

Scottish Human Rights Commission
Strategic Plan 2008-2012

SHRC
Scottish
Human Rights
Commission

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The 30 'rings of light' on the cover of this report represent the 30 Articles of Universal Declaration of Human Rights (UDHR), which was adopted by the United Nations on 10 December 1948. Human Rights Day is celebrated around the world on that day, and on 10 December 2008, the 60th anniversary of UDHR, the Scottish Human Rights Commission became operational.

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Foreword

On behalf of our Board I am delighted to introduce to you the first Strategic Plan of your Scottish Human Rights Commission.

It is shaped by the mandate given to us by the Scottish Parliament, by the UN Paris Principles which set the international standards for national human rights institutions and by people from all walks of life throughout Scotland who participated in our nationwide consultation.

In our Annual Report we outlined the steps taken by us, with you, to lay the foundations for the Commission. With this Strategic Plan we are inviting you to join us on a journey together of building upon our collective sense of fairness and helping to further develop a human rights culture in Scotland.

There will be challenges to be met on the journey but with the foundations now laid and a shared vision we are confident in our direction.

We travel with the spirit and commitment reflected in the words to us from Mary Robinson, former UN High Commissioner for Human Rights, when she expressed at our launch her confidence that we “will strengthen human rights by making it more user-friendly, more human, by linking dignity and rights to communities, making human rights meaningful to the marginalised, to those who feel most excluded, the most denied voices both in our own societies and internationally. We will then have achieved what translating the Universal Declaration of Human Rights into many languages doesn’t necessarily deliver. Progress.”

I warmly encourage you to engage with this Strategic Plan so that the words are turned into actions and progress is made towards realising the human dignity and rights of everyone.

Professor Alan Miller

Chair, Scottish Human Rights Commission

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and languages on request.
There is a plain text version on the website
at www.scottishhumanrights.com

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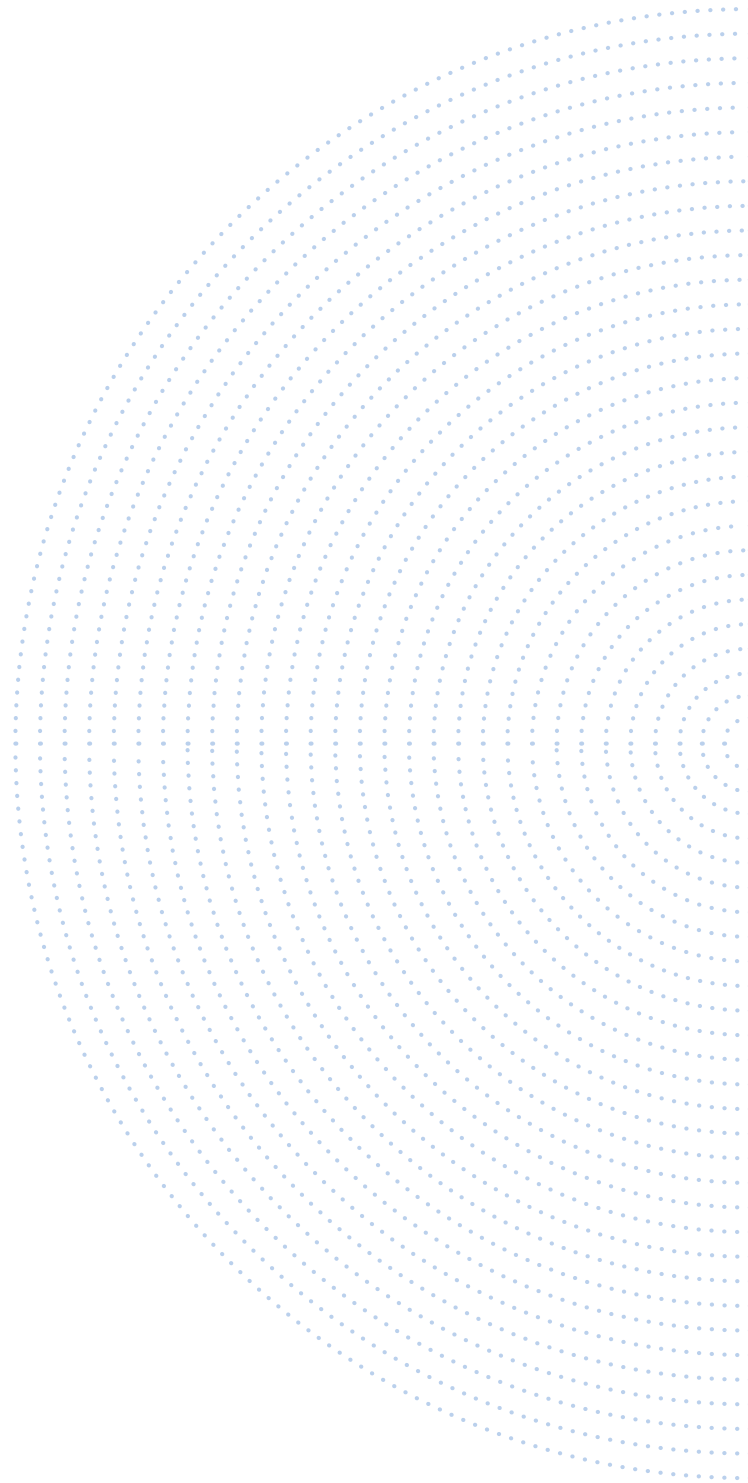
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of the Scottish Commission for Human Rights
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1. Introduction

On 10 December 2008 the Scottish Parliament reaffirmed its commitment to the Universal Declaration of Human Rights (UDHR) on the day of its 60th anniversary. On the same day, the Scottish Human Rights Commission (SHRC) became operational and launched a national consultation to develop its first Strategic Plan. This document is the result of that consultation.

1.1 Our vision and goals

SHRC has a vision of a fairer and outward-looking Scotland where human dignity, participation and accountability are at the heart of social and human progress.

“We want to give Scotland a place in the international human rights arena.”

Our mission is to promote and protect everyone’s human rights – civil, political, economic, social and cultural -in contemporary Scotland.

SHRC has 4 goals which we will review at the end of the current Strategic Plan.

