

EQUAL OPPORTUNITIES COMMITTEE

Tuesday 4 February 2003
(Morning)

Session 1

£5.00

© Parliamentary copyright. Scottish Parliamentary Corporate Body 2003.

Applications for reproduction should be made in writing to the Licensing Division,
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 4 February 2003

Col.

MAINSTREAMING EQUALITY.....	1753
-----------------------------	------

EQUAL OPPORTUNITIES COMMITTEE

3rd Meeting 2003, 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)

COMMITTEE SUBSTITUTES

George Lyon (Argyll and Bute) (LD)

Mr Jamie McGrigor (Highlands and Islands) (Con)

Michael Matheson (Central Scotland) (SNP)

Karen Whitefield (Airdrie and Shotts) (Lab)

*attended

WITNESSES

Ms Margaret Curran (Minister for Social Justice)

Yvonne Strachan (Scottish Executive Development Department)

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 4 February 2003

(Morning)

[THE CONVENER *opened the meeting at 10:02*]

Mainstreaming Equality

The Convener (Kate Maclean): We should get started. I have received apologies from Jamie Stone, who is unable to attend because of the weather, and from Kay Ullrich, who is running a bit late.

I welcome to the meeting a party of clerks from the Parliament of Bosnia and Herzegovina, who are observing today's proceedings. I hope that they enjoy their visit to the Scottish Parliament and find it useful. I also welcome the Minister for Social Justice, Margaret Curran, and Yvonne Strachan from the Scottish Executive equality unit, who will give evidence to the committee on mainstreaming equality. I ask the minister to make some brief opening remarks before I open the meeting up to questions from committee members.

The Minister for Social Justice (Ms Margaret Curran): I am very pleased to be back before the Equal Opportunities Committee. It seems to have been a wee while since I was last here. I hope that members are in a good mood and that the meeting will be as constructive as usual.

The committee is influential in the Parliament and in the wider debate on equalities and I emphasise that it also has some influence on the Executive. Certainly, when I have been here, we have discussed a number of issues—

The Convener: Excuse me, minister. I should have pointed out at the start that the proceedings are being interpreted. As a result, I must ask members and witnesses to speak more slowly.

Ms Curran: I will do my best, convener. I am told at the best of times that I should speak slowly. People have said that it is quite a challenge to interpret me when I talk at pace, so I will try to speak as slowly as possible. If I am not meeting certain standards and run on ahead, perhaps you will stop me again and let me know.

As I was saying, Cathy Peattie has at previous committee meetings asked questions about social inclusion partnerships and equality and when I appeared previously before the committee, there was a question about targeting domestic abuse

advertisements at disabled women. In both cases, the Executive adjusted the way in which it operated policy to ensure that it had taken on board the committee's legitimate concerns. I hope that that emphasises our belief that the committee's work significantly influences the way in which we deliver our policies.

I want, by way of introduction, to make two key points. First, mainstreaming remains central to how the Scottish Executive intends to develop its equality strategy. As a result, we welcome the committee's work, because it will influence our thinking on the issue. We are well aware of the challenges and opportunities that mainstreaming presents and we welcome this morning's discussion of the issues.

The committee will know that the Executive has recently been trying to give a particularly sharp focus to equalities issues. Although we continue to emphasise mainstreaming, we have also been sharpening the contribution that is made by our equality unit. In fact, the budget in that respect has increased from £3 million to £17 million over three years, which represents a very significant increase and reflects our commitment to do more equality-related work. Committee members will be familiar with much of that work, which relates to the continuation of our anti-racism campaign and emerges from activity that the Scottish Executive is carrying out with refugees and asylum seekers.

Moreover, as the committee knows well, we need to develop our understanding of, and strategies that are appropriate to, sexual orientation and age issues, which have been somewhat underexplored. In the coming period, we want to focus in particular on women's issues, which will form an important part of our strategy until the next election. Since we published our equality strategy two years ago, we have developed various aspects of that work and a new equality strategy will be published imminently. We continue to recognise the scale of inequality and discrimination in Scotland and we acknowledge that the Executive has considerable responsibility in tackling those problems.

Our approach takes many forms. It involves negotiation with, and the participation of, key equality interest groups. It also includes our work on legislation and our work in relation to awareness-raising campaigns and other initiatives that members might be aware of.

However, mainstreaming is at the heart of the matter. It is the core of what the Executive can achieve and it is fundamental to our work. As a result, we believe that our focus on equality work goes hand in hand with mainstreaming, and we welcome the committee's work on that.

Cathy Peattie (Falkirk East) (Lab): I, too, will try to speak slowly.

It is clear that a lot of good work on mainstreaming has been carried out; I welcome especially the minister's commitment to focus on women's issues during the months to come. However, you will not be surprised to learn that I am still concerned about ensuring that under-represented groups are consulted. More important, those groups should have some hand in policy making to ensure that their voices are heard. What has been done so far to include under-represented groups?

Ms Curran: We are trying to develop a system of consultation that is appropriate to the needs of those groups so that the methodology is not always prescribed from the centre. For example, Cathy Peattie highlighted our work on women's issues. Some years ago, we established a high-level forum for consultation with women, but the feeling was that we needed to decentralise that work. As a result, there has been some decentralisation, if that does not sound too jargonistic. In other words, a range of events has been held at a local level throughout Scotland, and those events have been very effective.

