

**Consultation- Informing the work of your National Human Rights Institution**

**Draft Strategic Priorities 2020- 2024**

The Scottish Human Rights Commission promotes and protects human rights for everyone in Scotland. We are an independent public body, accountable to the people of Scotland through the Scottish Parliament. We were established in 2008 and are now just over 10 years old.

The Commission is developing its Strategic Plan for 2020-2024. To help us set our priorities and improve how we work, we would like to hear from people and organisations from across Scotland.

You can respond to this consultation by sending us an email, writing to us, contacting us via ContactScotland BSL or sending us a BSL video.

Our email address is hello@scottishhumanrights.com.

Our address is Bridgeside House, 99 McDonald Road, Edinburgh EH7 4NS

Please let us know if you need a different way to respond.

**The deadline for responses is 28 June 2019.**

**Introduction**

The Scottish Human Rights Commission is now just over 10 years old and this will be our fourth Strategic Plan.

The coming years are likely to present many challenges to our society.

In changing and uncertain times human rights will be essential to make Scotland’s laws and culture socially progressive. They also help keep Scotland connected internationally.

Scotland compares well to many countries around the world in many ways. But too many people in Scotland still don’t have their rights met in everyday life. More work is needed to make Scotland rights-respecting.

**About the Scottish Human Rights Commission**

The Scottish Human Rights Commission is an independent public body, accountable to the people of Scotland through the Scottish Parliament.

The Commission is accredited as an “A Status” National Human Rights Institution (NHRI). This means that the way we work, and the law that governs our work, both comply with a set of international guidelines called the Paris Principles. These principles mean that we should:

* have a foundation in national law;
* be independent from government;
* have a mandate to cover a broad range of international human rights;
* demonstrate pluralism and independence in the selection and appointment of members;
* have a responsibility to work with both civil society and the state;
* have adequate resources;
* have adequate powers of investigation.

The Commission acts as a bridge between human rights in Scotland and the international human rights system. We monitor the implementation of international human rights treaties in Scotland, working closely with civil society to gather evidence and produce recommendations for change.

The Commission is one of over 100 NHRIs around the world, and one of three in the UK.

The Commission team is made up of a full time Chair, three part time Commissioners and 13 members of staff (around 10 full-time equivalent posts).

**Our duties and powers**

The Commission’s duties and powers are set out in the Scottish Commission for Human Rights Act 2006 (the Act).

The Commission has a general duty to promote awareness, understanding and respect for all human rights - economic, social, cultural, civil and political - to everyone, everywhere in Scotland, and to encourage best practice in relation to human rights.

The Commission fulfils this duty through education, training, guidance, publications, awareness-raising and research, as well as by recommending appropriate changes to Scottish law, policy and practice.

The Commission promotes and protects the human rights guaranteed by all of the international conventions ratified by the UK.

The Commission also has the powers to:

* Conduct inquiries into the policies or practices of Scottish public authorities.
* Enter some 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 raise a matter of public interest.

**Limits on the Commission’s work**

There are some things the Commission cannot do, and some limits on what we can do.

Because we were created by the Scottish Parliament, our mandate only covers devolved areas of policy. That includes health and social care, education, policing and prisons. We cannot use our powers when it comes to policy areas that are reserved to the United Kingdom Parliament. These include immigration, defense, employment, equality and some aspects of welfare.

The law that set up the Commission (the Scottish Commission for Human Rights Act) prohibits us from giving advice or assistance on individual legal claims or potential legal proceedings. This means we do not provide an advice or help service to individuals.

That law also places a duty on the Commission not to unnecessarily duplicate work that other organisations are carrying out. We always try to assess where our work will add something different to other organisations, and have a practical effect.

As a public body, the Commission must always be politically neutral. This means we do not support particular political parties or campaigns.

The Commission must also operate within the budget it receives from the Scottish Parliament. In 2019-2020 this is £974,000.

**Our vision**

The Commission wants to see all human rights harnessed and realised in a Scotland where everyone lives with dignity.

**Our mission**

We will work to strengthen accountability and implementation in human rights law, policy and practice to improve people’s lives.

**Our values**

Our values are grounded in the United Nations (UN) Principles relating to the Status of National Institutions, the Paris Principles, and how the Commission strives to operate under them.

