



Scottish
Commission
on Social
Security

Scottish Commission on Social Security
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23 November 2023

Shirley-Anne Somerville MSP
Cabinet Secretary for Social Justice,
Scottish Government

By email only

Dear Cabinet Secretary,

Thank you for your letter of 18 October 2023 regarding the Social Security (Residence and Presence Requirements) (Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights and Lebanon) (Scotland) Regulations 2023. As you will be aware, the Scottish Commission on Social Security is required by the Social Security (Scotland) Act 2018 to report on any matter referred to us, within our remit, by Scottish Ministers. This letter satisfies the reporting requirements of the 2018 Act in relation to the Social Security (Residence and Presence Requirements) (Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights and Lebanon) (Scotland) Regulations 2023 [hereafter 'the Regulations'].

SCoSS notes that the rationale for retrospective scrutiny of the Regulations was the urgent need to implement new, expedited regulations to support people from Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights and Lebanon arriving in Scotland as a result of the escalating conflict. We fully understand and accept the need for this approach. In addition, we also recognise that regulations were required to mirror emergency legislation being taken forward by the UK Government in order to ensure parity of access to benefits in Scotland for which Scottish Ministers have responsibility.

SCoSS considered the regulations at our Board meeting on 22 November and we consider that the regulations are essentially similar in scope and purpose to previous emergency regulations scrutinised by SCoSS in relation to crisis situations in Afghanistan, Ukraine and Sudan. Accordingly, we have no comment or recommendations to make with regard to the regulations.

Yours sincerely,

Judith Paterson
Interim Co-Chair
Scottish Commission
on Social Security

Dr Mark Simpson
Interim Co-Chair
Scottish Commission
on Social Security