

# **EQUAL OPPORTUNITIES COMMITTEE**

Tuesday 30 April 2002  
*(Morning)*

Session 1

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## EQUAL OPPORTUNITIES COMMITTEE

### 9<sup>th</sup> Meeting 2002, Session 1

#### CONVENER

\*Kate Maclean (Dundee West) (Lab)

#### DEPUTY CONVENER

\*Kay Ullrich (West of Scotland) (SNP)

#### COMMITTEE MEMBERS

\*Mrs Lyndsay McIntosh (Central Scotland) (Con)

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

\*Mr Gil Paterson (Central Scotland) (SNP)

\*Cathy Peattie (Falkirk East) (Lab)

Tommy Sheridan (Glasgow) (SSP)

Elaine Smith (Coatbridge and Chryston) (Lab)

\*Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD)

\*attended

#### WITNESSES

Bob Benson (Disability Rights Commission)

Heather Fiskin (Disability Rights Commission)

Rozanne Foyer (Scottish Trades Union Congress)

Adam Gaines (Disability Rights Commission)

Tim Hopkins (Equality Network)

Wladyslaw Mejka (Disabled Persons Housing Service)

Tracey White (Scottish Trades Union Congress)

#### CLERK TO THE COMMITTEE

Jim Johnston

#### SENIOR ASSISTANT CLERK

Richard Walsh

#### ASSISTANT CLERK

Roy McMahon

#### LOCATION

Committee Room 1



## Scottish Parliament

### Equal Opportunities Committee

*Tuesday 30 April 2002*

*(Morning)*

[THE CONVENER *opened the meeting at 10:16*]

**The Convener (Kate Maclean):** We will get started. I have received apologies from Tommy Sheridan and Elaine Smith. Jamie Stone has indicated that he may be a bit late.

### Items in Private

**The Convener:** Do members agree to take items 5, 6, 7 and 8 in private? Item 5 relates to a draft paper that the committee has not signed off. Item 6 relates to a draft document. Item 7 is consideration of our proposed work plan, which the committee has not signed off. Item 8 relates to a proposed programme that, again, the committee has not signed off.

**Members** *indicated agreement.*

## Budget Process 2003-04

**The Convener:** I welcome British Sign Language interpreters Liz McLuskey and Sue Mowat to the committee. I also welcome Laura Harrison, a palantypist who has come all the way from Blackpool to provide communications support to one of our witnesses. I believe that this is the first time that a palantypist has worked in the Parliament. Thank you for coming to help us out today.

I welcome our first set of witnesses: Bob Benson, Adam Gaines and Heather Fiskien from the Disability Rights Commission and Wlad Mejka from the Disabled Persons Housing Service. Normally we give witnesses the opportunity to make brief opening statements, but because we have so many witnesses today I would like to move straight to questions. If the witnesses are unable to make a point in answer to a question, I am sure that they will be able to make it in some other way.

**Mr Michael McMahon (Hamilton North and Bellshill) (Lab):** I have a general question that applies to all the organisations from which we will hear this morning. The Scottish budget covers a range of cross-cutting issues, spanning a number of departments. Equality is only one of those issues, but my question is specifically about that. To what extent does the annual expenditure review demonstrate a joined-up approach? If there are any gaps in the budget document, can you identify them for us?

**Heather Fiskien (Disability Rights Commission):** The questions that we received from the clerk included a definition of cross-cutting as a form of analysis. We do not see cross-cutting in that way—we see it as a project that cuts across a number of themes rather than as a method of assessing coherence and consistency. We want equality to be mainstreamed rather than considered as an add-on. It does not matter whether that involves cutting across one theme or across several themes. The Disability Rights Commission itself practises cross-cutting. It is beneficial for us to use resources to identify where we can cross-cut. Ultimately, we are interested more in the impact of the budget on disabled persons at the end of the line—in ensuring that their experience is positive—than in how the budget is delivered.

The Executive's annual expenditure review document is generally well presented, but evidence of cross-cutting is sometimes hard to identify in it. In some cases, individual expenditure is not cross-referenced or linked in any way to projects that the main body of the text mentions.

Page 63 of the detailed copy of the AER, which relates to schools, refers to

"£9m added to the general local government revenue grant in 2003-04 to **implement accessibility strategies** under the Education (Disability Strategies and Pupils Records) Bill."

We were surprised that the local government section of the report made no reference to that. We suggest that future versions of the AER be adjusted to emphasise cross-cutting in a clear trail that the reader can follow across different departmental budgets.

**Adam Gaines (Disability Rights Commission):** There is more evidence in this year's budget that cross-cutting has been taken into account than there was in last year's budget. There are more top-level indicators of what the Executive intends to spend money on and what that will achieve. The summary of the AER sets out carefully a number of areas of expenditure, but the specific expenditure is not so clear in the detailed AER. We hope that the Executive will take that into account when it produces future AERs.

**Wladyslaw Mejka (Disabled Persons Housing Service):** I found cross-cutting to be an interesting but difficult issue. The document does not reflect the fact that the thinking behind it includes cross-cutting. As my colleagues have pointed out, there are examples of cross-cutting in the AER, but one has to look hard to find them. It is probably easier to find examples of where cross-cutting has not taken place but obviously should have done.

For instance, page 234 of the detailed AER, in the tourism, culture and sport section, refers to the national policy on architecture, but no cross-reference is made to the relevant areas that such a policy should affect. Those areas include housing and everyone's built environment, parts of which every department is responsible for creating. There are no cross-cutting budgetary or policy references.

Our submission mentions refuge provision. The Executive has rightly pointed to the capital investment over the next two years—in addition to that of the first year—which will provide additional refuge spaces. However, no cross-reference is made to prevention work, which should be carried out in various settings and which would come under different budget headings, such as education.

The cross-cutting that there is probably more difficult to tease out than the cross-cutting that should be there. The budget has a long way to go in reflecting the fact that cross-cutting is part of the everyday thinking of the people who put it together.

**Mr McMahon:** I am glad that Heather Fiskien picked up on education. There seems to be the

same lack of cross-referencing in the section of the report on housing—around page 182—as there is in the section on education.

Are you concerned that, because cross-references are not made in the report, cross-cutting is not being delivered? The fact that the report does not mention cross-cutting does not mean that it is not happening. Do you have evidence that cross-cutting is not happening?

**Bob Benson (Disability Rights Commission):** Last year, we commented on the opaqueness of the process and the difficulty in providing transparency across different parts of the budget and in finding out whether equalities issues were being mainstreamed in budgets. In a number of budgets, there was evidence of funding for projects or expenditure specifically related to disabled people, but there was insufficient evidence of mainstreamed expenditure at levels 2 and 3 taking account of equality issues.

We are pleased to note that the process has improved this year and that a number of indications on equality are clearly set out in the summary document. We also note the Executive's commitment to equality proofing the Scottish budget and the establishment of the budget equality proofing advisory group to develop that important element of the budget.

We would like the AER to be clearer about the relationship between expenditure and what that expenditure is aimed at. The policy objectives in the budget that target disabled people specifically are clear, but how mainstream objectives have taken account of equalities issues is not so clear. We are also aware that allocating money specifically to equalities objectives does not endorse the principle of mainstreaming that we support.

The Deputy Minister for Social Justice made a valid comment to the committee on 5 March. She said that, where money is earmarked specifically for equalities, it may be

"all that will be spent."—[*Official Report, Equal Opportunities Committee*, 5 March 2002; c 1369.]

