

EQUAL OPPORTUNITIES COMMITTEE

Tuesday 23 September 2008

Session 3

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EQUAL OPPORTUNITIES COMMITTEE

12th Meeting 2008, Session 3

CONVENER

*Margaret Mitchell (Central Scotland) (Con)

DEPUTY CONVENER

Elaine Smith (Coatbridge and Chryston) (Lab)

COMMITTEE MEMBERS

*Richard Baker (North East Scotland) (Lab)

*Marlyn Glen (North East Scotland) (Lab)

*Bill Kidd (Glasgow) (SNP)

*Hugh O'Donnell (Central Scotland) (LD)

*Sandra White (Glasgow) (SNP)

*Bill Wilson (West of Scotland) (SNP)

COMMITTEE SUBSTITUTES

Willie Coffey (Kilmarnock and Loudon) (SNP)

John Park (Mid Scotland and Fife) (Lab)

Mary Scanlon (Highlands and Islands) (Con)

Margaret Smith (Edinburgh West) (LD)

*attended

THE FOLLOWING ALSO ATTENDED:

Dr Ailsa McKay (Adviser)

THE FOLLOWING GAVE EVIDENCE:

Fergus Ewing (Minister for Community Safety)

Dr Marsha Scott (Scottish Women's Budget Group)

Sister Isabel Smyth (Scottish Working Group on Religion and Belief Relations)

Yvonne Strachan (Scottish Government Equalities, Social Inclusion and Sport Directorate)

CLERK TO THE COMMITTEE

Terry Shevlin

ASSISTANT CLERK

Joanne Clinton

LOCATION

Committee Room 2

Scottish Parliament

Equal Opportunities Committee

Tuesday 23 September 2008

[THE CONVENER *opened the meeting at 10:05*]

Decision on Taking Business in Private

The Convener (Margaret Mitchell): Good morning, everyone, and welcome to the 12th meeting in 2008 of the Equal Opportunities Committee. I remind everyone that mobile phones and BlackBerrys should be switched off completely, as they interfere with the sound system even when they are switched to silent.

Apologies have been received from Elaine Smith MSP.

Under agenda item 1, we must decide whether, at next week's meeting, we should consider a paper by our gender reporter in private. Do members agree that we should do so?

Members *indicated agreement.*

Budget Process 2009-10

10:06

The Convener: Under item 2, the committee will take evidence on the Scottish Government's draft budget for 2009-10, which was published last week.

In considering the draft budget, the committee has agreed to focus primarily on equal pay rather than take a scatter-gun approach. We will discuss that matter in depth at our next meeting and then with the Cabinet Secretary for Finance and Sustainable Growth on 7 October. However, the focus today will be on the Scottish Government's progress with its commitment to equality proofing the budget. In particular, we will focus on the work of the equality proofing the budget and policy advisory group—that is such a mouthful that we will refer to the group as EPBPAG hereafter—and the use of equality impact assessments.

I am pleased to welcome our witnesses. Dr Marsha Scott is from the Scottish women's budget group and Yvonne Strachan, who is no stranger to the committee, is head of the Scottish Government's equality unit.

The committee invited the Scottish Government's director of finance to attend the meeting, but she could not come, unfortunately, and the Scottish Government could not send a replacement. That is a matter of regret, as we had specific questions for the director of finance, but we understand that Yvonne Strachan has been fully briefed and that she should be able to answer all our questions. That said, it is unfortunate that neither the director of finance nor a replacement was available to attend today's important meeting.

Hugh O'Donnell (Central Scotland) (LD): Perhaps it would be worth while communicating through correspondence our disappointment that, even with two weeks' notice, the director of finance could not manage to put somebody up. That is worthy of note.

The Convener: Point taken.

I remind members that we cannot stray into political realms at this stage, as political questions are for the cabinet secretary to answer. Neither Yvonne Strachan nor Dr Marsha Scott will answer such questions.

I will ask the first question, which is for Yvonne Strachan. Could you give us an overview of the current status, remit and membership of EPBPAG? What progress has been made on the objective of making EPBPAG more effective internally?

Yvonne Strachan (Scottish Government Equalities, Social Inclusion and Sport Directorate): I am happy to answer those questions.

EPBPAG's remit has two dimensions. It provides advice and information to the Scottish Government, and it assists us in impact assessing and progressing the mainstreaming of policy and in considering how that relates to the Scottish budget and the budget process. As you will know from witnesses who have given evidence to the committee previously, the origins of the group were primarily in gender budgeting and considering how an equality profile and framework might be incorporated into the Scottish Government's budget process.

Some time ago, it was acknowledged that an essential ingredient of ensuring that the resources that are available to the Scottish Government are used to change and improve the lives of the people of Scotland is a focus on the impact assessment of policy and the delivery of policy for the range of interests in our communities. Therefore, it was recognised that it was important for the group to consider mainstreaming in policy, as well as the implications for the budget. That is why the group has that dual role, although the two issues are hugely interconnected.

The Government has always said that, if we really want to change, that must come from the policies and how we deliver them for the communities that we serve. The finances and the resources enable us to do that. Therefore, equality impact assessment policy is at the heart of the issue, which is why it is a fundamental part of the public sector equality duties. That is the group's remit. I am happy to share with the committee the more precise description, but that gives members a flavour of what we do.

The group is composed of internal and external members. Internally, the membership has been primarily from the equality unit and the finance directorate. As you know from our discussions on the budget last year, and as we indicated to you in further discussions, we feel that it is appropriate to expand that and consider who else in the Government could be part of the group. We are exploring that with our relevant core colleagues, particularly those who deal with performance and strategy. Because we are in a process of change, including staffing change, we have not yet concluded who the representatives should be, but we are happy to inform the committee of that when that is finally done.

The group also has external representation. The principal partner is the Scottish women's budget group and we also have representatives from the Equality and Human Rights Commission—previously, the representation was from the

various commissions—and from the Equality Network, which deals with lesbian, gay, bisexual and transgender issues. When Laura Turney gave evidence to the committee towards the end of last year, she said that we were exploring how to improve the membership further. We continue to do that. One issue that was raised at the most recent meeting of the group, in February, was whether, in considering our future work programme, we might want to be fluid in our membership and to bring people into the group as demand requires and as we examine particular aspects of policy development or the budget. We will continue to consider that.

The Convener: When we scrutinised the budget last year, Laura Turney said:

"We are seeking to broaden the membership of the group to make it more effective internally. The finance department will continue to have a role, but I think that we will also look to what we might call the centre—such as the office of the chief economic adviser and strategy and delivery—to take part in the group."—[*Official Report, Equal Opportunities Committee*, 6 November 2007; c 80.]

To put it in a nutshell, despite that, no formal changes to the membership have been made.

Yvonne Strachan: Changes have not been made yet, but that is not because the issue has not been explored with people. The changes in the strategy and delivery units are part of the reason for that. A new head of performance has been appointed and she might well be the appropriate person to have on the group, rather than somebody from the strategy unit. We are considering who the most appropriate people are, but we do not have names for you at this time. There is a representative from the finance directorate, as there has been constantly, but we do not yet have representation from other parts of the office.

Marlyn Glen (North East Scotland) (Lab): I want to press that point a little further. Time goes quickly in a four-year session—we are already more than one year in. Is there a date by which the membership is expected to be firmed up?

10:15

Yvonne Strachan: We are in the process of doing that. We share your concerns and we would like to conclude the matter as soon as possible. I hope that we will shortly have confirmation of who will attend from the relevant parts of the office. I am happy to provide the committee with the details of that as soon as we can. I cannot give a date or the exact names, because they have not been finalised with the relevant directorates.

The Convener: That is noted.

Hugh O'Donnell: Given that we are so far into the session, does the delay to which Marlyn Glen

referred reflect the approach to equalities matters of the various offices concerned? Is the issue being put on the back burner?

Yvonne Strachan: I do not think so. The issues are twofold. First, there has been a process of change, not least because we are considering who the most appropriate person is to provide the input to the group for what the group wishes to do. When the group met in February, we discussed the opportunity in the coming period to lever real change on the agenda and agreed that we wanted to work out the appropriate points of intervention. We have not yet explored all those fully, so we may want to bring other people into the group who are appropriate for those interventions.

Secondly, on whether we have somebody from the strategy unit or the delivery unit—it is now the performance unit—the issue is not that nobody wishes to join the group but that we are considering who the most appropriate person is and how best that can be delivered. It is incumbent on us to chase that up and make it happen. Therefore, I would not suggest that people do not consider the matter to be important. The issues are to do with timing and determining the best person to undertake the role.

Hugh O'Donnell: We will watch this space with interest.

The Convener: As well as our concerns about the membership not reflecting Government directorates and about nothing formal having been done on that, we are also concerned that, so far, the group has met only once in 2008. Will you comment on that?

Yvonne Strachan: The group met in February and is due to meet again in October. The period between the previous meeting and the next one is longer than we might otherwise have set. That is partly a result of staffing issues in the equality unit. I can only apologise to the committee that that has meant that some actions that we might have progressed more quickly have not been taken. However, we still regard those issues as important. We are undertaking activities and we hope that, when the group meets in October, we will make progress on several of the important questions that the group raised when we met in February.

The Convener: One further point that puzzles me is that, after we highlighted the fact that no minutes of the February meeting were available, as if by magic, minutes appeared on Friday. Why the delay?

Yvonne Strachan: The minutes were produced fairly soon after the event, but I am afraid that I cannot say why they were not published on the web before Friday. I will have to check that and get back to you.

