

Scottish Human Rights Commission  
Annual Report 2008 – 2009

**SHRC**  
Scottish  
Human Rights  
Commission

The 30 'rings of light' on the cover of the Annual 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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This document is available in other formats and languages on request.  
There is a plain text and audio version on the website, at [www.scottishhumanrights.com](http://www.scottishhumanrights.com)

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This Annual Report has been printed on 100% recycled material.

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# Introduction

We are pleased to introduce this first Annual Report of your Scottish Human Rights Commission. This has been a year of inspiration for all who have contributed to the creation and first steps of the Commission.

Primarily it has been a year of laying the foundations to enable the Commission to work effectively with others to help develop a human rights culture in Scotland. Essentially three building blocks have been put in place. Each relates to governance – internal, national and international.

The first building block has involved putting our internal governance in place. This has included staff recruitment and induction, establishing internal policies and financial controls, developing office systems and appropriate accountability procedures with the Scottish Parliamentary Corporate Body. We have been sensitive to governance concerns expressed during the passage of the Bill and have adhered to the terms of the Act which established the Commission.

The second block has been building relationships through interaction with the public, and with all levels of policy and decision-makers in Scotland. This year has been a period of listening and learning, as well as introducing ourselves and testing our ideas. We carried out a three month nationwide consultation on our Strategic Plan which took us from Lerwick to Dumfries and Stornoway to Glenrothes – and many places in between. The Strategic and Operational Plans which emerged from this process, as well as a report of the findings of the consultation itself, are now available on our website at [www.scottishhumanrights.com](http://www.scottishhumanrights.com).



We encourage you to visit the website and engage with our plans for the future.

The third building block has set us on the road to meeting our international responsibilities as the national human rights institution for Scotland. During the year we have been learning from and contributing to the United Nations human rights framework and international best practice in the promotion and protection of human rights. We have become the European representative in international working groups which are developing a strategy for all the national human rights institutions around the world to address the emerging issues of climate change and human rights, and business and human rights. Closer to home we have been elected as the inaugural chair





Members of the Commission: John McNeill,  
Professor Kay Hampton, Shelagh McCall,  
Professor Alan Miller, Chair

of the new network of the Irish Human Rights Commission, the Northern Ireland Human Rights Commission and the Equality and Human Rights Commission which will share best practice and cooperate in matters of shared interest.

### What will the Commission add to life in Scotland?

We will promote a human rights-based approach as a means of bringing about progress for all through increased empowerment, accountability and participation, particularly of those with the quietest voice. This will bring human rights into everyday life, making them more user-friendly, and will help develop a shared understanding of the responsibilities we all have to each other and to our community. At the heart of all of our work will be the promotion of the practical means of realising the human dignity of everyone in contemporary Scotland.

One of the most important accomplishments of this past year has been building our team of staff. Their hard work has given us confidence and enthusiasm for the future.

We very much hope that this Annual Report, and the Strategic and Operational Plans available on our website, will give you the same confidence and vision that are shared within the Commission. It is the first chapter on a journey of progress and we warmly invite you to travel with us.

Professor Alan Miller, Chair, Professor Kay Hampton,  
Shelagh McCall, John McNeill, Members.

# The Commission

## Chair

Professor Alan Miller

## Members of the Commission

Professor Kay Hampton  
Shelagh McCall  
John McNeill

## Staff:

### Strategy & Legal

Duncan Wilson, Head of Strategy & Legal  
Bruce Adamson, Legal Officer  
Dr Alison Hosie, Research & Policy Development Officer  
Kavita Chetty, Legal Officer – Human Rights Based Approaches  
(to come into post June 2009)  
Diego Quiroz Onate, Policy Officer  
(to come into post June 2009)

### Communications & Outreach

Jenifer Johnston, Communications Manager  
Jemma Neville, Outreach Coordinator

### Business Management

Kirsty Rae, Office Manager  
Sharon Barbour, Executive Assistant  
Sen Man Chau, Finance Assistant



## Chapter 1

# The Commission – How it was formed and why

The need for a Scottish Human Rights Commission was identified as a result of the Scotland Act 1998 and the Human Rights Act 1998.

The Scotland Act required the Scottish Ministers and the Scottish Parliament to comply with the European Convention on Human Rights.

The Human Rights Act brought the European Convention on Human Rights into our domestic legal system and obliged public authorities to comply with it.