Now, however, there is a sense that we need to consult at a more formal and strategic level. We are trying to take soundings about the possibility of setting up a women's convention, for example. We need to bring local issues to the fore so that we have a key, strategic relationship at Scottish level. That is an example of how the approach to consultation can be changed depending on what the groups that we consult tell us. It is obvious that the methodologies that we have used have differed depending on the groups that we consulted; for example, many of the groups that are involved with anti-racism and ethnic minorities work have been consulted formally through the race equality advisory forum—REAF—and were consulted heavily during the development of the Scottish Executive's anti-racism campaign. We continue to talk to them in an attempt to deepen that work.

It was remiss of me not to flag up earlier the fact that this is the European year of disabled people. There will be a particular focus on that this year. On the previous occasion on which I attended the committee, I believe that the committee insisted that the Executive set up the steering group for disabled people; we did so and we have taken a very Scottish approach to the issue. That steering group is working effectively and would also be an appropriate body to consult.

On one-off events, such as our anti-racism campaign, we have to have specific and sophisticated consultation machinery. However, we are trying to embed consultation in the boring,

day-to-day work of the Executive to ensure that it is seen as a natural part of policy-making. We do that quite effectively and there is growing emphasis throughout the Executive on consultation of equality groups.

Yvonne Strachan (Scottish Executive Development Department): Across the full range of equality areas, we have tried to find methods of engaging communities, just as has been suggested today. We support the Scottish Inter Faith Council in that work among faith communities, and we support the Equality Network in that work among the lesbian, gay, bisexual and transgender community, which has not traditionally been able to take part in that process of engagement. Other divisions in the Executive are doing work around the youth parliament, and older people are being consulted and engaged through the older people's unit. More work is being done, as the minister said, in relation to issues of race and disability. A particular feature of our work on asylum seekers deals with ways in which we can deal with refugees and build dialogue with them.

There are a range of such areas in which it is felt that it is important that we find ways in which to engage communities in helping the Executive and others to develop their policy-making, and to ensure that we are in touch with those communities in the broad range of areas about which we are concerned.

Cathy Peattie: It is good to hear that all that necessary work on equality strategies is happening and I am glad that you highlighted the need to work at grass-roots level in relation to policy-making.

If the strategy is to work throughout the Executive and the Scottish Parliament, there needs to be some way of measuring its success. On Friday, we took evidence on the European year of disabled people and were told by some organisations that they knew nothing about the discussions or the celebrations that are going on during the year. Obviously, it is hard to ensure that you engage with everyone; there is no blueprint for success and differing approaches must be taken in relation to various groups of people. How can we ensure that all groups can engage in the consultation process? How can we tell what is working? For example, women in black and ethnic minority communities often do not have a voice because people speak for them rather than to them. How can we monitor such a situation and ensure that all areas are covered?

Ms Curran: That must be done in a variety of ways. Just as there is no blueprint for consultation, there is no blueprint for research and monitoring. The equality unit has conducted quite a bit of research into the statistics that relate to the status of groups and the extent to which they are

involved in various areas. We are conscious of the fact that we have a requirement to talk to the key representative organisations.

However, on disability, several such organisations have emerged and we want to take an even-handed approach. We acknowledge that that often takes us to organisations' leaderships and perhaps does not always get us down to people who might live in isolated situations and who might face different levels of discrimination as a result of their economic status, gender or race—they might also be disabled. We know that such interconnections make life much more complex, but we try to ensure that consultation is monitored so that we know who is involved, the results of that involvement and what it tells us. We can then assess the robustness of evidence and compare it with evidence that we collect from elsewhere. That is partly how we do things.

10:15

To a certain extent, equality evidence has been empirically based over many years. Last week, I was at a conference at which people told us that the experience of discrimination needs to be understood. Such experience speaks volumes and cannot be easily measured academically. Perhaps we need to consider how discrimination is measured, but we still have to understand the experience of discrimination as articulated by people who are discriminated against. We must achieve a balance in measurement and monitoring that takes into account experience and provides facts and figures, and we must test some of the methods that are used. We are trying to achieve such a balance.

Mrs Lyndsay McIntosh (Central Scotland) (Con): One of the strategic aims that was outlined in the equality strategy was to

"educate and raise awareness about discrimination and the need for it to be challenged".

What have you done to date to achieve that aim? To what extent have actions that have been taken been measured as being successful by parties other than the Executive? What can we expect to come up in the near future?

Ms Curran: We could argue that quite a lot has been done in education in its broadest sense—quite a lot of work is going on through schools, for example. More broadly, there is the anti-racism campaign. That campaign is about raising awareness of the scale of racism in Scotland, the impact that racism can have and the fact that it still requires to be challenged. That is a direct example that relates to where there is a need to intervene. We saw the campaign as part of a responsibility—we had to fulfil a commitment in the equality strategy. We also had a commitment to the

committee, which pushed us hard to do something in that field.

Measurement and evaluation of attitudes are built in to the anti-racism campaign. I will let Yvonne Strachan take the committee through the details of measuring attitudes and follow-up work. Focus groups have been attached to the process.

Yvonne Strachan: A substantial amount of research was done with focus groups in the preparation of the media part of the anti-racism campaign, in order to give a picture of where we sat. Since the running of the media campaign, we have considered its impact. Members know that sizeable changes in attitudes as a result of simply running one five-week media campaign cannot be measured, but one can measure whether such advertising has made an impact on the community and whether issues were understood and, therefore, whether those issues' profiles were raised.

The campaign had a high impact, but we will need to see where attitudes move. Among the activities in which we will be engaged, we will continue to measure attitudes towards discrimination over the piece, but we must consider how that is to be done. For example—although this is not directly connected to the anti-racism campaign and is more broadly about equality—matters such as social attitudes should be considered, so the Executive is involved in encouraging such consideration in order to examine issues around discrimination.

