



OFFICIAL REPORT
AITHISG OIFIGEIL

Equalities and Human Rights Committee

Thursday 20 December 2018

Session 5



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Pàrlamaid na h-Alba

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EQUALITIES AND HUMAN RIGHTS COMMITTEE

33rd Meeting 2018, Session 5

CONVENER

*Ruth Maguire (Cunninghame South) (SNP)

DEPUTY CONVENER

*Alex Cole-Hamilton (Edinburgh Western) (LD)

COMMITTEE MEMBERS

*Mary Fee (West Scotland) (Lab)

*Fulton MacGregor (Coatbridge and Chryston) (SNP)

*Oliver Mundell (Dumfriesshire) (Con)

Gail Ross (Caithness, Sutherland and Ross) (SNP)

*Annie Wells (Glasgow) (Con)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Linda Fabiani (East Kilbride) (SNP) (Committee Substitute)

Christina McKelvie (Minister for Older People and Equalities)

CLERK TO THE COMMITTEE

Claire Menzies

LOCATION

The Robert Burns Room (CR1)

Scottish Parliament

Equalities and Human Rights Committee

Thursday 20 December 2018

[The Convener opened the meeting at 09:30]

Decision on Taking Business in Private

The Convener (Ruth Maguire): I welcome everyone to the 33rd—and final—meeting in 2018 of the Equalities and Human Rights Committee. I ask everyone to please ensure that all electronic devices are on silent mode. We have received apologies from Gail Ross; I welcome Linda Fabiani, who is here in her place.

Agenda item 1 is a decision whether to take in private item 3, which is a discussion on the evidence that we will receive today from the Minister for Older People and Equalities on the 2019-20 budget. Do we agree to take the item in private?

Members *indicated agreement.*

Draft Budget Scrutiny 2019-20

09:31

The Convener: Agenda item 2 is an oral evidence session on the 2019-20 budget with the Minister for Older People and Equalities. I welcome from the Scottish Government Christina McKelvie, the minister; Sean Stronach, from the equalities unit; and Liz Hawkins, senior principal research officer. I invite the minister to make opening remarks for about five minutes.

The Minister for Older People and Equalities (Christina McKelvie): Thank you so much for allowing me to appear in front of the committee for the second time in some weeks. This morning, we are focusing on the 2019-20 draft budget.

Before I get into the substance of my opening remarks, I pay tribute to the committee and the work that it undertook to realise the human rights takeover day, which was a magnificent event. It demonstrated the Parliament—whether it was the Government, officials or, indeed, committee members and the speakers—at its best. The highlight for me was all the young people who had stuff to say. By working together through our joint endeavours, we might realise some of those young people's dreams and hopes. I am really looking forward to undertaking that work through my role.

I am also looking forward to addressing the committee's questions on my portfolio's budget and on the progress that we have made with the budget equality statement. As you know, a range of activity across Government supports the mainstreaming of equality—I know that the committee has been instrumental in realising that work. My ministerial colleagues have all shown how they are tackling inequalities in areas such as health, justice, employment, and educational attainment and accessibility, even at a time when the United Kingdom Government-imposed austerity has meant that there has been a real-terms cut to the Scottish Government's budget.

The draft budget will deliver more than £700 million of additional resource investment to health and care services, with a substantial uplift for mental health. There will be expanded budgets for early learning and childcare and for colleges and higher education, and the attainment fund will include £120 million for pupil equity funding. I hope that the committee agrees that those are all crucial areas in reducing inequality.

This year, we are demonstrating our commitment to improving openness and transparency by clearly setting out the total operating costs for the Scottish Government in each portfolio in the 2019-20 budget. In this year's

equality budget, that means that there will be a headline rise to £24.6 million, which includes the total operating costs element.

The budget will help us to deliver on our commitments that are set out in the race equality action plan, the disability action plan and the equally safe strategy, among others. That shows our commitment to respecting, protecting and implementing human rights for everyone in Scotland.

Tackling violence against women and girls is a particularly cross-cutting area in which, in addition to the significant resource from my portfolio, my justice colleagues continue to invest significant resources. This year, that will include funding the expansion of the innovative Caledonian programme to tackle domestic abuse. We will also deliver a full response to the reports from the First Minister's advisory council on women and girls and from the advisory group on human rights leadership.