The then Scottish Executive carried out two public consultations to determine whether there was support for a Commission and how it should operate.

Following public support for the creation of a Commission the Scottish Executive introduced the Scottish Commission for Human Rights Bill to the Scottish Parliament in 2005 and it was passed at the end of 2006.

Both the Scottish Executive and the Scottish Parliament were keen to ensure that the Commission was established in accordance with the United Nations Principles Relating to the Status of National Institutions, known as the Paris Principles (a summary of the Paris Principles is included in Annex 1, page 29).

Accordingly the Commission is independent of the Scottish and UK Governments and the Scottish and UK Parliaments. The Commission's general duty is to promote awareness, understanding and respect for human rights and, in particular, to promote best practice in relation to human rights.

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 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 of the Commission were appointed to serve a four year term, also with the possibility of renewal for a further term.

## History of the Commission

**10 December 2001** : Scottish Executive announce after a public consultation that an independent Scottish Human Rights Commission will be established.

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**September 2005** : The Justice I Committee hears the Scottish Commissioner for Human Rights Bill.

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**November 2006** : Scottish Commission for Human Rights Bill passes in the Scottish Parliament.

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**December 2006** : Bill receives Royal Assent.

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**November 2007** : Chair of the Commission Professor Alan Miller is unanimously elected by members of the Scottish Parliament, and comes into post in March 2008.

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**May 2008** : Professor Kay Hampton, Shelagh McCall and John McNeill are appointed by the Scottish Parliament as members of the Commission. The first meeting of the Commission is held.

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**June 2008** : Mary Robinson, former United Nations High Commissioner on Human Rights and former President of Ireland, and Justice Secretary Kenny MacAskill MSP, celebrate the co-location of the Scottish Human Rights Commission and the Equality and Human Rights Commission in Glasgow.

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**October 2008** : Eight members of staff are recruited.

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**10 December 2008** : The Commission 'goes live' on the 60th Anniversary of the Universal Declaration of Human Rights. A nationwide consultation to develop the Commission's first Strategic Plan is launched

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**April 2009** : Nationwide consultation into our Strategic Plan closes.

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The Scottish Parliament,  
Edinburgh.

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The Commission has a general duty to promote awareness, understanding and respect for human rights, and in particular to encourage best practice in relation to human rights

### Our Mandate, Powers and Duties

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The Scottish Commission for Human Rights Act 2006 (the Act) sets out the general duty and powers of the Commission.

Under the Act the Commission has a general duty to promote awareness, understanding and respect for human rights, and in particular to encourage best practice in relation to human rights. The Commission fulfils this duty through education, training, awareness raising and research, as well as by recommending such changes to Scottish law, policy and practice as it considers necessary.

The Commission also has a number of powers. These include the power 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; the power to enter places of detention as part of an inquiry, and the power to 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.

The Commission is able to work with individuals and other organisations in exercising its functions and must take care to ensure it is not duplicating work that others already carry out.

The Commission is the national human rights institution for Scotland

The Commission is one of over 80 national human rights institutions, and one of three in the UK, along with the Northern Ireland Human Rights Commission and the Equality and Human Rights Commission. National human rights institutions are independent organisations, established by law, to promote and protect human rights.

When establishing the Commission, 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, status and functions of national human rights institutions adopted by the UN General Assembly in 1993. This will enable the Commission to represent Scotland within the United Nations human rights system.

A summary of the Paris Principles are included as Annex I on page 29 of this Annual Report. These principles are a key reference for the Commission.

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## The Commission and International Law

The Commission promotes and protects 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, which are guaranteed by international conventions ratified by the UK.

Among the core UN human rights treaties 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;
- Convention Against Torture and other forms of Cruel, Inhuman and Degrading Treatment or Punishment;
- Convention on the Rights of the Child.

Other 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 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.
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Volunteer at the  
Redhall Walled Garden,  
Edinburgh, which  
supports people  
recovering from mental  
health problems.

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## Chapter 2

# Laying the internal foundations



As a new Commission for Scotland, the basic foundations of the organisation had to be laid over the past year to ensure the highest standards of accountability and transparency were met.

Professor Alan Miller came into post as full time Chair in March 2008. The Members of the Commission act on a part time basis of 30 days per year. Professor Kay Hampton, Shelagh McCall and John McNeill came into post in May 2008, when the first meeting of the Commission was held.

