

EQUAL OPPORTUNITIES COMMITTEE

Tuesday 24 October 2000
(Morning)

© Parliamentary copyright. Scottish Parliamentary Corporate Body 2000.

Applications for reproduction should be made in writing to the Copyright Unit,
Her Majesty's Stationery Office, St Clements House, 2-16 Colegate, Norwich NR3 1BQ
Fax 01603 723000, which is administering the copyright on behalf of the Scottish Parliamentary Corporate
Body.

Produced and published in Scotland on behalf of the Scottish Parliamentary Corporate Body by The
Stationery Office Ltd.

Her Majesty's Stationery Office is independent of and separate from the company now
trading as The Stationery Office Ltd, which is responsible for printing and publishing
Scottish Parliamentary Corporate Body publications.

CONTENTS

Tuesday 24 October 2000

	Col.
ITEMS IN PRIVATE	859
TRAVELLING PEOPLE	860
EQUALITY PROOFING AND MAINSTREAMING	862
EQUALITY TRAINING	864
SEX EDUCATION	865
REPORTERS	866

EQUAL OPPORTUNITIES COMMITTEE 20th Meeting 2000, Session 1

CONVENER

*Kate MacLean (Dundee West) (Lab)

DEPUTY CONVENER

*Shona Robison (North-East Scotland) (SNP)

COMMITTEE MEMBERS

*Malcolm Chisholm (Edinburgh North and Leith) (Lab)

Johann Lamont (Glasgow Pollok) (Lab)

Marilyn Livingstone (Kirkcaldy) (Lab)

Mr Jamie McGrigor (Highlands and Islands) (Con)

*Irene McGugan (North-East Scotland) (SNP)

Mr Michael McMahon (Hamilton North and Bellshill) (Lab)

Tricia Marwick (Mid Scotland and Fife) (SNP)

Mr John Munro (Ross, Skye and Inverness West) (LD)

*Nora Radcliffe (Gordon) (LD)

Tommy Sheridan (Glasgow) (SSP)

*Elaine Smith (Coatbridge and Chryston) (Lab)

*attended

CLERK TO THE COMMITTEE

Lee Bridges

ASSISTANT CLERK

Alison Campbell

LOCATION

Chamber

Scottish Parliament

Equal Opportunities Committee

Tuesday 24 October 2000

(Morning)

[THE CONVENER *opened the meeting at 10:06*]

The Convener (Kate MacLean): We have depleted numbers this morning. There are a few apologies, but I expect other members to arrive as the meeting progresses.

Items in Private

The Convener: We will go straight to item 1, which is to decide whether to take items 7 and 8 in private. Is that agreed?

Members *indicated agreement.*

Travelling People

The Convener: Item 2 is an update on the travelling people and public sector policies inquiry. As members know, we have issued a press release that invites people to put their names forward if they want to give evidence to the committee. A letter has also been sent to various organisations, outlining the aims of the committee and requesting that evidence be submitted by 13 November, although I suspect that we will be flexible about that date.

We are close to appointing an adviser, and I hope to be able to update the committee on the progress that has been made. An adviser should be appointed by the next committee meeting, when we can discuss how we want to move forward.

In Aberdeen, I attended a celebration of Travellers' history and culture at which there was a great deal of interest in the fact that the committee is conducting an inquiry. Members of the travelling community were especially pleased that we committed ourselves to visiting travelling peoples' sites and taking evidence at those sites—it will be an interesting inquiry. Are there any questions?

Elaine Smith (Coatbridge and Chryston) (Lab): I saw the press release that invites people to give evidence, but have we identified any bodies or groups that we can invite? We should be proactive about inviting people, rather than waiting for them to contact us.

The Convener: We have not put together a list to give to the committee, but we did ask members to get in touch with the clerk if there was anybody who they felt should be invited to give evidence. I am not sure whether any member has done that.

Lee Bridges (Clerk): We have sent about 150 letters.

The Convener: We have sent letters to different organisations. If members feel that anybody from whom we should take evidence is missing from the list, they should inform Lee Bridges and the committee will get in touch with those people. We will be flexible about the date of 13 November—it does not allow a long time scale.

Elaine Smith: Will it be acceptable for individual Travellers to give evidence, or do we expect Travellers groups' representatives to do that?