The Convener: Do the minutes reflect the group's future work programme?

Yvonne Strachan: The report of the meeting in February was available to staff in the equality unit. The information has been worked on and reflected. I will have to look into why it was not published externally, so I cannot give you an answer on that now. Because we are aware of the issues that EPBPAG wants to address, they have been part of our thinking in the equality unit as we have approached not only our work on the budget but our work on impact assessment and mainstreaming. That the minutes were not published externally does not mean that the information in them has not been reflected on by staff in the unit as part of our work. Does that answer the question?

The Convener: I was asking whether the work programme is properly reflected in the minutes, as we have not had time to look at them to judge for ourselves, because they became available only on Friday. We will take your assurances and go back and look at the minutes.

Hugh O'Donnell: Given the tardiness that the convener has observed in the publication of the minutes, and the apparent lack of progress on composition of the group, is there a general resourcing issue in the equality unit? Has its budget been cut or increased? What is the resourcing issue, if there is one?

Yvonne Strachan: We have a temporary resourcing issue. Resources have not been removed from the unit; indeed, they remain the same. Unfortunately, staff come and go occasionally, which can lead to gaps in the staffing resource that is available to us, not because of a lack of finance but because, when people move on, there is a delay before they are replaced. When that happens at the same time as there are a range of other pressures on a particular team—as there were when we were producing the gender scheme in May—it does not mean that one task is more important in the eyes of the team or the unit, but we have to decide how to carry out our tasks with staffing resources that are under pressure. We are in that situation, but we have new recruits. One new person has just started with us and they have the lead responsibility for supporting the budget work. Another member of staff will join us on 6 October. That will help with our staffing situation. It was an unfortunate coincidence that staff moved on when we had several tasks to progress. It is not a question of resources or money being taken away; the situation was genuinely to do with internal factors.

Sandra White (Glasgow) (SNP): I have a small question about the minutes of the February meeting. I am concerned that the minutes were not published but then appeared all of a sudden

last Friday after the committee had raised the issue. Could you give us some more information about that? Is there an intention not to circulate minutes, put them in the Scottish Parliament information centre, or send them to the committee?

Yvonne Strachan: Normally the minutes for all our meetings are published and circulated. As I said to the convener, the practice is for the minutes to be done fairly swiftly after the event. I need to check why they were not published or circulated.

Sandra White: It just seems like a long time since February—we are now almost into October. I put down a marker that the minutes should be published in future so that people can see them.

The Convener: That has been noted, along with the timing of when the February minutes appeared.

Marlyn Glen: In what way does the advisory group's work add value or make a difference? What specific differences has the group made and who listens to its advice?

Yvonne Strachan: First, there is specific value in the group highlighting what we need to do to improve the overall budget process. From looking at the profile of equality over the years since the group was established, I think that it is true to say that the ability to reflect equality, to have that debate and discussion and to question how the issue ought to be dealt with within the budget has come about because the group exists and there is a dialogue between external interests and our finance colleagues and, from an equality perspective, internally. The work of the group has allowed us to see how what we are doing with the mainstreaming of policy might better fit with our budget process. It has also enabled us to have an internal focus that links the budget and our mainstreaming of equality in policy making in a way that might not have been possible before. There is definitely value to be had from the group.

Secondly, the work that the group has done in the past has helped us to shape our tools. We have said to the committee before that the work that the group undertook on smoking cessation and sport, in particular, informed our equality impact assessment tool. As we said last year, we recognise that there is room for improvement with that, particularly in relation to how it can better marry up the budget process and the policy-making process, and we have still to undertake further work on that.

Thirdly, the very existence of a group, its internal discussions, and the Equal Opportunities Committee's scrutiny of the budget also provides us with a focus that makes our policy-making

colleagues aware of the importance of the equality agenda.

If you are asking whether the group is important and valued, I would have to say that it is. Are people listening? Yes, they are. Can we do more? Yes, we can. I understand why the committee has a particular interest in the fact that we are always seeking to discover how we can develop and improve the budget process. That is the value of the group. There are opportunities for us to do more, and that is what we intend to do during the next period.

Bill Wilson (West of Scotland) (SNP): Could you give a specific example of an alteration to a spending decision or to a policy decision that was made on the strength of one of the group's recommendations?

Yvonne Strachan: It does not work quite like that. The group does not make a specific recommendation to a particular area about a policy. The value of the group has been in talking about how we might go about doing that. We gleaned information from EPBPAG's work that informed our impact assessment tool, and that tool is being used throughout the Scottish Government. When policy makers are developing their policies, they are using the equality impact assessment tool to assess the equality implications of the policy. EPBPAG did not design the tool, but the work that it undertook contributed to its being used and, we hope, to its effectiveness in shaping the Government's policies across the piece.

We are talking about the process that we use rather than an evaluation of individual policy areas and changes that might be made to them. Such evaluations have not been the focus of the group to date, nor has it been the group's purpose to single out particular areas that we suggest should be changed within a portfolio.

Bill Wilson: Aside from the equality impact assessment process, has EPBPAG's advice clearly changed how any other processes operate?

Yvonne Strachan: The group's influence on the budget's profile and presentation has been noted. That dialogue between Government and the group's external members about the budget process has, over the years, helped us to say how we can better describe what we are doing on the equalities agenda, and how the budget might better reflect that process. EPBPAG's discussions and the expertise of those who have participated have helped to shape what has been possible.

Therefore, there are two very clear changes. The first is that there is a reflection of equalities within the budget process in a way that—to my knowledge—does not exist in quite the same way

south of the border. Secondly, we have an internal advantage through the tools that are available to us for our work on impact assessment.

Bill Wilson: You say that there is a difference between what happens here and what happens south of the border. I have no great problem accepting that, but it is always possible that EPBPAG makes recommendations here that are ignored. Could you give some examples of the differences between what happens north and south of the border that have been shaped because of EPBPAG's input?

Yvonne Strachan: I need to step back a little bit from that. I am not privy to United Kingdom budget development discussions. I am making an observation, but perhaps I should not have said that.

Bill Wilson: Okay.

Yvonne Strachan: My understanding is that the matter is not reflected in the same way south of the border. I am not aware that a group exists there that operates in the same way as EPBPAG.

10:30

The Convener: I made it clear that Yvonne Strachan is here to answer questions of a factual nature.

Hugh O'Donnell: I return to the question about advice and who listens to it. What is the link between EPBPAG's advice and ministers? Do ministers take the advice by osmosis? How are they party to the discussions?

Yvonne Strachan: Ministers do not sit on the group. It primarily considers processes and how we go about doing things, so it informs what we do internally, as officials, and then ultimately what ministers sign off or agree to. EPBPAG does not make specific recommendations to ministers for them to make decisions on—the system does not work like that. It is more about how we approach our work around the budget and equalities. It is more about the work of officials and about process.

At the meeting in February, we discussed how we might change the relationship by reporting to ministers or having further dialogue with them in a more direct way. There was some discussion about which route is the most appropriate one to take, and we considered two options. We discussed whether EPBPAG should report to ministers more formally and whether there should be an annual meeting at which issues were discussed. We have not decided which mechanism would be the most appropriate, but the group was clear that it would be helpful to have a better, more direct relationship because the group could then raise issues with ministers directly.

Hugh O'Donnell: At what point do the various discussions and suchlike translate into actions in order to make that happen?

Yvonne Strachan: Sorry?

Hugh O'Donnell: You have had discussions about the process and so on. I assume that, ultimately, the process has to be translated into an action.

Yvonne Strachan: Yes.

Hugh O'Donnell: In what timeframe are the conversations about the appropriateness of methods of communication likely to be translated into actual communication or a change of direction?

Yvonne Strachan: With ministers?

Hugh O'Donnell: Yes.

Yvonne Strachan: As soon as the group has decided which is the best route, we will suggest to ministers what should be done. Assuming that ministers are agreeable, then—

Hugh O'Donnell: Do we have a timeframe for that?

Yvonne Strachan: We do not have a timeframe at the moment, but we would—

Hugh O'Donnell: So we are still discussing the timeframe.

Yvonne Strachan: Yes. We have had the discussion about which route is the most appropriate. It is our task, as officials, to consider the possibilities, and it is for the group to decide which route is preferable. When that has been decided, assuming that ministers agree to the course of action, I think that it will not take long for a decision to be made about when the meeting or the report will—

Hugh O'Donnell: So the change is likely to be made in the current session of Parliament.

Yvonne Strachan: Oh, yes.

Hugh O'Donnell: Thank you for that assurance.

The Convener: We have talked fairly generally. Does Marlyn Glen have a specific question?

Marlyn Glen: Yes. The committee does not doubt the value of the group. However, we are concerned about who is listening to it. We know that there was some evidence in the past, so what we are searching for is some evidence now—some outputs, in fact. We agree that the profile and presentation have improved, but we are looking for hard evidence rather than just presentation. Presentation is important, but it is not everything.

What specific input did the advisory group make to the compilation of the draft budget for 2009-10, and at what stage? Can you identify any specific input? If not, why not? More generally, how did the group help to inform the budget process overall? Do you want to add anything about that?

Yvonne Strachan: As I said earlier, the two areas where the group adds value specifically are around the tools that we have available to us, including our impact assessment tool, and around the importance of having a profile for equality in the budget process. Both of those things have been and continue to be reflected with our finance colleagues. Certainly in relation to the budget for 2009-10, directorates were encouraged to ensure that equality was reflected in the material that they provided for the budget. You will see that some of that comes through in the budget.