They are;

- **To build upon an inherent sense of fairness that already exists in Scotland and develop a sustainable human rights culture;**
Scottish people traditionally pride themselves on being fair and on giving everyone an opportunity to take part in society. We want to build on that tradition to make contemporary Scotland a place where everyone has the possibility to realise their potential as human beings. Our first goal aims to empower people in Scotland to understand and claim their rights, and to encourage and enable people to see the role human rights can play in securing the conditions in which we can realise our potential and fulfil our responsibilities towards each other.
- **To ensure human rights is at the heart of law, policy and practice in Scotland;**
We want recognition and respect for human rights to be at the centre of decision making in Scotland.

Our second goal aims to enable those bodies whose decisions and policies impact upon the human rights of individuals – whether they are public, private or non-governmental organisations – to integrate human rights into their day-to-day work. By monitoring progress, organisations can be better held to account by the public for their contribution towards the fulfilment of human rights in Scotland.

- **To implement effective governance within SHRC;**

We want to be a model of good practice by adopting a human rights-based approach to our own work.

Our third goal aims to ensure that we can be held to account for what we do. We will be transparent in our work to comply with and surpass our statutory obligations.

- **To meet our international responsibilities;**

We want to give Scotland a place in the international human rights arena. Our fourth goal aims to build a bridge between the national and the international - a link between local and global communities - in human rights matters. This will mean that Scotland’s specific human rights experience can be shared, and experience from elsewhere can be considered in Scotland.

“All human beings are born free and equal in dignity and rights”

Article 1, Universal Declaration of Human Rights, 1948

Human rights are the fundamental freedoms and entitlements which everyone has by nature of our common humanity and which we all are entitled to in order to live with dignity. They include civil and political freedoms such as freedom of expression, and freedom from inhuman and degrading treatment, as well as economic, social and cultural rights such as the right to an adequate standard of living, including adequate housing, the right to the highest attainable standard of physical and mental health, and the right to education, as well as rights related to the environment. Human rights are the means for securing human dignity for all, without discrimination.

We will promote and protect the human rights guaranteed by the European Convention on Human Rights, which form part of the law of Scotland through the Human Rights Act 1998 and the Scotland Act 1998, as well as other human rights, guaranteed by international conventions ratified by the UK.

Among the core UN human rights treaties to which the UK is a party are:

- International Covenant on Economic, Social and Cultural Rights;
- International Covenant on Civil and Political Rights;
- International Convention on the Elimination of all forms of Racial Discrimination;
- International Convention on the Elimination of all forms of Discrimination against Women and its Optional Protocol;
- Convention Against Torture and other forms of cruel, inhuman and degrading treatment or punishment and its Optional Protocol;
- Convention on the Rights of the Child;
- Convention on the Rights of Persons with Disabilities.

Other relevant international treaties include the Convention Relating to the status of Refugees and the Århus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters.

Among the core Council of Europe human rights treaties to which the UK is a party are:

- European Convention for the Protection of Human Rights and Fundamental Freedoms;
- European Social Charter;
- European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment;
- Framework Convention for the Protection of National Minorities;
- European Charter for Regional or Minority Languages;
- Council of Europe Convention on Action against Trafficking in Human Beings.

The UK is committed to ratifying the Optional Protocol to the UN Convention on the Rights of Persons with Disabilities.

1.2 About the Scottish Human Rights Commission

SHRC is one of an increasing number of national human rights institutions around the world, and one of three in the UK, alongside the Northern Ireland Human Rights Commission and the Equality and Human Rights Commission.

SHRC was established by the Scottish Parliament. We are independent of both the Scottish and UK Governments and the Scottish and UK Parliaments. We are not subject to direction or influence by any of them in the exercise of our functions.

SHRC was created by the Scottish Commission for Human Rights Act 2006, and was formed in 2008. Professor Alan Miller was unanimously elected by the Scottish Parliament to become the first Chair of the Commission, and took up the full-time position in March 2008. Professor Kay Hampton, Ms Shelagh McCall and Mr John McNeill were appointed by the Scottish Parliament to be Members of the Commission and took up their part-time roles in May 2008. The Chair was appointed to serve a five year term with the possibility of renewal for a further five years. The Members were appointed to serve a four year term with the possibility of renewal.

When establishing SHRC, the Scottish Parliament took care to comply with the United Nations (UN) Principles Relating to the Status of National Institutions, known as the Paris Principles. These are a series of recommendations on the role, composition, status and functions of national human rights institutions adopted by the UN General Assembly in 1993. A summary of the Paris Principles is included in an Annex A2 (page 34). They are a key reference to the role SHRC should play.

Our mandate

The Scottish Commission for Human Rights Act 2006 (the Act), sets out the general duty and powers of SHRC. Under the Act we have a general duty to promote awareness, understanding and respect for human rights, and in particular to encourage best practice in relation to human rights. We will fulfil this duty through education, training, awareness raising and research, as well as by recommending such changes to Scottish law, policy and practice as our work demonstrates are needed.

We have powers to:

- Conduct inquiries into the policies or practices of Scottish public authorities, where relevant to the promotion of awareness, understanding and respect for human rights;
- Enter places of detention as part of an inquiry;
- Intervene in civil court cases where relevant to the promotion of human rights and where the case appears to us to raise a matter of public interest.



Inaugural conference of the four Commissions of the UK and Ireland, June 2009

2. Purpose and development of Strategic Plan

We will submit a Strategic Plan to Parliament for each four year period. Each Strategic Plan will be supported by two biennial Operational Plans. This is our first Strategic Plan and reflects our commitment to delivering measurable outcomes in a transparent and accountable manner. The Plan explains our long-term goals, the choices we have made about which themes to prioritise over the current four year period, and what we will do to promote and protect human rights in these areas.

On the basis of this Plan we will develop and publish biennial Operational Plans setting out the projects, activities and the specific, measurable, attainable, relevant and time-bound (SMART) objectives we set under each project, as well as indicators to enable you and us to track our progress and performance.

2.1 How this plan was developed

Building a framework

This Strategic Plan has been developed with the help of a national consultation which took place between December 2008 and April 2009. The consultation sought feedback to a framework strategy paper called Building a Strategic Plan.

Building a Strategic Plan was produced following a series of informal meetings as well as conferences and seminars which we organised to gain a deeper understanding of the experiences of people in realising their rights, of the broader human rights context in Scotland, as well as learning about the key opportunities for SHRC.