That is why we believe that mainstreaming matters. It is important that those in the Executive who develop policy and those who allocate resources work together to ensure that equal opportunities are mainstreamed through all objectives and targets.

**Cathy Peattie (Falkirk East) (Lab):** Bob Benson answered my question before I asked it, which was well done. I am pleased to hear that there has been an improvement from last year in respect of mainstreaming. I am interested in whether the budget is widely accessible to stakeholder groups. In general, is it clear enough

where resources are going in respect of equalities?

**Bob Benson:** It is fair to say that the budget will have an impact on disabled people. The work of the Disability Rights Commission in progressing the rights of disabled people could be affected by all parts of the Scottish budget. Disabled people have a right to access all public services on a par with their non-disabled peers. Our evidence continues to show that disabled people do not benefit from the same access to goods and services, education, transport and housing choices and opportunities to participate in all areas of Scottish life as their non-disabled peers do.

Particular services that are allocated resource in the Scottish budget—such as access to a fair housing service that meets disabled people's specific needs or access to community care that allows them to make their own choices about how they live their lives—are especially important. By targeting expenditure, the budget can have an impact on disabled people's life chances. In that respect, the attention to the equality aspect of the budget becomes essential.

Our baseline research, which was commissioned in 2001, highlights the historical legacy that continues to impact on and hinder participation and access for disabled people, even at the start of the 21<sup>st</sup> century. Disabled people are less likely to have formal qualifications and to be in full-time employment and they are more likely to live in households with a low income—that is, income of less than £6,000 per annum. Insufficient attention is paid to the accessibility of buildings when they are designed or renovated. There is an acute shortage of adapted or adaptable housing.

**Wladyslaw Mejka:** The question concerned the accessibility of the document. I obtained the document about a month ago and have spent various evenings, last thing at night in bed, trying to make sense of it. I accept that the document is largely technical and is produced by people who have a financial background—there are limits to the extent to which they can make documents accessible to the wider public and voluntary organisations that do not have the in-depth or financial understanding to penetrate such documents.

In our advance submission, we suggested that there is now great scope for information technology packages to translate the document into a visual image on a computer screen, which would allow people to identify sources of funding that were important or relevant to them and to track them all the way through from level 1 to level 3 and below. The committee should issue a strong recommendation to the Minister for Finance and Public Services to adopt that technology as quickly as possible, thereby making the budget document

accessible not only to people with a less-than-high level of financial understanding, but to people who are unable to penetrate a document of such size and length, for whom the information would be easier to read in an electronic version. In terms of accessibility, the Scottish budget still has a long way to go.

10:30

**Heather Fiskien:** When we gave evidence last year, we pointed out that we were unable to get copies of the budget document in alternative formats. This year, one of the first things that I did when I began researching the budget was to phone Her Majesty's Stationery Office and ask whether those formats were available. The people there could not answer the question straight away, but eventually pointed me towards the Scottish Executive. When I contacted the Executive, the people there also had to get back to me on it. They eventually said that they were going to make a decision on the formats in three weeks' time.

Part of the problem is that the information is not readily available. Lyndsay McIntosh recently asked a parliamentary question about making publications available in alternative formats immediately and not waiting until the publications are already available. Disabled people have the right to receive the information at the same time as non-disabled people.

**Adam Gaines:** On the accessibility of the budget document, the top-level information is more accessible this year than it was last year and the key objectives are easier to find. From a disability equality perspective, at the more detailed levels, the information that is provided in the mainstreaming pilots is much more accessible this year and people can see that information more clearly where it is stated specifically, in the education and housing budgets. However, in the other budget areas it is more difficult to find that information, as it may not be explicitly listed as the information regarding disability issues.

The way in which the information is provided in the two pilot areas leads the way for future budgets and shows how such information could be made more accessible. There is a linkage between that and the cross-cutting issues that Michael McMahon mentioned, which we regard as a way of improving the budget's presentation and accessibility in the future.

**Cathy Peattie:** It has been highlighted that the voluntary sector has an important role to play in assisting the non-voluntary sector to mainstream equalities issues. What evidence do you find in the budget documentation to show that the Scottish Executive is adequately resourcing the voluntary sector, in terms of baseline requirements and new initiatives?

**Wladyslaw Mejka:** That is an interesting question. As someone who works for a voluntary sector organisation that is in one of the important pilot areas of the Executive's mainstreaming, both in practice and in budgeting terms, I am disappointed. Adam Gaines has mentioned the committee's meeting with two ministers on 5 March, at which there was obviously a good debate about the delivery of mainstreaming. It was recognised that there is a clear will in the Executive that mainstreaming should happen, that Parliament wants it to happen and that most of the Scottish people want it to happen. However, concern was expressed that, although frameworks and policies could be put in place, they would not necessarily make it happen.

The Disabled Persons Housing Service's analysis of that has been that all the frameworks that have been established are trying to take the vast bulk of non-statutory organisations into the same place as the Parliament. That will take a long time. There are generations of practice, mindsets and attitudes that have to be unravelled and readjusted into the same mindset as the Parliament has. I got no impression from the committee's meeting on 5 March that there was clarity about how to do that.

Our advance submission to the committee indicated that we believe strongly that the critical missing element is the catalyst of the voluntary sector. Those who work for and with people who are excluded or marginalised in whatever way—they are far too numerous to mention—need to be part of the partnership to deliver practice that will eventually be mainstreamed. There is not much more to do by way of adjusting frameworks or introducing policy initiatives, but the change will not happen unless those marginalised and excluded people are involved in partnerships of work that will eventually lead towards mainstreaming.

**Kay Ullrich (West of Scotland) (SNP):** You have no doubt noticed that disabled people in housing get a specific mention on page 175 of the detailed AER, under the heading "TACKLING FUEL POVERTY". However, the improvement and repair grant funding is contained in the single allocation for local authorities. To what extent can you identify from the AER the impact on disabled people of the financial provisions, explicit or implicit?

**Wladyslaw Mejka:** It is difficult to form any realistic conclusion about the impact because of the presentation of the figures in the AER. As you rightly point out, the money that is likely to be spent in 2003-04 on adaptations throughout all local authorities in Scotland is impossible to identify. We do not know what that money will buy, where it will be directed or what will happen to it

after it has been spent. That is a serious problem.

The social justice budget refers to new housebuilding programmes in 2003-04—7,100 new or improved homes will be made available. The description of the money that has been allocated gives us no idea what standard of accessibility those houses will have, if any at all. We know that, where Communities Scotland funding is involved, some of those houses will be built to a certain standard.

It is simply not possible to establish accurately what change or impact the spending plans for 2003-04 will have in broad housing terms for individual disabled people. Part of the difficulty is the lack of quality data on what is available at the moment. Until we know accurately what is available at the moment and what the unmet housing need is, a lot of the spending plans will continue to be based on rather rough, finger-in-the-air planning.

**Kay Ullrich:** What steps are being taken to collect such data?

**Wladyslaw Mejka:** I am pleased to say that the Housing (Scotland) Act 2001 acknowledges two examples of good practice that my organisation has developed. It asks each local authority to develop and draw up in the local housing strategies a map of housing availability for people with varying needs in their areas and a map of those in its area who have an unmet housing need.