The budget is a high-level document, and there are always questions about what can be reflected in it and the degree to which detail is included about what is going on across the piece. That relates to the point that the committee raised previously about whether the budget could include a description of the impact assessments that have been undertaken. We said that the nature of the document is such that that would probably not be appropriate. However, we can report on that through other mechanisms. We report annually on our equalities schemes, and that gives us an opportunity also to report on our impact assessment and the processes that we undertake for that.

EPBPAG continues to have an impact on the process. I cannot say to you, "EPBPAG did X and here's how that was reflected in the draft budget," but there is an on-going process. That is a critical point. The process of assessing our policies, and within that having an increased understanding of the relationship with the budget, remains an important and fundamental matter for us to deal with. Finding and developing the right tools and ensuring that we deliver appropriate outcomes remain important tasks for us, and EPBPAG has an important role in that.

Some of the discussions that we had in February began to drive us to the prospect of a programme of work that will enable us to take advantage of what we think is a window of opportunity. The changes that have taken place, along with the new arrangements, will enable us to make an intervention around the agenda and, I hope, to make important and sizeable improvements in outcome.

Marlyn Glen: Other members will pick up on whether the design of the two options that were mentioned is right.

Hugh O'Donnell: Would the involvement of the group in the process have been helped or hindered by its involvement this year in the draft spending plans for 2009 to 2012?

Yvonne Strachan: Do you mean in terms of the spending review?

Hugh O'Donnell: Yes. Would it help or hinder the process if the group was involved in developing the draft spending plans? Has it been involved in that?

Yvonne Strachan: Ultimately, the development of the draft spending plans has become critical, because that is where decisions are made about how money will be allocated and how things will be delivered. That has been an important feature of the work that the group has done, and it is part of the internal discussions that we are having about strengthening the group's role. We are keen to find a better role for EPBPAG in the spending review process, assuming that we have that process again. We want to build in a better role for the group earlier rather than later. We are at the beginning of the process. We want the group to be much more involved at the early stages in helping to consider the process that informs the outcome of the spending review. We are considering that important matter at the moment.

Hugh O'Donnell: Have you discussed with the group how it thinks it could be more helpful?

Yvonne Strachan: We will do that at the October meeting, on the back of the discussions that we had in February about how and where the group can best intervene and in what manner it should do so. We think that it is opportune to have a discussion about where we have got to thus far, because we are still at an early stage in the planning process for the next spending review period.

The Convener: We spent a lot of time on that issue, because there is a concern about the current status of EPBPAG and we want to gather empirical evidence of the ways in which it makes a difference. I am aware that Dr Marsha Scott has not yet had a chance to come in. We have specific questions to ask Dr Scott later, and I will ask her to comment once I have asked Yvonne Strachan a final question.

You mentioned that directorates were encouraged to ensure that the equality impact assessment tool was used. How and when was that done?

Yvonne Strachan: The impact assessment tool?

The Convener: Yes—you said that directorates were encouraged to ensure that they used the EqIA tool. How and when was that done?

Yvonne Strachan: Directorates were encouraged to include material on equalities in the budget. That was done during the development of the draft budget—I cannot give you the exact date, but it was during the summer. The impact assessment process has been going on within the Scottish Government for some time—the tool is being circulated around all the directorates, individual directors have been informed about it, and since 2006 there have been internal briefings about how it should be used. There has been an on-going process of circulating information about the public sector equality duties and how impact assessment should be undertaken; we run regular surgeries with individual directorates about how they should do that. We are considering how we can improve the performance and delivery of impact assessments in relation to individual policy areas. Those bits of work run hand in hand, and the process has been on-going not just in relation to the current budget, but for some time.

The Convener: Dr Scott, would you like to comment on anything at this stage?

Dr Marsha Scott (Scottish Women's Budget Group): I have a variety of things to say—I suspect that some of them will connect with the particular questions that the committee has posed.

I will highlight a couple of things. The Scottish women's budget group is keenly aware that cross-party support and the support of the Equal Opportunities Committee for the equalities agenda in general are imperative if real progress is to be made on that agenda. We consider the budget, and the process of examining budgets, as a tool that is concerned with the proof of the pudding. Much of the discussion so far has been about a particular tool—EPBPAG, which sounds a bit like a disease to me—but that should just be one of the tools in the toolkit. For us, the focus on the budget is about where the rubber hits the road.

I have a lot of opinions about and, through my work in a local authority, quite a bit of expertise in the development and application of equality impact assessments, which I am happy to share. The proof of the pudding lies in whether our budgets reflect our commitment. The process of scrutinising budgets allows us to know whether our tools are being used effectively. I have had only a cursory look at the budget, but I contributed to the Scottish women's budget group's response to last year's budget, and we could discuss quite a few areas where progress needs to be made.

The Convener: Thank you—that was helpful.

We move on to the role of the finance directorate.

Sandra White: I am disappointed that no-one from the finance directorate is present to answer my questions, as we really need their expertise. I

am afraid that it falls on Yvonne Strachan or Dr Scott to answer.

Yvonne, in your answers so far you have touched on some of the issues that I wanted to ask the finance directorate about. You mentioned in your opening remarks the importance of impact assessments in relation to the finance directorate and mainstreaming the budget. You also touched on your role with EPBPAG. Perhaps you can now put on your other hat in relation to the finance directorate.

You said that you hold regular surgeries with the various people who put forward budgets. It is a pity that, during those surgeries, the finance directorate representatives were not encouraged to come here today. I am not blaming you—I am just saying that the finance directorate is very important and someone from that directorate should be here.

What is the role of the finance directorate in relation to EPBPAG's work?

10:45

Yvonne Strachan: Just to clarify, the surgeries are concerned with policy and EqlAs, rather than the budget specifically.

Sandra White: I was just being facetious.

Yvonne Strachan: The finance directorate plays a long-standing and valuable role in EPBPAG. We recognised from the outset that if we were to make any headway on the agenda to move the budget forward, that could not be channelled just by the equality unit or by external bodies with an interest in equality. We considered that it was necessary to draw on the expertise both of those who deal with finance internally and of external people with an understanding of equality and finance—the Scottish women's budget group.

The finance directorate brings to EPBPAG, of which it is part, an expertise on the budget process and a sense of what is possible and what is not. Through that dialogue, the directorate is kept informed about the issues around equality, which its representatives can take back to deliver internally. Its role to date has been to enable the group to understand the budget process and where appropriate interventions in the process might be made.

We are considering how we might strengthen that role and, given the changes that are taking place, whether there are other or better ways in which we can ensure that what we do fits into the new environment and the new way of working. The finance directorate will continue to play a role—the director of finance has not always been

present, but the directorate is represented on EPBPAG.

Sandra White: The Scottish Government's response to the Finance Committee referred to the finance directorate exploring other issues so that it could be brought closer to the budget equality proofing process. You said that the finance directorate has a role to play. Does it have the power—perhaps that is the wrong word—to prioritise equality issues in compiling Scottish Government spending plans? Does it have any influence over the Government's spending plans in relation to equality proofing?

Yvonne Strachan: My understanding—this comes with a caveat, as what I am about to say might not be correct, and I will need to check—is that the finance directorate is concerned with the process of managing the finance. It does not make the decisions for individual portfolios or the portfolio ministers.

Although the Cabinet Secretary for Finance and Sustainable Growth has a key role in the overall budget, the finance directorate is responsible for examining the budget process and considering how it will be undertaken. It is not there to dictate the decisions or set the priorities of the public health and wellbeing directorate or the education directorates, for example. Any disagreement comes down to a ministerial decision. The role of officials in the finance directorate in relation to the budget is to work with mechanisms to ensure that the relevant information is there and the process is undertaken. If the finance directorate has a more directional role of which I am not aware, we will inform the committee.

Sandra White: So you cannot give the committee evidence of prioritisation by the finance directorate in equality proofing.

Yvonne Strachan: No.

Sandra White: You touched on the spending review and the drafting of spending plans, which Bill Wilson and Hugh O'Donnell mentioned. At what stage in the budget process can EPBPAG make the most meaningful contribution? What would that contribution be? I think that you have talked about EPBPAG's role, but if you were wearing a finance directorate hat, would your answer be different or the same?

Yvonne Strachan: In answering Mr O'Donnell, I said that in the broad sweep of things, the spending review is important. Involvement is needed as early in processes as possible so that we can consider how best we might develop plans. I think that the finance directorate and the equality unit share that view. The earlier that we are involved in discussions about developing the approach, the better that is for outcomes.

As we explained, the issue during the spending review was that major changes were occurring, so the discussion was not at the same level as it might have been on other occasions. We want to consider how to remedy that in the coming period, when we have a window of opportunity to draw on what we have learned if another spending review occurs.

Sandra White: May I ask a follow-up question?

The Convener: I ask you to be brief, as we are fighting against the clock.

Sandra White: I know that we are.

I understand that the finance directorate cannot tell ministers, "This is what should be done," but if EPBPAG told the finance directorate to consider equality impact assessments and early involvement, would the finance directorate look at giving such advice to ministers?

Yvonne Strachan: I understand what you say. As a process or a way of doing things, that would be appropriate for the finance directorate to consider, and it would consider doing so. I said that the finance directorate's role is not to dictate policy priorities for other portfolios or ministerial decisions. The finance directorate has a role to play in developing the process, the way of working and the approach that can be taken. Any discussion about how we would work in the build-up to the next phase would need to take place between the finance directorate and the equality unit.

The Convener: I believe that Hugh O'Donnell has a question for Dr Marsha Scott.

