

Lived Experience Leadership Group

Statement on Programme for Government 2021-22

About the Group

We are a group of individuals from all across Scotland, who have direct lived experience of human rights issues. We have been working together since 2015 to drive forwards human rights in Scotland: at first through Scotland's National Action Plan on Human Rights, and now as part of the Scottish Human Rights Commission.

We share our lived experience expertise with governments and public authorities to help build a human rights based approach to law, policy and practice. We are especially involved in economic, social and cultural rights – such as the right to health, housing, food, social security and an adequate standard of living. You can find out more about us and our work on our webpage: [Lived Experience \(scottishhumanrights.com\)](https://www.scottishhumanrights.com).

Our Rights in the Programme for Government

The Programme for Government, announced last week, outlines a number of important commitments aiming to strengthen and advance Human Rights across Scotland, which we warmly welcome.

After six years of contributing our lived experience to drive forwards Human Rights, we are particularly proud to see Scotland make the world-leading commitment to **incorporate key human rights treaties into Scots law**, through a new Human Rights Bill.

Embedding our **Economic, Social and Cultural rights** in law will mark a step-change for tackling inequality. For those of us across Scotland facing poverty and unequal access to food, housing, health, work, education, and a healthy environment - our new Human Rights Law must be a tool for change, that makes a difference in our day to day lives. Our diverse voices and participation

must be supported and resourced, as a central part of developing the Bill, implementation, and monitoring the changes that we need to see as a result.

Incorporating **rights for women, disabled people, black and minority ethnic people**, and protecting rights for **older people** and **LGBT people** – can help eradicate the discrimination and inequality these groups still face - inequalities made worse by the ongoing pandemic.

We welcome the strong commitments to **tackling poverty**, throughout the Programme for Government: we hope actions will be informed by participation and a Human Rights Approach, to advance our **rights to food, rights to work, and an adequate standard of living**. We particularly welcome the emphasis on supporting access to Fair Work for those hardest hit by the pandemic, including disabled people, and black and minority ethnic people.

The commitment to establish a new **National Care Service** will be one key area where a human rights based approach is vital, and where the voices and participation of those with lived experience will be essential to help build a system that can uphold key human rights - such as disabled people's **rights to Independent Living**.

Commitments to invest more in **mental health services** are welcomed urgently, and are a key area where participation and human rights budgeting could help bridge the gap between policy and lived experience: accessible, inclusive involvement of service users and those who have struggled to access services will **help ensure this money gets to where it is needed**, and maximises human rights progress.

We welcome commitments to **reform the justice system** with an emphasis on community and restorative justice that supports families and breaks harmful cycles.

We welcome commitments to advancing **LGBT people's rights** by banning conversion therapy, investing to improve our NHS gender identity services, and reforming the Gender Recognition Act. While we urge legal recognition for non-binary people, we welcome ongoing work to improve non-binary people's lives. We welcome **commitments to tackle misogyny and gender-based**

violence, improve trauma support services and criminal justice responses - as well as reproductive healthcare – however clarity and participation is needed to ensure trans and non-binary people are included in this progress.

We are concerned that **Intersex people are missing from the Programme for Government**, despite Human Rights concerns highlighted by the UN special Rapporteur on Torture, regarding medically non-essential involuntary surgeries.

We advocate that all our rights are interconnected – and so are the inequalities that stop us from accessing them. To enable us to tackle discrimination and the rights violations we continue to face, we need **affordable access to justice and remedies** built in to our new Human rights Law, alongside a **duty on public bodies to comply** – so that when our rights are breached there is support to do something about it. We welcome enhanced powers for the Scottish Human Rights Commission, for instance to take test cases or conduct investigations, to help make our rights a reality.

The Lived Experience Leadership Group stands ready to keep working alongside the Scottish Government, Scottish Parliament, and duty bearers across Scotland, to help ensure all these actions take a human rights based approach, building in the voices and lived experience of those most affected – and **to help ensure our new Human Rights law is shaped by and delivered with the people who need it most.**