This Government recognises the contribution made by older people, and the budget will support a renewed focus on that through our older people's framework. It will also deliver the implementation of our social isolation and loneliness strategy, which I launched the other day.

As in previous years, equality analysis and assessment has been undertaken alongside the budget, and that was published last week in the equality budget statement. I am sure that the committee agrees that it is an important document, and we are continually striving to improve it. We have been supported in the equality budget process by the equality budget advisory group. I put on record our thanks to its members for the expertise, insight and challenge that they bring as we continue to look for the best ways to ensure proper consideration of equality in our budgetary processes.

The committee will be aware that, in recognition of the need for further improvement around equality and human rights budgeting, in September we invited Dr Angela O'Hagan to become the first independent chair of EBAG. Angela has set out a work programme for 2019 and we thank her for her continued enthusiasm and commitment to improving the budget processes. I believe that the committee had a conversation with Angela recently. I and my officials look forward to working with Angela and the rest of EBAG to decide what future analyses and approaches are feasible and useful, given the available data, methodologies and resources.

I thank you again for allowing me to speak to the committee today and I look forward to answering your questions.

The Convener: Thank you, minister. We will move straight to questions.

Mary Fee (West Scotland) (Lab): Good morning, minister, and your officials. Who has overall responsibility for equalities and human rights? That concerns me, because equalities and human rights cut across every portfolio. The committee has received a letter from Shirley-Anne Somerville confirming that she has overall responsibility for equalities. Perhaps you can give us a flavour of what that responsibility looks like and where your responsibility sits in relation to that of the other cabinet secretaries and ministers.

Christina McKelvie: I am happy to do that. You will know that the portfolios changed at reshuffle time. Shirley-Anne Somerville is the Cabinet Secretary for Social Security and Older People, and equalities and human rights sits within that, so she is the boss. I have responsibility for this committee and for some of the programme work on equalities and human rights and older people.

We work in a partnership process. As the cabinet secretary, Shirley-Anne Somerville answers to the Social Security Committee, because that is the substantive part of her role. I answer to this committee on equalities and human rights and older people, unless you have specific questions for the cabinet secretary. It is a flexible arrangement, but we have clear lines of responsibility. Equalities and human rights and older people is mine, with oversight from the cabinet secretary.

Mary Fee: There is obviously a crossover of equalities and human rights with local government, which sits within Aileen Campbell's responsibility. I suppose that the starting point for my concern is that if there is a bit here, a bit there and a bit somewhere else, at some point there may be a situation in which no one takes responsibility, and we cannot allow any of this to slip off the agenda. How do we make sure that we always keep a focus on it?

Christina McKelvie: I agree with you and understand where the concern is coming from. The post that I am now in carries a responsibility to do all the cross-cutting work. When it comes to equalities and human rights, I am it—the person responsible. I agree with you about the silo situation, in which things may sit in specific portfolios. That is why the majority of my work is done in joint ministerial committees or steering groups, or through two ministers working together on many aspects.

On Gypsy Travellers, for example, in which you are very interested, Kevin Stewart and I work very closely together when it comes to their housing. Every action that is taken that affects Gypsy Travellers is a joint endeavour. It is the same for

health, on which I work with Joe FitzPatrick, and for children and young people with Maree Todd. There is a clear understanding that those people have responsibility for taking forward the policy, but I have a responsibility to make sure that equalities and human rights are reflected through all that work, which is why that partnership working is on-going.

It is a role that the First Minister asked me to undertake and I am developing it as we go along. It is developing into something really functional now, and we are seeing some real progress being made, because we are able to take forward the policy work through a human rights and equalities prism, which is what this committee has been asking to be done for a long time. I know, because I led some of those calls.

Mary Fee: That is helpful. Thank you.

Alex Cole-Hamilton (Edinburgh Western) (LD): It is gratifying to hear that you recognise that you are the human rights leader in the Scottish Government, because if it becomes everybody's responsibility it often becomes nobody's responsibility. It is good to hear that there is leadership on the issue, and everybody on this committee recognises your credentials in that regard. However, you cannot be everywhere at all times, and a good degree of the work of Government is actually performed by the civil service. Can you give us a flavour of how you see the upskilling of civil servants to be human rights literate in their work, so that when they are preparing policy for you or your colleagues to sign off they have a basic understanding of where we need to get to as a country?