At that first meeting the Members began to define how the Commission would operate internally. They devised a staff structure, started to plan the strategic direction nationally and internationally for its first term and decided to commission initial research.



Over the next few months, with assistance from the Scottish Parliament, recruitment began and offices were opened. All of the Members were involved in the recruitment process. The Commission currently has eight full time members of staff. The staff are structured in three core teams: Strategy & Legal, Communications & Outreach, and Business Management. Seven staff members began work in October 2008, and one in December 2008. Two more staff are due to come into post in June 2009. You can see the structure of the Commission on page eight.

Premises were secured for the main office in Glasgow where the Commission co-locates with the Equality and Human Rights Commission. In addition to the main Glasgow office, from April 2009 the Commission leases a small office space in Edinburgh from the Scottish Public Services Ombudsman.



Professor Alan Miller at  
the Scottish Parliament;  
Outreach Coordinator  
Jemma Neville

## Getting Started

To make the most of the expertise already available in the public sector in Scotland, the Commission chose the Scottish Government's ICT system SCOTSlite as a safe and secure information and communications system.

## Learning From Others

The Commission is one of over 80 national human rights institutions around the world, and benefits greatly from the experience of the global community of national institutions. In February 2009 Commission staff visited the Irish Human Rights Commission to exchange experiences across all areas of their work, including research, administration, communications, legal work and education. We have welcomed representatives from a wide range of national institutions to Scotland, including Great Britain, Ireland, Malaysia, Northern Ireland, Sierra Leone, and South Africa, and the Commission has drawn inspiration from the innovative work of other commissions, including that of the New Zealand Human Rights Commission.

The Commission is actively engaged with international partners on issues including human rights and climate change and human rights and business.

The Commission is one of a family of six Commissions established by the Scottish Parliament, and there is a wealth of experience and best practice policies already in place in those bodies, as well as others in the public sector. In order to gain as much knowledge as possible, in October 2008 a representative from the Commission joined the Commissions Organisational Group. The group, which meets quarterly, is comprised of office and business managers from the Scottish Commissioner for Children and Young People, the Office of the Commissioner for Public Appointments in Scotland, the Scottish Information Commissioner, The Scottish Roadworks Commissioner and the Scottish Police Complaints Commissioner. The group discusses commission activities, policies and working practices.



## Establishing Financial Control

Payroll services were established in 2008, as was banking provision, and it was agreed with the Scottish Parliamentary Corporate Body that the Commission would take ownership of its financial management from 1 April 2009. This allowed the Business Management staff time to establish a robust internal system for financial management. The handover was successful, with Commission staff receiving training in SAGE software and procedures.

The Commission is a Scottish Parliamentary Corporate Body Schedule 1 Body, meaning that the staff of the Commission are automatically enlisted in the Civil Service Pension Scheme unless employees choose to opt out. As part of the Commission's pension management responsibilities the Accounting Officer's Certificate and check list were completed and submitted to Scottish Parliament in March 2009 to demonstrate accurate administration and enrolment of the scheme.

## Establishing Our Internal Policies

In December 2008 staff induction days took place. Prior to the inductions a staff handbook was compiled providing a good guide for all staff including information on working hours, pay, holidays, along with Commission Policies.

The Commission has adopted the commonly used Seven Principles for Public Life (see box opposite) as the basis of the internal Code of Conduct. In addition to the staff handbook, an office handbook has been developed for staff detailing office policies such as the environmental procedure, basic workplace health and safety, and fire safety.

A Risk Management Strategy, Scheme of Delegation, Register of Interests, Equal Opportunities Policy, and various other employee specific policies have also been compiled. The Commission is committed to the well-being of its staff, and a structure for continual professional development is in place.

The Commission strives to be accessible and transparent at all times. As part of that commitment to accessibility and transparency the Commission has produced a Publication Scheme, with all staff receiving training in Freedom of Information legislation provided by the Scottish Information Commissioner's office in December 2008. The Publication Scheme was compiled following the training, and was approved in March 2009.

To date the Commission has received one formal complaint which was resolved promptly and satisfactorily after discussion with the complainer. The Commission received one Freedom of Information request which it met in full.



## What are our internal standards?

The Commission follows the recommendations set out in the first report of the Committee on Standards in Public Life ('The Nolan Committee'). These give all public bodies a guide to the high standards expected of the people who work for it.