Hugh O'Donnell: I am increasingly concerned that poor Yvonne Strachan will end up with a split personality from having to address issues that are not her direct responsibility. Either witness can answer my questions. What evidence is there to show that the draft budget has been subjected to equality impact assessment? What improvements, if any, have been made to the existing equality impact assessment tools or the tool that is in development?

Yvonne Strachan: I return to an earlier point. All the policies that the resources that are available in the draft budget will progress are being impact assessed. Throughout the Government, we have been asked to think about the equality implications of our decisions, as with all our activities, in the same way as portfolios were asked to consider equality information for presentation in the budget document. That process is on-going, so the committee should be able to see how the policies that the Government delivers reflect equality because they have been equality impact assessed. That is the bottom line.

You asked how we are improving the tool. We developed the tool that we currently use with external and internal groups, and it was informed by EPBPAG's work, as I said. We are discussing with EPBPAG how to improve the budget element of the tool. The tool asks people to consider resources, but that section needs to be strengthened, particularly in the light of discussion about how easy it is to use the tool to help people examine resources when they assess the impact of policy. We are considering how to improve that, but we have not finished that work yet, so I cannot demonstrate it. However, we hope to have an improved tool to use in the coming period.

Dr Scott: I will add comments that address Hugh O'Donnell's questions and a few other matters, so cut me off if I go on for too long.

On evidence of equality impact assessment in the budget, we can rely on much of the analysis of the original budget, because the draft budget is linked heavily to that. The Scottish women's budget group found the original budget quite a disappointment on equality. We could identify no equality impact assessment of the original budget or even of individual programmes or budgets in it. Our best guess was that that budget would worsen rather than improve inequalities, for which the proof of the pudding will be in the eating.

We were extraordinarily aware of the context in which the original budget was devised, which included the move to single outcome agreements and the new Government's position. We had a sense of willingness and of a commitment to and a vision for improving equality and using that to address our economic goals and all the other aims throughout the Government that we cannot achieve without addressing inequality. However, we felt that the skills of the people who wielded the tools were not yet developed enough to be evident. The problem is that in the draft budget—at which I have had only a cursory look—the fact that equalities are a priority is even less evident than it was in the prior budget.

That brings us to an equality impact assessment issue that is important to the Scottish women's budget group. A window of opportunity exists as a result of the new single outcome agreement process, its focus on outcomes and the new Equality and Human Rights Commission to develop equality impact assessments as a tool to shine a light on what lies between having good intentions and good political will and achieving the vision of a fairer Scotland in which opportunity gaps have been closed and inequalities have been addressed. The murky bit is in the middle and in the doing.

Equality impact assessments have a key role to play, as does the equality proofing of budgets, but they are not the same process. We need to be

clear about the differences between the processes and committed to making both work. I have been involved in organising quite a few equality impact assessments locally and nationally—United Kingdom-wide and Scotland-wide. In my experience, the difficulties with the assessments relate not to our expertise in policies and programmes, but to the fact that we have a shallow understanding in many cases of the true impact of inequality, gender issues and what underlies the outcomes that we would like to change.

11:00

This is an opportunity for the Government to take a real leadership position and deliver transparent and yet visible impact assessments that are a model for those who are struggling in other sectors. We simply cannot wait for 10 years to start using this tool; after all, there is a duty on the whole public sector to deliver equality impact assessments now. We must realise that this is our window of opportunity—before people start to see equality impact assessments as a tick-box exercise instead of using them to provide analysis that helps us to deliver budgets and policies that improve equality indicators.

That said, the whole process requires a change in the relationship between the folks in Government who are tasked with delivery and the people who have the most expertise in this area. Of course, some of those people are on EPBPAG, but the fact is that we are not tapping a broader and deeper understanding of the impact of the Government's economic decisions on different equality groups. I believe that that reflects the nature of previous relationships and historical mechanisms in which the Government's response would take the form of an after-the-fact consultation exercise. When are we going to have contact, discussion and debate about our questions on equality in spending mechanisms, particularly the spending review?

Instead of simply having a consultation process, we need some form of engagement to ensure that Government works with the people who have the expertise in making impact assessments work. In fact, there is historical precedent for taking such an approach, particularly in the area of violence against women that Yvonne Strachan has done such good work in. The point is that, if we continue to see assessments as a tool instead of something that delivers outcomes, they will sit on a shelf, gathering dust.

My comments might appear contradictory, but the point is that, instead of simply talking about all the processes that we have, we need to focus on outcomes and set targets. As a result, we must think not only about the equalities targets that we

want from directorates, which should be set in the budget, but about who will take responsibility for and report on them. It cannot be the equality unit; this work must be mainstreamed. That can happen only if we give people the necessary skills to carry out equality impact assessments, which will require them to engage early with those who have the expertise.

In summary, I believe that, instead of responding to a budget that has already been decided, we need to focus on outcomes and engage in the process much earlier and in a more iterative way.

The Convener: Your point was very well made.

There are only three questions left. Given that we have really run over time, I ask that both questions and answers be as brief as possible.

Bill Wilson: Like Sandra White, I am very disappointed that the director of finance is not present this morning. I realise that that is not Yvonne Strachan's responsibility, but the situation is very regrettable.

Pilot studies carried out in 2005 by EPBPAG led to specific guidance on equality proofing spending allocations. Has that guidance been formally applied? If not, is there any specific reason why not?

Yvonne Strachan: Are you talking about the pilots on smoking cessation and sport?

Bill Wilson: Yes.

Yvonne Strachan: As I said earlier, those two reports highlighted a number of important recommendations and pointers, particularly with regard to our policy work, on which we drew in shaping the impact assessment tool and guidance that have been in use since 2006. Indeed, the reports will continue to shape our thinking on this matter, because they also contain ideas on resourcing in impact assessments.

Although the evidence provided in those pieces of work is obviously still available to the two relevant portfolio interests, things have, as you will appreciate, moved on since 2005. We certainly want to draw what lessons we can from those two pilots, but we cannot say that everything that happened in 2005 still obtains in those policy areas. For example, the change in Government has meant a change not necessarily in emphasis but in the way we look at the matter.

As I say, the work in the pilot studies remains important and indeed was drawn on to create the tools that we now use. If we can use it to improve our EqIA tool even further, we will certainly do so.

The Convener: I make a plea for brevity in the two remaining questions.

Bill Kidd (Glasgow) (SNP): In that case, I will knit my two questions together, if that is okay. That said, they do not seem to differ that much.

With regard to equality proofing, Dr Scott said that the whole process could last for ever if we do not curtail the debate and simply deliver. However, I want to ask about the progress that has been made to date and try to look a little bit into the future. On 22 May 2000, the then Minister for Social Justice told the Equal Opportunities Committee that mainstreaming equality was a long-term process and indicated development over "a 10-year period".

Of course, that was eight years ago. Given that the draft budget spending plans cover the period 10 years on from the Scottish Executive's original commitment to equality proof the budget, are you able to provide any evidence of the progress that has been made? Secondly, what would you expect to see in, for example, yearly reports from EPBPAG and the finance directorate that would show that such work was being taken forward?

Yvonne Strachan: It is clear that between May 2000 and now there has been substantial progress in the equality agenda, and at different stages we have reported on various developments and improvements. The process of mainstreaming equality and the development of the equalities agenda across the Scottish Government's various policy areas have been reflected in very real outcomes, such as changes in legislation and policy and an increase in resources for certain areas of activity, not least in tackling violence against women.

With regard to the budget, I am not sure whether your question refers to mainstreaming in general or to specific areas. Given your reference to the process since May 2000 being a long one, I assume that you want to know about the general changes that have taken place since then. As I have said, a lot has happened in that time.

I believe that your second question was about what we might put in a report from EPBPAG to ministers.

Bill Kidd: That is right.

Yvonne Strachan: One possibility that the committee might consider is that the group might report on what had been done over a specific period and, more important, provide an outline of what should be changed in future.

One of the advantages of having such a group is that it can look at how things can be improved; it is not just a reporting mechanism on what has gone before. I would have thought that, if the group was to report to anyone, part of that would involve a look ahead, as well as a look back, to reflect on

what might be done to improve the overall situation and to advise the minister.

Dr Scott: Can I add to that?

The Convener: Please be brief, Dr Scott.

Dr Scott: Given that we had 10 years from 2000, we have a hell of a lot of work to do in the next two years.

There is evidence of progress on mainstreaming. The fact that a component of Government is tasked with mainstreaming is a major step forward. However, if we are to come anywhere near making major improvements in the near future, we need to be much more strategic and we need to have a plan for mainstreaming that involves cross-directorate planning. We need targets to be set and we need to get ministers—or whoever the committee thinks is appropriate—to report on them. We need a plan that involves making strategic progress on mainstreaming, perhaps in key areas of government, rather than getting everyone to take on the task en masse without an adequate assessment of the resources that would be needed.

To get down to nuts and bolts, there should be regular reporting on training needs and skill building within the Government. We would want to know what data should be reported regularly, to inform planning, help with the equality impact assessment and measure success. We need mechanisms for sharing learning. I believe that processes were identified in the pilots that could be disseminated and integrated into other policy making and project planning elsewhere.

We should have an environment in which there is regular engagement with equalities groups to tap into their advice and to create the critical-friend relationship, which has been difficult in the current environment.

The Convener: Given that we have our adviser with us, I ask her to sum up briefly.