That is a start but, as you probably know, local housing strategies are still at an early stage. The City of Edinburgh Council will publish its strategy at the end of the month. That will be a working document and will announce only that the council will start to build up the necessary data and fill the gaps. That will all take time, but it would be unwise to expect local authorities throughout Scotland to be able to provide good-quality data on their own. I go back to my earlier point that local authorities and others who are involved in the exercise, including Communities Scotland, will need to work in partnership with voluntary organisations that know more about the problem, because those organisations are led by and involve people who experience the problems daily.

**Kay Ullrich:** Is that happening?

**Wladyslaw Mejka:** There are early signs that it might happen.

**Kay Ullrich:** I am not sure what to take from that answer. I will move on to a general question on last year's budget, from which the committee felt there were two omissions. First, the introductory statement to the budget process lacked a strong and clear commitment to equality. Secondly, it was not emphasised that organisations that are

responsible for delivering services on behalf of the Executive should be implicated in promoting equality. Has this year's budget improved by addressing those areas?

**Adam Gaines:** There seems to be an improvement from last year in some of the presentation of information, particularly at the top level. The education section of the budget document, for example, has a list of headings showing what the expenditure for the mainstreaming of equality will be spent on. However, it is difficult to analyse expenditure at the lower levels. We would like further improvements in the budget presentation for that level of information.

The statement about education expenditure at the top level is welcome. However, further indications across the whole budget of the mainstreaming of equality, which is mentioned in the document's introduction, would be welcome. The mainstreaming of equality is mainly being developed by two pilot projects—in education and housing. The issue is the extent to which that process can be developed in other areas so that the mainstreaming of equality more explicitly cuts across the whole budget. We would regard that as the way forward.

**Mr Gil Paterson (Central Scotland) (SNP):** I have a question for the Disability Rights Commission about local government. The AER shows that £9 million has been added to the general local government revenue grant for 2003-04 to implement accessibility strategies for pupils with disabilities under the Education (Disability Strategies and Pupils' Educational Records) (Scotland) Bill. Do you think that £9 million is a reasonable provision?

**Adam Gaines:** That sum is welcome and important because of the extent to which it will help to make schools more accessible. On the way in which the budget is presented, the £9 million figure is mentioned in the section on the mainstreaming of equality, but the local government section does not make it clear that that money will be passed over. That illustrates the extent to which further work on mainstreaming equality across the budget is necessary. If one did not look at the mainstreaming of equality section, one would not realise that that £9 million was in the budget.

**Mr Paterson:** As a way of highlighting that discrepancy, would it be a good idea to highlight priorities that might focus minds on the major problems?

**Adam Gaines:** That is where the mainstreaming equality approach takes effect, because it indicates that there are priorities and that mainstreaming equality is one of them. We feel

that it is important that mainstreaming equality is mentioned as an objective not just in the context of the pilot projects, but elsewhere.

As I said, the education section mentions several top-level objectives, but what is important is whether they are mentioned elsewhere in lower levels of the budget so that one can see how they are being taken forward. It is clear that the expenditure is being committed, but what is important is whether one can see that it is sufficiently committed in the different parts of the budget.

**Mr Paterson:** Thank you.

I would like to ask the Disabled Persons Housing Service a question. I note that your submission says:

"In the context of mainstreaming equalities and how the budget process both informs and reflects such work, the emerging picture is equally depressing in revealing its limitations."

You go on to talk about a £2 million provision for domestic violence and say that

"Mainstreaming would find identifiable resources allocated for prevention work."

Is your depression setting in because you think that £2 million is too little or because no prevention work is being done?

10:45

**Wladyslaw Mejka:** The capital expenditure plan—£2 million is for one year, but the total is in excess of £3 million over three years—is a good example of an area in which people have accepted that there is a need to take immediate and obvious action, in this case by building more refuge spaces. I am part of an advisory group that is considering a review of the formula used in 1990 by the Convention of Scottish Local Authorities to guide local authorities on how many refuge spaces they need to provide.

This is a good example of where the Executive is committed to spending money, but is spending it on the basis of a formula that is out of date and that is being reviewed. In other words, we are using poor quality data. Therefore we will have spent much of that money before we have the quality data that we need in order to establish whether the proposed refuge provision is built on to what is currently needed across Scotland. So far the work indicates that there is some variation in how refuge need emerges.

However, what is equally exercising me is that although we are talking about mainstreaming equality, the message that is being sent out by the commitment to spend such money is that we are also committing to accepting that level of domestic violence. That is either a confused message or a

wrong message. We are not demonstrating that we are equally committed to prevention work by allocating particular resources for that in the same way as the immediate resources have been identified. We are not taking work out beyond the current work of the Women's Aid refuges across Scotland. The Executive's position on refuge space is confused, but is also an illustration of where work towards mainstreaming needs to go if it is to deliver. There is no point tackling one aspect of a particular inequality problem without dealing with its root cause.

**Mr Paterson:** Are you saying that we are spending money on the problem, but that we need more money for prevention?

**Wladyslaw Mejka:** If in 10 or 20 years' time we are to move to a situation in which we do not need to build more refuge space, yes, we have to spend more money on dealing with the attitudes that lead to domestic violence.

**Mr Paterson:** That makes sense.

**Mrs Lyndsay McIntosh (Central Scotland) (Con):** I have a question for the Disability Rights Commission. We are aware that mainstreaming is a long-term process and, in written evidence to the committee, the DPHS notes that

"it will take several generations of work before promoting equalities gives way to the mainstreaming of equalities and, more importantly, delivers results."

The DPHS also proposes that there should be a minister for disabled people in the Scottish Executive in order to

"drive the pace, direction and delivery of change".

Without wanting to drive a wedge between the two organisations, I would like to ask to what extent the DRC agrees with the DPHS's assertions.

**Bob Benson:** As a statutory commission that is already working to reserve powers with a UK minister for disabled people, we do not have a policy position on the proposal for a minister for disabled people in a Scottish context. We can see some of the merits in a joined-up approach and co-ordinated thinking. Perhaps the issue is mostly about how equality issues are implemented and mainstreamed through the departments' work. That might be a more fruitful and positive approach at this stage.

One issue is the whole approach to mainstreaming and how it should be adopted. One model that has been suggested is an analysis of data to assess the impact of spending on groups such as disabled people. However, we expect the mainstreaming process to be part and parcel of the policy development stage, the procedural stage and the practice and follow-up stages. Consequently, we support a combination of models: an analysis of the policy objectives

against the specific objectives of equality groups and an examination of process to ensure that equality is taken into account.

The big issue for any organisation is to analyse the disability impact. We want the impact analysis to be evidence based and the analysis criteria to be determined as part of policy development. Evaluation is a cornerstone of policy development; it should relate specifically to the policy objectives. When information is gathered, stakeholders must be asked as part of that process. Disabled people should be a key part of that.

The needs of the voluntary sector were mentioned earlier. There is a need to capacity-build for gathering useful information, not only for the Scottish Parliament but for the Disability Rights Commission. We must find out the views of disabled people and try to hear stories of discrimination. Members might have seen in the press the well-known case of the schoolchild in England who was discriminated against in terms of education opportunities. We won that case, because the child was discriminated against in terms of access to activities that other children expect. That kind of story is important for deciding how we should proceed.