During this period we commissioned overviews of human rights relevant to several different groups within Scotland.

These were:

- The conditions of older persons, particularly those in residential care;
- The experiences of users of mental health services;
- Survivors of childhood abuse, and the Scottish Government's proposed Acknowledgement and Accountability Forum.

We also held two major public events. On 20 June 2008, we hosted a public reception to mark SHRC's Glasgow office co-location with the Equality and Human Rights Commission. The guest of honour was Mary Robinson, former UN High Commissioner for Human Rights and former President of Ireland. Presentations were also made by the Presiding Officer of the Scottish Parliament, Alex Fergusson, and the Justice Secretary, Kenny MacAskill.

On 31 October 2008, in partnership with the University of Strathclyde, we held an international conference marking the year of the 60th Anniversary of the Universal Declaration of Human Rights and exploring the potential role of SHRC. Participants included the Office of the UN High Commissioner for Human Rights, the Irish and South African Human Rights Commissions, parliamentarians, various ombudsmen and inspectorates, academic, non-governmental and community sector, legal profession and the general public.

Building a Strategic Plan set out four draft goals for SHRC. We asked participants their thoughts on the aim of the goal; how it was framed; how we could best achieve it; what were the challenges and opportunities; and what other work was being done.

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Consulting on the framework

Our national consultation took place between December 2008 and April 2009. During this phase, we organised 18 consultation meetings in locations across the country from Dumfries to Lerwick; Dundee to Stornoway. Participants came from all walks of life, and represented diverse interests in Scotland - from public authorities, private companies, faith groups, charities and voluntary organisations as well as advocacy groups. A full list of the locations of the consultation meetings, and organisations which participated are included in Annexes A3 and A4 (page 36 –38).

In addition we held a specific consultation with representatives of the legal profession. We have continued to hold informal meetings with community groups, and those representing, or who have direct day-to-day contact with, more marginalised groups in Scotland, such as people who need access to adequate mental health services, people with disabilities, people living in poverty, older people and children and young people. The Plan has also benefited from 34 written responses to Building a Strategic Plan.

Analysis of the consultation

All of the information gathered during the consultation process has been carefully analysed and is included in a report of the consultation which is available on our website www.scottishhumanrights.com.

This analysis has informed our strategy, our goals, the criteria we will use to prioritise our work, the issues we will look at and the approach we will take. Much of the information received will be useful in determining projects, objectives and activities in our more detailed Operational Plan.

Among the main outcomes of the consultation on Building a Strategic Plan were:

Positive reaction to the potential of SHRC: we were encouraged by the degree of constructive engagement and appreciation shown for the role we can play in promoting a positive vision of human rights as not only protecting people from abuse but also enabling the fulfilment of human potential, including by the most marginalised. There was a general sense that we can make a significant contribution to promoting human rights as positive and affirmative values.

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“The Commission aims to be a catalyst for change in Scotland.”

Positive reaction to the general approach:

There was generally a positive response to the approach which we outlined. Participants demonstrated a desire to move beyond the traditional gap between rights-holders and duty-bearers towards a recognition that everyone has human rights, and everyone has responsibilities to respect, protect and fulfil human rights from the top to the bottom of organisations and society. It was felt that we could play a valuable role in supporting the practical application of human rights by public, private and non-governmental bodies. Proposals to support the adoption of a human rights-based approach and to identify, evaluate and share examples of human rights in practice were very widely welcomed.

Need to manage expectations: Many consultation participants pointed to the need for us to manage expectations. Many noted the lack of a dedicated human rights non-governmental organisation (NGO), well-resourced government unit or parliamentary committee, and pointed out that SHRC could not fulfil all the roles needed to advance human rights in Scotland. Participants encouraged us to carefully prioritise our work in a transparent way and include specific, measurable, achievable, relevant and time-bound objectives in our operational plans.

Be a catalyst for change: The far reaching scope of the consultation was welcomed and we were encouraged by the enthusiasm from public, private and non-governmental bodies to explore opportunities for working in partnership to achieve common aims. There was a general view that SHRC should position itself as a catalyst for change which others should have a role in delivering.

Need to balance strategic with reactive work: SHRC needs to be seen to take a public stand for human rights in Scotland. We should react to events which reveal systemic human rights concerns. This work, while important, should not dominate our time and resources, which should be devoted towards achieving long-term goals in a strategic manner.

Need to ensure information is accessible: SHRC should act as a repository of information on human rights. We should also ensure that all information we produce is accessible. While the content of Building a Strategic Plan was welcomed, it was pointed out the presentation was not sufficiently accessible. We should use plain language and avoid jargon where possible. We should also ensure that the text size and layout of our documents are more visually accessible. We should consider having two versions of key documents – a formal and an informal version.

2.2 Making strategic choices

Identifying the current human rights context in Scotland

Our strategy recognises and reflects the importance and value of human rights in responding to the key political, economic, social and technological trends evident or emerging in Scotland today. Among those we have identified are:

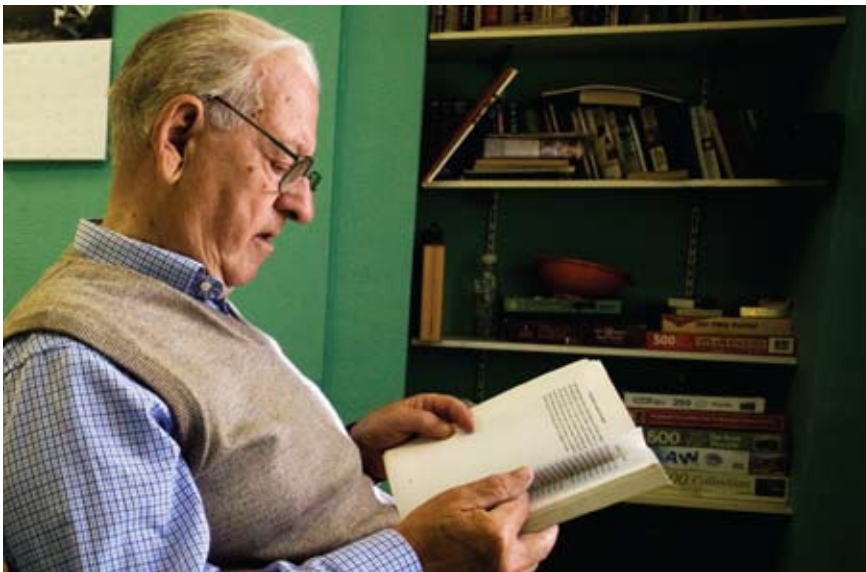
A view of human rights in Scotland – there is an inherent sense of fairness in Scotland, which is now underpinned by a stronger legal basis for human rights than was previously the case. During our consultation, we have noted a significant level of goodwill towards human rights from bodies responsible for delivering public services in Scotland. However, there is confusion in relation to how the rights of one person should be balanced with those of another when they are seen to be in conflict. There is frequently a distinction in public debate between the “deserving” and “undeserving” in society.