Measurement that is external to the Executive is important, but measurement of equality is complex. As with performance indicators, measuring how people view life or people's attitudes is more difficult than measuring houses or buildings, for example. We are keen to ensure that there are the right kinds of measurement and monitoring, but that is not easy. However, members can be assured that we want to put in place the most effective mechanisms for evaluation and monitoring, where we can.

Mrs McIntosh: There is no doubt that discrimination is not easy to measure; indeed, we had a debate about that a couple of months ago.

Can you tell me what progress the Executive has made on its promise to develop appropriate equality indicators with statutory equality bodies and equality interests? Secondly, how does that fit in with Mr McConnell's announcement on independent inspectorates for public services?

Yvonne Strachan: Without referring to the First Minister's comments, on the performance indicators, there has been discussion with different inspectorates on how to ensure that progress in equality is best measured. Within each authority, there will be different processes. For the

performance management procedures of local authorities, there will be—through Audit Scotland—a process through which equality can be considered in the context of, for example, the Local Government in Scotland Bill. It will therefore be possible to see the use of best value to achieve an indication of performance. Although those may not be statutory performance indicators, local authorities will, in the context of using some method of audit, be able to demonstrate any progress that has been made as a result of legislation. Each inspectorate, whether for the police or any other body, is considering how best to ensure that, where it has responsibility, it will use measures that are appropriate to its needs.

From the Executive's point of view—this relates to the answer that I gave to the previous question—it is difficult to lay down definitive performance indicators for Scotland. We have had a lot of discussion with different equality bodies about appropriate indicators for Scotland that would demonstrate progress on equality. It might be possible to lay down indicators—for example, in relation to employment, educational attainment rates or whatever—but we have found that in order to do that we need data collection that supports such monitoring and evaluations. We are still in the early stages of being able to get disaggregated data, in particular on ethnic minorities, that does not expose people to breaches of confidentiality. That makes things difficult.

Although we have every intention of finding the right indicators, we must ensure that the other things that are necessary for us to be able to do so are in place, but we are still at the early stages. I apologise for such a long answer.

Mrs McIntosh: There is no need to apologise.

Yvonne Strachan: As we try to find appropriate ways in which to measure progress, we are having to find other measures to use in the meantime, until we reach the stage at which we have disaggregated data and evidence that allow us to assess matters as comprehensively as we would like.

Ms Curran: That final point seems to be entirely in keeping with what the First Minister has said. The First Minister's comments have emerged from the kind of thinking that has been around in the equality field. It seems to us, and more broadly to Scottish society, that we are at the stage when standards of practice on equality are not negotiable. We could argue about how equality is measured and about which indicators are important, but none of us thinks that people should be beaten about the head over the issue; it is there to encourage better practice and new relationships, and we want indicators to be within that context.

Nonetheless, I think that the First Minister was saying that we expect certain standards of practice in Scotland—we will inspect in order to maintain those standards and we will not compromise if we find that they do not exist. People in the equality field are saying the same. We expect all the levers in our hands to be complementary to certain standards of practice, and for all the organisations that we fund to meet certain levels of practice in terms of equal opportunities. We no longer have a culture in which a person is lucky to meet somebody who is good on equality issues. It is now a basic requirement of practice that people do not discriminate or engage in discriminatory practices.

Yvonne Strachan is right that we need to reach a certain level of sophistication before we can measure equality issues fairly and appropriately.

The Convener: Elaine Smith still has questions about the equality strategy. We will then move on to questions about mainstreaming.

Elaine Smith (Coatbridge and Chryston) (Lab): Had Lyndsay McIntosh finished?

Mrs McIntosh: The next thing that I wanted to ask about was mainstreaming equality.

Ms Curran: Now I know.

Elaine Smith: I am sorry if the minister has already answered on some of the points that I want to raise—I was a bit late and missed your introductory comments.

You reported to the committee on 5 March last year on the mainstreaming pilots that the Executive was carrying out in education and housing, and you said that the pilots were not scheduled for completion until the end of the year. Now that we are into the new year, can you report some progress from the pilots? What lessons were learned and how will they be applied in future? Will the process be extended to other areas of work?

Ms Curran: Again, I shall kick off and then let Yvonne Strachan give the administrative details. She always knows the dates and timetables, and I am not so good at that. Broadly speaking, we regard the pilots as having been successful but, in a sense, the work will never be complete. I do not want to let anybody think that somehow we are moving on from housing and education to something else, because the work on housing and education will continue. However, as Elaine Smith said, those pilots were running for a preliminary period; we are now moving on to the next phase.

We think that the pilots were successful for two main reasons, although challenges remain. One reason is that we began to understand the culture of creating legislation in the context of the Scottish system. We inherited a lot of the former Scottish Office culture, which was unavoidable, but we are

now beginning to understand equality in the context of the Scotland Act 1998. We have tried to do as much as possible and we will debate overarching equality legislation. In passing the Housing (Scotland) Act 2001, we made significant moves forward in embedding equality clauses, where appropriate. Such equality clauses might be about people's partners and their occupancy rights and such like. That work is now beginning to evolve properly.

We are about to publish the housing improvement task force report and the Executive's response to that. Many of those documents are on the Executive's website, so I am not pre-announcing anything, which is apparently a great crime in the Scottish Executive. Perhaps equalities have not been mainstreamed as fully as we would like, but much has been done in the latter stages of the group's work on equality issues, which are significant in private sector housing. Had it not been for the pilot, for the preliminary work and for the growing acceptance of the need to understand equality issues in relation to housing, that work would not have gone at the pace it did, nor would it have been as comprehensive as it was.