Impact has several expressions and it can be measured in qualitative and quantitative modes, both of which should relate directly to the objectives of the expenditure. The impact analysis should reach all objectives in the Scottish budget, not only those that address disability-specific issues. Every service can potentially be used by a disabled person and probably already is. Because the impact analysis relates to expenditure and the allocation of financial resources, it is preferable that the analysis offers a picture of what the impact would be if less or no money were spent and of what the impact would be if more money were spent. Similarly, the impact assessment could address the impact on other budgets.

We are impressed that the Scottish Executive has acted to equality-proof the budget—whatever that term means—and is using gender proofing as a lead into that. We recognise that the measures reflect work elsewhere in the world and we look forward to the results, which we hope will have a positive impact in the gender field. However, we want to caution against simply copying the findings for other equality groups, including those with disabilities. Although there are many far-reaching and important principles throughout the equality groups, it is important to address the diversity of the groups through tailored equality proofing that recognises diversity and different priorities as well as similarities.

**The Convener:** Is that a yes or a no? Sorry, Bob, but I must have missed it.

**Bob Benson:** We put too much investment in having one minister, if that was the original question. Unless individual departments take ownership of issues—and this has been a common theme in the discussions of the Equal Opportunities Committee—we cannot move forward. If a minister were given a brief to ensure that that happened, that would be another matter, but I would be going way beyond our policy remit if I stated an opinion on that.

**Mrs McIntosh:** In the interests of balance, I would like to ask a question of the Disabled Persons Housing Service.

Housing is one of two areas in which the Scottish Executive is piloting approaches to mainstreaming equality. I see that you have a copy of the annual expenditure review. That issue is discussed on page 182, but no specific reference is made to the provision of housing that is suitable for people with disabilities. Is that simply a presentational error, or do you feel that the interests of people with disabilities are not adequately reflected in the pilots?

**Wladyslaw Mejka:** In response to your earlier question—

**Mrs McIntosh:** I had a feeling that you would come back to me on that.

**Wladyslaw Mejka:** We will always agree to disagree with the DRC on a number of issues, but we will always agree on the ultimate objective of mainstreaming equality. I have no doubt that members around the table will hold different views on how to get there.

The ways in which the Scottish Executive development department with its responsibility for housing and the equality unit with its responsibilities for this budget have handled housing since the Housing (Scotland) Act 2001 have been very disappointing. The panel in the social justice budget chapter that talks about the mainstreaming of equality within the social justice context is very disappointing indeed, because it deals with many issues that are not directly related to the 2001 act or to the subsequent guidance and regulations that were issued.

The DPHS rightly and fairly expected that some of that guidance would give us examples of the mainstreaming of equality. We suggest in our submission that many of the papers that have been issued following the act do not mainstream equality. In too many areas—whether it is tenant participation or the new short assured tenancy—the papers have failed to pick up on small but important practical issues that everyone involved in delivering housing services needs to be aware of if equality is to be mainstreamed.

I referred earlier to the political will for

mainstreaming, but mainstreaming is not happening in one of the two important areas—housing. That has to do with a number of factors, some of which have been referred to. The equality unit was the subject of questions at this committee's meeting on 5 March. It is simply not resourced and geared up to accomplish what is a major task. The Executive and this committee must accept that their task of mainstreaming equality is huge. The equality unit's budget is inadequate—£1 million does not buy much these days. For that, you could probably get about three or four voluntary sector organisations of average size.

I was glad that the idea of having a minister for disabled people was mentioned. That is only one of a number of catalysts that the Executive will have to add to its efforts to achieve mainstreaming.

I make no apology for coming back to another catalyst and I stress how vital and necessary it is. As well as a minister who will add to the clear political will for mainstreaming, you will need the voluntary sector to be partners in the process of change. Without the voluntary sector being the Executive's partner in delivery, and without the good practices of the voluntary sector helping the state sector to change practices, you will not mainstream equality.

**The Convener:** I thank the witnesses for coming. I am sure that the committee found your evidence very useful. We will suspend briefly to allow a changeover of witnesses.

10:59

*Meeting suspended.*

11:10

*On resuming—*

**The Convener:** I welcome to the meeting Tim Hopkins from the Equality Network and Rozanne Foyer and Tracey White from the Scottish Trades Union Congress. As in the previous session, I will go straight to questions instead of asking for introductory remarks. However, if any of the witnesses have any statements to make, they might be able to do so during the course of questioning.

**Mr McMahon:** The witnesses have already had notice of these questions, which are just general ones to lead us into the discussion. Equality should be a cross-cutting issue. Do you feel that it is, and does the AER report indicate that such cross-cutting is happening?

**Rozanne Foyer (Scottish Trades Union Congress):** As far as equality is concerned, I

prefer the term “underpinning” to the term “cross-cutting”. As the Scotland Act 1998 and the aims for the Parliament and our Government make clear, equality should underpin absolutely everything that is done. However, on the basis of the AER, it seems that there have been a few problems with cross-cutting. The various departments do not seem to be taking a uniform approach to equality, and there might be a need to issue further guidance—a template even—to departments on disclosing their targets, objectives, baselines and outcomes for different areas. Any such guidance should also make it clear that if a department does not have the information at a certain stage, it should explain how it intends to collect that. Although some areas of the budget address the issue, most departments do not.

Furthermore, the cross-cutting agenda should be extended down to agencies that receive public funding. There is no way of knowing in any detail how money is spent once it is allocated or what sort of guidance is available to ensure that such agencies underpin their work by mainstreaming equality. The short answer to your question is no, we do not think that there is enough evidence of cross-cutting.

**Tim Hopkins (Equality Network):** I make a distinction between cross-cutting in the sense of underpinning, as Rozanne Foyer explained, and cross-linking. Sometimes the term cross-cutting is used to mean two different things. As far as underpinning equality in the budget is concerned, I agree with Rozanne. The situation is patchy. Some spending departments have provided reasonably full answers about how they deal with equality while others only mention the issue. The justice department says that it does not know how to deal with it, but is looking into the matter. That is a good response. On the other hand, the enterprise and lifelong learning department has issued a statement in which it claims that it is mainstreaming equality through its budget, but the budget document contains no clear evidence of that.

A related question is whether people understand what is meant by equality. I know that two weeks ago Lyndsay McIntosh asked witnesses whether the budget should contain an overarching statement of equality. From our point of view, it is very important to specify the definition of equal opportunities in the Scotland Act 1998. In that light, we were disappointed in the description of mainstreaming equality in education on page 63 of the AER, which details the spending that is allocated to addressing inequality based on gender, race, disability and social origin.

11:15

It is not clear why the focus has been limited to those four areas, especially as everyone agrees

that equality in education is also very important in areas such as religion and sexual orientation; nor is it clear whether that means that it is thought that money needs to be spent on those areas or whether it means that the focus is only on those four areas. Every time that such a list is produced, including some of the equality areas but not others, the message given is that the other areas do not really matter. A clear overarching statement, which says what equality is all about, is required. As Rozanne Foyer says, the Executive should then ensure through guidance that all the departments address the matter across all areas.

On cross-linking, I agree with what some of the witnesses said earlier about there not being clear evidence of the way in which joined-up thinking is happening. One area where that is very important for lesbian, gay, bisexual and transgender people is in relation to young people. Young LGBT people face all sorts of problems: problems at school; housing problems, through having to leave home when they come out to their parents; and health problems, in particular mental health problems. It is necessary to have a joined-up policy between local government and health, between education and social work and within local government.