The Seven Principles for Public Life are Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership. These qualities form the basis of our Code of Conduct.

## Future Plans

After a busy and productive start, year two business management is now being planned and implemented. 2009 – 2010 will see the first year of full financial control.

Our Risk Register, Fraud Prevention Policy, Political Neutrality Policy and Ethical Procurement Standards will be monitored over time in line with best practice in public life, along with additional employee specific policies including whistle blowing and complaints policies.

**Lastly the Commission will produce separate Annual Accounts to comply with the international financial reporting standards.**

Lothian Phoenix  
Wheelchair Basketball  
Club, Edinburgh

## Chapter 3

# Building relationships throughout Scotland

Throughout 2008/2009 the Commission has been enthusiastic in building relationships, participating in and organising events, and developing strategies for communications and outreach work. A major part of this reporting period has been taken up with the nationwide consultation which ran from December 2008 to April 2009. This exercise was vital to explore which issues people believed the Commission should prioritise, and to begin building networks with others to make the most of our resources.

## The nationwide consultation on a Strategic Plan - scope and process

On 10 December 2008, the Commission launched a nationwide consultation to help develop its first Strategic Plan. The Plan sets the direction of the work that the Commission will carry out over the next three years and so gathering feedback from the public, private and voluntary sector was a crucial first step.

This consultation ran until April 2009, and involved asking groups and individuals from all walks of life across Scotland for their thoughts on a draft document, called Building a Strategic Plan. That document had been produced after a series of informal meetings, conferences and seminars during 2008 and presented four draft strategic goals for consideration.

Two main methods were used to collect opinions during the consultation period: an online questionnaire, and a series of 18 face-to-face meetings in locations across the country with locally based representatives of public, private and voluntary organisations. There were also exchanges held with particular specialists such as the legal profession during the consultation.

The face-to-face meetings were organised across the eight parliamentary regions, with at least one meeting in each region (see Annex 2, page 30). Participants were invited either based on their knowledge or interest in human rights or because the Commission believed that their organisation, sector or role should have an interest in human rights. A wide range of organisations (public, private and voluntary) joined in with the consultation process (see Annex 3, page 31). All the information collected has been carefully analysed and made into a separate report, Building a Strategic Plan: Consultation Report. The key findings start overleaf.

Pupil at St Paul's High School, Glasgow, celebrating the 60th anniversary of the Universal Declaration of Human Rights, 10 December 2008



## Key findings

Overall, the Commission was very encouraged by the findings of the consultation process, and the positive response to the potential of the new body. The feedback received, both at the face-to-face meetings and from the online questionnaire, was constructive, useful and practical. The concept that the Commission could promote a positive vision of human rights in Scotland, and be both a protector against wrongs and a promoter of rights, was especially well received.

There was generally a positive response to the approach outlined in achieving the Commission's goals. People were keen to see a move towards promoting the fact that everyone has human rights, that public authorities have duties to respect, protect and fulfil these rights and that everyone has responsibilities towards one another and to the community. People felt that the Commission could play a valuable role in supporting the practical application of human rights by public, private and voluntary bodies – making them more “user-friendly”.

Given the size of the Commission, people did show concern about the amount of work outlined, and there was a warning that work must be carefully prioritised so as not to overwhelm staff. It was highlighted in the responses that decisions on priorities must be clearly explained. Overall people felt that the Commission should be the body that drives the changes, which others should have a role in delivering. Participants felt quite strongly that the Commission needs to be seen to take a public stand for human rights in Scotland. People felt that the Commission should react to events which reveal widespread human rights concerns. Although important, reacting to a wide range of issues can consume time and resources, and it was felt this work should not dominate. The principal focus should be on achieving long term goals.

Participants also felt that the Commission should be a source of information on human rights and that all of the information produced and/or promoted must be accessible. The Commission should aim to produce formal and informal versions of its publications so that everyone can access the information.



## Next steps

The findings of this consultation process helped the Commission to prepare its first Strategic Plan, which will be laid before Parliament in June 2009. The Strategic Plan clearly shows the impact and influence of the consultation responses, and the exercise has been very valuable in shaping the longer-term objectives as well as the shorter-term priorities for the Commission.