I am not saying that everything is perfect—I am sure that the equality groups will also say that when we finally publish our reports—but we have made significant strides forward. To me, that is an example of an area in which we had a base because of a pilot, which could then spread its tentacles into other areas of work. That case could also be argued in education, where some work has been done around learning disability. Some of the anti-bullying and anti-racism work that we have done in schools has been much more straightforward because the education department and the ministers have been much more closely involved.

Yvonne Strachan: One of the significant changes is that both the departments that have had responsibility for taking the pilot forward have, in terms of ownership, delivery and driving, taken responsibility for equality very firmly. The changes have not had to be driven from elsewhere, for example by the equality unit or anyone else. The personnel department has a specific responsibility for driving the equality agenda and it is driving the process. The essence of mainstreaming is to get divisions to think about equality issues in their own work. That process has begun in housing and education and it is indicative of the kind of change that has emerged in those policy areas.

Elaine Smith: Before I move on to something slightly different, although connected, will you say whether you see the pilots as successful? Clearly work is on-going in housing and education, but is that the kind of process that you would want to see applied in other departments and other areas?

10:30

Yvonne Strachan: "Pilots" is possibly not the best of words, because it implies that we already have a blueprint that we are applying, whereas we were experimenting with and testing the process. The intention was that the lessons that would be learned could then be applied.

It is interesting that the two departments have not necessarily taken the same route. They have different emphases and approaches and therefore there are lessons to be learned from both. The intention is that the Executive as a whole should learn from the process. As we move into phase 2, we can collect that information and shape the kind of guidance that will be available to the rest of the Executive.

Ms Curran: I do not want to put a damper on our great enthusiasm, but we are aware that we have to be vigilant. We do not want to leave you with the impression that we have somehow persuaded everybody in the great institution of the Scottish Executive that equality is our top priority—I am not implying that people are neglecting it, either, in case I get sued. As you know, we have to be careful not to imply that, just because we have made progress, that somehow means that the rest will follow automatically. I do not think that that is the case. We have to keep the pressure up, keep equality as a priority and ensure that we make the connections in relation to on-going work, so that equalities issues become much more embedded. I do not think that we are yet at the stage where equalities issues are embedded as a natural process, so we have to keep the focus on them.

Elaine Smith: That leads nicely to my next question. Before I ask it, I have to say that the minister and her staff have come to our committee meetings and have been very accessible.

Ms Curran: A hard question is coming.

Elaine Smith: The "but" is that, although what the minister and her staff tell us is very informative—such as what we have been told today about the experiments—under the equality strategy there was supposed to be an annual equality report, the first of which was going to be published in the summer of 2002. Perhaps that would be another way of informing the Parliament and wider Scotland about what is happening in the Executive's equality strategy, rather than just informing Parliament through the committee. I wonder whether we can expect such a report before the dissolution of Parliament.

Ms Curran: Yes, you can expect a report before dissolution. I was whispering to Yvonne Strachan because I thought that our commitment was that the report would be published in November. I am in the wrong anyway and I shall take the rap for it.

The timetable has slipped and I am genuinely apologetic, but the report is imminent.

Elaine Smith: Good. Thank you.

Mrs McIntosh: I am back again, minister. I want to move on to mainstreaming equality. Do you have general comments on the draft equality guidelines that the committee is proposing?

Ms Curran: Yes. What the committee is doing is very interesting to us. We have slightly different interests in the process, as the committee is considering the parliamentary process and we have to consider the Executive's interests. Nonetheless, the issues that the committee is flagging up are of interest to us. We might argue along the way about how we do certain things, such as what should be in a bill and how we should work guidance. However, we will end up facing a lot of similar problems about how we get a system that both allows the legislation and associated processes to breathe and ties people into ensuring that equality is delivered in detail and is a real rather than just a cosmetic exercise, which we are all a wee bit nervous about.

We have to ensure that we strike a balance. Mainstreaming must be detailed and grip the reality and equality must not be marginalised, but we do not want overkill. There is a tension. We will consult all the equality groups that we would expect to consult. We must think about the fact that we can over-consult people. People can become frustrated. They do not want us to talk to them again; they want us to do something. The balance must be struck. The detail that the committee is examining is interesting for us as we face those big issues.

Mrs McIntosh: There is no doubt that the feedback that we have had from bits and pieces of work with committees is that, sometimes, we can over-consult. The feedback is: do not talk about it, just do it.

We have spoken about your general thoughts. Meeting the resource implications will be possible when the Parliament accepts all three of the committee's guidelines as a starting point. You also spoke about obtaining additional money for the equality unit.

Ms Curran: I hate to tell you that that has been spent.

Mrs McIntosh: You will have to battle again. Will the resource consequences be serious for the Executive? I have every confidence that you will obtain the resources.

Ms Curran: Thank you.

Mrs McIntosh: I would not say no to you.

Ms Curran: I will quote you. We all know that committing to equality issues costs resources.

There is no getting away from that. We are all signed up to saying that resources must be put behind an initiative to make it work, otherwise the initiative ends up marginal and cosmetic. I accept that and will always argue for equality interests to be properly resourced, as we have done recently.

In the early days, we thought—as I have said to the committee—that the equality unit did not need much money, because the mainstreaming departments should provide money. That remains fundamental. However, as our commitments grew, we needed more resources to make the equality case, if nothing else, which had an impact on mainstreaming. By my own logic, I accept that that had resource implications.

My fundamental belief remains that the big spending departments should commit the resources. That is the argument of mainstreaming. Digging into equality issues makes people understand that, by doing so, they begin to create solutions to some of the big policy issues that are faced in any event. We get answers from equality issues. Dealing with them is not a tiresome responsibility.