The Convener: It is up to the committee to decide how it wants to take evidence. If a number of individuals want to give evidence, we could set aside time to do that. There is, however, a limit to how much evidence we can take, although we do not want to rule out the possibility of taking evidence from individuals. We took interesting

evidence from two individuals from the travelling community in May.

I raised at the conveners group the method of appointment of advisers—the Procedures Committee will consider that matter with a view to producing recommendations for all committees when they appoint advisers. Obviously on this occasion, because we want to get on with the inquiry, we have stuck to the old procedures.

Equality Proofing and Mainstreaming

The Convener: The next item is the paper on equality proofing and mainstreaming, which has been made available today. There is a correction—which members should have had the opportunity to read—to that paper. Are there any questions or comments on the paper?

Elaine Smith: I was glad to see the correction this morning, because I was concerned by the Procedures Committee's decision to leave equal opportunities out of what it was doing. It is important to remember that equal opportunities was one of the major principles of the consultative steering group, so I am delighted that the Procedures Committee has decided to include equal opportunities.

In the same vein, it is—as the paper says—part of the committee's role

“to encourage other parliamentary committees to undertake equality proofing . . . as a matter of course”.

It would have been odd if the Procedures Committee had left equal opportunities out of what it was doing. I welcome the correction because it is important. In addition, it does not detract from what the Equal Opportunities Committee can do, or from the recommendations in the paper. We should go ahead with the recommendations as they have been outlined.

Irene McGugan (North-East Scotland) (SNP):

The proposals are sound. Equal opportunities and mainstreaming cannot be implemented quickly and we should not be too dismayed about the length of time before the completion of research. It is a fundamental issue and it merits a great deal of time and effort. If it takes us until summer 2001, that should not be considered detrimental or negative; that is how long this kind of inquiry takes. Everything that comes out of the inquiry can only contribute to making sure that equalities issues are mainstreamed, which would be a tremendous outcome.

The Convener: There are several proposals, the first of which is that we pursue a bid for research funds to examine the issue. Is that agreed?

Members indicated agreement.

The Convener: In that case, we can produce a more detailed research proposal for 7 November. Is it agreed that the clerks should produce a draft checklist as an interim measure? That could also be produced for discussion on 7 November.

Members indicated agreement.

The Convener: Finally, I could raise the issue at the conveners group to inform the group what will happen. Is that agreed?

Members *indicated agreement.*

Equality Training

The Convener: The next item is the update on equality training. Members will remember that we agreed a few meetings ago that we would produce a paper on the matter. Are there any comments or questions on the paper?

Elaine Smith: The paper says that Shona Simon, the equal opportunities adviser, will give her report to the Scottish Parliamentary Corporate Body "in the near future". Do we know when that is likely to be?

10:15

The Convener: I am told that it will probably be before Christmas.

Elaine Smith: Given that, it makes sense to go along with the recommendations in the paper. We should await the publication of the draft strategy and comment on it in detail thereafter, and examine specific aspects of training to consider how it can be taken forward.

The Convener: Is the committee happy to leave the matter until a meeting early in the new year, after Shona Simon's proposals have been published?

Members *indicated agreement.*

Sex Education

The Convener: Are there any questions or comments on the paper on sex education? Does the committee want to pursue this matter further and take evidence?

Elaine Smith: I had a difficulty with the hyperlink to the documents. I have read the documents that I have but I am not confident that I have all of them.

The Convener: There was a problem with the hyperlink. Another e-mail was sent out, but we could put this item on to the agenda for the next meeting.

Elaine Smith: I was going to suggest that. I tried my best, with my limited knowledge of new technology, to print the documents out. I managed quite well, I think, but I have not been able to digest the material properly.

It is important that we consider fully whether we want to take evidence. When the committee took evidence about section 2A, it was clear that sex education was a cause of concern for parents. The reassurances that were given were important in ensuring that people were comfortable that the repeal of section 2A was right.

I would like us to have more time to digest the material, once we have the proper hyperlink, so I suggest that we discuss this matter at the next meeting.

The Convener: There is not a long time scale, but we could leave the matter until the next meeting. I will discuss with the clerk when we could fit in evidence taking.

Reporters

The Convener: Irene McGugan has a report. Members have paper EO/00/20/4.

Irene McGugan: The disability report relates to our earlier agenda item on training, which I discussed with the representative from IDEAL Training. We also considered funding and translation. We have made recommendations, which we ask the committee to endorse.