The responses have informed the development of strategy, goals, and criteria for how the Commission prioritises work, as well as helping to identify issues that the Commission will examine and the approach used to address issues. The first Operational Plan and the first Strategic Plan are produced as separate documents to the Annual Report, and you can read them online at [www.scottishhumanrights.com](http://www.scottishhumanrights.com).

## Criteria for prioritisation

The Commission has developed a set of objective criteria which it will use to prioritise its work. These criteria are designed to reflect the aims and mandate of the Commission, as well as a desire to ensure maximum impact.

They are:

- Gravity: is this a grave human rights issue?
- Focus on those whose rights are not sufficiently promoted: does the issue relate to marginalised, excluded or vulnerable people, or people who face layers of disadvantage due to their identity or circumstances?
- Contribution to a human rights culture: would working on this issue contribute to the development of a human rights culture in Scotland?
- Added value: looking at the work of other organisations, would this fill a gap in human rights protection, complement existing efforts, or expose that current action is not working?
- Opportunity for impact: is there a clear opportunity for improved realisation of human rights?
- Mandate: can the Commission achieve a positive human rights impact within its mandate?
- Proportionality: is the investment of resources needed justified by the likelihood and extent of positive impact?

## Establishing the Commission in the public arena

As a new Commission, efforts during 2008/2009 were focused on establishing a new identity, linking into existing networks, and starting to build a public profile.

By 10 December 2008 the Commission had a brand identity and a developed image for publications and online; had produced a new version of the Universal Declaration of Human Rights in English and Gaelic; populated a temporary website; and had engaged with national and local media in Scotland. Media monitoring, media training, a communications strategy and internal communications were also established.

During the first three months of 2009 the consultation document Building a Strategic Plan was published, along with a questionnaire to gather responses, and a leaflet explaining the consultation aims. All were published in print and online.

Local media has been engaged at every stage to publicise and report on the regional consultation meetings. The Commission engaged with national print, TV and radio requests for interviews.

In January 2009 after a period of competitive tendering the Commission awarded the design and build contract for its permanent website, which will launch in June 2009. The website, [www.scottishhumanrights.com](http://www.scottishhumanrights.com), will over time develop into a point of delivery for a range of education and training resources.

A number of events have been held since the Commission started work:

- A reception to mark the co-location of the Commission with the Equality and Human Rights Commission in Glasgow, attended by Mary Robinson, former UN High Commissioner on Human Rights, and Justice Secretary Kenny MacAskill.
- An international conference co-hosted with the Centre for the Study of Human Rights Law at the University of Strathclyde, to mark the 60th anniversary of the Universal Declaration of Human Rights - bringing together international participants from the Office of the United Nations High Commissioner for Human Rights, the Irish and South African Human Rights Commissions, Scottish parliamentarians, regulatory bodies, the academic, voluntary and community sectors, members of the legal profession and the general public.
- 10 December reception at the Scottish Parliament to celebrate 60 years of the Universal Declaration of Human Rights, hosted by the Presiding Officer.
- Delegation visit from the Commission to the Irish Human Rights Commission.
- Joint reception with the British Council in honour of a visit from Jamesina King, founding Chair of the Human Rights Commission of Sierra Leone.

## Building a Network

During this year the Commission has been planning for a national network of “human rights in practice” as part of bringing human rights to life in communities around Scotland. The network will be launched in late 2009.

## Education and Culture

The Commission is working to support a human rights based approach to education in Scotland’s schools, with an emphasis on the United Nations Convention on the Rights of the Child, in partnership with Learning and Teaching Scotland and education providers delivering the new Curriculum for Excellence. The Commission has also hosted a Chevening Scholar on placement during 2009. Work is ongoing on establishing a permanent internship scheme, to launch in 2010.

The Commission is also developing a Cultural Strategy to maximise the support we can offer to those who want to bring human rights to life through their involvement in many varied forms of cultural work including film, drama, art, writing and music.



Participant from the  
Maryhill Integration  
Network, Glasgow



## Chapter 4

# Supporting human rights in the world



Jamesina King, first Chair of the Human Rights Commission of Sierra Leone on her visit to Scotland; Protests in Edinburgh over the Gaza conflict 2009; Navi Pillay, the UN High Commissioner for Human Rights, who met with the Commission in 2008.







The Commission is one of over 80 national human rights institutions within the International Coordinating Committee of NHRIs (see box on page 11). The Commission is committed to acting as a bridge between national and international experiences on human rights, and to giving Scotland a place in the international human rights arena.