Political organisation – the existence of the Scottish Parliament and the increased decision making power of local authorities means that more political power rests close to communities in Scotland than has been the case in modern history. This creates opportunities for ensuring that people can participate more in decision making that affect them. It also creates challenges to ensure that human rights considerations are at the heart of decision making across Scotland;

Economic crisis – the recession is already having a significant impact on people across Scotland, including placing stress on their mental health, living conditions, and human security (job security, housing security, health security etc). It is also impacting on public authorities, faced with increasingly difficult decisions on the prioritisation of resources. There is some indication that those responsible for delivering public services are increasingly looking to charitable or low-cost private service providers. Additionally, the crisis has led to greater recognition of the shared responsibilities of everyone, including the private sector, and also of government to do more to protect the rights of individuals, for example in the public procurement process.

Demographic changes;

An increasing proportion of Scotland's population is over 60. This is already leading to greater awareness of the concerns of older people, and will continue to have consequences for service provision, including an increased need for adequate care services. Scotland has a population deficit and needs to attract and retain an increased number of immigrants. A sustainable human rights culture, including respect for diversity, is a precondition for doing so successfully;



Participant at
the Pilmeny
Development
Project, Edinburgh

Climate change;

Scotland is increasingly aware of the importance of climate change for all elements of our life, not least energy policy and our international responsibilities. Climate change, to which our country contributes through emissions, is already impacting upon the human rights – not least the economic, social and cultural rights - of the most vulnerable populations elsewhere in the world. Climate justice can be served by adopting a human rights approach to necessary emission reduction as well as ensuring that alternative sources of energy and the international assistance provided respect, protect and fulfil the rights of people elsewhere.

Developing and applying criteria for making choices

A number of recommendations for areas on which we should focus as a priority emerged from the consultation. We have tested these against a set of objective criteria we have developed. These criteria are designed to reflect the aims and the mandate of SHRC, as well as a desire to ensure we maximise our impact. They are:

“We seek to choose issues which will contribute to the development of a human rights culture in Scotland”

Gravity: In assessing the gravity of an issue, we will have regard to the nature of the right (whether it is absolute or limited), the severity or scale of the abuse, and the number of people affected;

Focus on those whose rights are not sufficiently promoted: We will prioritise human rights issues faced by people whose rights are not currently sufficiently promoted and protected. This includes marginalised, excluded or vulnerable people and those who face layers of disadvantage due to their identity and circumstances;

Contribution to a human rights culture: We will seek to choose issues which will contribute to the development of a human rights culture in Scotland;

Opportunity for impact: We will prioritise issues where there is an identifiable opportunity for increased fulfilment of human rights;

Mandate: We will prioritise issues where the action required to achieve a positive human rights impact is possible within our mandate;

Proportionality: We will assess whether the investment of resources needed to achieve improved respect, protection and fulfilment of human rights in the area is justified by the likelihood and extent of positive impact.

3. Four strategic priorities for 2008-2012

Having analysed the consultation responses, considered current trends and criteria for making choices, SHRC has agreed four areas of focus for the current strategic plan:

- promoting and protecting human dignity in Scotland;
- addressing emerging human rights issues;
- bringing human rights to life;
- supporting human rights in the world

3.1 Promoting and protecting human dignity in Scotland

Our main priority for the current strategic plan is to promote and protect the human dignity of everyone in Scotland by increasing empowerment of people to claim their rights and accountability of those responsible for the fulfilment of human rights.

Achieving human dignity for everyone in Scotland requires protection against abuses which undermine the dignity of anyone and ensuring the opportunities that enable everyone to realise their full potential. Human rights provide the shared values and the legal basis to secure both.

We will ensure that this aspiration is advanced by promoting a “human rights-based approach” (as discussed below), which places empowerment and accountability at the heart of decision making in Scotland, whether by public, private or non-governmental bodies.

Our biennial Operational Plans will outline the specific areas, projects and activities through which we will promote human dignity.

In our first Operational Plan, published in parallel to this Strategic Plan, we prioritise:

[The development of a “map” of human rights in Scotland](#) – a human rights research project - to identify gaps, as well as good practices, which we will use to prioritise our work in the second operational planning period and beyond. This will provide an evidence base to work towards a National Action Plan for Human Rights in Scotland – a road map for the fulfilment of rights. It will also help us to report to and participate in UN human rights reviews, including the Universal Periodic Review, under which the UK is due to give an account of its implementation of its international human rights obligations in 2012, this includes implementation in Scotland.

[The promotion and protection of human dignity in care](#) – this emerged very clearly, consistently and strongly from our national consultation as an area needing attention. We will work with regulatory bodies, care providers and care users to advance a human rights-based approach (as discussed below) to care in Scotland. We are already developing an evaluation of the experience, outcomes and benefits of a human rights-based approach pilot scheme which has run for several years in The State Hospital at Carstairs.



Visiting at home
with the Ecas
Befriending Project

Putting the human rights-based approach into practice

Empowerment and accountability

Using a human rights-based approach to advance human dignity means giving people greater opportunity to participate in shaping the laws, policies and practices that impact on their human rights; increasing the ability of those with responsibility for fulfilling rights to recognise and respect those rights; and making sure they can be held to account. It also means ensuring non-discrimination, equality and the prioritisation of the most marginalised.