Dr Ailsa McKay (Adviser): Given that the focus has been on asking EPBPAG consistently for evidence of progress, there might be value in seeking some reporting mechanism, which, as both witnesses have suggested, might include evidence on training. Perhaps the committee should formally seek clarification on how such reporting mechanisms will evolve and what they will include. They might alleviate the need to take evidence on the issue time and again, save time and be a better use of resources.

The witnesses said that they were keen to strengthen the role of EPBPAG. The committee should welcome that, but members might also wish to pursue the issue of the role of the Scottish Government finance directorate, which has been raised many times this morning. The committee

might wish to seek evidence of the directorate's commitment. If the directorate is being informed about the work of EPBPAG, at what level is that happening and which division in the directorate is taking responsibility for being informed and for taking work forward?

On targets, the committee might wish to revisit the work of the pilots. Much emphasis has been placed on how the pilots influenced progress, with regard to informing the development of the EqIA, but there is no evidence that the outcomes associated with the pilots influenced the targets. For instance, last year's budget did not indicate any gender-aware target with regard to smoking cessation. This year's budget does not indicate any gender-aware target with regard to spending on sport. Given the emphasis on the Commonwealth games, the committee might wish to keep an eye on that in future.

The Convener: Thank you for that. We will take up some of the points that have been raised with the Cabinet Secretary for Finance and Sustainable Growth when he appears before the committee.

It remains for me to thank the witnesses for appearing today. I realise that Yvonne Strachan had the difficult job, through no fault of her own, of standing in for and putting herself in the shoes of finance officers, for which we thank her. If the witnesses want to send the committee any further clarification of their answers, we will be pleased to receive it.

11:15

Meeting suspended.

11:18

On resuming—

Scottish Strategic Framework on Faith and Belief Relations

The Convener: Our final item of business is an evidence-taking session on the Scottish strategic framework on faith and belief relations. Members will recall that the committee agreed in December 2007 to include in its work programme a taking-stock exercise on religion and belief. In May 2008, the committee considered a further paper and correspondence from the Minister for Community Safety on the Scottish Government's current work on religion and belief. In response, the committee agreed to invite the minister to brief us on the Scottish strategic framework on faith and belief relations. We hope that today's discussion will help us to determine at a future meeting whether there would be merit in undertaking our work on religion and belief, as we had planned in our original work programme.

I welcome the Minister for Community Safety, Fergus Ewing MSP, and David Bell, who is a policy manager with the Scottish Government. I also welcome Sister Isabel Smyth, who chairs the Scottish working group on religion and belief relations. The minister will make a brief opening statement.

The Minister for Community Safety (Fergus Ewing): Good morning, ladies and gentlemen. Sister Isabel and I are pleased to have the opportunity to update the committee on the Scottish Government's work on religion and belief relations. The letter that I sent to the committee in April—which has, I understand, been circulated to members—sets out our new initiative to develop a strategic framework on religion and belief relations in Scotland. At heart, the initiative is about breaking down barriers between different and disparate communities to allow mutual respect, trust and understanding to develop and to replace those barriers.

The diverse nature of modern Scotland is something that we should all embrace and be proud of. Diversity is a strength, not a weakness. All of us, regardless of background, are modern Scots who share in the social, economic and cultural benefits that diversity brings. We enrich ourselves and our country when we learn about other cultures. We make our cities, towns and villages stronger and safer places in which to live when we work together to eradicate the old prejudices on the basis of friendship and consideration. I believe that the diverse mix of Scottish society in the 21st century, coupled with the good interfaith relations that we have already

developed, has placed us in an ideal situation to look at how we go beyond interfaith dialogue to develop constructive religion and belief dialogue.

We need to have the debate on religion and belief in the public arena. That is why the development of the strategic framework will be important in helping to set ground rules for holding the debate in a constructive fashion. Let me be clear that our desire to develop religion and belief dialogue does not mean that we are trying to end or undermine interfaith dialogue; in fact, it means the very opposite. We see the development of religion and belief dialogue as an addition, building on what already exists. The bottom line is that none of us lives in isolation; we are all part of the same multifaith, multibelief, multicultural society and we need to find constructive ways to live together harmoniously.

"No man is an island",

as, I think, John Donne once opined.

I believe in a Scotland in which everyone, regardless of background, can thrive and prosper and feel respected as a human being. There is no doubt in my mind that the basis for developing a harmonious society must be the development of mutual respect, trust and understanding. I deliberately avoid using the word "tolerance" here, because I believe that, as a society, Scotland must move beyond different communities merely putting up with each other to a situation in which we genuinely understand and appreciate difference as a positive aspect of modern society. I believe that the best way to achieve that is through a constructive dialogue that allows us to go beyond our perceived ideas of those who are different from us and enables us to see each other as the multifaceted individuals that we all are. Such dialogue allows us to see that our identities are not defined merely by our religion or belief, but also by things that cut across religion and belief boundaries, such as love of sport, music and art.

Our goal is to stimulate constructive dialogue on many levels within and among communities, but the ultimate goal is to find a way of bringing together all religious and belief communities in a non-threatening environment that allows the free flow and exchange of ideas. That is not an easy goal to reach—I fully appreciate the enormity of the task ahead—but the challenge is definitely worth undertaking. By working together and engaging with our communities, we will be able not only to identify the barriers to developing constructive dialogue but to find ways to break down the barriers and to achieve that goal.

Scotland has received international recognition for its interfaith dialogue. I am sure that our initiative will not only help to maintain that standing, but lead to Scotland being recognised as

a world leader in developing cross-community relations. At home, the initiative will help us to achieve the one Scotland of many cultures to which we all aspire and will add to the positive work that is being done to break down barriers between all communities.

The Convener: Thank you for that opening statement.

First, I am curious about one point. Why does responsibility for religious and faith organisations lie with the Cabinet Secretary for Justice rather than with the Cabinet Secretary for Health and Wellbeing, whose responsibilities include equalities?

Fergus Ewing: That question might be more appropriately addressed to the First Minister—

Hugh O'Donnell: He gives out the jobs.

Fergus Ewing: Indeed. I am cognisant of the fact that I should in no way seek to avoid answering any question that members put, but that may be a fruitful source of inquiry. Plainly, given our role in community safety and community engagement, many of the issues that I mentioned in my opening statement touch on other responsibilities within the portfolio.

The Convener: We will take that as a “Don't know” followed by a guesstimate. For further clarification, we should ask the First Minister.

As I mentioned in the preamble, the Equal Opportunities Committee considered the issue as far back as December, when it decided that it would conduct a taking-stock exercise on religion and belief as the final strand that had not been considered in depth. Was the minister aware of that decision?

Fergus Ewing: I was aware of the committee's interest. I am glad that you have reminded me of that decision, which I very much welcome. I hope that we can work with the committee in exploring these issues further.

The Convener: Was there a particular trigger or event that led the Scottish Government to set up the strategic framework?

Fergus Ewing: Our objectives are to bring open and honest dialogue into the public forum, to create ways for all communities to be more involved in the civic and democratic process and, above all, to encourage mutual respect among those who have religious faith and those who have belief but perhaps no religious faith. Encouraging such respect and understanding is an important goal for us all in this century, as we look around the world and see examples of lack of understanding and lack of respect. That is why the work—which is really being done by Sister Isabel rather than myself—in taking forward the

framework offers a positive path for us all to follow. We are certainly keen to find out how we can develop that work; I am also keen to hear from committee members in that regard.

Perhaps Sister Isabel would like to comment on the group's progress so far.

Sister Isabel Smyth (Scottish Working Group on Religion and Belief Relations): Certainly. I had thought that you were going to ask me about the trigger—

The Convener: Sorry, let me just stop you there, Sister Isabel. We have some questions specifically for you, but I want to press the minister a little bit further. What did you feel that you could do in undertaking the subject that the Equal Opportunities Committee could not do in its taking-stock exercise?

Fergus Ewing: We can seek to build on the group's work in bringing people together to encourage that dialogue. I do not see that our work and the committee's work need be mutually exclusive; I see our work as enhancing, rather than in any way detracting from, the committee's work.

The Convener: Does Sister Isabel want to comment at this point?

Sister Isabel Smyth: I was just thinking that Scottish society has changed so much. It has moved from being a society with a Christian background to what I would call a secular society. I am sure that we are all aware of the tensions that can exist in such a society between religious groups whose particular voice within the larger society might contradict the stance and beliefs of those who belong to other ideological communities, if you like. Those tensions can often be overcome if we bring people together and encourage them to listen to one another's stories and understand one another's standpoints.

Our work develops the work that is set out in the Equality and Human Rights Commission mandate, and tries to develop good relations between the different faith communities and the different communities living in Scotland. Like all societies, our society needs that.

11:30

Sandra White: I remind members and the panel that our discussion is about people with no religious beliefs and people with beliefs. We can get so caught up in discussing the issue of belief that we forget that there are people with no religious belief who wish to contribute to the community, too.

I wish the minister, Sister Isabel and Mr Bell good morning. In reply to the convener, the

minister described the strategic framework's objectives, which include "open and honest dialogue". How do the framework's objectives differ from those of other interfaith dialogues?

Fergus Ewing: We are not criticising the work that has been done in Scotland to bring together people of different faiths. Over the past couple of decades, there has been a much closer relationship, understanding and working together between religious leaders in many ways, which is to be warmly welcomed. However, we felt that we could go further by establishing the Scottish working group on religion and belief relations to improve interfaith relations, and by developing a strategic framework to express the objectives that I sought to describe in my opening statement. Sister Isabel can enlighten the committee further about the work that the group has done since it was set up.