During 2008/2009 the Commission has been actively engaged in the international human rights system as the representative of the European region of NHRIs in helping to shape policy on human rights and business, and human rights and climate change.

The Commission is chairing a new network of NHRIs from across the UK and Ireland, and will host the first meeting of all of these bodies in Scotland in June 2009. During the Gaza conflict in late 2008 / early 2009, the Commission offered to support colleagues at the Palestinian Independent Commission for Citizen's Rights.

Preparation has taken place during 2008/2009 for the following:

- Seeking formal recognition from the International Coordinating Committee of NHRIs as a legitimate NHRI, which will ensure the right of the Commission to intervene in the United Nations human rights system, and secure our standing among our peer institutions around the world;
- Offering practical support to our colleagues in partner national institutions around the world when they come under pressure;
- Raising awareness of the relevance of international human rights law and standards in Scotland;
- Meeting our responsibilities in expectation that the Commission will be named as a member of the UK wide national monitoring mechanisms concerned with the UN Conventions on inhuman and degrading treatment, and on persons with disabilities.
- Helping define the agenda for the two UK wide independent bodies on inhuman and degrading treatment and disabilities, and start to fulfil our duties to promote, protect and monitor the rights under the Convention on Persons with Disabilities.

## Chapter 5

# Looking to the future

In 2009/2010 the Commission will build on the foundations laid in 2008/2009. The first Strategic and Operational Plans, which are online at [www.scottishhumanrights.com](http://www.scottishhumanrights.com), identify four key priorities:

### 1. Promoting and protecting human dignity in Scotland

The Commission will work to empower people to understand and claim their rights, and support the ability and accountability of public, private and voluntary bodies to put human rights at the heart of their day-to-day work. In 2009/2010 the Commission will:

- Start a major research project to identify – or “map” – the gaps and the good practices in the realisation of human rights across Scotland. This will be used to develop a National Action Plan for Human Rights, a “road map” for the realisation of rights. The research project will also help to prioritise the Commission’s work in the future, and to support international reviews of the realisation of human rights in Scotland.
- Work to promote and protect human dignity in care. The Commission will raise awareness of the rights of those who deliver and those who receive care services, and will support regulators and providers of care to integrate human rights in their day-to-day work. The Commission will also work with local authorities to support them in taking human rights adequately into account in the procurement of care services. In addition, the Commission is developing a clear vision of how a forum for addressing historic child abuse can be designed and delivered in a way which best respects, protects and fulfils the human rights of everyone. The Commission will also support the delivery of high quality advice on human rights from voluntary and other bodies across Scotland.
- Develop a network which shares and promotes examples of human rights in practice.
- Evaluate the experience of The State Hospital at Carstairs which has sought to change its policies and practices to better realise the human rights of everyone in the hospital – those receiving as well as those delivering services.

## 2. Addressing emerging human rights issues

The Commission 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 have a significant impact on human rights in Scotland. In 2009/2010 the Commission will develop plans for engaging in key policy consultations, with Parliament and with the media.

## 3. Bringing human rights to life

The Commission will help take human rights beyond the formalities of the legal system and into everyone's daily life, seeking to influence education, media and other forms of communication. In 2009/2010 the Commission will establish a Cultural Panel and support human rights elements in various cultural events.

## 4. Supporting human rights in the world

The Commission will be a bridge between Scottish and international communities on human rights. In 2009/2010 the Commission will support the UN review of the UK on economic, social and cultural rights; develop a programme of work to promote, protect and monitor the Disability Convention; and work to establish the National Prevention Mechanism on inhuman and degrading treatment. The Commission will also host the first meeting of UK and Ireland human rights commissions, and seek international recognition as a legitimate human rights commission.



Visiting at home with the  
Ecas Befriending Project,  
Edinburgh

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## Annex 1

## Paris Principles

When establishing the Commission, 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, status and functions of national human rights institutions which were developed in Paris in 1991, and adopted by the UN General Assembly in 1993.

The Paris Principles provide that national human rights institutions should:

- Be established in the Constitution or by a law that clearly sets out its role and powers;
- 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.

They also provide guidance on the methods of operation and powers of national institutions.

National human rights institutions should:

- 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.