Empowerment: We will seek to increase awareness of human rights and participation of groups in society whose rights are not sufficiently promoted in shaping decisions which affect the fulfilment of their rights. We will do this in two ways:

We will increase awareness and understanding of relevant human rights – we will work with communities, particularly those whose rights are not currently sufficiently protected such as older people, mental health service users, and people with disabilities, as well as those who provide services for them, to raise awareness and understanding of human rights and the role they can play in advancing human dignity. We will work to ensure Scottish experience is adequately reflected in UN and Council of Europe monitoring of the UK's duties to fulfil human rights under internationally binding conventions, and to increase national awareness, engagement, and follow up under those treaties.

In 2009 we take on a specific role under two UN conventions, to promote their implementation, monitor the extent to which they are respected in practice, and protect the rights included in them. These are the Optional Protocol to the UN Convention for the Prevention of Torture, Inhuman and Degrading Treatment and Punishment, and the UN Convention on the Rights of Persons with Disabilities.

We will identify opportunities to support and promote good examples of human rights in practice - where a human rights-based approach can be shown to lead to concrete positive changes in outcomes. We will facilitate a network of those involved in human rights in practice.

“Human rights means giving people greater opportunity to participate in shaping the laws and policies within their own society”

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Increasing ability and accountability

We will seek to increase the ability and accountability of those with responsibility for fulfilling rights at the local as well as the national level. We will do this in two ways:

Ability

We will work to increase the ability of organisations to recognise and respect rights.

We will develop and share the “know-how”, best practice guidance, tools and training to enable key public, private and non-governmental bodies to adopt a human rights-based approach. A human rights-based approach is a way of organising policy choices and practice on a systematic or day-to-day level to ensure that human rights are the means, as well as the end, of law, policy and practice in Scotland.

We will develop human rights impact assessment tools and support those that deliver services in using them. These tools will enable public, private and non-governmental bodies to take human rights into account in decision making. In particular, in the current economic climate, to ensure budgetary decisions give due weight to economic, social and cultural rights, prioritise the most marginalised, are non-discriminatory, and do not result in other breaches of human rights.

We will work with the private sector to encourage the integration of human rights in their operations, both in Scotland and abroad. In particular we will promote and provide practical guidance on the use of human rights impact assessments.

Accountability

We will work to increase human rights accountability of public, private and non-governmental bodies which deliver services essential to the fulfilment of human rights.

We will support the adoption of a human rights-based approach to the regulation of key services – including the provision of care services.

We will also develop a human rights framework for the design and implementation of the Scottish Government’s proposed Acknowledgement and Accountability Forum to ensure that a robust human rights-based approach is taken from the outset.

We will develop relationships with the legal profession in Scotland to identify opportunities to increase access to justice for those whose human rights have been violated. In particular we will work with Citizens Advice Scotland and the network of Citizens Advice Bureaux, as well as reaching out to Community Law Centres, to support their advisory functions on human rights.

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If constructive engagement and persuasion is not producing the desired results for improving human rights protection, we will, where necessary, use our [legal powers](#) under the Act including launching inquiries and entering places of detention without notice.

We will hold a Human Rights InterAction (as explained below) with representatives of affected groups on the feasibility and value of SHRC launching its first [inquiry](#) into human rights and public procurement of care services in Scotland.

“We will use a fair framework to identify Facts, Analyse rights, Investigate responsibilities and Recall recommendations.”

Human Rights InterActions will be key to ensuring that the human rights-based approach is informed by the participation of everyone involved. Human Rights InterActions will bring together all those with a stake in the situation – individuals affected, practitioners, policy makers, independent experts and others - to develop shared understanding of the nature of the problem, solution and responsibilities of each. We will use these round-table discussions to resolve specific human rights concerns which illustrate systemic problems.

The Human Rights InterAction will use a FAIR framework. This means we will help those involved draw out a full understanding of the facts; develop an analysis of the rights at stake; identify what needs to be done and who will be responsible for doing it; and later recall the interaction to evaluate what happened as a result. We will also be using these interactions to help refine our Operational Plans as well as to shape the way we can contribute to a greater fulfilment of rights.

3.2 Addressing emerging human rights issues

In order to fulfil its role SHRC needs to be both strategic and flexible. In addition to the strategic priority areas outlined above, we will respond as appropriate to emerging human rights issues in Scotland. This will include developing responses to relevant consultations on key Bills and policy documents where they will, in the view of SHRC, have a significant impact on human rights in Scotland, as well as engaging in public debate as an objective voice for human rights.

We will also respond to emerging issues where in our view Scotland has a significant contribution to make to global efforts. We are currently representing the European group of national human rights institutions (NHRIs) to help develop strategies for all institutions around the world on two such issues: human rights and climate change and human rights and business.



NTS volunteers
at the Ben Lawers
Trailblazer camp,
near Killin

3.3 Bringing human rights to life

During the current four year period we want to help take human rights beyond the formalities of the legal system and into the everyday life of all in the community, seeking to influence education, media and other forms of communication.

Achieving a culture of human rights in Scotland is a long-term goal. Our consultation consistently pointed to the importance of integrating human rights in the next generation through education.

We believe that fostering human rights awareness and understanding should be integral to the learning process at all stages: early years, primary, secondary, tertiary, postgraduate and continuous professional development and we will work with key partners to integrate human rights at all levels of education in Scotland. We will encourage an understanding of the role of human rights in education that respects the right to education, the rights of learners in education and the promotion of human rights through education. Building on the UN Convention on the Rights of the Child in particular, we will support the further development of a human rights ethos in education, which permeates not only the formal curriculum, but the everyday life of the institution, so that human rights are at the heart of education in Scotland. In the strategic planning period we will focus in particular on promoting a human rights-based approach to the further development and implementation of the Curriculum for Excellence.

Our efforts to bring human rights to life will not be limited to education. We will build relationships with those active in the cultural life of our community, so as to find opportunities to promote a human rights vision in everyday life, in an accessible and inclusive manner. Our aim is to begin to increase public recognition of human rights, rather than focus on human wrongs.

We will act as a resource bank of information on human rights, and offer support to individuals at all levels of organisations by highlighting real life examples, and making toolkits and resources available to them.

3.4 Supporting human rights in the world

SHRC is one of over 80 national human rights institutions around the world and we will seek global recognition from the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC) as a legitimate NHRI with the highest – category A – status, reflecting the independence, powers and duties which SHRC has.

“We will engage internationally on issues which impact on human rights in Scotland.”

