



The Scottish Parliament
Pàrlamaid na h-Alba

To: Maree Todd MSP, Minister for Mental Wellbeing, Public Health, Sport, Alcohol and Drugs

By Email

1st October 2026

Dear Ms Todd,

Learning Disabilities, Autism and Neurodivergence Bill

We came together on 24th September as a group of cross-party MSPs, third sector organisations, and Disabled Persons' Organisations to discuss the implications of the Learning Disabilities, Autism and Neurodivergence Bill being dropped by the Scottish Government. Our roundtable conversations focussed on the reasons why the promised legislation was sought in the first place; the ongoing, urgent needs of people with learning disabilities, autistic people and other neurodivergent people; and policy initiatives that we still feel need to be addressed by the Scottish Government.

The overwhelming consensus within the group was that action to support the needs and rights of autistic people, other neurodivergent people and people with learning disabilities is even more acutely needed now than it was when the Bill was first promised in 2021. The stories shared within the group ranged from continued difficulties in accessing assessment, support and medication, to exclusion from education and, in all too many cases, tragic and early deaths. These stories are not new – they were shared by many people over the course of the Bill's development and remain common in 2026.

We have heard from the Scottish Government on several occasions that legislation is not the preferred option for implementing change and that action can come sooner than legislation. We would welcome that level of urgency, but the group felt that legislation and urgent policy change need not be mutually exclusive – changes can be advanced while the development of legislation will put those much-needed developments on a statutory footing, ensuring accountability from public services.

Campaigners for legislation have always recognised that existing legislation *should* meet the rights and needs of our communities. However, decades of poor life outcomes and continuous fighting for better support led to campaigners seeking accountability for systemic

change through specific legislation. We note that recent comments from Scottish Government ministers indicate that the possibility of a Bill has been 'retained for future consideration', so it would be helpful to understand what evidence of need would be required for that consideration to be taken forward, and how outcomes from proposed policy initiatives will be monitored and evaluated.

We look forward to a ministerial statement outlining how the promised policy improvements will be prioritised and sustainably funded. The 2023-4 Consultation outlined key topics identified by the stakeholder panels. These were: Statutory Strategies for Neurodivergence and Learning Disabilities; Mandatory Training in the Public Sector: Inclusive Communications; System-wide Data; Independent Advocacy and a separate section on accountability.

Given that these were the Scottish Government's own categories of policy focus, we would hope that, rather than provide general statements about support without legislation, the Scottish Government could outline what policy initiatives it will take to meet each of these areas of need, what the overall vision is, and the strategic approach it intends to take. We are also keen to see a long-term, sustainable commitment to address these needs in the forthcoming budget. We recognise that £7.6million has been pledged in recent weeks, so it would be welcome if the Scottish Government would outline how that money will be spent, and whether we will see ongoing, year-on-year investment at a level that will bring about systemic change.

Roundtable participants remained of the view that mandatory training, meaningfully created from lived experience, is highly necessary across the public sector and that many practitioners and professionals are keen to access training. Such training must be implemented beyond the scope of health and social care and must be delivered in a way that translates into substantive changes to practice. We note that mandatory training across health and education has progressed significantly in England, and that Scotland is falling behind in this regard.

Though ostensibly outwith the scope of the Bill (because the Scottish Government undertook to make progress ahead of legislation) attendees at the roundtable were clear that the implementation of holistic pathways for neurodevelopmental assessment and support remain an urgent need. We are often told that a diagnosis is not necessary to receive support, but MSPs and organisations both hear regularly that this is simply not the case in practice. Moreover, a thorough diagnosis, assessment and profile of need is vital for self-understanding, a basis for accommodating support, and a basis for self-advocacy. For people with ADHD, a formal diagnosis is also necessary to access medication.

The group recognises both the opportunity and the high level of risk that the Scottish Government's Public Service Reform agenda implies for meaningful change: larger local authorities and health boards may offer the opportunity to avoid the fragmented and

variable approaches that we find in the current landscape and to implement well-evidenced approaches and initiatives at scale. However, we are deeply concerned that the needs of people with learning disabilities, autistic people and other neurodivergent people are too easily overlooked when reform is undertaken, and that a social care system that sees people primarily through a health lens may undermine holistic, community-based support.

We are keen to be reassured that our communities needs will not be lost within larger structural change and to hear those needs explicitly recognised and articulated in the proposed changes. While the Bill development process ended in disappointment, it at least provided a strategic focus and an opportunity for our communities to be engaged and heard by government. We are concerned that the end of the Bill means that focus will be lost and that there will be no mechanism for meaningful involvement in future policy initiatives.

We look forward to your response and to the forthcoming ministerial statement where we request that these concerns be addressed.

Yours sincerely,

Co-Signing Members of the Scottish Parliament:

Joe Long MSP, Scottish Labour

Karen Adam MSP, Scottish National Party

Dawn Black MSP, Scottish National Party

Miles Briggs MSP, Scottish Conservative and Unionist Party

Adam Harley MSP, Scottish Liberal Democrats

Daniel Johnson MSP, Scottish Labour

Kayleigh Kinross-O'Neill MSP, Scottish Greens

David Linden MSP, Scottish National Party

Helen McDade MSP, Reform

Cara McKee MSP, Scottish Greens

Paul McLennan MSP, Scottish National Party

Emma Roddick MSP, Scottish National Party

Co-Signing Organisations:

Down's Syndrome Scotland

National Autistic Society Scotland

Promoting A More Inclusive Society (PAMIS)

Scottish ADHD Coalition

Scottish Autism

Scottish Commission for People with Learning Disabilities (SCLD)

Scottish Ethnic Minority Autistics (SEMA)

The Donaldson Trust

Administrative correspondence regarding this letter is managed by the Office of Joe Long MSP. Email: Joe.Long.msp@parliament.scot