Scottish Parliament on 7 December 2021.
5. The purpose of the regulations are as follows -
 - To make further provision about the reconsideration of a determination under section 75 of the Act and any review of it under section 76.
 - To make provision for the payment of legal fees and the reimbursement of costs and expenses in relation to reconsiderations and reviews.
 - To also set out procedures to be followed in connection with these payments and reimbursements and make provision for liability where they have been made in error.
 - To also amend the Act to make further provision in relation to what happens when a determination relating to the outcome of a redress application is reconsidered or reviewed.
6. A policy note published to accompany the statutory can be accessed [here](#).

Delegated Powers and Law Reform Committee

7. The Delegated Powers and Law Reform Committee at its meeting on [14 December 2021](#) considered the Instrument and made no comment.

Education, Children and Young People Committee

8. At its meeting on 26 January 2022 the Committee considered the The Redress for Survivors (Historical Child Abuse in Care) (Reconsideration and Review of Determinations) (Scotland) Regulations 2022.
9. The Committee heard evidence from the Deputy First Minister and Cabinet Secretary for Covid Recovery, John Swinney MSP.

Conclusion

10. John Swinney MSP, Deputy First Minister and Cabinet Secretary for Covid Recovery, moved: S6M-02797 - That the Education, Children and Young People Committee recommends the Redress for Survivors (Historical Child Abuse in Care) (Reconsideration and Review of Determinations) (Scotland) Regulations 2022 be approved.
11. The Committee agreed motion S6M-02797 unanimously.