Our aim is to develop the work that has already been done. I hope that we can all unite behind and support the Government initiative as a way of developing and improving our understanding of different religions and faiths, and inculcating respect across all faiths. Shortly after I took on ministerial responsibility, I attended what I believe was Scotland's first-ever conference for young Muslims, which included speeches that expounded the basic tenets of the Muslim faith. I was struck by how similar they were to the tenets of Christian faiths—in other words, there is far more to unite us than there is to divide us. That view is not necessarily widely appreciated or shared by everyone.

I regard the strategic framework as a way of building on the good work that has been done in the past and taking it a stage further.

Sister Isabel Smyth: I have been involved in interfaith for many decades. For many of those years, the people who were interested in such dialogue were few and far between. They were people in faith communities who were liberal and broadminded enough to step outside their communities, meet others and learn about people of faiths other than their own.

Interfaith is now regarded as part of social cohesion. We realise, perhaps because of events in this country and elsewhere, the importance of faith communities getting to know one another. Although we have a good tradition in interfaith, communities still live parallel lives. On the whole, we do not like to move out of our comfort zones. We all have our own concerns in our communities, which take up much of our energies and efforts. However, faith communities need a framework in which they can be encouraged to realise that they and the country will benefit if they form good relationships with their neighbours.

We need to say to everyone in this country that it is okay for them to be different and to have their own beliefs and values, but that we have a joint investment in the future of Scotland and it behoves us all to be concerned about that; I feel strongly about that. We must work on that together because we cannot do it separately. We cannot afford to live in parallel communities, with only a few people involved in interfaith. We need to do our best to encourage more such dialogue, because when people live in parallel communities, they become suspicious of others and polarise as soon as there is trouble.

On 9/11, I was on my way to Sarajevo. That was quite sobering, because families there polarised when there was tension between religious communities. We can quickly polarise and be suspicious of one another. I hope that our group's work will not only encourage people who have engaged in interfaith dialogue, but extend the dialogue to other belief groups and, of course, to those people with no faith at all. It will be difficult to do that, but we must start somewhere.

Sandra White: One of the objectives of the strategic framework is to

"Bring open and honest dialogue into the public square from all of Scotland's diverse communities."

Perhaps it is a bit pedantic to say that that suggests that there has not always been open and honest dialogue. I do not want to put words into Sister Isabel's mouth, but she appears to be saying that matters were perhaps kept under wraps previously and that there was not open and honest dialogue.

Sister Isabel Smyth: What you say is true. As politicians, you are doing your best to produce open and honest dialogue. However, those of us who live in faith communities are often suspicious of others' views because we think that they will challenge our views or not allow us to live life as we want to live it. Our group wants to bring together the various groups to get to know one another as human beings and realise that we all want the best for our country and our children—that is what needs to be done.

I am sure that we can all think of examples in which a dominant church is in conflict with a particular belief group in society. If two such groups were to come together and talk to each other, that might avoid the kind of—I do not want to use the word "posturing"—black-and-white statements that sometimes alienate people.

The Convener: People can have entrenched views.

Sister Isabel Smyth: Yes; thank you.

The Convener: Would the minister like to add anything?

Fergus Ewing: I do not have entrenched views.

The Convener: We are delighted to hear it.

Fergus Ewing: Sister Isabel summed up well what we hope to achieve. In doing this work, we are not criticising the committee. We want to work with the committee and to build on what it is doing. Our work is supplementary to the committee's work.

Obviously, we want to reach out and consult. The working group is consulting not only established religions, but other groups in society. For example, the group had a useful and positive day of engagement with young people at the end of April. We want to develop such work and are interested in any ideas that the committee has about how we can do that.

Sandra White: I was not trying to catch anyone out with my question. It may have dealt with a controversial view, but it is better to be honest about such things. I acknowledge that I got answers to my question.

Given that the Scottish Government and the minister are responsible for the strategic framework and its objectives, how will the Government measure whether the objectives have been achieved?

Fergus Ewing: With great difficulty. No Government statistical office can measure prejudice, lack of tolerance or disrespect—those things cannot be counted out like currency. I am not criticising the question. However, we are talking about attitudinal change, which may take a long time.

In particular, it is important that part of our work focuses on young people in schools before views can become entrenched. We should not decline to take initiatives simply because it is not possible to count their outcomes and measure their results. I am sure that we would all support the aims of the work, which needs to proceed *festina lente*. We should not rush to produce a framework and, when a draft is produced, there should be the widest possible consultation on its terms, including consultation with the committee.

The Convener: One possible measurement might be the extent to which you have engaged with people who are not the usual suspects in the wider consultation. That would be a worthwhile objective of the strategy. Sister Isabel seemed to suggest that that is one of the imperatives of her group.

Fergus Ewing: That is a worthy aim. It must be recognised that some people are not ready to be engaged in this venture in Scotland. They may not be interested—let us be candid about that. Nevertheless, the approach that we are taking and the views that I sought to express in my opening

statement will have the broad support of the majority of people in Scotland about where we should go as a nation that respects people who have different views. We can disagree with somebody's beliefs and views without disrespecting them. That is where we want to be, as a nation, and I see that as the tone of this work.

Bill Kidd: I agree strongly with the suggestion that education is the only way forward to achieve more interfaith dialogue and to include people who are not religious, as well. It is unfortunate that in modern-day Scottish society, stretching back quite a bit, faux religion—sectarianism—has been a way in which we have been able to measure the supposed opposition between religions. Many of the people who partake of sectarian attitudes and, potentially, violence really have no attachment to any church.

The First Minister has decided that the matter should come under the remit of the justice department because, unfortunately, the manifestation of religious belief in Scotland seems to be on the streets when people throw bottles at each other. Would one measurement of results be a drop in the number of such sectarian incidents and better attitudes towards people in that regard?

Fergus Ewing: We all want to see that. To me, the odious sectarian behaviour that one sees from time to time is an expression not of religion, but of bigotry. It is an abnegation of religion and is rightly condemned by religious leaders.

The work that we are doing plays a role in combating bigotry and hatred. None of the faiths would do other than excoriate such behaviour—they all want to end behaviour whereby hatred is directed at somebody because of their beliefs in God or their faiths. I am no expert, but every belief that I have come across loathes and abhors such behaviour. We all want to move forward, and the initiative is playing a part, in a wider sense, in fostering respect and understanding, thereby taking on sectarian behaviour.

Sister Isabel Smyth: The Christian churches sometimes make statements together—each church does not necessarily make a statement on its own. I would love some of those statements to be made with people of faiths other than Christianity. Also, some of those statements could be extended to include the non-religious belief community, where appropriate.

I am a great believer in the values that are inscribed on the mace in the chamber: integrity, wisdom, justice and compassion. I often think that those are the values on which the new Scotland was built. They are values that can unite the political, the religious and the non-religious in our community. I would like there to be more dialogue about those values, more statements made

together and more work undertaken together to make those values a reality in our life in Scotland.

11:45

Hugh O'Donnell: A couple of people, including the minister, have referred to the role of education. Is the Government, as part of its work on the strategic framework, considering how the current legislation impacts on perceptions of discrimination? I am thinking particularly of the Education (Scotland) Act 1918 and its subsequent addendums. Does the Government have a view on how even the Act of Settlement impacts on the people of Scotland? There are potential issues of discrimination in relation to the 1918 act. Is a review of the current legislation to be part of the work on the strategic framework?

Fergus Ewing: Hugh O'Donnell is aware that the First Minister takes the view that we should not support the Act of Settlement and that its terms must be ended. It states fairly directly that somebody cannot occupy a position in society because he or she is of the Roman Catholic faith. We take the view that that is wrong and have said so ever since the Scottish Parliament was set up. I remember Mike Russell making a speech along those lines back in 1999. The First Minister has written to the Prime Minister, expressing that view, and I hope that it will receive broad if not unanimous support in the Parliament. I cannot believe that it can be right for any law to say that a Roman Catholic cannot do this; that a Protestant cannot do that; or that a Muslim, a Jew or a Sikh cannot hold a certain position. *Prima facie*, that would be discriminatory. I hope that that answers your question.

Hugh O'Donnell: The point is well made, and I support that statement. However, the question was phrased deliberately to highlight two possible areas of contention—the Act of Settlement and the Education (Scotland) Act 1918. I would be interested to hear a similar statement on the latter.

Fergus Ewing: We are all aware, to a greater or lesser extent, of the history that led to the creation of the 1918 act and the deep problems that there were—especially at the outset—regarding immigration into Scotland from Ireland, which led to great tensions. I hope that those tensions are now largely dissipated although, sadly, we still see a plume of reaction on football terraces from time to time.

We respect the rights of people to pursue different models of education for their children, and there are various different models in Scotland. Obviously, there are different views on the matter and I respect the opposing view that is expressed strongly by many people on a regular basis. That is a genuine view that I respect. Nevertheless, the

view that I share with my colleagues is that there are different methods of education and that Roman Catholic schools fulfil a valuable and useful function in society. Roman Catholic schools in my constituency accept pupils of any or no faith.

Hugh O'Donnell: I understand that that is true of all Roman Catholic schools.

Fergus Ewing: Yes, although I have not studied the matter.

Hugh O'Donnell: The policy does not apply to teachers.

Fergus Ewing: We regard Roman Catholic education as positive, rather than largely as a matter of discrimination. Such education has produced positive results. What is taught about religion, belief and faith in schools is a controversial topic. We want all children to have the benefit of exposure to a positive message about behaviour in life. The strategic framework may help us to tackle the difficult task of addressing such matters in schools, as the various religions and organisations such as the Humanist Society of Scotland have much in common on the issue of how one should live one's life. I am not saying that it should be a working tool, but it may be of benefit to educationists in ensuring that children are taught in a way that develops respect and understanding.