## Annex 2

# List of dates & locations in the nationwide consultation

## Consultation Dates & Locations

### 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  
Pickaquooy Centre, Kirkwall, Orkney

### 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

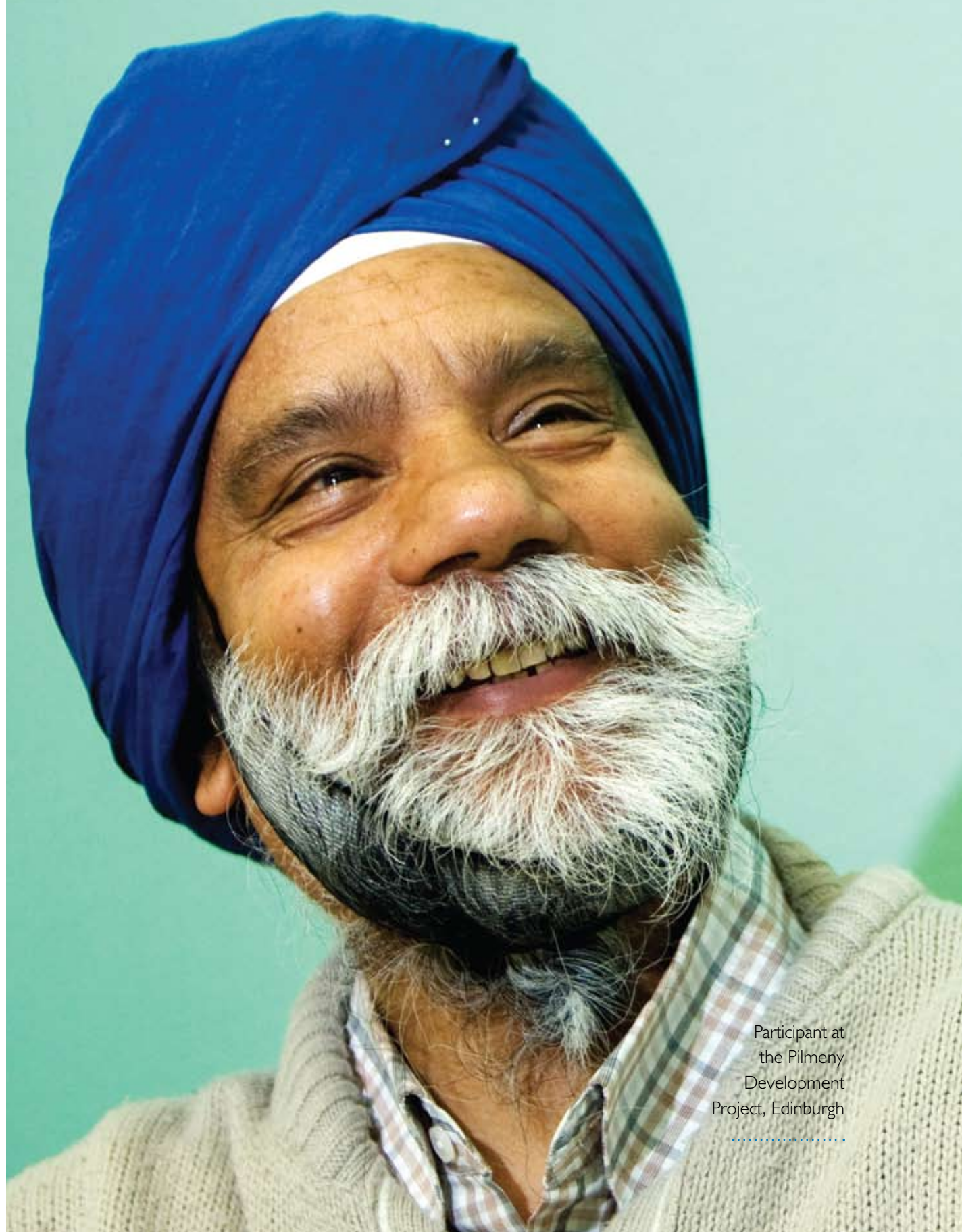
### West of Scotland

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

## Annex 3

# 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



Participant at  
the Pilmeny  
Development  
Project, Edinburgh

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- Glasgow Old Peoples Welfare Association
- General Medical Council
- Gorbals Community Forum
- Help the Aged
- Highland Council
- Highland Council (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
- Scottish Resource Centre for Women in Science Engineering and Technology
- Scottish Trades Union Congress

- Scottish Transgender Alliance
- 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

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