Mrs McIntosh: It is not just window dressing.

Ms Curran: Equality issues provide a creative response to many issues that are out there anyway. We just say, "Let's focus on those issues, listen to what has been said and develop responses," because those matters arise anyway. The ministers who are responsible for health, education, transport and the environment will have to face those issues.

It follows logically from what Elaine Smith said that the pilot is not just about good practice and good policy making. Changes really happen when resources start to be committed. The parliamentary resource issues are interesting. I hope that the parliamentary institutions respond by recognising that such an effort will have an impact on other committees, but we will also have to deal with resource implications. The thinking is that spending should rest with the big departments and that we should not always have to squeeze our meagre resources to provide support.

Cathy Peattie: You are right about the big funders, minister. The aim is to deliver the service that people are meant to deliver, which should not always have a cost implication. However, you will recall that I have asked you before about winning hearts and minds.

Ms Curran: You have done your homework.

Cathy Peattie: People commit resources only to what they believe in and to what they know will work and is important. Have hearts and minds been won? Are people signing up to equality issues without being given a hard kick?

Ms Curran: I would be expected to say this, but I believe that there is political commitment to equality issues at the top of the Executive, throughout the Cabinet and from other Executive ministers. Some have more experience than others and some might become more animated about certain matters, but there is no doubt that equality is a key priority for the Executive. To that extent, hearts and minds have been won.

The kind of politics in which Cathy Peattie and I have been engaged means that we have discussed the argument for a long time. There is significant progress and a commitment that we have not seen in many years. Much should follow from that and we must ensure that much does follow from it. The political machinery of government does not lack the commitment or the will. However, we must have the levers and machinery to make the detail happen. That is where the debate is now. People say, "Yes, I want it to happen," but they need other people to present the detail and the strategies, because what is required might not naturally happen among everything else that is going on.

Mr Michael McMahon (Hamilton North and Bellshill) (Lab): Minister, you mentioned the Scottish steering group for the European year of disabled people 2003. On Friday, the committee held an evidence session on that subject. One point that was made clearly was that, although great reliance is placed on the input of the business community and industrialists in terms of equality for people with disabilities, no one from the business sector is on the steering group. Were you aware of that and is there a reason why that should be the case?

Ms Curran: Yvonne Strachan has been working hard on the steering group, so I will let her pick up that query.

Yvonne Strachan: The original idea was that the steering group would bring together disability organisations, so that the activities in the group's work plan would be dictated principally by disability interests.

The point about the business community was forcefully made. The steering group said that it would be important during the year to focus on business and to work with the business community. There was a particular focus on business links at the launch. The steering group is composed of representatives of disability organisations and groups of disabled people, as originally intended. The group requested representation from the Convention of Scottish Local Authorities because of the local government implications of its work.

However, the steering group also wants to develop a strong focus and to link with the

business community through the year. Its members have taken on board your point and think that it is particularly important. The thinking was that, especially in relation to the year's launch, the steering group would most appropriately be composed of disabled people and disability organisations.

Mr McMahon: My next question will not come as a surprise, as every time the minister comes before the committee we talk about data collection. We had commitments on an annual report to be made on the basis of data collection. The Executive said that it would produce reports in June of this year—one on changing to deliver and the other on the research project on policy making. Is that commitment still on course for delivery?

Ms Curran: I do not know, to be honest.

Mr McMahon: In March 2002, when we were discussing data collection, that commitment was given. I am just checking.

Yvonne Strachan: I would be grateful if you could clarify your question precisely. Both those papers are fairly general—they are not especially related to equality.

Mr McMahon: On 5 March 2002, you said that, in the policy context, we had to collect data and close gaps and that those reports would be coming out in June 2003. I am just asking whether they are still due to come out in June 2003, what progress you envisage on the policies and what gaps will be closed.

Ms Curran: Can I get back to you on the specifics of that? It does not ring a bell.

Mr McMahon: Yes, I would be happy with that.

Ms Curran: Yvonne Strachan can report back on one aspect of data collection.

10:45

Yvonne Strachan: The point that the committee has raised—which reflects a view that is shared by the Executive—is about the need for data collection. In our work over the past two years, we have been keen to ensure that data collection on equality groups is as good as it can be.

As I have mentioned, there are issues around the collection of data, especially in some communities. We are currently considering research in relation to what we need to do with LGBT communities, as it is not so easy to collect information from them. How do we find out what information can inform policy? Similarly, we are considering issues around race because of the difficulties of collecting appropriate data about ethnic minority populations. Given the race equality schemes, it is important to have that information.

Part of the main strategy of the Executive's central statistics unit is the disaggregation of data wherever possible. The unit sees that as an important part of its work, in supporting the equality strategy and in providing information for policy makers across the piece. A range of publications over the period have sought to provide information in accessible forms, indicating to people who have an interest where they can get information from data sources on equality. As you will be aware, we have published updated sources of data on equality in "Equality in Scotland: Guide to Data Sources 2002". That has been useful for people who want to know where to find the information that allows them to work either as a policy maker or with some other interest.

Our task has been to ensure that those who are making policy and need that information to help them have it. It has also been to enable the information to be given in more accessible forms. The document "Social Focus on Women and Men 2002", which was produced last March, was an example of our taking data about men and women and presenting it in a way that made it more widely accessible. The Executive's intention is to enable information not only to be collected and collated, but to be disseminated in a way that makes it accessible, wherever possible.