The Convener: You have indicated that the Act of Settlement is a reserved issue and is not part of devolved competence, but the 1918 act falls within devolved competence. Will discussion of the issue be included in the framework?

Fergus Ewing: It is not for me to determine what is included in the framework. I will ask Sister Isabel Smyth to address the matter. However, I have made clear that we believe that the existence of Roman Catholic schools should be cherished, welcomed and supported. We will continue to take that view, although we will listen to what others with differing views have to say. I am not sure that such views are represented in the Parliament, although I may be wrong; if they are, I would be interested to hear them. Our view is that Roman Catholic schools should continue to exist. You are correct to say that that is a devolved matter, unlike the Act of Settlement.

Sister Isabel Smyth: The issue of separate schools has not arisen in the working group's discussions. When we thought about our remit, which is to develop good relations between faith and belief groups, we recognised that education was vital. The religious education that is offered in Scottish schools is second to none in the world; we have a good approach to the subject. We have not focused on the issue of separate schools, which has not been raised in any of our consultations. If it is raised, we will have to

consider it, but I do not know where we will go with it.

Sandra White: I have not seen your consultations. Do they include set questions? If so, can you provide us with a copy of the questions that are sent out?

Sister Isabel Smyth: Yes.

Hugh O'Donnell: To what extent, and by what measures, are you able to ensure that the consultations in which you engage involve the wider community and are not directed at the usual suspects—to use that phrase again—or self-referencers who claim to represent a given community? That was the basis of my original question.

Sister Isabel Smyth: We are using every opportunity that we have to consult people. That is difficult, because sometimes people who are not the usual suspects do not want to engage. Even if we issue a notice in a public newspaper inviting people to come to a meeting to engage in consultation with us, they do not turn up.

We are involving youth groups. We held a young people's event that brought together young people from all over Scotland who were not necessarily affiliated to religious communities. We are thinking of holding events for other groups, especially women, with whom it is often difficult to get in touch.

I recently attended a meeting of race equality officers. You might think that they would be among the usual suspects, but on the whole they are only just becoming engaged in interfaith issues. Their views are fresh and interesting.

We will go to LGBT groups, to the British Humanist Association, to pagan groups—we will go to groups that have not been involved with the major faiths or in past dialogues. We cannot get to everybody, unfortunately, but we can try our best.

The Convener: You have spoken about the issues that were not raised during the consultation with young people, but could you give us a flavour of the issues that were raised? Obviously, those issues, and the issues that you will be considering, will have an impact on whether the committee decides to do any more work on the subject.

Sister Isabel Smyth: Among the young people, those who were religious often felt castigated. They therefore felt embarrassed and were not able to say openly that they were religious. They found that their religion was not understood, and they were thought of as odd if they were religious or had any kind of religious affiliation.

Between people who were religious and people who were not religious, there was a lot of misunderstanding as to what it means to be

religious. Often both sets of people had the same values, the same views and the same outlook. However, society quickly puts people into boxes, and young religious people found that they had been put into boxes.

The young people were asking for better education, which I found very interesting. My background is in religious education and I am proud of what we do in Scotland, but many of the young people felt that not enough was being done in schools to help people to learn about one another's religions and to talk about the good and the bad sides—the problems—of religion. They felt that the importance of interfaith relations should be part of the religious education curriculum.

The Convener: Many years ago, when I taught, I found that, although children might learn about other religions, they sometimes knew very little about their own.

Sister Isabel Smyth: That might be more true of Christianity than of any other religion. Reports from Her Majesty's Inspectorate of Education have shown that Christianity is the least well-taught religion in our schools. That happens for many reasons: for example, some teachers are afraid of Christianity and some teachers think that they know what Christianity is about and do not like it. The teaching of Christianity is complicated. However, it is interesting that children from Muslim or Hindu homes sometimes know more about their religion than children from homes that are nominally Christian know about their religion. There are problems with the teaching of Christianity in our schools.

Hugh O'Donnell: This question might be challenging, as it runs against perceived wisdom. Why should the state have any responsibility for providing any type of religious education? Should that not be the responsibility of the faith group and the family? Why does it become a matter for the state?

Sister Isabel Smyth: I do not believe that religious education should be confessional. Religious education, in the sense of nurturing children in the faith, is the responsibility of the faith community and the family. However, to be as religious—if you like—as we are numerate and literate, is vital. It is vital because of our history. It is hard to understand the world and the relationships between nations without understanding something about religion and religious conflict.

I believe that religions, on the whole, have tried to transmit values—even though they have not lived up to those values. It is important that children learn those values. I am committed to religious education. A child is not educated if they do not know something about religion. Countries

that try to separate religious education are at a real disadvantage.

Hugh O'Donnell: So at the most basic level you think that there should be comparative religious education.

Sister Isabel Smyth: Yes. It is about teaching values—

Hugh O'Donnell: Rather than proselytising—

Sister Smyth: It is not at all about proselytising and confession. I sometimes think that many people do not understand what religious education is about. It is important that people and politicians in Scotland understand that we should be proud of the approach to religious education that has been promulgated here since the 1970s. Religious education is done well in some schools and not so well in others; we are not perfect. I feel that there is an underlying attitude that religious education in schools should be got rid of, but we would suffer if that were to happen.

12:00

Sandra White: You said that you believe in religious education. Do you think that children can be taught in one building, regardless of their faith or belief? Are you saying that separate schools are not necessary?

Sister Isabel Smyth: We do not necessarily have to have separate schools for good religious education to take place.

Marlyn Glen: It is tempting to go into the issue in more depth. I am an ex-teacher and I know quite a lot about how religious education is taught in schools—I sat in as a support teacher many times. However, I will pull back from talking about that. We talked about sport and music and we could have in-depth discussions on those subjects, too. However, perhaps that is a matter for the working group rather than for the committee at this meeting.

Minister, in your letter you say that the Scottish Government's work on faith and belief relations

"runs parallel to the initiatives being developed to tackle religious intolerance".

Can you provide more detail on what the Scottish Government is doing to tackle religious intolerance?

Fergus Ewing: I am conscious that the purpose of this meeting is to discuss the working group on religion and belief relations, but if Marlyn Glen is asking about our policy on and approach to tackling sectarianism, I can respond.

The Convener: You may answer in any way that you see fit, minister.

Fergus Ewing: I am happy to confirm that the Scottish Government remains absolutely committed to tackling all forms of religious bigotry and that there has been no let-up in our resolve to rid Scotland of that disgraceful behaviour, which we cannot tolerate. I have devoted considerable time and effort to trying to achieve those objectives since I took on my ministerial responsibilities. Members of all parties should be vigilant and active on the issue, which transcends party politics. I have always hoped that there will be no partisan approach to the issue, particularly in the context of the topic that we are considering.

We plan to set up a new working group, in partnership with the Scottish Football Association and the police, to co-ordinate all our work in relation to football, including work on sectarianism. We are working to refresh and develop the education resource on sectarianism, "don't give it, don't take it", and we have funded YouthLink Scotland to develop an anti-sectarianism resource that is specifically suited to the youth work environment. We are working with chief police officers to monitor the use of football banning orders and to ensure that such orders are used effectively—much more work has been done and from the evidence it seems to me that the remedy has not been used to its full potential, although of course that is primarily a matter for the courts. We are funding the sense over sectarianism partnership, to empower communities in Glasgow and the Glasgow travel-to-work area to tackle sectarian issues that they have identified. We are developing a co-ordinated strategy for taking all that work forward.

My personal view, which I think is shared by many people, is that young people should be the key focus of our work. Sadly, and putting it bluntly, somebody of my age who displays sectarian behaviour and who is a bigot is unlikely to read the *Official Report* of this meeting, attend any summit—no matter how illustrious the co-attendees are—or be influenced unduly by exhortations from Government. Given that young people are still forming their views, approaches and attitudes, our main focus should be on helping them to understand that we are all the same underneath the skin or the football shirt.

That approach has led me, on a number of occasions, to engage in activities and formal ministerial engagements for schoolchildren with, for example, Glasgow City Council and theatre groups. I have not come to committee today armed with a chronological list of those activities, although no doubt it could be supplied. The committee should be in no doubt that this Government is absolutely committed to carrying on the not inconsiderable amount of work that we are doing on sectarianism. We will continue strongly to do so.

The Convener: I will press you a little on the subject, minister. You mentioned police involvement. I am interested in the balance between the police's enforcement role and its role in tackling community problems, including sectarianism. Recently, I attended a crime prevention panel meeting at which the issue was very much to the fore. It was being underlined that the primary duty of the police is enforcement. Where does the balance lie?

Fergus Ewing: As you say, convener, a balance is involved. The primary duty of the police is enforcement. Increasingly, however, the police force sees its role as extending to working in the community, crime prevention, working with young people and diversion courses. There is a balance to be had and I have great confidence that the police achieve it very well. Plainly, the police have to enforce the law and maintain order. Sometimes, they have to police difficult situations in which a lot of tension and anger is involved, not least in the policing of some football games.

Increasingly, the police also have a key role to play in taking forward the prevention and intervention agenda in working with young people. Just last Saturday, as Minister for Community Safety, I attended a conference in my constituency at which Constable Donnie Macdonald set out some of the huge work that Northern Constabulary is doing in its area to divert young people from antisocial behaviour that, I guess, in some cases may have sectarian elements to it—gangs and so on.