Christina McKelvie: The exact same process that I explained to Mary Fee about how ministers are working together is also happening with officials. There is a clear understanding that we have to do more cross-cutting work and that it has to join up and make a difference. As you know, development of a policy can get to a certain stage, but if you do not have that influence to push it over the line in regard to equalities and human rights, things can be very different. We spent the summer meeting all the stakeholders and officials, and we have clear and regular meetings with the whole of the equality unit in the room to talk about the joint work that we need to do.

For instance, last week, we had a heads of service meeting, at which Hilary Third, who leads on Gypsy Travellers, talked about all the work that we are doing on Gypsy Travellers, and Harry Dozier, who leads on disability and race, talked about the work that he is doing. The work that he is about to undertake is work that we may already have done, so it was easy for me to say, "Why don't Hilary and Harry work together to ensure that we use all that we have learned from our Gypsy

Traveller work to inform the work that Harry is now doing on issues around race and disability?" That makes sense when the same issues of discrimination and barriers are arising in both areas, and where there is policy that we can change in order to make things better. Rather than starting at the beginning, Harry was able to come in at a stage where we had already learned some of the lessons and take that work forward. I use that example to give you a clear understanding of where we are.

Alex Cole-Hamilton is absolutely right to raise the question about civil servants. At the top end of Government, where we are analysing data, a lot of work is now cross cutting, and the key word that I have been using in all the work that we do is intersectionality. We are not just one protected characteristic, but a myriad of protected characteristics, and there is a responsibility for all those characteristics in just about every single portfolio in Government, so it is about joining all of that up.

Alex Cole-Hamilton: Can you foresee human rights training forming part of the induction of civil servants—certainly of senior civil servants who are in charge of leading policy development?

Christina McKelvie: We are looking closely at how we can do that. There is a lot of skill and expertise in Government right now and we need to ensure that that is crystallised and brought into focus, so we are doing a bit of work on how we can understand that. We are also working closely with some of our key partners in the Equality and Human Rights Commission and the Scottish Human Rights Commission. We funded the Scottish Human Rights Commission to do some work on human rights budgeting and it is doing some additional work on that in the new year, to inform the work that we do, to inform officials and to ensure that what we are doing here makes a difference.

Alex Cole-Hamilton: On a separate point, could you possibly provide us with an update on progress on matters that were raised in the committee's report, "Looking Ahead to the Scottish Government's Draft Budget 2018-19: Making the Most of Equalities and Human Rights Levers", which I think you signed off as convener of the committee?

Christina McKelvie: There are a few updates on all the sections where questions were asked. There was a specific question about how we could make the equality budget advisory group function more effective, to ensure that we are better informed on all those issues, and that is why I felt that an independent chair would be the way to go with that. An independent chair can bring a very different perspective on Government with their thoughts and feelings on many aspects of how we

do budgeting, how we respond to the budget and how we ensure that we mainstream equalities and human rights across the budget. Angela O'Hagan was a perfect example of the kind of person who could do that.

I know that the chair of EBAG wrote to all the subject committees in October, reminding them of their responsibility to ensure that mainstreaming takes place, and also about how we work with regard to the public sector equality duty. We would welcome the continued support of the committee to work with Angela O'Hagan to ensure that we can make the progress that we want to see, which is equalities and human rights being mainstreamed across the whole of Government. Those are two aspects of the requests that were in the progress report.

The other aspect is that EBAG has now submitted a work plan, of which the committee has perhaps had sight already.

09:45

Alex Cole-Hamilton: Yes, we have.

Christina McKelvie: That is due to be more informed by the work of the human rights advisory group and how we take the recommendations forward. We are looking to get together in the spring in order to do that. I know that one of the committee's requests was to have a tripartite meeting with the Scottish Human Rights Commission, and I would be very happy to be part of that. All the recommendations of the advisory group, and some of those from EBAG, will be progressed in that process.

I have a few updates on the other work that the committee asked about. I have probably covered all that, as far as EBAG and the human rights advisory group are concerned. The other updates were on specific areas on which we focused, such as gender and child poverty. The committee will know that we are working very closely with stakeholders to develop a gender index in Government so that we can match everything to ensure that our work makes a difference, that we can see where the intersectional data takes us and that we can see where are the gaps on which we can focus our attention. We also want to focus on where we have been doing good work that we can highlight and share. An example of that is the situation with Hilary Third and Harry Dozier, in which the great work that we have done with Gypsy Travellers can be used to inform other Government work.