We have already participated in the ICC meetings. We are the inaugural Chair of the new network of UK and Irish Commissions. We represent the European group of NHRIs on two ICC steering committees: human rights and climate change, and human rights and the business sector.

We will continue to engage internationally on issues where there is likely to be an impact on human rights in Scotland and/or where Scotland has significant experience to share with the rest of the world. In addition, we will act on our ICC responsibilities to respond where a partner NHRI is under pressure, and offer practical support where we can, as we did recently when the Palestinian Independent Commission for Citizen’s Rights was under pressure during the conflict in Gaza.

4. How we will work

We will strive to lead by example. We will do what we commit to do. We will be accountable, our work will be accessible and our decisions transparent.

We are developing best practice in line with the Good Governance Standard for Public Services, to ensure transparency and public accountability for our internal governance structures. We have adopted the Nolan Committee's Seven Principles of public life to guide our work.

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Our accountability

Key to our accountability will be our continued direct engagement with the public, a commitment we have demonstrated in developing the current Strategic Plan.

We will ensure that our governance arrangements provide clear accountability, both in terms of providing best value for the public resources we use, and in terms of ensuring that the Parliament is able to monitor the way we exercise our powers. Our biennial Operational Plans will include specific, measurable, achievable, relevant and time-bound objectives which will enable us to track progress and enable everyone to hold us to account.

We will work with independent research and legal committees to guide the development of our work in these areas, and will establish ad hoc advisory groups where appropriate for specific projects.

We will adopt an ethical procurement standard and a system for equality and human rights impact assessments.

Our transparency

Our work will be as transparent as possible. Our research, publications, minutes and other documents will be available, as outlined in our Publication Scheme, submitted to the Scottish Freedom of Information Commissioner. All of our staff have been trained on Freedom of Information legislation and procedures.

We will provide an accessible and transparent system for people to comment on our work and performance. We will publish an Annual Report and Financial Statement. We will develop clear and transparent guidelines as to when we will consider using our legal powers.

In Glasgow we co-locate with the Equality and Human Rights Commission (EHRC). In Edinburgh we co-locate with the Scottish Public Services Ombudsman. We have concluded a Memorandum of Understanding with the EHRC and will develop other Memorandums of Understanding as appropriate.

5. Conclusion

SHRC aims to be a catalyst for culture change in Scotland. We aim to build upon a deep sense of fairness, which is part of the fabric of life in Scotland, so as to further develop a human rights culture. This change will place human rights at the heart of how we relate to each other, and how we organise our society.

We will also act as a bridge between national and international communities on human rights – to ensure that Scottish experience is reflected internationally, and international experience is known and considered in Scotland.

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To help us achieve these goals we have developed our first four year Strategic Plan which sets out four strategic priorities. These are:

- promoting and protecting human dignity in Scotland;
- addressing emerging human rights issues;
- bringing human rights to life;
- supporting human rights in the world.

We will adopt and promote a human rights-based approach which advances empowerment of people to understand and claim their rights as well as the ability and accountability of those responsible for fulfilling rights. Based on this Strategic Plan we will develop biennial Operational Plans which include specific, measurable, achievable, relevant and time-bound objectives so that our progress can be monitored by all over time.

We will seek out opportunities to work in partnership to achieve our goals and we hope that you will work with us.

Our Strategic Plan and biennial Operational Plans, our Annual Reports and other publications produced by SHRC will be available on our website: www.scottishhumanrights.com

For copies of this Strategic Plan, or to request a copy in another format, please contact:

Scottish Human Rights Commission
Optima House
58 Robertson Street
Glasgow G2 8DU

Tel: 0141 243 2721
Email: hello@scottishhumanrights.com

6. Annexes

The Annexes describe the Members of the Commission (A1), a summary of the Paris Principles (A2), and list the locations (A3) and participants (A4) in our nationwide consultation. We would like to take this opportunity to thank all the individuals, groups and organisations from across Scotland who gave their time and much valued input into this process.

A1. The Chair and Members of the Commission

Professor Alan Miller, Chair

Professor Alan Miller was unanimously elected in 2007 by the Scottish Parliament to become the first Chair of the Scottish Human Rights Commission. Alan has a combination of experience and expertise in the field of human rights grounded in 25 years involvement with the legal, academic and voluntary communities within Scotland. He previously ran a law practice in Castlemilk, Glasgow and is a past President of the Glasgow Bar Association and former Director of the Scottish Human Rights Centre.

He also teaches human rights on the LLM programme at the University of Strathclyde where he is a member of the Centre for the Study of Human Rights Law. Prof Miller also brings an international perspective and insight gained from engagement with the United Nations and other bodies in capacity-building initiatives in around 20 countries around the world. This has included working with Iraqi, Sudanese and Palestinian lawyers as well as being adviser to the Global Business Leaders Initiative on Human Rights led by Mary Robinson, former UN High commissioner for Human Rights. Alan is the full time member of the SHRC.



Professor Alan Miller,
Chair

Professor Kay Hampton

Kay is Professor of Communities and Race Relations in the School of Law and Social Sciences at Glasgow Caledonian University. She previously held posts at the University of Durban-Westville, South Africa (1978-1998) as a Sociology lecturer and researcher (Institute for Social and Economic Research), and the Durban Municipality Strategic Planning Unit as a Research Fellow (1990-1993), leading on research and policy for the post-apartheid era.

Kay has served on the Community Fund, (now Big Lottery) (Board Member and Scottish Chair, 1998-2003); Wellcome Trust, Society Awards, 2001-2003; Nuffield Trust, Advisory forum, 2008-), Runnymede Trust, Academic Forum (2006-) and equality bodies (Trustee, Scottish Refugee Council, - 2003-2005; Chair, Deputy Chair and Scottish Commissioner, Commission for Racial Equality, 2003-2007). Kay was a Commissioner for the Equality and Human Rights Commission from 2007 – 2009. She is also an Ambassador for BTCV, a UK environmental organisation.

Shelagh McCall

Shelagh McCall is a graduate of the Universities of Edinburgh (Bachelor of Laws) and Strathclyde (Master of Laws). She began her career practising as a criminal defence solicitor in East Lothian before calling to the Scottish Bar in 2000.

