

EQUAL OPPORTUNITIES COMMITTEE

Tuesday 20 February 2007

Session 2

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EQUAL OPPORTUNITIES COMMITTEE

4th Meeting 2007, Session 2

CONVENER

*Cathy Peattie (Falkirk East) (Lab)

DEPUTY CONVENER

Margaret Smith (Edinburgh West) (LD)

COMMITTEE MEMBERS

*Marlyn Glen (North East Scotland) (Lab)

*Carolyn Leckie (Central Scotland) (SSP)

*Marilyn Livingstone (Kirkcaldy) (Lab)

Mr Jamie McGrigor (Highlands and Islands) (Con)

*Elaine Smith (Coatbridge and Chryston) (Lab)

John Swinburne (Central Scotland) (SSCUP)

Ms Sandra White (Glasgow) (SNP)

COMMITTEE SUBSTITUTES

Jackie Baillie (Dumbarton) (Lab)

Frances Curran (Central Scotland) (SSP)

Linda Fabiani (Central Scotland) (SNP)

Mrs Nanette Milne (North East Scotland) (Con)

*attended

CLERK TO THE COMMITTEE

Steve Farrell

SENIOR ASSISTANT CLERK

Zoé Tough

ASSISTANT CLERK

Roy McMahon

LOCATION

Committee Room 1

Scottish Parliament

Equal Opportunities Committee

Tuesday 20 February 2007

[THE CONVENER *opened the meeting at 10:37*]

Race Equality

The Convener (Cathy Peattie): Good morning. I open the Equal Opportunities Committee's fourth meeting in 2007. I remind all those present, including members, that mobile phones and BlackBerrys should be turned off completely, as they interfere with the sound system even when they are switched to silent. I have received apologies from Jamie McGrigor, John Swinburne and Sandra White.

Our first agenda item is on the Scottish Executive's national strategy and action plan on race equality. As members are aware, we have received notification from the Minister for Communities that publication of the strategy will be delayed until the next parliamentary session. Members will note that the delay is supported by key stakeholders. However, it will impact on the work on Gypsy Travellers that the committee had hoped to do before dissolution. Do members have any comments on the clerk's paper on the issue or the letter from the minister?

Elaine Smith (Coatbridge and Chryston) (Lab): The delay is disappointing but, as stakeholders support it—presumably because they do not want the strategy to be rushed at the last minute—there is not much that we can do. We can express our disappointment, but accept that it is better that the strategy is prepared properly. I know that you will do this, convener, but we should ensure that our legacy paper makes it clear that the issue is a priority for the committee and encourages our successor committee after the election to ensure that its eye is firmly on that particular ball.

The Convener: Absolutely.

Marlyn Glen (North East Scotland) (Lab): I agree with Elaine Smith. We should express our decided disappointment on the matter. The delay will affect work that we took up at the beginning of the present session of Parliament and which was started in the previous session. Although the stakeholders support the delay, which I understand, because we want the strategy to be done properly, the situation makes me question what the priorities are. Our priorities have definitely been superseded by other ones, so I am extremely disappointed.

Carolyn Leckie (Central Scotland) (SSP): I agree with what members have said. The work on the strategy should be done properly. However, I am perplexed as to why that work has not been done properly in the time that the Executive has had to do it. A last-minute excuse has been provided, which is not good enough. I am particularly disappointed given that the committee has done a lot of good work on Gypsy Travellers' issues, and I am sure that the Gypsy Traveller community will be angry. We should communicate that to the Executive. That said, I am interested in which stakeholders agreed to the delay in the publication of the strategy and whether some stakeholders did not agree to that delay. Perhaps I could have found that out for myself—I apologise for not doing so.

The Convener: We can ask about that in a letter to the minister, in which we can express our concerns.

I agree with what colleagues have said. I am not happy about the publication of the strategy being held back, although I understand that various stakeholders support the delay. The committee reviewed its recommendations on Gypsy Travellers, and understood that the working group would consider those recommendations and their implementation. I remind members that a young Gypsy Traveller who gave evidence in the previous session said that although years had passed, nothing had happened. Unfortunately, things have not changed.

I attended one of the working group's sessions, and was concerned to hear the same kind of discussion that the committee had had in the previous parliamentary session, although our discussion was much more comprehensive, given the number of Gypsy Travellers whom we involved—particularly young Gypsy Travellers, who will no longer be young when our successor committee considers the progress that has been made. We must make our views known and make a strong recommendation in our legacy paper to a future committee. There is unfinished work to be done. Things appear to be no better than they were for Gypsy Travellers and young Gypsy Travellers in Scotland, and I am not sure that waiting yet again for a strategy to progress the work that needs to be done is good enough. What I have said sounds strong, but I feel strongly about the matter.