I have been working very closely with stakeholders and had lots of introductory meetings over the summer and follow-up meetings over the past wee period about we progress that work. That

has all been informed by our stakeholders—there has been proper partnership working here.

Annie Wells (Glasgow) (Con): I would like to ask a couple of questions, one of which is on the committee's letter to the Scottish Government that outlined the four key areas that we would like it to address. Will the minister update the committee on any work that is being undertaken on developing equalities data? Does the Government intend to publish additional equalities data in advance of the 2019 summer recess?

Christina McKelvie: There is quite a lot of information in that. The gender index is one of the key pieces of work about how we identify the information that we need. There is also work on how we develop and use equalities impact assessments in order to have data, and there are new points in the national performance framework. We can also put specific questions into the Scottish household survey, which we had intended to do and have now done. There is therefore a host of areas in which we can gather all that data.

How we then use that data is important. That is where the gender index will really come into play, in ensuring that we end some of the gender inequalities. We drill into that rich data to get to the intersectionality of inequalities—whether we are talking about a woman in poverty or someone with a disability or from a minority ethnic background—because those are the areas in which we need to make progress.

Annie Wells: I have a very small supplementary question on that. In our report on last year's draft budget, the committee said:

"We ask the Scottish Government to maintain a focus on addressing known systemic equality issues across government portfolios while also collecting robust evidence which will enhance this process."

I have been contacted by the Coalition for Racial Equality and Rights to ask what the Scottish Government is doing to gather race equality data, to identify existing disparities and track progress in addressing them.

Christina McKelvie: I might need to come back to you on the detail of that. We have been talking to the CRER about the work that we are undertaking. The race equality action plan has had its first anniversary. Last week, we had an excellent conference in conjunction with CRER on the learning from the action plan and the work that we still need to take forward. We are working closely with CRER, BEMIS and other organisations in order to get there, but let me get the detail on that and come back to the committee. That would be clearer than if I were to try to pull it out the back of my head for the purposes of today's committee meeting.

I will be able to get you a clear update, but I reassure the committee that the work on the race equality action plan, the data that we need from it and how we will use that data is incredibly important, and all of that has been informed by super organisations such as CRER.

Annie Wells: That is brilliant—thank you.

Fulton MacGregor (Coatbridge and Chryston) (SNP): The minister's opening statement and answers to colleagues have more or less covered what I was going to ask about—particularly with reference to the recommendations of the First Minister's advisory group on human rights leadership. To follow on from Annie Wells's questions, will you expand a wee bit on what the Government is doing to develop equality data sets and indicators?

Christina McKelvie: Much as I just said, we are doing work to gather data with stakeholders; we are developing the gender index; and we are using the advisory group's recommendations. We also expect to have recommendations from the First Minister's advisory council on women and girls, which I believe will have big asks.

A lot of work is going on to identify where we have made progress, where we still need to make progress and how we can make progress, particularly by working in partnership with the people who are asking us to make progress. All the measures that I have mentioned are ways in which we are addressing that.

Fulton MacGregor: I appreciate that—you have covered a lot.

Linda Fabiani (East Kilbride) (SNP): I will ask about a couple of things that the committee might have covered before—as a substitute member, I am not always up to date.

I go back to what Alex Cole-Hamilton talked about, which the minister described as intersectionality. That is absolutely super in theory and is what we all strive for. The minister might be aware that I did quite a bit of work with the young women lead programme. The young women chose to do an inquiry on sexual harassment in schools, on which I know that the committee took evidence. That was a good piece of work, and I was struck strongly by the fact that there are all sorts of elements to sexual harassment.

Sexual harassment in schools can sometimes be informed by experience in relation to disability or race, and the opinion of the young women and some of the teachers and experts who gave evidence was that that is not always picked up. Of course, that is a difficult issue, but it has become clear from my own investigations that the policy on bullying, which came from the education side of the Government, does not always recognise

sexual harassment or racial abuse, for example, as a kind of bullying.