Page 55 of the AER clearly states that, to promote inclusion and equality, we need to ensure “that all who need it get extra support and help through integrated services provided across professional and organisational boundaries.”

However, within the description of spends it is not clear that such joined-up work is happening. More emphasis must be placed in future on making it clear that money is being spent in a joined-up way.

**Mr McMahon:** The ministers have repeatedly indicated in evidence to the committee that, although they are striving towards mainstreaming, they have a long way to go. The Executive has piloted some mainstreaming initiatives in education and housing that are referred to on pages 63 and 182 of the AER. From your experience of those pilots, and from the reports in the AER, could those pilots be rolled out, or does a lot more work need to be done on the pilots before you have confidence in how mainstreaming is being carried out?

**Tim Hopkins:** From an LGBT perspective, a lot more work needs to be done. On getting the policy right, the education pilot sits on two legislative legs. One of them is section 5 of the Standards in Scotland's Schools etc Act 2000, which puts a duty on local authorities to say how they will encourage equal opportunities in their improvement plans. The other leg is the national priorities for education, the third one of which is equality. That is very good. What is rather disappointing is that there appears to have been very little consultation—certainly with LGBT

people—about the guidance that accompanies the national priorities.

My understanding is that the guidance, which goes with the equality national priority, to local authorities and schools about how they measure whether they are addressing the priority properly focuses almost entirely on what might be called social inclusion objectives, such as levelling out exam results, rather than equality objectives. One quality indicator is in the guidance on equality and fairness. Page 63 of the AER mentions a document called “A Route to Equality and Fairness”, which was published in 1999. That document goes together with “How Good is our School?”, which is a more general quality improvement framework for schools.

Unfortunately, “A Route to Equality and Fairness” does not mention sexual orientation equality. That is partly because it is three years old. In order to make the mainstreaming of equality in schools work properly through the national priorities and the guidance that goes with them, we need a republished version of “A Route to Equality and Fairness” that covers all the equality areas, including sexual orientation. The Executive might have gone further along that road if there had been more consultation during 2001, after the national priorities were published and before the publication of the guidance in this area.

Coming back specifically to the budget document, the one mention of sexual orientation linked to spend in the document—there is one mention this year compared with zero last year—refers to the anti-bullying network. I had a look at the anti-bullying network website a couple of days ago. If a pupil who had suffered from homophobic bullying accessed that website for help, they would not find anything. The section that is aimed at pupils and the section that is aimed at parents do not talk about homophobic bullying. That is covered in the section that is aimed at staff.

When I asked Stonewall Youth Project, which is the main LGBT youth support group in Scotland, about the anti-bullying network, it said that there must be more proactive work in dealing with homophobic bullying. Ideally, that work would be backed up by the anti-bullying network. Although it is welcome that homophobic bullying is referred to in connection with the £100,000 for the anti-bullying network, there is not much in the way of outcome to show for that.

**Tracey White (Scottish Trades Union Congress):** I want to pick up on Tim Hopkins’s point that the first principle in the budget must be policy. I agree that there is a need to reissue the policy position that was made three years ago. The position was all right at that time, but it needs to be redeveloped to take account of developments and of a change in emphasis on

what is important.

If the budget is to address the kinds of issues that we want it to address, we must have a robust policy-making process. The budget must flow from the specific objectives and targets that have been laid down by the Executive with the appropriate input from the Parliament and from Scottish society more generally.

The pilots try to tackle a policy area in which we are generally agreed about where we want to be but which, in practice, it is difficult to get a handle on. Our position is that the pilots are important, but we need to be aware of the inconsistency in approach within the pilots. If the pilots are to make a meaningful difference in the longer term, those inconsistencies need to be addressed.

For example, in the summary AER, one of the sections dealing with pilots refers to the allocation of money to a particular issue but does not refer to the intended practical outturn. Although we can monitor whether the money flowed to that area, we cannot judge the Executive against what we had expected the money to achieve in practice. However, other areas of that same part of the AER mention policy outcomes without giving the allocation of money.

The fundamental starting point must be robust policy, including targets and outcomes, from which the budgetary process should flow. I do not think that we are anywhere close to that. The pilots are important in pushing things on and I am sure that we will learn things from them. However, we cannot be complacent about the areas for which there are no pilots. We cannot simply say, “We do not have to do this yet because we are waiting for the pilots to give us a way forward.” In the documentation that is available, there is not enough evidence that the Executive departments, which are responsible for a range of different public policy areas, are taking on board the underpinning that is needed if we are to mainstream equalities.

**Rozanne Foyer:** The pilots are a good idea. It is good to take a specific area so that we can see in detail how things will work when we lead the policy through. However, to give an example, the Race Relations (Amendment) Act 2000 is almost upon us. It will have a massive impact on the delivery of goods and services come the end of this year. It is quite worrying that there is not much evidence—I certainly could not see any—that all the different agencies are ready to take that on board. The act will require a considerable output to build capacity and change processes. Things are coming upon us that mean that we cannot rely simply on pilots. The issue is not whether we are ready to roll things out; we will be required to do so. We need to see that in the budget.

**Mr McMahon:** That relates to what Peter Peacock said when he gave evidence to the committee. He said:

"The easy part is identifying the discrete areas of expenditure where we want to tackle a particular discrimination or inequality and address resources to it. The difficult part is doing something in the whole system."—  
[*Official Report, Equal Opportunities Committee*, 5 March 2002; c 1380.]

Do you agree with that statement? I see Tim Hopkins nodding.

**Tim Hopkins:** I hope that I did not sound too negative earlier on. It is very positive that the mainstreaming pilots are happening.

What Peter Peacock said is right. Pages 63 and 64 of the AER set out sums of money, or an explicit spend, to address inequality. However, what cannot be found in most of the document are the implicit spend and the impact that the vast majority of spend has on the equality areas. Employment is an obvious example. The chapter on the Crown Office and the section on the Scottish Executive administration set out the percentage of staff who are women or from an ethnic minority. However, such information is not recorded elsewhere in the document. The health service is the biggest employer in Scotland and the biggest part of the health service budget goes on employing staff. It would be quite easy to start an impact assessment in that area—one could start with an analysis of staffing in the national health service.

The issue of LGBT is more difficult, because for reasons of confidentiality it is not feasible to ask all staff what their sexual orientation is. I will give an example of where the impact on LGBT people of implicit spend could be analysed. The expenditure of the Scottish Public Pensions Agency supports a number of public pension schemes. I do not know which of those schemes provide benefits, such as a lump sum or a survivor's pension following the death of the pensioner, to an unmarried partner, including a mixed-sex partner, on the same basis as they provide benefits to a spouse. The spend in that area could be analysed relatively easily for its impact on LGBT people.

The AER this year is much better than last year's document in relation to what it says about explicit spend, particularly in pilot areas. However, there is no real impact assessment of the rest of the spend yet. The issue is difficult and will take years to get right.

**Mr McMahon:** There is school of thought that suggests that if enough discrete pieces of work are undertaken, there will be an impact on the whole system—the system will improve because of individual, discrete improvements. Is that view accurate? Will that approach work without an

overarching policy into which all the discrete improvements fit?

**Tracey White:** The finance and central services department has a responsibility to set the frameworks within which all other departments operate. However, ultimately, it is not necessarily up to that department to implement that framework on a daily basis. If we are to mainstream equality, with all spend—not just ring-fenced moneys—going towards that objective, the ultimate responsibility will lie with the departments. If that is to happen, people must be brought on board and given advice about how to go about mainstreaming. At a departmental level, people have individual responsibilities to include those issues in their thinking. Does that address the point that Michael McMahon was trying to make?

