

29 May 2024

Dear Convener, Karen Adam MSP

### **A Human Rights Bill for Scotland**

I am writing to the Committee to provide insight and information on civil society support and engagement around the upcoming Human Rights Bill for Scotland, and to ask the Committee to seek clarity on the Bill timetable from the Cabinet Secretary for Social Justice, Shirley-Anne Somerville MSP.

Civil society organisations across Scotland are defenders and advocates of human rights. For example, when the UK Government threatened to reduce human rights protections in law, for example in immigration law or by repealing the Human Rights Act, hundreds of Scottish civil society organisations were passionate campaigners against these. Many organisations were at the forefront of campaigning for the UNCRC to be part of our law, and many use the language and levers of rights to get change for individuals and communities everyday.

Civil society organisations are also active advocates for the protection for all of our fundamental rights in law. Rights such as the right to not go hungry, the right to adequate housing, the right to education, the right to equal access to health services, and the right to a social security safety net - all of these human rights are essential for a life of dignity. Everyday, civil society organisations see the reality of these rights at risk, particularly for people living in poverty. They work with people who are living without the basic essentials that they need. This is why there is overwhelming support from across civil society for the upcoming Human Rights Bill for Scotland.

As the Committee will be aware, the Bill will bring our international human rights home by incorporating our economic, social, cultural and environmental rights into Scots law. It will include a particular requirement to deliver on rights for disabled people, women and people from ethnic minorities. It will place new duties on public bodies to build these rights into their decision-making and to report on how they are doing so, and will mean that people and communities can name and claim these rights. This new law is the best step that Scotland can take towards making these rights a reality for all.

In March 2021, with concern about rights protections after Brexit and by a desire to rebuild better after COVID-19, the Scottish Government made a commitment to introduce this Bill within this parliamentary session, and the Bill was in the 2021 SNP manifesto. Since then, in light of this firm commitment, civil society has given considerable time and resource to shaping the Human Rights Bill. Hundreds of organisations have engaged in Consortium meetings and events around the Bill,

around 200 civil society organisations responded to the public consultation, and over 400 people took part in 35 conversations to inform ambitions for the Bill. There have also been three Lived Experience Boards meeting over 20 times since February 2022, where individuals have given their precious time to advise the Government on the Bill ([reports available here](#)).

Furthermore, significant Scottish Government resource has been put into the Bill. There has been a sizeable Bill team over the last two years. An Executive Board involving COSLA, Audit Scotland, Public Health Scotland, Police Scotland and many more, has met regularly. There has been an Implementation working groups with over 50 members, and 20+ organisations have attended over 11 meetings of a Scottish Government Human Rights Bill Advisory Board.

In the Programme for Government 2023/24, the Scottish Government committed to introducing the Human Rights Bill by June 2024, and this commitment has been repeated multiple times. However, our understanding is that the Bill introduction is now delayed until September 2024. More than [120 individuals and organisations wrote](#) to the new First Minister to remind him of the commitment to this Bill and to seek assurance that it remained a priority for the Scottish Government - we have yet to receive a reply.

Therefore, given both the urgent need for this Bill, and the resources that civil society and Scottish Government have already devoted to developing the legislation, we are writing to ask the Committee to scrutinise the Scottish Government's actions to meet their commitment to introduction of the Human Rights Bill, and to seek assurance that the Bill timetable will not slip any further.

We are very happy to meet with the Committee or to provide any further information that the Committee would find useful.

Yours sincerely

Mhairi Snowden  
Director