In January 2006 Shelagh joined the United Nations as a prosecution appeals counsel at the International Criminal Tribunal for the former Yugoslavia, where she handled appeals in cases of crimes against humanity and war crimes. On taking up her appointment with the Commission, she returned to Scotland. In 2009 Shelagh was appointed as a part-time Sheriff by Scottish Ministers.

John McNeill

BA (Hons), MSc, LL.M, MPhil John McNeill has extensive experience of criminal justice practices across the United Kingdom. He has worked as a Probation Officer and a Governor in the Northern Ireland Prison Service; as a Governor in the Scottish Prison Service (SPS); as Chief Executive of SACRO; and as the Depute Director/ Acting Director of SPS responsible for regime development and healthcare. He also has wide experience of governance informed by his work with a range of national and international non government organisations. John was previously a Fellow of the Institute of Directors and a Fellow of the Institute of Management.

He has conducted research into, and published articles on, a range of criminal justice issues; was awarded a Cropwood Fellowship at the Institute of Criminology, University of Cambridge; has been a member of numerous working parties on criminal justice issues; and was been a visiting Lecturer at several universities. Prior to leaving SPS in July 2002, John led a multi-disciplinary project in human rights and helped establish the Risk Management Authority for Scotland (RMA). Subsequently, he was appointed by the Scottish Minister for Justice to the Board of the RMA and was chairman of

its research and training committee (to August 2008); by the Home Secretary to the Parole Board for England and Wales (to October 2007); by the Energy Minister to the Civil Nuclear Police Authority, chairing its audit and risk committee; and by the Secretary of State for Northern Ireland to its Probation Board.

In May 2008, the Scottish Parliament appointed him to the newly formed Scottish Human Rights Commission as a part time Commissioner, and the Secretary of State for Defence appointed him to the Services Complaints Panels.



Left to right, John McNeill, Kay Hampton, Shelagh McCall, Alan Miller, Chair

A2. “Paris Principles”

Principles relating to the status and functioning of national institutions for protection and promotion of human rights (summary).

Note: These recommendations, which were developed by representatives of national institutions, States, the United Nations, its specialized agencies, intergovernmental and non-governmental organizations, were endorsed by the UN General Assembly in its resolution A/RES/48/134 of 20 December 1993. The full version of these Principles is available on our website www.scottishhumanrights.com

The Paris Principles provide that national human rights institutions should:

- Be given the power to promote and protect human rights and have as broad a mandate as possible;
- Be pluralist and should co-operate with non-governmental organisations (NGOs), judicial institutions, professional bodies and government departments;
- Have an infrastructure that allows them to carry out their functions;
- Have adequate funding to allow the institution “to be independent of the government and not be subject to financial control which might affect this independence”;
- Have stable mandates for the members of the Commission provided for by law. They provide that national human rights institution shall have duties and powers including:
 - Making recommendations and proposals to Government, Parliament or other competent bodies, on existing and proposed laws, administrative process, or changes to the organisation of the judiciary which will impact on human rights, human rights violations, and the general situation of human rights or specific issues it decides to take up;
 - Promoting harmonisation of national law, policy and practice with international human rights law and standards;
 - Contributing to international human rights reviews of the state;
 - Cooperating with the United Nations and other bodies dedicated to promoting and protecting human rights;
 - Promoting teaching and research on human rights and organising public awareness and education programmes;
 - To publicise human rights and efforts to combat discrimination by increasing public awareness, especially through information and education and by making use of media channels.
- Be entitled to consider any issue falling within their competence without the need for authorisation;
- Be entitled to hear any person or gather any evidence needed to consider matters falling within their competence;
- Publicise their decisions and concerns, as well as meet regularly.

A3. Dates and locations of SHRC consultation meetings

Central Scotland

- Regional Consultation 8:
Tuesday 3 March 2009
Park Hotel, Falkirk

Glasgow

- Regional Consultation 1 & 2:
Thursday 15 January 2009
Optima Building,
Robertson Street, Glasgow
- Regional Consultation 3:
Friday 16 January 2009
Optima Building,
Robertson Street, Glasgow
- Community Consultation 1:
Wednesday 4 February 2009
St Francis Community
Centre, Glasgow
Legal Thematic Consultation:
Friday 27 February 2009
Strathclyde University, Glasgow
- Community Consultation 2:
19 March 2009
Maryhill, Glasgow.

Highlands & Islands

- Regional Consultation 7:
Thursday 5 February 2009
Eden Court, Inverness
- Regional Consultation 10:
Thursday 19 March 2009
County Hotel, Stornoway,
Western Isles
- Community Consultation 3:
Friday 20 March 2009
Shetland Youth Information
Service, Lerwick, Shetland

- Regional Consultation 12:
Monday 23 March 2009
Lerwick Hotel, Shetland
- Regional Consultation 13:
Thursday 26 March 2009
Pickaquoy Centre, Kirkwall

Lothian Region

- Regional Consultation 4:
Wednesday 21 January 2009
Capability Scotland, Edinburgh
- Regional Consultation 5:
Thursday 22 January 2009
Capability Scotland, Edinburgh

Mid Scotland & Fife

- Regional Consultation 9:
Thursday 12 March 2009
Glenrothes, Rothes Hall

North East Scotland

- Regional Consultation 14:
Tuesday 31 March 2009
West Park, Dundee
- Regional Consultation 15:
Wednesday 1 April 2009
Maritime Museum, Aberdeen