The first recommendation is simple but has far-reaching implications. It is difficult for people who are visually impaired and cannot read our name-plates to know who is talking unless the convener says the name in full. That makes the process sound formal, but it helps people who cannot read the name-plates to identify who is speaking. The practice is incorporated in the standing orders and we hope that our recommendation will go forward to the conveners group so that all committees adhere to it.

Members have today received a memorandum from Rosemary Everett in response to our queries about translation. Good progress is being made on translating all the Parliament's public information material into various formats. Public information staff are to be congratulated on doing that and on the time scales within which they are working.

We asked that, where possible, committee papers also be made available to members of the public with visual or other impairments. We recognise that the tight time scales and the great amount of information that goes to committees might cause problems, but we ask the Presiding Officer and the Scottish Parliamentary Corporate Body to consider whether progress can be made. It would reassure organisations, such as IDEAL Training, that represent disability groups that the Parliament was doing all that it could do to make its information widely available. We should keep under review the current translation services and the services that are proposed for the new building at Holyrood, where there could be some changes.

I draw members' attention to the fact that tomorrow the Transport and the Environment Committee is considering the Transport (Scotland) Bill. Bruce Crawford has lodged several amendments on the transport needs of disabled people. I will not be able to attend that meeting as I have another committee commitment, but I hope that members will encourage their colleagues on that committee to support the amendments and to ensure that the needs of disabled people and ethnic minorities are properly represented in the Transport (Scotland) Bill.

The Convener: Thank you. Are those amendments in the business bulletin today?

Irene McGugan: Yes.

Elaine Smith: Irene McGugan is right to raise the issue that is covered by rule 7.2 of the standing orders. Although that rule might cause slight inconvenience, it is good that this committee should remind everyone that we have a responsibility to ensure that we are accessible to everyone.

I am glad that Irene McGugan mentioned the Holyrood project. May I ask Irene, as she is reporter on disability to this committee, whether liaison is taking place? I have raised this issue before. It is important that we ensure that the new building is accessible, not only in terms of physical accessibility, but in relation to people with hearing impairment, people who are blind or partially sighted and so on. We must continue to consider access to child care in the new Parliament building—both crèche and nursery facilities. We must keep those matters on the agenda.

Shona Robison (North-East Scotland) (SNP): I support Irene McGugan's suggestion that we contact the Presiding Officer about having committee papers produced in formats such as Braille, audio tape and computer disk.

The Convener: I will raise those recommendations with the conveners group. I will try to remember to follow standing orders by saying people's names in full. That issue has been raised with me before. I tend to forget to do so because the committee meetings are informal. I will also raise with the chair of the SPCB what has been said about translation and committee papers.

On Holyrood, do members feel that it would be useful if I arranged a meeting with the steering group and the project team to discuss equal opportunities issues and disability and gender issues? I will not invite them along to a committee meeting because we tend to have a full timetable of evidence taking. I will liaise with members about a suitable time and organise an informal meeting with the project team.

Elaine Smith: That is important. However, I do not think that we should discount having them along at some point if necessary.

The Convener: Absolutely, but raising these issues at an early stage in the project is important.

Irene McGugan: I agree. It is important to start at an early stage because it is difficult to know how we can make our views known and have an input in decision making. That process has not yet been made clear, so it would be useful if we were to make contact with the steering group in order to alert it to the fact that we have an interest in these matters.

The Convener: Thank you, Irene. Elaine Smith also has a report.

Elaine Smith: I had a meeting with Malcolm Chisholm on 3 October, just before the recess. I am grateful to Alison Campbell for coming along to clerk that meeting. Malcolm and I discussed how to progress the programme of work on gender issues while Johann Lamont is seconded to the Education, Culture and Sport Committee. Before I move on to our recommendations, I will make a couple of points about the paper that members have before them. I note that one of the papers on agenda item 8, which is on the future work programme, mentions the proposed housing bill; I would prefer to leave that issue until we come to that agenda item.

We felt that, if possible, it would be important to hear Dr Sheila Henderson's views on the Transport (Scotland) Bill. To that end, Alison Campbell is trying to arrange a meeting with Dr Henderson next Tuesday. I hope that that meeting will take place.

