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Sent: 29 June 2017 00:49

To: SLC info

Cc:

Subject: FW: Preparation of the Commission's Tenth Programme of Law Reform - Consultation on possible law reform projects

Dear Malcolm

Thank you for your letter requesting suggestions for topics or areas of the law that might be suitable for inclusion in the Scottish Law Commission's Tenth Programme of Law Reform.

The limited time that the Scottish Parliament's Justice Committee has to perform its scrutiny role continues to be an issue. I'm therefore extremely grateful to the SLC for the work that it does.

The age at which a child is deemed to be an adult is one area of law that requires a holistic examination given the wide variation in legislation.

This is an issue that has been highlighted in various Bills where there has been a distinct shift in recent years to a presumption that 'child' is a person aged under 18. This seems to be at odds with the common law position of a child becoming an adult at age 16 under Scots Law.

I wonder therefore if this may be an area of interest for the SLC given it raises important questions such as - when a child is old enough to consent to medical decisions, to instruct a solicitor or to enter into a contract.

I understand that the Scottish Government is currently consulting on the minimum age of criminal responsibility, however I believe that it would be beneficial to look at this issue in its entirety rather than on the current piecemeal basis.

I hope this is helpful.

Best wishes

Margaret