The Strathclyde Police violence reduction unit, which John Carnochan heads up, is regarded as doing ground-breaking work. I think that more is to follow.

That direct work of getting involved early with young people is key, for both diverting youngsters from crime and creating a generational change in attitudes towards sectarianism. I am immensely confident. Admittedly, I am in a privileged position, but I have met many young people who have clearly cast aside the baggage of the past. We are putting behind us the days when sectarianism was a massive social problem for Scotland. We are making progress, primarily with young people.

The Convener: In terms of the balance, is the ultimate decision with police commanders or with the Scottish ministers? Have ministers issued any directive or is the matter entirely within the competence of divisional commanders?

Fergus Ewing: We are not in the business of issuing directives to the police. The police are independent of Government and do their job under the statutory framework of the Police (Scotland) Act 1967. I have not come to committee today furnished with a list of those statutory duties. The

police have come to the conclusion that they can adopt that twin role. They have done so for the reason that doing more prevention work means that there is less enforcement work for them to do—more prevention work leads to less crime. The police do that extremely well.

The Government does not issue directives to the police; instead, we go out and meet police officers. For example, the Cabinet Secretary for Justice is at such a meeting in Tayside today. I met the chief constable of Northern Constabulary and various other police officers on Saturday in relation to their work looking after people in custody in police stations and police cells and protecting vulnerable people. I would shudder in my boots at the prospect of giving orders to chief constables; that is not something that I plan to put in my agenda. I think that the police do an extremely good job of striking the balance.

The Convener: I asked the question specifically because of an issue that was brought up last week. The kick it project has been running as a pilot for four weeks in Hamilton and it has worked very well, but community police officers have expressed concern that their main role is now enforcement—despite the project being exactly of the sort that you have described. It brought together children from all parts of the community, regardless of religion, to co-operate and to make things better in their community. At what point do the police consider that balance of how far to get involved with the community? At what point do they let go and hope that initiatives will be taken over? That is an interesting question.

Marlyn Glen: Thank you for your detailed answer to the convener's question, minister. We are reassured that the programmes are continuing.

Bearing in mind the Equal Opportunities Committee's remit, can you say whether you consider that there are particular religious or faith groups in Scotland that are discriminated against?

Fergus Ewing: In what way?

Marlyn Glen: In any way at all. Do we have evidence that particular groups are discriminated against? Should we be worried about that?

Fergus Ewing: Hugh O'Donnell has identified one particular group, although that is rather a small subset—people who aspire to be the spouse of the monarch. To be serious, I would hope that there is no legal discrimination. I think that every act of Parliament has to be checked over to ensure that it does not discriminate. That is now embedded in our legislation in various ways.

I do not think that any particular faith groups are discriminated against by law, but I do not think that it is legal discrimination that we are talking about

here; the greater concern is that, among individuals and society at large, there is still a hangover from history, to which I alluded earlier. That is what we are trying to get to grips with. I hope that that answers the question.

Marlyn Glen: I would certainly be surprised if there was any sort of discrimination against groups by law; the question applies to society more generally. My question was whether there is discrimination against particular groups; is there discrimination against people of no faith at all? Are they sufficiently included? Are they included in any consultations that you are carrying out?

Sister Isabel Smyth spoke about communities and community and religious leaders. I am sure that Ron McLaren would not see himself as a gatekeeper or leader or as someone who represents the views of a community.

Sister Isabel Smyth: No, he would not, although he is part of our group—he gives us access to the Humanist Society of Scotland. One of the big problems is how to gather or contact people of no belief if they do not come together in some way. We will do our very best to use the contacts that we have to talk to people. I cannot talk for any other group.

People who are visibly religious are sometimes discriminated against or feel that other people are prejudiced against them. We often hear stories about name-calling and so on concerning members of the Jewish community, who might dress in a particular way. That is the kind of thing that used to happen between Catholics and Protestants. A lot of Muslims might feel that people are prejudiced against them. We know from the press that there is often a suspicion of Muslims. They are afraid that people think that they are all terrorists, for instance, and that they do not believe that they are just ordinary people getting on with their ordinary lives, like the rest of us. To reiterate, there is discrimination against people who are obviously religious. I am sure that it is the same with sectarianism. When people wear certain colours, they stand out as having a certain affiliation and that can bring out prejudice.

12:15

Hugh O'Donnell: It might be a little bit oblique, but I want to follow up on Marlyn Glen's point. My question is for the minister. It is not that long since the Educational Institute of Scotland issued guidance and advice to its members, stating that teachers who apply for a job or a promoted post in a denominational school have to get approval from the relevant church so that they can make their application on the ground of their religious belief and character. Does that strike you as being in any way discriminatory?

Fergus Ewing: I would have to study the EIS guidance very carefully before I could offer an opinion. You said that it was issued in the past, so I do not know whether it still applies.

Hugh O'Donnell: It was issued around July 2008.

Fergus Ewing: Right. I would have to look very carefully at the guidelines to which you allude. There might be a legal question about discrimination for the education authorities to consider, or there might not be. It would be imprudent of me to express an opinion on a document that I have not seen. I have espoused clear principles about our approach, which is that there should not be discrimination in the workplace, the football ground, the school or anywhere else. That is the principle that we apply, so we will apply it to the task of scrutinising any practice in society that is brought to our attention. I would be very happy to look at that guidance further if the member wants to write to me about it.

Hugh O'Donnell: I can tell you just now. It relates to a Glasgow court case about a promoted post application, and it ties very closely to the legislation and its descendants that I mentioned earlier, that being the 1918 act. Perhaps that will give the minister's officials an opportunity to see where the guidance fits into the framework as far as discrimination is concerned. I thank the minister for his consideration.

The Convener: Minister, are you undertaking to write to the committee on that point?

Fergus Ewing: Well, no. If the member wants to write to me about a particular case, I will look at it. He referred to a case that is going through the courts—

Hugh O'Donnell: No, it has been through the courts, and an adjudication has been made.

Fergus Ewing: I see. I have not seen that particular court decision. If the committee wants to raise the point with me, I am happy to look at it, and will do so if that is your view, convener.

The Convener: The matter has been raised in committee so if the minister wants to reflect on it and reply to the committee, we will be pleased to receive his response.

Fergus Ewing: I will await a letter from Mr O'Donnell then.

Hugh O'Donnell: I am happy to do that.

The Convener: Sister Isabel, do you have anything to add?

Sister Isabel Smyth: No.

Bill Kidd: Minister, your letter on the strategic framework suggested that the level of interfaith

dialogue in Scotland is more advanced than that in England and Wales, which is fine. Why do you believe that to be the case?

Fergus Ewing: In part, it might be because it is easier to get people together in Scotland, and that applies across the board. The population is smaller and it is easier to get together to discuss matters of mutual concern. I suspect that that might be part of it.

It might also be because of our past problems—bigotry, sectarianism, jobs for the boys. All those have been part of our history and, precisely because of that, there has been an imperative that our religious leaders should get together and work shoulder to shoulder against those problems, which is what they have done. There has been a compulsion, or reason, to come together.

To be fair, large swathes of England have not had the mass immigration of people from different Christian faiths so there have not been the same pressures, other than perhaps in Liverpool. Perhaps there has not been the same imperative as there has been in Scotland—an imperative that has led us to see the need for working and coming together. If I may say so, that made worthy of its time the initiative that the former First Minister Mr McConnell took in bringing people together for a summit. It was necessary to show the leaders of the Church of Scotland and the Roman Catholic faiths coming together with political leaders to say, “No more” to sectarianism and that they would stand shoulder to shoulder against it. That demonstration was needed at that time.

Now, of course, we can take it as self-evident and read that that has achieved its purpose. We take it as a given that there is a united approach. That has been achieved, and it is good. I applaud the former First Minister for his work in the role, but we need to move forward now and build on the commitment. It has been expounded, and we do not really need another summit to prove it. It is already manifest, and we need to build on it by moving forward in some of the areas that I have described. However, we would welcome the involvement of the committee, and if there are any ways in which, as a Government and a committee, we could have joint public engagements, attending functions and school events together, I would be delighted to be involved.

Bill Kidd: You have pretty much answered my next question, which is about the UK consultation, “Face-to-Face and Side-by-Side: A framework for inter faith dialogue and social action”. You said that Scotland does not necessarily have to be influenced by that in moving forward. Now that that consultation has closed, do you still perceive a manner by which the Scottish Government could work with the UK Government on such large issues as tackling religious discrimination and

extremism in order to create more cohesive communities?

Fergus Ewing: Yes. I would be happy to work with our friends in other Governments on these islands towards those objectives. When I attended the British-Irish Council to talk about my work to tackle the scourge of drugs, there was an encouraging non-partisan and consensual approach. I am sure that that will be the case on these issues, too.

The Convener: Sister Isabel, are any other consultation events—apart from the one with young people—planned? If so, when and with whom?

Sister Isabel Smyth: They are in the melting pot, but the larger consultations have not actually been planned. However, we have had some meetings. For example, we will meet the Scottish Council for Voluntary Organisations and I am going to meet leaders of the faith communities on 6 October. We have met local authority equality officers and I have met representatives of the Catholic Church and an ecumenical group interested in interfaith work. We are building up our consultation as we go on. The larger consultations have no date, but they are under discussion.

The Convener: As there are no further questions, I thank all witnesses for what has been a stimulating evidence session. We wish Sister Isabel Smyth well with the project.

Meeting closed at 12:23.

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