Marlyn Glen: Perhaps one problem is that we are looking for solutions to problems rather than seeing an on-going process. Publishing a report will not mean an end to the process, but we should not be reluctant to publish a report that will be a staging post. We deliberately waited for a report by the Executive before publishing a report, and I do not disagree with our decision to do so, but

perhaps it would help if we focused a little less on finding solutions and considered the process to be on-going.

The Convener: It is absolutely right that the process is on-going, but perhaps a marker should be laid down to show where the process is and what the issues are. The committee wanted to have a report on our recommendations, where we are and what needs to be done, but we cannot have that report because of the delay. That is why I am frustrated.

We owe movement forward to Scotland's Gypsy Travellers, but we cannot provide that. I am frustrated that, because of the delay, we will not be able to progress the work that is needed in our meetings before dissolution. That is regrettable. Of course we are happy for the strategy group to pick up the work, but we wanted to consider how the Executive had progressed our recommendations, which were user led. Gypsy Travellers told us what the issues were and what they wanted to be done, but their issues have not been dealt with. There is unfinished business.

The committee's legacy paper will include a recommendation that the successor committee take forward our review of progress on Gypsy Travellers, and a letter will be sent to the minister that will mention the issues that Carolyn Leckie raised. We will ask which stakeholders agreed to the delay in publishing the strategy and whether some did not agree to it. A strong message that the issues that we have discussed must be dealt with should be sent to the successor committee.

Elaine Smith: Getting the information that Carolyn Leckie asked for is important, but will the letter also include the comments that we have made and express our disappointment?

The Convener: Yes.

Elaine Smith: I just wanted to check that.

The Convener: There is no reason why a copy of the *Official Report* of today's meeting cannot be included with the letter. I am sure that members of the committee will make their views on the issue heard elsewhere.

Subordinate Legislation

Sex Discrimination (Public Authorities) (Statutory Duties) (Scotland) Order 2007 (SSI 2007/32)

10:45

The Convener: We come to agenda item 2. As members are aware, the Sex Discrimination (Public Authorities) (Statutory Duties) (Scotland) Order 2007 (SSI 2007/32) imposes specific duties on the Scottish public bodies that are listed in the schedule to the order. The stated purpose of those specific duties is to ensure better performance by the listed authorities of their general statutory duty to have due regard to the need to eliminate unlawful discrimination and harassment and to promote equality of opportunity between men and women in performing their functions. The order comes into force on 9 April 2007 and will remain in force unless it is annulled by the Parliament within 40 days of its being laid. No motion to annul has been lodged. Are members content with the order?

Carolyn Leckie: I have a few comments to make. I support the order and the principles and intentions behind it. However, I have some concerns about its implementation, given that there is no financial memorandum attached to it. The order puts a lot of responsibilities on local authorities, but we know that there are massive outstanding issues with achieving equal pay, because of the financial consequences to local authorities. I suppose that it is about joined-up government. On the one hand, the order has been laid, but on the other hand, we still do not have specific moneys allocated via the budget process to implement equal pay. I am concerned that there is a bit of downward pressure on public bodies to level pay down, rather than levelling it up, which I have misgivings about. My concerns are about the implementation of the order, rather than the principle behind it.

The duty is on public bodies. However, there is a big gap in the legislation in respect of duties on private employers. I understand the complexities of the legislative framework, given that employment legislation is reserved to Westminster. Nevertheless, the gender pay gap in the private sector is even greater than it is in the public sector and, from a policy point of view, the private sector should not escape.

The Convener: Thank you; your comments are noted and could be included in the legacy paper to ensure that the next Equal Opportunities Committee can take on board the issue when it considers future budget processes. The case is

well made that there needs to be appropriate funding. Given that I have been in politics most of my life, I really welcome legislation on equality between men and women. The order is a good step forward, but I agree that its implementation needs to be resourced appropriately.

Marlyn Glen: The first report that the Scottish ministers are to produce is to be published by 1 July 2010 and subsequent reports are to be published at three-year intervals. Will the future Equal Opportunities Committee be consulted before and after the first report is published?

The Convener: I presume that it will be for the future Equal Opportunities Committee to consider that. I would be surprised if it was not consulted.

Marlyn Glen: Perhaps we should include that in our legacy paper. I am mindful of the fact that dates can move.

The Convener: Yes. I will ensure that that happens.

Are members content to report to the Parliament that the committee has no recommendation to make in respect of the order?

Members indicated agreement.

Petition

Proposed Scottish Disability Community Development Council (PE1017)

10:49

The Convener: Item 3 is petition PE1017, by William Wilson. The committee considered the petition at its meeting on 16 January and agreed to write to the petitioner referring him to the committee's disability inquiry report and inviting feedback from him. The petitioner's response has been circulated to members with the briefing note. Do members have any comments to make?

Marlyn Glen: I agree with the recommendation in the note that we take no further action and write to the petitioner explaining what we are going to put in our legacy paper.

The Convener: Do members agree with the recommendation?

Members indicated agreement.

The Convener: Thank you. This must be our shortest meeting on record.

Meeting closed at 10:49.

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