

PE1999/I: Fully implement the UN Convention on the Rights of Persons with Disabilities

Scottish Government written submission, 16 October 2025

Thank you for your email dated 1 October 2025 requesting an update on Mr Watson's petition which calls on the Scottish Parliament to urge the Scottish Government to fully implement the UN Convention on the Rights of Persons with Disabilities (UNCRPD).

Mental Health Law Review

The Scottish Mental Health Law Review, published in September 2022, set out over 200 recommendations for change in our mental health and capacity legislation. We have carefully considered Lord Scott's recommendations and agree more can be done to enhance and protect the human rights of people with mental illness and adults who lack capacity.

As part of our commitment to modernising our mental health and capacity legislation to better reflect international human rights standards, we established the Mental Health and Capacity Reform Programme of which we have now progressed or completed the majority of the actions and milestones set out in the initial delivery plan.

The scale of the transformation needed in order to realise our vision to enable people to live well with choice and control over their own lives, care and treatment requires a staged approach to reform. This is the right thing to do as we need to recognise the challenges of delivering further change at a time when there is significant change across the health and social care sector.

As part of that staged approach, work is underway to bring forward an Adults with Incapacity Bill in the next Parliament. Our approach is rooted in co-design, reflecting strong feedback from the 2024 consultation that reform must be shaped by the voices of those with lived and professional experience.

To ensure this, the Minister for Social Care and Mental Wellbeing has established and now chairs a Ministerial Oversight Group, which meets quarterly to guide and scrutinise the work of the Adults with Incapacity Expert Working Group. The Expert Working Group continues to meet on a monthly basis and is taking forward the detailed development work required to modernise the legislation.

Human Rights Bill

The Scottish Government will bring forward a new Human Rights Bill in the next Parliamentary session (subject to the outcome of the 2026 Scottish Parliament election). To support further development of the Bill, in July we published a [Discussion Paper](#) on our proposals. This consolidates the extensive work undertaken to date and supports further engagement on policy proposals.

A new Human Rights Bill would aim to further advance a human rights culture in Scotland by giving domestic legal effect to a range of internationally recognised human rights, including the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the UN Convention on the Rights of Persons with Disabilities (UNCRPD).

The Bill is intended to improve how law, policy and frontline services are developed and delivered by placing the human rights of everyone, including disabled people, at the heart of decision-making. Incorporation of these rights will improve outcomes for disabled people in their everyday lives and help to ensure people are treated with fairness and dignity in areas like health and housing.

Under our proposals, for the first time in Scotland's domestic legal framework, public authorities would be required to comply with the rights in ICESCR and consider the rights in UNCRPD when delivering services and making decisions. We are also proposing that public authorities must consider how to deliver the ICESCR rights in a non-discriminatory way for disabled people.

The Bill also aims to support rights holders, including disabled people, to access remedy where their rights are not upheld, and establish a multi-institutional model of human rights accountability in Scotland.

In developing this legislation we are mindful of Scotland's devolved powers and how the Bill could interact with the Human Rights Act, the Equality Act and other pieces of legislation. We are using the time we have now to test and refine proposals to ensure they are as robust as possible and can be implemented effectively within devolved competence.

Disability Equality

The Disability Equality Plan was published in June 2026 and developed in partnership with Disabled People's Organisations (DPOs). It sets out actions to advance inclusion and equality and includes investment of £3 million, with £1.5 million allocated to a new Fund improving access to support and services for disabled people.

The Plan represents a significant step toward realising the UNCRPD in practice, with investment and governance structures designed to uphold disabled people's rights in everyday life. A disability competence learning programme for Scottish Government staff, and strengthened governance, including an annual Cabinet Takeover will ensure disabled people are central to decision-making.

Alongside this, we continue to support DPOs and other organisations that support disabled people through the Equality, inclusion and Human Rights Fund, the Disability Equality Plan, the Access to Elected Office Fund and the Scottish Access Panel Network.

These efforts reflect our commitment to embedding the UNCRPD in policy, legislation and practice across Scotland.

Directorate for Equality, Inclusion and Human Rights