I certainly do not have the answers, but I would like to know how the minister feels that the Government's efforts to do all the cross-boundary stuff are going. I have looked at the equally safe initiative; I know that it was only a pilot to start with and that it might well be rolled out. Are we really pulling in all the intersectionality that is required among the themes and among Government departments?

Christina McKelvie: Thank you for your detailed questions. I assure you that equally safe in schools is being rolled out to all 32 local authorities—that is a commitment to take forward our work. Some of that is cross-cutting work with my education colleagues; it is a clear example of people working together, which I have spoken about, to realise all the aims.

You will know that the committee made clear recommendations on tackling prejudice-based bullying. One aspect of that, which reflects a number of this morning's questions, relates to how we collect data and break it down into a format that shows us intersectionality.

About £4 million has been invested in the SEEMiS program in schools to collect better data on types of bullying; the data will show not just that bullying took place but that it was based on race, gender, disability, religion or whatever, and there will be subsections. I have not yet seen the template, but I believe that the committee was looking for such data and that we need it to deal with challenges in schools.

Equally safe in schools will also take forward some of the work that Rape Crisis Scotland has been doing on the stamp out media patriarchy project and on consent education—how young boys view consent, how young girls view consent and how we can educate them better to understand it. There is a lot of work going on now in that area.

You are right that Scottish Government policy did not settle on some of the terms. "Sexual harassment in school" is one example—when children are under 16, that means something very different. Some of it is about education rather than criminality. Handling that must be done sensitively and must be effective for both the perpetrator and the victim. That must be done individually, which makes it difficult to have a homogeneous policy to deal with everything.

I know that the cabinet secretary is working closely with respectme and other organisations that have raised issues about the definition of and work on sexual harassment in schools. That work is on-going. The young women lead programme has clear recommendations in that regard, which I

am sure will help to inform the work that my education colleagues are doing.

In the wider context, we spend about £11.7 million on equally safe from the equalities budget, about £8.5 million from health and about £2.5 million from justice. There is a clear focus on ending discrimination against women and girls. That all comes under the work that we are doing under the equally safe umbrella.

We have a clear working relationship with the Convention of Scottish Local Authorities. Everything that we do on equally safe involves a partnership approach. That ensures that the work that we do in schools and local authorities gets to the front line, so that we make the change.

There are still challenges ahead, but I believe that the work that I have seen some young women and men in schools undertake as part of the equally safe project will be transformational for schools. Some of the work that we saw when I was a member of the committee—work that took a whole-school approach—will make a real difference. It is difficult to legislate away discrimination, bullying and harassment, but we are making great progress, with an overarching policy and some direct policies below that.

Linda Fabiani: That is positive. It was interesting to hear that equally safe is being rolled out across 32 local authorities. That is good news.

Mary Fee asked about who is in charge. The issue is that the theory is good, but when the theory is disseminated the practice does not match it. There are different levels of application across local authorities and other public bodies.

Is there discussion with COSLA or individual local authorities about making equalities and human rights as important within each authority as they obviously are for Government? Who will lead on that? For example, I am sure that all members have constituency cases about bullying. I am also pretty sure that, if we compared our experiences of how bullying is dealt with by different local authorities, we would see that each approach was different. It is not about laying down the law to local authorities, but we can use human rights and equalities as a great way of showing people that there can be a cross-cutting approach and intersectionality right across each public body so that we get an understanding and it all becomes automatic.

Christina McKelvie: I am in charge of equally safe. I co-chair the joint strategic board with Kelly Parry, who is the equalities spokesperson for COSLA. There are some Government officials on the strategic board, but in the main it is made up of stakeholders, including individuals who work across disciplines such as health, education and justice—the Crown Office and Procurator Fiscal

Service and the police, for example—and some of the main movers, such as Marsha Scott and Sandy Brindley, who have real investment in this and who have really driven it.

10:00

We work very closely with COSLA, our partner in this, because we realise that we can make all the policy that we like, but it is the local delivery that matters. The magic of the approach is that it provides continuity of application of the policy but with enough flexibility to enable local authorities to address their needs.

No one is saying that we have solved the problem at local authority level—not by any stretch of the imagination. A huge amount of work is going on to ensure that equally safe means what it says on the tin, especially for our schoolkids. There is a huge investment from Government; 50 per cent of the equality budget goes to equally safe and the equally safe programmes that are running. The budget was set for three years until 2020, so there is continuity, safety and security in the budget. Although we are having negotiations on the overall budget, the budget for equally safe programmes is safe, is set and is working.