Mr McMahon: Let us move on to another area. This committee—probably more than any other committee—realises what devolution is about, given the fact that the legislation that drives much of the work that we do originates at Westminster. Last October, the Treasury announced the outcome of its cross-cutting review on the voluntary sector. The committee would be keen to know whether the Executive, in the light of that announcement, is going to apply indicators and outcomes to the voluntary sector in Scotland as a condition of any funding, or—

Ms Curran: Where did that question come from?

Mr McMahon: Sorry?

Ms Curran: Nothing. It just seemed like an Exocet coming in from the left.

Mr McMahon: Will there be changes in the way in which the Scottish Executive funds the voluntary sector, based on the outcomes of the Treasury review?

Ms Curran: There are a number of points to that question and you may tell me if I am not answering them directly. The first issue is that the Treasury's review has implications for us; the second issue is what we expect out of our relationship with the voluntary sector.

The Treasury review is of great significance to us and has had a ricochet effect on the debate

that we are having with the voluntary sector in Scotland. We give considerable resources to the voluntary sector. Since the Executive was inaugurated, we have supported substantial infrastructure costs, we have established the compact and we have conducted a series of high-level relationships with the Scottish Council for Voluntary Organisations and others to consider not just the impact of funding on the voluntary sector, but the voluntary sector's impact on policy making, the production of legislation and the practice of the Executive. We have a constructive relationship with the voluntary sector.

You will know that we are undertaking a strategic review of our relationship with the voluntary sector and its funding. That review is just about under way and will consider current developments.

I would not say that, just because something happens in England, we should follow it here. That would not be my starting point. However, people are bound to look south of the border to see what is happening there. If what is happening is good, people will want it, and that affects the debate.

We want to develop a more outcome-focused relationship. We have not reached that point, but the political angle is more focused on such delivery. We have examined the infrastructure and we now want to see the voluntary sector becoming our key partners in service delivery, developing new agenda and addressing equality issues. We want to think about how to create the changes that we all want. We do not want merely to look at the process of change; we want to get more into that relationship. That is part of the on-going discussions.

Mr McMahon: The committee understands that multiple discrimination is a persistent problem. What is the Executive's attitude to it? What progress is being made on addressing people's difficulties?

Ms Curran: The department's policy on multiple discrimination is now at the stage of addressing difficulties. The first phase was about ensuring that we engaged with key equality interests and that we met their needs as far as possible. We also had to address significant equality issues, such as anti-racism. We are progressing with that.

We are moving away from the shopping-list approach to equality. People may say that we are good at dealing with equality issues because we have done something about racism, disability and gender, but it is a mistake to look at equality issues in that manner. We are trying to ensure that all key interests are represented; people cannot afford to be complacent about the discrimination that they think they know about. There is an emerging debate about age that is helping us to

understand that complacency. We have previously worked on the debate about sexual orientation. We may need to think about how groups are funded and about integrating our work more effectively. We do not yet have all that right, and a lot remains to be done.

We are beginning to understand how different experiences of discrimination are linked and how they have an impact on each other. The link between disability and age is obvious in some instances, and the relationship between gender and pay is well understood. Perhaps we need to look a bit more at how women's issues, disability and age take on a particular resonance. If all those issues are not understood, the resulting policy will be wrong. Our next phase of work will focus on recognising the connection between some of those matters. We do not want to have a knee-jerk response, although that is tempting.

Mr McMahon: I asked you a couple of difficult questions without intending to. I hope that this one will not be difficult.

The committee has frequently been surprised by what it has learned. The equality unit was set up to help the Executive and the Parliament to understand issues and make progress. How successful has the unit been, and what is its key achievement?

Ms Curran: I genuinely think that the equality unit has been very successful—I am not bound to say that, although Yvonne Strachan is sitting beside me. The unit has faced several challenges: first it is small; secondly, a lot is expected of it; and thirdly, it has a lot of work to do, about which I am constantly told. As we all know, equality is sometimes not taken as seriously as it should be. Therefore, we are always battling and saying to people that they must listen to us because they must address equality matters, and that we are a resource to help them understand those matters.

As well as being responsible for some parliamentary work, the unit must ensure that the equality report is available. Initially, we did not quite have the kilter right between having a very small equality unit and considering what its wider impact would be. The unit was perhaps too small for that scale of responsibility. We should consider that further, but perhaps I am just making a claim for resources again. The unit is very small, given what we want it to nurture.

I am sure that, when the committee looks back at all the work that it has done, it will be able to see its many successes and the wide impact that it has had. When we look back, we will see that many of the Executive's successes in the field of equalities are the result of work that was undertaken by the equality unit.

At present, we are looking back over the anti-racism campaign, which was extremely

successful. Without the work of the equality unit, including the research and negotiations that it undertook, the campaign could have proved very difficult for us. The Executive took a brave step when it decided to take some kind of public responsibility for raising issues about racism in Scotland and for telling people that, as a nation, we needed to do something about racism. Many people thought that the issue and the campaign were controversial and it is mainly to the credit of the equality unit that the campaign was implemented successfully.

The situation is similar across a range of work that the Executive has undertaken. I think that the lesbian and gay community would say that the Executive has been a very sympathetic partner in trying to raise some of the issues that that community faces and in supporting some lesbian and gay organisations. The equality unit has done that work very effectively, and that can be said about its work across the equalities field.

The work that the Equal Opportunities Committee undertook on Gypsy Travellers is not without its controversies from the Executive's point of view. We know the difficulties that are involved and the standards of responsibility that have to be adhered to in terms of the public accounting of how we fund and support organisations. Such work requires sensitivity and it is to the credit of the equality unit that the work has been undertaken sensitively.

If anything, I want the unit to have more resources—Yvonne Strachan is bound to agree with that.

