



The Scottish Parliament
Pàrlamaid na h-Alba

**EQUALITIES AND HUMAN RIGHTS COMMITTEE
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CONVENER**

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The Scottish Parliament
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Deputy First Minister and Cabinet
Secretary for Education and Skills

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Via email only

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6 July 2017

Dear Deputy First Minister,

It is not Cool to be Cruel: Prejudice-based bullying and harassment of children and young people in school

I am writing on behalf of the Equalities and Human Rights Committee of the Scottish Parliament (EHRiC) to thank you for taking part in our inquiry to examine prejudice-based bullying and harassment of children and young people in school.

I also wish to thank you for pausing the refresh process of *Respect for All*, in order to allow EHRiC to make recommendations on this important policy. I hope the work EHRiC has undertaken will assist in meeting our shared aim of ensuring that our education system is a safe and welcoming environment, where all of Scotland's children and young people can learn, grow and achieve their full potential. I wish you well as you move forward with the refresh process.

The inquiry report is now available on the EHRiC website:

- [It is not Cool to be Cruel: Prejudice-based bullying and harassment of children and young people in school](#)

The news release which accompanied the report is also available.¹

¹ EHRiC News Release 6 July 2017: <http://www.parliament.scot/newsandmediacentre/105617.aspx>

As per sections 41 and 42 the protocol² between the Scottish Parliament and Scottish Government, EHRiC is seeking a written response from you on the findings and recommendations in our report by **Monday 4 September 2017**.

Next steps

As you will see, this inquiry has exposed a series of serious equalities and human rights challenges for Scotland, especially as they directly affect some of our most vulnerable citizens, children and young people.

Throughout this work we have liaised with the Education and Skills Committee, as the relevant lead policy committee, and considered the recommendations of their recent report on Personal and Social Education (PSE).³ EHRiC endorses the recommendations of the Education and Skills Committee on PSE.

Given the alignment of several key issues in relation to PSE and prejudice-based bullying and harassment, I have written today to the Convener James Dornan MSP, drawing the findings of our report to his attention and proposing that EHRiC and the Education and Skills Committee may wish to seek a joint parliamentary debate on our respective recommendations, as well as the Government response to both reports.⁴

As you will also be aware, the Commission on Parliamentary Reform recently reported on its work, and noted that the Scottish Parliament needs to—

“keep pace with the increasing recognition of the importance of parliaments and parliamentarians taking an active role in the implementation of human rights standards and judgements...we refer the proposals raised with us on the Parliament’s role as a human rights guarantor to the Equalities and Human Rights Committee to inform its inquiry work on this matter.”⁵

Mindful of this, EHRiC will—

- take forward the lessons from our inquiry on prejudice-based bullying and harassment to inform our ongoing inquiry on how the Parliament should scrutinise equalities and act as a human rights guarantor;

² Protocol between the Committee Office of the Scottish Parliament and the Scottish Government: http://www.scottish.parliament.uk/Parliamentaryprocedureandguidance/Protocol_between_the_Scottish_Parliament_and_the_Scottish_Government_version_Oct_2009.pdf

³ Education and Skills Committee 7th Report 2017 (Session 5): *Let's Talk about Personal and Social Education*: <https://sp-bpr-en-prod-cdnep.azureedge.net/published/ES/2017/5/22/Let-s-Talk-About-Personal-and-Social-Education-1/7th%20Report,%202017.pdf>

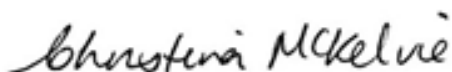
⁴ Letter to James Dornan MSP 6 July 2017: http://www.parliament.scot/S5_Equal_Opps/Inquiries/Letter_to_the_Convener_of_ES_on_Bullying_inquiry_report_20170706.pdf

⁵ Report of the Commission on Parliamentary Reform, Pars 157 to 160: <https://test123582.files.wordpress.com/2016/10/commissiononparliamentaryreformreport-june20171.pdf>

- Work with others relevant parliamentary committee on equalities and human rights issues as appropriate;
- Look to see how the work of bodies such as the Equality and Human Rights Commission in Scotland, the Scottish Human Rights Commission and the Commissioner for Children and Young People in Scotland can play a supportive and integrated role in helping to drive forward the necessary changes we have identified;
- Consider the issues relevant from this inquiry for our work on the Scottish Government's Equality Budget Statement, the National Performance Framework and preventative spending, and formulation of spending decisions as part on our ongoing scrutiny of the draft budget process;
- Plan a follow up oral evidence session with key stakeholders in mid-2018 to assess progress on our recommendations from this inquiry, and,
- Include necessary follow up work on children's human rights in our future work programme.

I look forward to receiving your response to our report in due course. Should you or your officials have any questions, please contact the Clerk to the Committee.

Yours sincerely,



Christina McKelvie
Convener
Equalities and Human Rights Committee

Cc: James Dornan MSP, Convener, Education and Skills Committee

Angela Constance MSP, Cabinet Secretary for Communities, Social Security and Equalities

Colin Crawford, Association of Directors of Education and Chair of the Scottish Government LGBTI Inclusive Education Working Group