



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

EQUAL OPPORTUNITIES COMMITTEE

Tuesday 22 February 2011

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EQUAL OPPORTUNITIES COMMITTEE

3rd Meeting 2011, Session 3

CONVENER

*Margaret Mitchell (Central Scotland) (Con)

DEPUTY CONVENER

*Marlyn Glen (North East Scotland) (Lab)

COMMITTEE MEMBERS

Malcolm Chisholm (Edinburgh North and Leith) (Lab)

*Jamie Hepburn (Central Scotland) (SNP)

*Christina McKelvie (Central Scotland) (SNP)

*Stuart McMillan (West of Scotland) (SNP)

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

*Elaine Smith (Coatbridge and Chryston) (Lab)

COMMITTEE SUBSTITUTES

Rhoda Grant (Highlands and Islands) (Lab)

Tricia Marwick (Central Fife) (SNP)

Mary Scanlon (Highlands and Islands) (Con)

Margaret Smith (Edinburgh West) (LD)

*attended

CLERK TO THE COMMITTEE

David McLaren

LOCATION

Committee Room 2

Scottish Parliament

Equal Opportunities Committee

Tuesday 22 February 2011

[The Convener *opened the meeting at 10:00*]

Migration and Trafficking Inquiry

The Convener (Margaret Mitchell): Good morning everyone, and welcome to the third meeting in 2011 of the Equal Opportunities Committee. I remind everyone present that mobile phones and BlackBerrys should be switched off completely, as they interfere with the sound system even when they are switched to silent.

We have received apologies from Malcolm Chisholm.

Agenda item 1 is consideration of the Scottish Government's response to our inquiry into migration and trafficking. I remind members that a parliamentary debate on our report will take place tomorrow, and that it will be a little later than was previously scheduled. The debate will now start at 3.55 and conclude at 5.30.

I invite members' comments on the Government's response.

Elaine Smith (Coatbridge and Chryston) (Lab): Overall, the response to our report is quite encouraging. Do you plan to go through each section of the response, or would you prefer more general comments?

The Convener: It would take a pretty long time to go through each section, so it would be easier if you were to highlight the bits that you think are worth noting.

Elaine Smith: At the bottom of page 3, on the subject of the UK Border Agency's accommodation contract with Glasgow City Council, the Scottish Government says:

"steps must be taken to minimise disruption and uncertainty for those already vulnerable people".

Does the Government have any suggestions about what steps could be taken? It has just responded that "steps must be taken", and I wonder whether we could tease out its thinking a bit further.

The Convener: There will be an opportunity to raise that directly with ministers in tomorrow's debate. Failing that, the only other option would be to write directly. However, we are in the last throes of the current Administration and session, so that might be a bit of a tall order. The best approach might be to raise the matter directly with ministers tomorrow.

Elaine Smith: The debate will be short, so it might be difficult to include all the points. It might therefore be helpful to put some of them on the record today.

The Convener: Yes.

Elaine Smith: I do not want to hog the discussion, but I have some further points to go through.

The Convener: Keep going; other members can contribute later if they wish.

Elaine Smith: My next point concerns page 12. I express some regret that there is

"no available funding to take forward an awareness raising campaign."

When we were writing our report we felt that to be important, and I would like the matter to continue to be monitored by the Government. It would have been helpful to have an awareness-raising campaign, under the circumstances.

At the top of page 13, the issue of giving access to democracy and voting is mentioned. Is there any role for the Electoral Commission in that regard? The Government has given an outline of the positive steps that it has been taking

"to ensure that people who want to vote are able to do so",

but I feel that the Electoral Commission might also have a role.

The Convener: We will take a note of that point and if it is not covered in tomorrow's debate, perhaps we can seek an immediate response.

Elaine Smith: On page 15, in the section about the migration policy toolkit, the response states:

"The Scottish Government has provided COSLA with two year's funding ... to support the implementation of the Migration Policy Toolkit totalling £300,000."

That is welcome, but I highlight the monitoring of that measure and the feedback from it, which are important.

The Convener: Yes.

Elaine Smith: On page 18, in the section on the national health service, the Government states that it

"continues to emphasise to Boards, through its partnership arrangements, the importance"

of

"effective recruitment practice".