Yvonne Strachan: Do you want me to add to that, convener?

The Convener: If you want to, but you do not have to.

Yvonne Strachan: It is difficult for me to do so because the subject is very close to home. If I were to take the objective point of view, however, I would say that the purpose of the unit was to push forward and raise the issues of equality within the Executive and beyond. The principled approach that the Executive and the Parliament have taken has led to an engagement with the community and a partnership approach to working that has been fairly effective over the past three years. Equality issues have been raised widely, within the Executive and externally. We have seen partnership working and collaboration with communities in the statutory and non-statutory part of the equalities community.

I think that the unit's relationship with the Parliament has been effective. However, I suppose that the only way of measuring the effectiveness, not only of one particular part of the process but of the collective approach, would be to

ask what changes and advances have been made and achieved in respect of legislation and policy. We are not where we were when the mainstreaming equality exercise first started: that is the case in respect of the establishment of the equality unit and the Equal Opportunities Committee. To that extent, I like to think that the progress that has been made signals that the unit has been a success.

Neither the unit nor its staff is complacent—we recognise that many issues need to be confronted. The task that remains for us is to work as part of the Executive to deliver the changes on which ministers and the Parliament have agreed to move forward. We have a lot to do and, to that extent, the job is not done.

Mr McMahon: For the record, I want to say that the equality unit has assisted the Equal Opportunities Committee in its work. The unit has brought issues to the committee's attention and provided us with information that we could not have foreseen was required at the outset of our inquiries. I concur with the minister about the burden on the unit. The task has grown so large that the demands that are made on the Equal Opportunities Committee and the Parliament to deliver on equality have also grown. We must look seriously at developing priorities and we need to assess the amount of resources that are required to tackle this work.

Ms Curran: Write that down, Yvonne.

The Convener: It is all right; it is in the *Official Report*.

I want to return to a couple of answers on which I am not clear. Lyndsay McIntosh asked about the progress that the Executive had made on equality indicators. I understood from the answer that the Executive was only at the beginning of that work. Have you made little or no progress on that work?

Michael McMahon asked about the funding of the voluntary sector, which provides services and advice to people who are often the most vulnerable in society. I am concerned that no equality indicators are applied when funding is being applied for and that there is no expectation of plans being produced and monitored. Can you say a little more about when we can expect equality indicators to be developed? Will consideration be given to making equality indicators a condition of funding for the voluntary sector?

11:00

Ms Curran: I think that I misinterpreted the question earlier; please accept my apologies. The question is, in fact, broader and relates to general outcomes. I view equality as part of the outcome

that we would expect of all organisations that we fund and as part of the debate. I view a requirement to address equal opportunities as part of a condition of funding.

The next question is how to translate that into indicators in the context of the work that is being done and ensure that that work is detailed and integrated. That forms part of the current discussions. The requirement that organisations have to meet on equal opportunities is a general one, although it depends on the purpose of their funding application.

Our current work on regeneration follows on from work that we have done before, and we have developed what is known as a toolkit. In essence, a series of indicators can be extrapolated and must be attached to funding. Funding cannot be attracted unless organisations go through the processes. Indicators can be interpreted, and that could apply equally to voluntary sector organisations.

Perhaps it would be best if I wrote to you with specific details on that and to clarify exactly where we are. I will do a trawl through the details that we have on the voluntary sector and on the equality unit, then I will give you a definitive statement on where we are and where we are taking things.

The Convener: Okay—thank you.

Cathy Peattie: Disadvantaged groups of people need to be engaged and involved in agreeing what the performance indicators are. Yvonne Strachan said that the performance indicators are difficult to measure, and she is absolutely right. A rigid approach tends to be taken, which involves things like bums on seats or the number of houses built. Things can be measured in that way, but if a qualitative approach to performance indicators is to be adopted, people will need to be involved in its development. I know that that is being taken on board.

The voluntary sector has a good record on equal opportunities. Over the past four to six years, voluntary sector organisations have had to demonstrate their commitment to equality. The voluntary sector is probably better than most sectors at promoting equality. Perhaps the minister could encourage local authorities to take that into account with regard to contracts with the private sector and other bodies.

Ms Curran: From my experience in the voluntary sector, I agree that it is particularly good at promoting equality. Some smaller voluntary sector organisations no doubt need a bit of encouragement but, broadly speaking, the equalities agenda is well developed in the voluntary sector. Much of the sector's work is in that very territory, and has involved developing services for vulnerable groups. Voluntary sector

organisations can be way ahead of the game, as we often find in the course of our work with local authorities on developing guidance on various issues. We focus on that because that is how we can change a lot of practice.

Elaine Smith: On its close the gap initiative and pay gaps in Scotland in 2002, the Executive has stated:

"The pay gap between men and women is 19% but widens to as much as 45% in some occupations. The gap is also worse for older women and for part-time workers".

You have talked about your determination to help close that gap. As far as I understand from the recent statistics, the gap has actually increased. The increase might not be dramatic, but it is an increase nonetheless.

First, what is the Executive's input in that regard? What exactly have you been doing to address the issue?

My second question concerns European policy making, specifically directive 2002/73/EC, which amends Council directive 76/207/EEC and concerns the implementation of the principle of equal treatment for men and women. The new directive requires that, by 5 October 2005:

"Member states shall actively take into account the objective of equality between men and women when formulating and implementing laws, regulations, administrative policies and activities"

in relation to access to employment, vocational training and promotion and working conditions. Most of those areas appear to be devolved to the Executive. How can the Executive "actively take into account" that objective? The directive is gender specific, but the approach could be applied to other areas.