It is important that the committee writes to the Deputy Minister for Communities, Jackie Baillie, in order to indicate our support for Engender's request that the Executive take on the production of an annual gender audit. The Fife Women's Technology Centre sent me a letter asking for that support; having discussed the letter, we decided to make that recommendation to the committee. The annual gender audit is extremely important. It is vital that the statistics are, and continue to be, produced properly.

The consultation document on the cross-examination of witnesses will be published in the near future, and it is important that the committee keeps an eye on that. I suggest in the paper that, as the reporter, I should examine the consultation document and report back to the committee so that we can decide whether we want to comment further on the consultation.

The Convener: Thank you, Elaine. Do members have any questions or comments on Elaine's report?

Shona Robison: Have we spoken to Margaret Curran about taking evidence on the proposed housing bill? Has progress been made on that issue?

The Convener: Yes. We have reached agreement about the equal opportunities areas on which this committee will take evidence and on which the Social Inclusion, Housing and Voluntary Sector Committee will take evidence. We will discuss that issue in private, when we discuss our future work programme.

Do members agree to the two recommendations that are made in Elaine Smith's paper? I will write to Jackie Baillie and we should also clarify exactly when we should take evidence on the cross-examination of witnesses, as I am not sure when

that consultation document will be published.

Elaine Smith: My proposal is that I will report on the consultation document when it is published. Then the committee can decide whether it is necessary to take evidence and whether we could fit that into our timetable. However, it is clear that we should await the publication of the consultation document.

The Convener: Do you know when the document is likely to be published?

Elaine Smith: No. The only information that I have is that it is due to be published in the near future. I will keep on top of that to find out the exact date.

The Convener: We will try to clarify that point.

Nora Radcliffe is not here, but we have a written report from the sexual orientation group. I cannot answer questions about the report, but do members have any comments? [*Interruption.*] Nora has just arrived—we will give her a couple of minutes.

Sorry, Nora, but we are just going through the report. Sorry to spring it on you when you have just arrived, but we have dealt with the other two reports.

Nora Radcliffe (Gordon) (LD): I will take any questions that members might have.

10:30

Malcolm Chisholm (Edinburgh North and Leith) (Lab): Can I comment on item 7? I wanted to comment on item 3, on mainstreaming, but experienced the usual delays at Heathrow this morning. I do not know what has been decided about this paper, so I may be out of order in talking about it.

The Convener: We are still dealing with reporters' reports.

Malcolm Chisholm: But item 7 is mainstreaming equality, which I think that you have already dealt with. I am taking this opportunity to revisit it.

The Convener: Under reporters' reports?

Malcolm Chisholm: Item 7 on Nora Radcliffe's report is on mainstreaming equality.

The Convener: Okay. I will be indulgent this time.

Malcolm Chisholm: It is important that we take the initiative on mainstreaming equality. We should try to hold some meetings at which we educate all MSPs on the issues surrounding mainstreaming. I do not know what has been decided about this paper, but I know that lots of research has been done. The priority is to

disseminate what is well known, and the Equal Opportunities Committee should ensure that the experts are given an opportunity to do that in the Parliament. We should get on with it rather than pretend that we do not know the answers.

The Convener: We have agreed to pursue a bid for research funds to examine the ways in which progress can be made on mainstreaming in the Scottish Parliament.

Malcolm Chisholm: We do not need research to do that, as there are experts who could tell people what they should be getting on with. That is what you have decided, and what I am suggesting does not contradict that. We cannot hang around for another few months while people decide what they are going to do. A lot of people have expertise that they could disseminate to MSPs if they were given the platform and the opportunity to do so. We should facilitate that by holding seminars for MSPs.

Research has been undertaken by Fiona McKay, for example, on mainstreaming in other European countries. That research could be disseminated and its conclusions conveyed to MSPs. It is important that we get on with that with a sense of urgency, rather than pretend that we do not know what to do. People out there know what to do; we need to ensure that their information and expertise is disseminated to MSPs.

The Convener: Along with the other recommendations, that suggestion can be included in our interim checklist, about which a report will be produced for the committee on 7 November.

Shona Robison: I would like some clarification from Nora Radcliffe on item 10 in the report, under which she recommends that the committee contact the Minister for Justice. Are we talking about two separate issues—same-sex marriages and parity between married and cohabiting couples under the law?

Nora Radcliffe: There are two separate issues, to be treated differently. The registration of same-sex partnerships, or same-sex marriages, is an issue for discussion. Parity between same-gender couples who are cohabiting and opposite-gender couples who are cohabiting ought to be assured now—that is the difference. Cohabiting couples who are in a stable relationship but not married should be treated equally, whether they are same-gender couples or opposite-gender couples.