However, it points out that

"it is for Boards locally to work with partner agencies to develop approaches to local recruitment practice that best meets their individual needs."

There might be scope in that regard for stronger guidance to boards.

As a general point, I felt that pages 24 and 25 were a bit of a party-political broadcast. Apart from that, the report is a really positive response to our inquiry.

The Convener: Thank you for those observations. We will take note of them, and we can write to the Government on any specific point that is not covered in the debate tomorrow.

Christina McKelvie (Central Scotland) (SNP): I have not managed to catch up with this and examine the response in any detail. However, some changes were made last week in relation to migrants in certain tiers, and the regulations have been slightly relaxed. Is there any chance that we could get a wee bullet point on what that means with regard to what we discussed in our report?

The Convener: Even if it is a footnote, I am sure that we can cover that point.

Marlyn Glen (North East Scotland) (Lab): I agree with the comments that have been made: it has been a worthwhile response. Do we have time to come back to it after the debate tomorrow if necessary? Will it be on the agenda at our next meeting?

The Convener: If there is a particular issue, I am sure that we could find time to cover it at a future meeting.

Marlyn Glen: Secondly, do we have a direct response to the report from the police or the Association of Chief Police Officers in Scotland? I felt that the Government was speaking for itself, rather than for ACPOS or the police authorities.

The Convener: We did not seek such a response. We can either put that in our legacy paper, or try to get a response in the limited timeframe that we have.

Marlyn Glen: It would be worth while to follow that up.

The Convener: Okay

On page 38, in response to our concerns about 24-hour residential services for victims of trafficking, the Government advocates a more flexible system. With the benefit of hindsight, I think that the Government's approach has some merit and is worth noting, especially as it has considered the experiences in Germany and Italy.

Christina McKelvie: On the same page, I picked out a point that was not clear when we were taking evidence, which is that

"The Scottish Government hopes to agree a funding package with TARA shortly".

Perhaps I will ask the minister to clarify what that means, and whether the Government has put a package in place since the report was published.

The Convener: Again, that can go on the list of things on which, if they are not covered properly tomorrow, we will write to the Government in the hope of a speedy reply. At the very least, it can be noted in our legacy paper as one of the outstanding issues that have arisen from the report.

That concludes our consideration of the Government's response; I look forward to the debate tomorrow.

Forced Marriage etc (Protection and Jurisdiction) (Scotland) Bill

10:08

The Convener: The second item of business is consideration of the Scottish Government's response to our stage 1 report on the Forced Marriage etc (Protection and Jurisdiction) (Scotland) Bill. Stage 2 of the bill will be taken at next week's committee meeting. Are there any comments on the response, which members have in front of them?

Elaine Smith: Overall, I think that the Government has picked up on many of the issues that we raised during our deliberations on the bill. It is difficult to comment further until we see the Government's amendments, but on the whole it has covered a lot of the issues and has even suggested that certain things should be clarified in guidance.

Marlyn Glen: I am pleased that in response to what we said in paragraph 9 of our report about the reference to duress in the definition, the Government has said that it will explore the issue and include a question on it in the consultation on the guidance.

The Government has covered virtually everything that we picked up on at stage 1. In response to our comment in paragraph 201 about religious and governance practices, the Government said that it is

"committed to continue to engage with relevant religious authorities ... The first of these forums will be with groups representing the Muslim community in Scotland."

Can we ask when the forum will take place?

The Convener: Perhaps we can ask the minister about that next week at stage 2—*[Interruption.]* The clerk tells me that we can try to get the information before then, which would be even better.

Marlyn Glen: That would be good.

The Convener: It is encouraging that the Government has taken up so many of our recommendations and will lodge amendments that will address the points that we made.

Christina McKelvie: I am delighted that the Government will lodge an amendment, the effect of which will be to ensure that proceedings for a forced marriage protection order will be added to the list of proceedings in relation to which a referral may be made under the Children's Hearings (Scotland) Act 2011.

The Convener: That is a nice tidying up of the situation.

Christina McKelvie: I buttonholed the minister on the issue.

The Convener: I thank members for their comments, and we note the Government's response. As we agreed, the committee will move into private.

10:11

Meeting continued in private until 10:48.

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