South of Scotland

- Regional Consultation 6:
Friday 30 January 2009
DGI Leisure Centre, Dumfries

West of Scotland

- Regional Consultation 7:
Thursday 26 February 2009
Tontine Hotel, Greenock

A4. Organisations which took part in the nationwide consultation

- 18 and Under Project
- Aberdeen Action on Disability
- Aberdeen College
- Aberdeen Council of Voluntary Organisations
- Aberdeen Safer Communities Trust
- Aberdeenshire Council (Education, Learning and Leisure)
- Aberdeenshire Council (Community Planning & Regeneration)
- Aberlour Child Care Trust
- Advocacy Matters (Greater Glasgow)
- Advocacy Orkney
- Advocacy Western Isles
- Alzheimer Scotland
- AMINA - The Muslim Women's Helpline
- Amnesty International Scotland
- Angus Association of Voluntary Organisations
- Association of Chief Police Officers (ACPOS)
- Autism Rights
- Barnardo's Scotland
- Bridging the Gap, Glasgow
- British Council Scotland
- British Trust for Conservation Volunteers (BTCV) Scotland
- Caithness Voluntary Group
- Care Commission
- CARE Scotland
- Citizens Advice & Rights Fife
- Council of Ethnic Minority Voluntary Sector Organisations Scotland
- Central Scotland Racial Equality Council Ltd
- Changing Faces Scotland
- Children in Scotland
- Church of Scotland Presbytery of Lewis
- Citizens Advice Bureaux: Dumfries & Galloway, Orkney, Shetland, Lewis. (and Community Mediation Team, Shetland CAB)
- Citizens Advice Scotland
- Comhairle nan Eilean Siar, Western Isles Council (CNES)
- Council for Voluntary Service, Inverclyde
- Council for Voluntary Service, Inverness
- Disability Shetland
- Domestic Violence project, Castlemilk
- Dumfries & Galloway Council
- Dumfries & Galloway Council, Education
- Dundee Access Group
- Dundee City Council
- East Dunbartonshire Council (Community)
- East Dunbartonshire Council, Antisocial Behaviour Team
- East Fife Tenants & Residents Association
- East Lothian Council
- East Lothian Council, Anti-Social Behaviour Unit
- East Renfrewshire Council, Education
- ECAS, Edinburgh based charity for people with physical disabilities
- Equality and Human Rights Commission
- Epilepsy Inverclyde
- Equality Forward Ethnic Minority Employment and Training
- Fife Children's Rights Service
- Fife Community Safety Partnership
- Fife Council, Local Services Network
- Fife Council, Policy and Organisational Development Services
- Fife Education Service
- Fife Elderly Forum
- Fife Independent Disability Network
- Fife Rights Forum
- *fios* Diversity Consultancy Services
- Forth Valley College
- Free Church Presbytery of the Western Isles
- Girvin Social Inclusion Partnership Glasgow
- Anti-Racist Alliance
- Glasgow City Council, Education & Social Work Services
- Glasgow Community Planning Team
- Glasgow Community & Safety Services
- Glasgow Disability Alliance
- Glasgow Old Peoples Welfare Association

- General Medical Council
- Gorbals Community Forum
- Help the Aged Highland Council Highland Council (Director of Education, Culture & Sports Services)
- Highlands & Islands Equality Forum
- Highlands & Islands Scottish Council for Voluntary Organisations
- Highland Police
- HIV SCOTLAND
- HM Inspectorate of Education
- Highland Users Group
- Inverclyde Association
- Inverclyde Carers Council
- Inverclyde Community Care Forum
- Inverclyde Council
- Inverclyde Elderly Forum
- Inverclyde Health Forum
- Inverclyde Homeless Forum
- Islenet - Energy & Environment
- Jobcentre Plus
- Lanarkshire Links
- Leonard Cheshire Foundation
- Lewis & Harris Sports Council
- Lesbian, Gay, Bisexual and Transgender Youth Scotland
- Long Term Conditions Alliance Scotland
- Lothian and Borders Police
- Lothian Centre for Inclusive Living (LCiL)
- Moray Council
- NHS Fife
- NHS Forth Valley
- NHS Grampian
- NHS Greater Glasgow and Clyde
- NHS Highland, Equality and Diversity Department
- NHS Orkney
- NHS Shetland
- NHS Quality Improvement Scotland
- NHS Western Isles North
- Lanarkshire Carers Together
- North Lanarkshire Council (Community Learning & Development)
- Orkney Community mental Health Team
- Orkney Disability Forum
- Orkney friends of Palestine
- Orkney Islands Council
- Orkney Local Authority and Police Liaison
- Orkney Minds
- Orkney Young Scot (Dialogue Youth)
- Oxfam Scotland
- Parents and Children's Hopes
- Parents Support Education Centre (PSEC)
- Partners in Advocacy
- Presbytery of Shetland
- Psychological Service (Cardenden)
- Public Partnership Forum
- Royal College of General Practitioners Scotland
- Scottish Association for Mental Health (SAMH)
- Save the Children
- Scotland's Commissioner for Children & Young People
- Scotland Youth Parliament
- Scottish Care
- Scottish Children's Reporter Administration
- Scottish Children's Reporter Administration, Dundee
- Scottish Children's Reporter Administration, Orkney
- Scottish Commission for the Regulation of Care
- Scottish Council for Voluntary Organisations
- Scottish Development International
- Scottish Disability Equality Forum
- Scottish Federation of University Women
- Scottish Information Commissioner
- Scottish Inter Faith Council
- Scottish Legal Action Group
- Scottish Parliamentary Standards Commissioner
- Scottish Public Services Ombudsman
- Scottish Recovery Network
- Scottish Refugee Council

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- Scottish Resource Centre for Women in Science Engineering and Technology
 - Scottish Trades Union Congress
 - Scottish Transgender Alliance Project Coordinator
 - Scottish Women's Aid
 - Shetland Council Social Services
 - Shetland Anti-Social Behaviour Service
 - Shetland College
 - Shetland Islands Council
Shetland Islands Council Executive Services Department
 - Shetland Link Up
 - Shetland Policy Unit
 - Skills Development Scotland
 - South Ayrshire Council
 - Speakeasy
 - SSAFA Forces Help (Soldiers Sailors Airmen and Families Association Forces Help)
 - Starter Packs Stirling Council
 - Stornoway Access Panel
 - Strathclyde Police (Community, Safety and Criminal Justice)
 - Strathclyde Police, Violence Reduction Unit
 - Tayside Police
 - The Salvation Army
 - The Samaritans
 - UNISON Scotland
 - Universities Scotland
 - Volunteer Action Dumfries & Galloway
 - Volunteer Centre Shetland
 - Voluntary Action Highland
 - Voluntary Action Lewis
 - Voluntary Organisations North East Fife
 - Welfare Rights Unit
 - West Dunbartonshire Council
 - West Dunbartonshire Council, Educational Services West Lothian Council
 - West Lothian Council (Education & Cultural Services)
 - West of Scotland Seniors Forum Western Isles Community Education
 - Western Isles Community Planning / Safety Partnerships,
 - Western Isles council (Legal department)
 - Western Isles Women's Aid
 - Your VOICE