* The Commission is **independent, authoritative and influential**
* The Commission is **collaborative**
* The Commission is **participatory, inclusive and empowering**
* The Commission is **accountable and holds others to account**

**Our proposed draft Strategic Priorities for 2020-2024**

To advance our vision and mission goals our draft strategic priorities for 2020-2024 are:

* Strategic Priority 1: Progressing understanding and strengthening legal protection of economic social and cultural rights
* Strategic Priority 2: Strengthening accountability for meeting human rights obligations
* Strategic Priority 3: Building wider ownership of human rights
* Strategic Priority 4: Showing global leadership in human rights

**Strategic Priority 1: Progressing understanding and strengthening legal protection of economic social and cultural rights**

In the next 4 years the Commission wants to see strengthened understanding, legal protection and implementation of economic, social and cultural rights (ESCR) and other internationally protected rights in Scotland. We believe this has the potential to contribute significantly to progress towards a Scotland free from poverty in all its forms.

In 2020- 2024 the Commisson will:

* Actively contribute to the development of legislation that has the potential to incorporate economic, social and cultural rights, and other human rights standards, into Scotland’s laws.
* Work with Parliament, government, civil society and rights-holders to prepare Scotland for any new laws incorporating human rights.
* Keep advocating for human rights to be considered in government and public sector budgets.
* Build on and learn from our work so far on protecting civil and political rights

**Strategic Priority 2: Strengthening accountability for meeting human rights obligations**

The Commission wants to see a Scotland where those with power are held to account for meeting their human rights obligations in law, decision making and in practice.

In 2020- 2024 the Commisson will:

* Oppose any weakening of the Human Rights Act 1998.
* Support efforts to strengthen the human rights framework with greater enforcement of economic, social, cultural and environmental rights.
* Look at what can be done to remove barriers to accessing justice when people’s rights are breached.
* Seek to use our legal powers to highlight issues of importance and accountability gaps in the law.
* Work with other accountability bodies, such as inspectorate and regulation bodies, to raise their awareness and enforcement of human rights.
* Work with the Scottish Parliament to help it become a guarantor of human rights.
* Continue to take part in international human rights treaty monitoring, working with civil society organisations.
* Monitor and report on human rights issues in Scotland where we consider they require increased attention.
* Support civil society groups and community groups to know and claim their rights effectively through building awareness and understanding.

**Strategic Priority 3: Building wider ownership of human rights**

The Commission wants to see a Scotland where everyone, in particular people in their everyday lives, knows and understands the value of their rights. We want to work together with those who have responsibilities to uphold rights to put them into practice.

In 2020- 2024 the Commisson will:

* Share information about our work and human rights.
* Share our insights, learning and knowledge about communicating and promoting human rights with others.
* Promote a human rights based approach to public bodies, helping them understand how human rights can help them deliver services.
* Work with the Parliament to ensure they are a positive catalyst for a human rights culture in Scotland.
* Support Scotland’s National Action Plan on Human Rights (SNAP) as a forum for collective action on rights across civil society, public bodies and government. This will include increased rights-holder engagement over time.
* Build a network of people in communities to both inform our work and enable people to influence change themselves.

**Strategic Priority 4. Showing global leadership in human rights**

The Commission wants to strive to show leadership as Scotland’s National Human Rights Institution. We seek to both contribute to and learn from emerging trends and best practice. Our relationships internationally and regionally, in particular with our peer National Human Rights Institutions around the world, are key to ensuring we continue to lead the way for Scotland in developing the means to better realise rights for all.

In 2020- 2024 the Commisson will:

* Continue to play an instrumental role in bringing international best practice in rights to Scotland.
* Continue to be a progressive and authoritative voice for human rights and international best practice, helping Scotland to develop as a socially progressive and outward looking nation.
* Learn from and draw on international best practice and also share our experiences with others.
* Proactively engage with the United Nations human rights system.
* Continue to provide human rights insight into the pressing challenges of our times as they are relevant to Scotland, for example new technologies or the rights of older persons.

**Your views**

Please give us your views on the following questions:

**Strategic Priority Questions:**

**Question 1:**

Are the four strategic priorities proposed the right ones? If not, what would you suggest instead and why?

**Question 2:**

Are the types of activity outlined under each strategic priority the right ones? If not, what is missing and what do you think we should be doing?

**Question 3:**

What types of activity do you think the Commission should prioritise and is there any we should de-prioritise?

**Question 4:**

Are there any cross-cutting issues or ways of working you would like us to consider?

**General Questions:**

**Question 5:**

How well do you feel you know the Commission and its work?

**Question 6:**

Overall, what is your impression of the Commission and its work to date?

**Question 7:**

Are our current vision, mission and values the right ones? If not, what else would you like to see?

**Please tell us a bit about you:**

What kind of organisation do you represent, if any? (For example, public authority, government, third sector, community group, legal firm, business, academic institution).

Which areas of the country do you come from or represent, if any?

Which communities of interest do your answers relate to, if any?

Please tell us the name of your organisation, if you feel comfortable doing so?