



The Scottish Parliament
Pàrlamaid na h-Alba

Christina McKelvie MSP
Convener
Equalities and Human Rights
Committee

Via email
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**Local Government and Communities
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Dear Christina,

Thank you for your letter of 26 January. The Committee noted with interest your Committee's inquiry into *Human Rights and the Scottish Parliament*. The Committee considered your letter at its meeting on 21 February and agreed that I should respond in the following terms.

The Committee recognises the importance of human rights issues both in terms of its work but also the wider work of the Parliament. The Committee agreed that there is a need for a specific Scottish Parliament Committee to be charged with scrutiny of human rights issues and so welcomes the inclusion of human rights to your Committee's remit. This will enable expert knowledge and focus to be brought to this important issue and should complement your Committee's existing high quality work on equalities issues.

In your letter to the Committee you express an interest in establishing the benefits of using human rights as a way of scrutinising matters in our remit. The Committee has interpreted this in two ways – one is the extent to which 'human rights issues' are scrutinised by the Committee whilst the other is how do we include a human rights based approach to our scrutiny.

As I am sure you will recognise human rights issues feature in much of the work that we undertake. By way of example, a core thread of our recent inquiry into homeless recognised the provision of good quality suitable housing as a fundamental human right for all and we advocated taking a "housing first" approach as part of tackling the issue in Scotland. We also asked the Scottish Government to ensure that the specific requirements of those leaving care and those with protected characteristics were taken account of when putting in place future solutions for addressing

homelessness in Scotland. For the Committee the importance is that such issues are scrutinised rather than being explicitly identified as 'human rights issues'.

In considering how a more human rights based approach to scrutiny might be undertaken by the Committee we already ensure that scrutiny can be undertaken on a meaningful basis particularly with those who are less likely to engage whilst we are also looking to include more deliberative methods of engagement within our scrutiny such as our recent community events on the Planning (Scotland) Bill. Both before and during these events we provided support and opportunities for those participating to learn about the Bill and to ask questions before their views were sought. This participative element then continued with our use of Dialogue to enable the conversation to be continued.

Since the start of the session, the Committee has made it a priority to ensure that often-excluded groups are provided the means to inform our scrutiny and this is something it proactively considers at the start of every inquiry when planning its engagement work. For the above work on homelessness, the Committee ensured that it heard directly from those who had experienced homelessness to frame and inform its inquiry and this evidence was vital to the Committee's final recommendations to the Scottish Government.

The Committee agreed that it would continue to ensure that human rights issues are a core part of its scrutiny work. However, it noted that placing a specific requirement on subject committees to consider specific judgements and decisions in relation to human rights within their remit could provide some challenges in relation to resource and capacity both for members and Parliamentary officials which would need to be addressed.

Finally, the Committee recognises that the impact of the United Kingdom leaving the European Union may mean that the implications for human rights and its scrutiny by Parliamentary Committees may yet change. The Committee recognises that this is likely to be an issue that your Committee will wish to consider further as part of its inquiry and we look forward to the outcome of your deliberations.

Kind regards,

A handwritten signature in cursive script that reads "Bob Doris".

Bob Doris MSP
Convener of the Local Government and Communities Committee