Ms Curran: After I have answered the member's question, I will ask Yvonne Strachan to say more, as she has worked with some of the groups involved.

Elaine Smith is right about the pay gap, which has increased by 1 per cent. That is very worrying and shows the scale of the challenge that we face. Sometimes we fool ourselves that, because there are so many women in the Parliament, we have achieved equality between men and women. There are many serious issues that we still have to tackle.

As the member knows, pay and many of the levers that relate to it are reserved issues. Nonetheless, the Executive takes a strong interest in the matter and has done so since it was established. As has already been said, we must ensure that we are maximising the opportunities for addressing the issue of low-paid work and for enabling women to have equal access to employment and the benefits that that brings. We need to consider the levers that we use to do that.

We have been working closely with the Scottish Trades Union Congress and a range of other organisations, such as Fair Play Scotland, to develop initiatives aimed at closing the gap. The EQUAL initiative, which was launched about six months ago, is beginning to prioritise and target that work. In particular, we need to talk to business about breaking down the issues facing women in low-paid employment. That is the source of many of the problems.

Elaine Smith: Could the EQUAL initiative be expanded to other areas in which there is discrimination?

Ms Curran: Theoretically, there is no reason that that should not happen. However, I would want first to know how effective the initiative is at the moment.

Yvonne Strachan: The funding for EQUAL is related specifically to gender. In principle, the issues of equality and pay are not restricted to gender, but that has been the focus so far.

Elaine Smith raised the issue of closing the gap and the increase this year in the pay differential. Work is being done on the analysis of that figure, but the general view is that the increase is the result of a sharp increase at the top end of male earnings, rather than an increase in men's earnings overall in relation to those of women.

Elaine Smith: Are you saying that the increase in the differential is a result of the fact that more men than women are employed at the top end of the income scale?

Yvonne Strachan: Yes: there has been a hike in the earnings of those at the top end of the scale. That raises the issues of access to promotion and skills training as well as earnings. The analysis of why inequality in pay exists relates to more than just discrimination at the level of pay. The close the gap initiative is not considering the issue of pay discrimination in isolation; it is considering issues of job segregation, promotion, training and skills development and ways of enabling women to have access to higher earnings, so that we may reduce the differential across the piece.

Elaine Smith: The issue fits in well with the European question, which has not yet been addressed.

Ms Curran: Many of the issues that relate to the European directive are reserved. We need to discuss with the Westminster Government how they are progressed. We have a strong interest in those issues and would like to play a full role in implementing the directive. I am not sure of the wider ramifications that the directive will have. We need to examine how it will work and some of the proposals that have been made.

Yvonne Strachan: The minister is correct. The European directive is a matter for discussion, but it is a reserved issue. The Executive will work with the UK Government to apply the directive, which might have wider implications. The matter will be dealt with as part of the general discussions that take place between the Executive and the Scotland Office. However, until a decision has been made on how the directive will be implemented through UK legislation, it will remain a reserved issue. We are keeping our eye on it, but it is a responsibility of the UK Parliament.

Elaine Smith: Perhaps the committee would also like to keep its eye on that, given the impact on devolved matters.

The Convener: Given that we have only one or two committee meetings before dissolution, that might be a matter that the future committee will wish to examine. We will produce a legacy paper and you might wish to raise the matter in that context.

I thank the minister and Yvonne Strachan for coming along to give evidence. As I said, we have only one or two meetings left, so you will not appear before this Equal Opportunities Committee again. I thank you for the number of occasions on which you have assisted the committee with your evidence.

Ms Curran: Thank you. I do not know whether to laugh or cry if I am not coming back again.

The Convener: At least try to pretend that you are disappointed, Margaret.

Ms Curran: It is always a robust experience.

The Convener: I will not suspend the meeting; we will just move on to item 2, which is mainstreaming equality in the work of the parliamentary committees.

Members should have the paper that was sent out on the themes that were discussed at our last meeting on mainstreaming equality on 14 January. Members might wish to have another look at the paper and at the evidence that we took on 14 January from the Convention of Scottish Local Authorities, the Equal Opportunities Commission and the Scottish Council for Voluntary Organisations. We also have the evidence that we heard today from the Minister for Social Justice.

Based on today's discussion and the themes paper, a draft report will be brought to the committee meeting on 25 February. That might be the last meeting of the committee, so if members have amendments to make or comments on themes that they feel have not been taken on board, it would be useful if they could indicate that to the clerks today, or in writing by e-mail afterwards. Are there any questions or comments?

Cathy Peattie: The paper looks fine, but I would like to extend the outcomes section. I am clear that if we are to be serious about mainstreaming, there needs to be wider consultation with and participation by stakeholders. I know that that is mentioned on the last page, but I wonder whether more could be said about it. It would be easy to pay lip service to stakeholders, which would not deliver what is intended.

The Convener: We could beef up that part of the report.

We can agree the paper now. Members who have comments that reflect today's evidence session can get in touch with the clerks. The same applies to members who were not at the meeting on 14 January but who subsequently read the *Official Report* and have comments to make.

Meeting closed at 11:13.

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

No proofs of the *Official Report* can be supplied. Members who want to suggest corrections for the archive edition should mark them clearly in the daily edition, and send it to the Official Report, 375 High Street, Edinburgh EH99 1SP. Suggested corrections in any other form cannot be accepted.

The deadline for corrections to this edition is:

Monday 17 February 2003

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: £350.00

The archive edition of the *Official Report* of meetings of the Parliament, written answers and public meetings of committees will be published on CD-ROM.

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

Standing orders will be accepted at the Document Supply Centre.

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 Oriel 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