**Mr McMahon:** I am looking for your opinion. Can there be individual policy objectives to make small, incremental changes, in order to impact, and create a bigger impression, on the whole system without having an overarching policy within a department, or—

**Tracey White:** I am not sure whether such policy objectives can exist. Good practice in some areas will make an impact and may be positive. However, the principle needs to be pushed further than that. There needs to be an imperative that comes from an overarching policy; otherwise we would become too relaxed. We would simply sit back and hope for the best, rather than having a plan with an associated series of outcomes and ensuring that what we are trying to achieve happens in practice.

**Rozanne Foyer:** It is imperative that, if we are to get mainstreaming right, we implement an explicit strategy that affects almost every public servant in Scotland. The issue is to do with capacity building. There is still a lot of ambiguity and misunderstanding out there about what mainstreaming equality means. We tend to overestimate how much that message gets out and filters down through organisations and through public spending. Mainstreaming equality will not happen if we only have a few pilots, expect best practice to rub off, set nice targets for the future, close our eyes, cross our fingers and hope that it will happen by magic. We have to make sure that we spell out to public servants exactly what mainstreaming means, and what it means to their jobs on a daily basis. That will take effort.

11:30

I refer to comments that were made earlier about the capacity of the equality unit to fulfil that role and act as the catalyst that it must be. It is all very well to say that other departments must take on mainstreaming by themselves, but a strategy is

also required. It has to be appreciated that there are people out there—even at a senior level—who do not fully understand what mainstreaming means for their department. Much more work has to be done at the strategic level on how we roll out that message. How, on a daily basis, do we make the changes happen? I hope that, slowly but surely, hearts and minds will follow, but that will not happen without there being understanding, without unpacking the concept of mainstreaming, and without making sure that that happens at every level in the public sector.

**Tracey White:** We have to recognise that there are resource implications in approaching the issue in that way. Public servants cannot change the way in which they do their jobs if no consideration is given to their training and development and to the resources that they have at hand to do their work in a different way.

**Tim Hopkins:** The other important factor is the legislative underpinning. The Housing (Scotland) Act 2001 has encouraged the mainstreaming of equality. It is important that the kind of equality duty that is in that act is rolled out across the other public service areas, such as local government.

**Cathy Peattie:** If people are to monitor whether mainstreaming is working, they have to be able to access information. Has the budget information been widely accessible to stakeholder organisations? Is the format appropriate, or are there other ways of presenting the information?

**Rozanne Foyer:** It is quite difficult to make a budget accessible—that is the caveat. We appreciate the difficulty in trying to produce the budget in an accessible format. Last year, the STUC was given the opportunity to comment on equality mainstreaming in the budget. We declined that opportunity, because we did not have the capacity to make informed comments on the budget process within the available time frame. If the STUC is in that position, there must be many organisations in a similar position.

The budget documents are not the most accessible documents. The situation could be improved by taking simple measures; for example, it would be improved if the budget summary were cross-referenced with the budget itself. It would be easier to access the budget and follow the trail if the summary said, "See page such and such. This is what the summary refers to within the thicker book." The process would be more accessible if there were more such cross-connections between documents—for example, between the annual expenditure report and the budgets of public agencies. That would enable us to track things, which might make the process more accessible. Improvements have been made since last year, but an awful lot could still be done, although I appreciate that it is not easy to make a budget

accessible.

**Tim Hopkins:** I agree that there have been improvements since last year. In particular, the tables of objectives, targets, baseline measures and progress are really good. Wladyslaw Mejka was right when he said that the way to make the budget accessible is to use information technology. By doing that, it should be possible to produce an online document that has the cross-references that Rozanne Foyer referred to, and which is searchable, so that one can pick out the things that one is interested in finding out about.

**Tracey White:** Despite the positive comments about how the situation has developed in the past year, consistency in reporting between departments must be improved. In some cases there are a couple of pages on huge public policy areas that do not tell us much—that happens in particular in the budget summary document—whereas much more detailed information is provided on other areas.

An organisation such as the STUC, which is interested in the whole spectrum of public policy issues, needs to be able to look at what is happening in one area and compare that with what is happening in another area. However, given the way in which the documents are presented, it is difficult to do that in a meaningful way. I would like to make a general pitch for consistency in reporting between different departments. I return to the point that was raised earlier about whether there should be a framework for those documents.

**Cathy Peattie:** As we could discuss mainstreaming issues until next week and not achieve what we want to achieve, I will move on to voluntary sector funding.

My question is for Tim Hopkins. Do you feel that the overall funding that is available to support voluntary sector activity impacts on LGBT groups? Is that funding identifiable in the budget documentation? What key changes, if any, do you propose?

**Tim Hopkins:** From the budget documentation, it is not possible to see whether there is support for the LGBT voluntary sector and, in fact, there is not much funding. However, the situation is getting better. As members know, the Scottish Executive is supporting a consultation project over the next 18 months, which the Equality Network is to manage. That funding is welcome.

The funding that is available for the LGBT voluntary sector—almost all LGBT work is voluntary sector work—is small when compared to the amount of money that is available in other areas. There seems also to be a problem relating to the Scottish Executive's legal powers to make grants to the LGBT voluntary sector. That issue needs to be examined.

Last year, when we gave evidence on the budget, we said that the equality unit's budget was too small for the strategic work that it is undertaking. That remains the case, especially if the equality unit is to act as the central unit of support for the LGBT voluntary infrastructure across Scotland in the way that the Executive supports BEMIS—the Black and Ethnic Minority Infrastructure in Scotland. If that is to happen, it will eat up a chunk of the unit's £1 million funding. It is not clear whether £1 million is enough to give equality the national strategic support that it requires.

**Cathy Peattie:** We know that the voluntary sector plays a key role in raising awareness and in working alongside statutory agencies on issues of equality and mainstreaming. I am interested in the STUC's view of the approach that was taken in the budget to involve and support the voluntary sector. Do you see that as a budget intention?

**Rozanne Foyer:** I will answer that question from a very STUC point of view. The STUC is part of the voluntary sector. In terms of its membership, it is a large and important part of it, but the STUC's resources make it a small voluntary organisation.

We are accessing European structural funding to progress mainstreaming equality awareness in the workplace, which is a key priority for the trade union movement. We are also examining issues to do with closing the gender pay gap. To do that, we are accessing funding from two different European Union funding initiatives. One is a new fund that the EU has introduced and generated in Scotland to promote equality. The EU wants the voluntary sector to play a big role in using the money to roll out initiatives across all areas.

However, small voluntary sector organisations have major difficulties in getting involved in those initiatives. We are at the point where we are asking whether it is worth putting in our own resources to access the funding that we will get at the end of the day. The hoops that voluntary sector organisations need to jump through to access European funding have excluded many small organisations.

In the main, it is the large public authorities and agencies that have the capacity to access those funds. Even if we put aside the question whether the sums involved are worth while, fundamental problems exist for some organisations in accessing available funding. The voluntary sector is key to developing such policies and making them a reality at the grass roots. However, a lot more work will have to be done on making those funds accessible.