Linda Fabiani: We should just get on to you if we have an issue.

Christina McKelvie: You know where to find me.

The Convener: What progress has been made on the development of a human rights-based approach to budgeting? Do you oversee that work, or does it sit elsewhere in Government?

Christina McKelvie: Again, some of the work is cross cutting. We are working closely with the Scottish Human Rights Commission; we funded its analysis of human rights budgeting, and the commission ran a human rights budgeting master class, which I attended on behalf of the committee. The plan is to do that again, to mark progress.

Part of what we have been doing has been about gaining an understanding of human rights budgeting and its impact on what we do. In times of austerity, in particular, we can protect the most vulnerable people by applying such an approach.

That work is being undertaken right now, alongside our colleagues in COSLA—again, because it is fine to have the policy but it is the local delivery that matters. We support the work that the Scottish Human Rights Commission is doing. As an independent body, it can not only give us advice and information but challenge us to step up and make a difference when it comes to how we do human rights budgeting. I think that the commission is planning another master class, to take place in spring. We fully support that.

We are also using information from international bodies on how we can do human rights budgeting better. There are United Nations treaty obligations to spend our money in the right places, so we are looking at all of that.

The Convener: Linda Fabiani talked about local authority input. When we took evidence from local authorities, we spent a bit of time talking about whether equality impact assessments are done and, when they are done, the varying degrees of quality of them. We also touched on cumulative equality impact assessments, which the cabinet secretary mentioned in her letter. Will you comment on that?

Christina McKelvie: Anyone who knows me knows that equality impact assessments have always been a bit of a hobby horse for me. I think that, over the summer, officials were sick of hearing me say, “What are we doing about equality impact assessments?”

Equality impact assessments are a huge part of all the work that we are doing on the gender index and data collection and on intersectionality, in relation to the data analysis side of government. Work is going on right now to identify the gold standard equality impact assessment and how we can use that as a template, to ensure that other people operate to that high standard. The purpose is to ensure that equality impact assessment is not about ticking boxes and sending away bits of paper but makes a difference. The quality of equality impact assessments varies, which is why we decided to find the gold standard, by finding the best equality impact assessments on national policies. We are looking at some of the work that we do in Government in that regard.

The other piece of work that is going on is the review of the public sector equality duty, an aspect of which relates to equality impact assessments. The work that we do on the gold standard will inform work on what we expect from public authorities when it comes to equality impact assessments—the data that should be included, the action that should come from an assessment to ensure that it makes a difference, and the carrying out of an assessment at the earliest stage of any development.

The Convener: You mentioned that we do not want silos and that nothing should be done in isolation. What about cumulative impact assessments? Everyone seemed to think that those were a good idea. Some local authorities had tried to carry them out—indeed, we spoke about them when I was a councillor. However, they are hugely complicated. Are people looking at how we could do such assessments? Perhaps we can get to the point at which they are happening.

Christina McKelvie: It all forms part of the work that we are doing to inform the review, which will in turn inform the data collection that the Government is undertaking. Although we have made progress in lots of areas, there are areas of intersectionality and areas where there are additional barriers, and we need to ensure that we have collected the data properly.

We are working very closely with local authorities, and the last thing that we want is to give them another onerous exercise to undertake, and many local authorities felt that cumulative impact assessments would be an onerous exercise. However, I argue that if you do an impact assessment well at the beginning, you do not have to go back and fix it, or retrofit it, at a later stage, which would be much more onerous on a council. We hope that the work that we are doing to identify the gold standard equality impact assessment will inform local authorities’ work at the earliest stage, especially in budget setting, and will ensure that they do not have to go back and fix things later, which would use up more resources and time and make the whole process onerous. It is about simplification.

The Convener: It would be remiss of me not to ask about the timescale for that work. When are we likely to see changes and improvements?

Christina McKelvie: I will check the timescales and come back to you. I will get an update on where we are with that.

Oliver Mundell (Dumfriesshire) (Con): Has the minister taken note of the recommendation in the committee’s report, “Getting Rights Right: Human Rights and the Scottish Parliament”, on seeking additional resources to allow the third sector to engage in the international treaty process?