Shona Robison: My concern is that the two issues are contained in the same sentence, which could lead to confusion. We have had this debate before. The view of a number of equality organisations is that the priority is parity under the law and the practicalities of that. I worry that that issue could be lost in the presentation of the issue

of same-sex marriages. We need to be cautious and ensure that we separate the two issues.

Nora Radcliffe: Thank you for raising that concern. We must put on record exactly what we mean.

The Convener: There is a precedent in the amendment that was lodged to the Adults with Incapacity (Scotland) Bill, in which the committee required the same treatment in law for cohabiting different-sex and same-sex couples. The Executive accepted the amendment and I hope that future bills will ensure such parity.

The registration of same-sex relationships is in some ways a separate issue, and I am not sure that all the equality organisations speak with one voice on it. I understand that they will discuss the issue over the coming months; we will be able to react to that discussion at a more appropriate time. It is important to place on record the fact that we are dealing with two separate issues.

Nora Radcliffe: They are entirely separate issues, which are at different stages of acceptance.

The Convener: I suspect that there will be quite a bit of interest when the committee discusses same-sex marriages.

As there are no further questions or comments on that report, that concludes our discussion of reporters' reports. We now move into private session for items 7 and 8 on the agenda.

10:35

Meeting continued in private until 10:50.

Members who would like a printed copy of the Official Report to be forwarded to them should give notice at the Document Supply Centre.

Members who would like a copy of the bound volume should also give notice at the Document Supply Centre.

No proofs of the *Official Report* can be supplied. Members who want to suggest corrections for the bound volume should mark them clearly in the daily edition, and send it to the Official Report, Parliamentary Headquarters, George IV Bridge, Edinburgh EH99 1SP. Suggested corrections in any other form cannot be accepted.

The deadline for corrections to this edition is:

Tuesday 31 October 2000

Members who want reprints of their speeches (within one month of the date of publication) may obtain request forms and further details from the Central Distribution Office, the Document Supply Centre or the Official Report.

PRICES AND SUBSCRIPTION RATES

DAILY EDITIONS

Single copies: £5

Meetings of the Parliament annual subscriptions: £500

BOUND VOLUMES OF DEBATES are issued periodically during the session.

Single copies: £70

Standing orders will be accepted at the Document Supply Centre.

WHAT'S HAPPENING IN THE SCOTTISH PARLIAMENT, compiled by the Scottish Parliament Information Centre, contains details of past and forthcoming business and of the work of committees and gives general information on legislation and other parliamentary activity.

Single copies: £3.75

Special issue price: £5

Annual subscriptions: £150.00

WRITTEN ANSWERS TO PARLIAMENTARY QUESTIONS weekly compilation

Single copies: £3.75

Annual subscriptions: £150.00

Published in Edinburgh by The Stationery Office Limited and available from:

The Stationery Office Bookshop
71 Lothian Road
Edinburgh EH3 9AZ
0131 228 4181 Fax 0131 622 7017

The Stationery Office Bookshops at:
123 Kingsway, London WC2B 6PQ
Tel 020 7242 6393 Fax 020 7242 6394
68-69 Bull Street, Birmingham B4 6AD
Tel 0121 236 9696 Fax 0121 236 9699
33 Wine Street, Bristol BS1 2BQ
Tel 01179 264306 Fax 01179 294515
9-21 Princess Street, Manchester M60 8AS
Tel 0161 834 7201 Fax 0161 833 0634
16 Arthur Street, Belfast BT1 4GD
Tel 028 9023 8451 Fax 028 9023 5401
The Stationery Office Oriol Bookshop,
18-19 High Street, Cardiff CF1 2BZ
Tel 029 2039 5548 Fax 029 2038 4347

The Stationery Office Scottish Parliament Documentation Helpline may be able to assist with additional information on publications of or about the Scottish Parliament, their availability and cost:

Telephone orders and inquiries
0870 606 5566

Fax orders
0870 606 5588

The Scottish Parliament Shop
George IV Bridge
EH99 1SP
Telephone orders 0131 348 5412

sp.info@scottish.parliament.uk

www.scottish.parliament.uk

Accredited Agents
(see Yellow Pages)

and through good booksellers