**Kay Ullrich:** Once again I am going to quote Peter Peacock. I think that he will be sorry that he opened his mouth at the meeting on 5 March. At

that meeting, Peter Peacock stated:

"If mainstream policy thinking addresses equality issues, the budget process will simply provide the cash to implement those policies. If the policies include equality measures, the budget will also automatically include equality measures."—[*Official Report, Equal Opportunities Committee*, 5 March 2001; c 1377.]

Does that not suggest a lack of mainstreaming in the budget? Do you not think that his statement highlights a fundamental problem of policy development?

**Tracey White:** To judge whether that highlights a fundamental problem in public policy, we would have to consider what the policy is attempting to achieve and then judge that on its ultimate outcome. I agree with Peter Peacock's analysis up to a point. That was my starting point today. There must be robust policy and the budget should flow to targeted outcomes. That is how the process should work.

If you want to mainstream equality, you have to be prepared to resource that mainstreaming. However, the budget is not the mechanism for driving the change. The change has to come in another way and it is up to all of us who are interested in mainstreaming equalities throughout public policy and public services to keep on working in partnership to formulate that robust policy. It is then up to the Parliament, with support from others and us, to ensure that what Peter Peacock has said will happen happens. It is an on-going process.

**Tim Hopkins:** The mainstreaming of equality in policy development is getting better. There are some good examples, but it is still quite patchy and there is further to go. There is then the step of connecting that with the spending plans. That is not straightforward. Some equality mainstreaming that has been done and could have been mentioned does not show up in the AER.

What Peter Peacock said is not the whole answer. If you mainstream equality into the policy and then expect the spending automatically to be right, that is not the whole story. You also have to consider the outcomes of the spending and see whether those are delivering equally for all of the people of Scotland.

**Rozanne Foyer:** The approach is almost back to front. If you do not expect people automatically to evidence what they are doing to follow the policy development, how can you answer that question? How do we know what is happening, when there has been no absolute requirement for people to evidence properly that the budget is following policy?

I agree with Tim Hopkins. There has been a lot of good work that does not seem to appear or translate into the budget.

**Kay Ullrich:** I will remind Tim Hopkins of something that he said when he appeared before the committee on 24 April 2001. He noted that the Executive was about to launch a study on methodologies for collecting data on LGBT equality, and that that study was to be carried out last summer. Are you aware that that study has informed any improvements in this year's budget compared to last year's? You might also want to tell us something about the study.

**Tim Hopkins:** No, I do not think that the study has informed any improvements, as the study is not yet finished. There was a delay in getting it off the ground.

The study is in three phases. Two phases have been completed. The first phase considered the policy areas that are important to the LGBT communities of Scotland. There was good consultation on policy needs with LGBT groups around Scotland. Then there was a study of the international work that has been done on researching the situation for LGBT people.

Phase 3 is about to start. That is the difficult phase, which is identifying what can be done in Scotland and what more research and data gathering should be done. I hope that that information will feed into next year's budget process.

**The Convener:** We will ask the same question next year.

**Kay Ullrich:** Tim Hopkins mentioned the omission of sexual orientation from page 63 of the annual expenditure report. Given that omission, how confident is he that issues that are relevant to LGBT people are mainstreamed in the Scottish budget?

11:45

**Tim Hopkins:** Sexual orientation is mentioned only once in the annual expenditure report—in the Crown Office and Procurator Fiscal Service chapter in relation to its employment policy. There is no evidence in the AER that LGBT equality has been mainstreamed. That is a bit unfair because I know that sexual orientation equality is being mainstreamed throughout the Scottish Executive, along with other issues. One problem is that people do not really understand how to mainstream those issues. There is still a tendency to consider that the equality issues are race, disability, gender and nothing else.

Rozanne Foyer mentioned the importance of ensuring that the money that the Executive gives to other bodies to spend—particularly local government—is also equality proofed. On 5 March, Peter Peacock mentioned the important connection between best value and equality. Two or three years ago, the Convention of Scottish

Local Authorities issued good guidance on best value and equality, which used the definition of equal opportunities that is in the Scotland Act 1998. We must wait to see the proposed local government bill, but we are concerned that if the bill expresses equality in terms of what the Scotland Act 1998 calls “equal opportunity requirements”—the requirements of the law from Westminster—it will cover only race, gender and disability. It is important that equality duties are included in the new bill and that they are expressed in terms of equal opportunities and not just “the equal opportunity requirements”.

To answer the question succinctly, good work is being done in the Executive; ministers and the equality unit are committed to including sexual orientation equality but, because of history and the structure of the legislation, that is an uphill struggle.

**Kay Ullrich:** You said that in detailing the money that is given to the anti-bullying network, the AER mentions homophobic attitudes. Does that reflect a serious attempt to improve—at least—education for young gay people in Scotland?

**Tim Hopkins:** Yes. We are involved in consultation—another meeting will take place soon—about how to mainstream equality into school education. There is a commitment to including LGBT equality in that.

**Kay Ullrich:** Do the STUC representatives want to pick up on that?

**Rozanne Foyer:** We hope that all legislation from the Scottish Parliament will follow more of a best-practice model and that it will not sit back and rely on laws that come from Westminster, which do not cover LGBT people. We hope that in Scotland we can be proactive and look forward to the full recognition of article 13 of the Treaty of Amsterdam.

**Kay Ullrich:** The committee has an important role in that, which is why I asked the question.

**Rozanne Foyer:** Absolutely.

**Mrs McIntosh:** I have a question for Tim Hopkins. I note that Greater Glasgow NHS Board will shortly launch the results of a health needs assessment for gay, lesbian and bisexual young people in greater Glasgow. What impact will the assessment have and what lessons can be learned from it?

**Tim Hopkins:** The launch will be important, but what follows on from it will be even more important. Edinburgh is the only place in Scotland that has reasonably good support for young LGBT people. The Stonewall Youth Project does a good job; it has a mixture of funding from the health board, the local authority and voluntary sector

support trusts. The project is a lifeline for young LGBT people. From the advance information about the launch, I know that the Glasgow study will show some horrendous results for mental health, attempted suicides and so on. It is important that the results lead to action in Glasgow to set up a service that is similar to the Stonewall Youth Project. Such services are required throughout Scotland. If I had to pick one issue on which money should be spent to support and promote equality for LGBT people, it would be supporting young people.

**Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD):** I want to pick up on the point that the convener correctly made about the accessibility of funding. I have seen that smaller voluntary organisations have been in a bit of a bind. This is perhaps not a fair question, but can you suggest how the bottleneck of funding could be tackled? I do not know whether enterprise networks should be involved or whether legislation should give local authorities a power or a duty in this respect.

**Rozanne Foyer:** I talked about the European structural fund's inability to reach out to the organisations for which it is intended. We must ensure that the Executive puts enough resources into the system to provide good hands-on support to smaller voluntary organisations. When such organisations are properly resourced, they are well equipped to do the work. They know exactly what they want to do, but the mechanism for getting the funding is beyond their capacity. Giving organisations more practical support in accessing funding is key. People who have expertise can give hands-on support and help people to get their heads round the budget and the rules. A lot more work could be done on simplifying the process by which organisations provide evidence of what they are doing. Clear and simple templates could be put together for everybody to use to show that they are spending money in the right way when projects are up and running.

I have been appalled by how voluntary organisations have been turned off accessing some funding simply because they know that the processes that are involved are a nightmare. That is really sad, given the amount of money that is out there. The gender budget in the European structural fund is vastly underspent, because organisations are not willing to access it—they do not think that it is worth the trouble. Organisations need more support in accessing funding and there should be clearer processes for reporting after they have done so.