Christina McKelvie: Yes. We have taken note of all the recommendations in the report. We are making some headway in our understanding of the recommendations, where responsibility for them lies and how we can take them forward. There will be a more formal response to the report but, in the meantime, I do not have accurate information on the specifics to give the committee. We will probably have that information in the new year.

Oliver Mundell: Okay. I am sure that other committee members will want to see that information.

Christina McKelvie: There will be a full response to every recommendation in the report.

Oliver Mundell: Excellent.

I will be annoying and ask you another question, which is about increased funding for advocacy support—an issue that, as you will know, the committee has highlighted in several areas of its

work. I know that you will come back with a substantive response in the new year, but is there an agreement in principle that advocacy support needs additional resourcing?

Christina McKelvie: My very honest answer is that, while we are in the midst of a budget negotiation, I am probably not in a position to commit to anything that costs anything. The substantive response from the Government, along with the budget process, will answer your question, but I cannot answer it right now.

Oliver Mundell: But you will make the case within Government for additional resources.

Christina McKelvie: I have just seen Sean Stronach taking a note of what you have asked for and we will ensure that we ask the question on your behalf.

Oliver Mundell: Thank you for your candour.

The Convener: The new national performance framework includes the human rights outcome that “We respect, protect and fulfil human rights and live free from discrimination”.

How is the Government measuring that outcome?

Christina McKelvie: You will know that, in addition to the headline human rights outcome, there are seven other national outcomes in the NPF that map directly to all the international human rights frameworks and treaties. The human rights outcome is also linked specifically to sustainable development goals, so there is a link straight to the work that the committee wants to ensure that we are doing with international bodies and treaties.

The eight outcomes are supported by 31 national indicators, which shows how everything is built. Those new outcomes and indicators were developed in close consultation with our colleagues in the Scottish Human Rights Commission and stakeholders in wider civil society, who had plenty to say on them. That has informed all our work.

To deal with the substance of your question, the combined outcomes and indicators provide a sophisticated means of tracking progress and Scotland’s overall performance on human rights.

The national performance framework directly addresses a number of rights. The right to life is a clear example, but it also addresses health; an adequate standard of living, including food and housing, on which we are doing some work just now; just and favourable conditions in work, which relates to the gender pay gap and our fairer work activity; and cultural life, which relates to all the work that my colleague Fiona Hyslop is doing in her portfolio.

By ensuring that we have those eight outcomes and 31 indicators, the national performance framework embeds human rights principles in everything that we do. That probably answers everybody’s questions on how we can ensure that there is dignity and gender equality, that public services treat people properly, that people are treated with dignity and respect, that gender balance and the gender pay gap are dealt with and that the disability pay gap is dealt with. The disability employment stats will be indicated and we have a way of tracking progress on them. We have made a commitment to halve the disability employment gap, which is a huge undertaking. We are also specifically dedicated to children’s rights and how we change the situation in that regard.

The eight outcomes and the 31 indicators all tie in to the work that the committee has done for the past few years and the areas where members want to see progress. I hope that, by using those indicators and outcomes, we can track performance and whether we have made progress—and I suspect that we will make progress.

The Convener: The fairer Scotland duty has been in force for nine months. Are you seeing differences in budget-making decisions? Can you point to any—

Christina McKelvie: —green shoots of hope?

The Convener: Yes.

Christina McKelvie: It is early doors. We know that we put a lot of pressure on public authorities to step up and take on some of this work and to make sure that we see progress. I go back to my earlier point that if we can do that at the earliest stage, that informs the whole process.

It is early doors, but I am seeing good progress. I am very sensitive to language and alert to the key words, and I am starting to hear some of this language being used in the work that other public authorities and local authorities are doing and realising that they have listened. We can certainly get you a further update—maybe once we are a year in. That might be a better time to look at progress and give you the data on it.

The Convener: That would be helpful. Thank you for your evidence.

Our next meeting, which will be our first meeting in 2019, is on Thursday 10 January, when we will take evidence from the Scottish Children’s Reporter Administration on the Age of Criminal Responsibility (Scotland) Bill at stage 2.

10:12

Meeting continued in private until 10:20.

This is the final edition of the *Official Report* of this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

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