**Mr Stone:** Should the Executive provide organisations with the templates to which you referred, and with advice, support and even funding, or should it provide those things via local

authorities or another third party?

**Rozanne Foyer:** Support should come from whoever provides and monitors funding, which depends on the grant that is involved. The ESF objective 3 team deals with European structural funds. Local authorities should provide support in accessing local authority grants. Much more could be done to set out clearer and more accessible systems. Whoever awards funds should ensure that the money is spent properly and that it is easy for people to spend their time working without worrying about how to fill in forms properly.

**Mr Paterson:** I think that Rozanne Foyer used the words, "roll out that message". I am aware that the Disabled Persons Housing Service raised the possibility of our having a minister for disabled people. Would that help to roll out the message?

**Rozanne Foyer:** The STUC does not have a policy on that, but I do not think that that is the answer. We must ensure that all ministers, heads of departments or heads of a local authorities see themselves as advocates for disability issues and every other equality issue. It is more important to ensure that the front-line people who deliver services have the capacity, awareness and training required—and that they understand why that is important—than it is to have a minister to make speeches about disability issues in Parliament.

The matter is more about putting money into training and processes that will enable people to understand the disability issues and impacts in their jobs. The message can be rolled out that way. I am not convinced that a minister for all the different areas of equality—that is what would be required—is the answer. The solution is more to do with good guidance, training and capacity building.

**Mr Paterson:** Perhaps the other witnesses might want to add to that reply. Would it be worth while having a high-profile person, even for a given period—for example, one parliamentary session—to take charge of problems. The Equal Opportunities Committee drives forward equality issues in the Parliament. I understand that everybody, including people who run businesses, shops and schools must take ownership of the problem. Is it worth considering the argument that it would be good to have someone driving the issue?

**The Convener:** Will Gil Paterson please confirm whether he means a minister with responsibility for disability issues or a minister with responsibility for equal opportunities issues?

**Mr Paterson:** The role could be combined.

**The Convener:** We have a minister with responsibility for equality issues. Would any of the

witnesses like to add anything in response to the point that was made by Gil Paterson about the need to have a minister or someone who is identified as being the equal opportunities person in the Scottish Parliament?

**Tim Hopkins:** The key point is that to mainstream properly the Executive needs a central body, rather than a person, to promote equality and ensure that it happens. In terms of the Parliament, there is value in having the Equal Opportunities Committee. From the Equality Network's point of view, it is important that the Equal Opportunities Committee has a reporter for sexual orientation issues, a reporter for disability, a reporter for race issues and so on. However, it would not be possible to have a minister for each of those areas.

The Minister for Social Justice no longer has equalities in his title. The Deputy Minister for Social Justice, whose title once included responsibility for equality, is no longer so described. However, it appears that the political will exists. The central core in the Executive that ensures that everything happens is the equality unit. It is important for the equality unit to have resources and expertise in different areas of equalities, because that will ensure that all those areas are mainstreamed properly throughout the Executive.

**Rozanne Foyer:** The Minister for Social Justice is the minister for equality. Social inclusion and social justice are about fighting all forms of social inequality, none of which is more important than the other. Perhaps we need to increase understanding that the title "Minister for Social Justice" describes exactly the minister's role, which is to get rid of inequalities whether they are because of class, race, disability, gender or sexual orientation. Perhaps we need to ensure that the message gets out that that is the essence of the minister's role and responsibility.

**Kay Ullrich:** The fact that the social justice portfolio covers equality issues marks a great step forward. I was a health spokesperson and, in the past, disabled people were lumped under health. That meant that the medical model had to be used when the issue was more about equalities or social justice.

**The Convener:** Thank you. I do not think that a response is required to that point. I thank the witnesses for giving evidence today. Your evidence was very useful.

## **Housing (Scotland) Act 2001 (Monitoring)**

**The Convener:** Members should all have the paper that was circulated. Do members agree that we should receive all forthcoming Scottish Executive consultations and that we will consider whether they contain specific equalities issues? I ask members to read the documents when they are circulated, and to contact the clerks if there are any issues that they wish to discuss. Obviously, some of the documents will be technical and the committee might not wish to scrutinise them. Is that agreed?

**Members** *indicated agreement.*

## Reporters

**The Convener:** Item four is committee reporters. Everyone should have received a paper from the sexual orientation reporter. Cathy, do you want to speak to the paper?

**Cathy Peattie:** The paper is clear on the issues that were discussed. I am happy to answer any questions. I bring the committee's attention to the Holocaust memorial event. Members will recall that we recently discussed the issue with regard to Gypsy Travellers. In the same vein, there is a feeling that the LGBT network should be represented at the event. I would like the convener to write to Jim Wallace to ask whether we can expect LGBT representatives to be present at the next Holocaust memorial event?

The subject of the paper was our first meeting—we tried for some time to arrange one. We hope to have a regular meeting every six weeks. I will be happy to produce a report for the committee on those meetings.

12:00

**The Convener:** Are there any questions?

**Mr Paterson:** I do not understand paragraph six of the report, which begins:

"Sex between a man and a woman in a public place if someone else was present would normally be treated as a breach of the peace."

Does that mean if they get caught?

**The Convener:** Obviously, they would have to be caught for it to be treated as anything.

**Cathy Peattie:** My understanding is that the issue is to do with the Criminal Justice (Scotland) Bill, because same-sex partners who had sex in a public place would be treated differently from a different-sex couple. It has been said that the offence is a victimless offence. The point is that same-sex couples would be treated differently from a man and a woman.

**The Convener:** That applies to male same-sex couples, and not female same-sex couples.

**Mr Paterson:** I just thought that having sex in a public place was an offence for everybody.

**The Convener:** The point is that if the couple is a man and a woman, the offence is treated as a breach of the peace, which is a minor offence. It is treated as a more serious offence with far harsher sentences if two men are involved. The element of discrimination is the problem, rather than whether people condone having sex in public.

Are there any other questions or comments? If not, I inform the committee that I am still waiting

for a response from Jim Wallace on the Holocaust memorial event. It would be worth waiting for that response. We e-mailed the person who made the inquiry about Holocaust memorial day to let them know what is happening. When we receive the response, I will bring it to the committee, and depending on the response we can make further approaches to the Minister for Justice. Is that agreed, and are the recommendations in the paper agreed?

**Members indicated agreement.**

**Mr McMahon:** I have a brief report. I followed up previous work with a more formal meeting with Black and Ethnic Minority Infrastructure in Scotland. On 18 April, Richard Walsh and I met Rami Ousta, who heads BEMIS. He outlined some of the problems that he will face in the short and long term. He stated that as well as developing the infrastructure for black and minority ethnic groups, BEMIS intends to develop a partnership approach with civic Scotland and the Scottish Parliament. Could we involve ourselves in that, and ensure that BEMIS representatives get the opportunity to come to the committee, so that we can have a dialogue with them on where they are coming from and the issues that they are dealing with?

**The Convener:** I am sure that no committee members would object to that. When we are discussing the work plan later we can fit that in. Do any other reporters have anything to report? If not, before we move into private session I thank the British Sign Language interpreter and the palantypist, who have now left, for the assistance that they have given to the committee.

12:04

*Meeting continued in private until 12:24.*

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