

SHRC

Scottish
Human Rights
Commission



Annual Report

2023-24

As part of the Commission's **Attitudes to Human Rights in Scotland** research published in 2023, we asked people what words and emotions they associated with human rights. The front cover of our Annual Report shows some of their responses.

Laid before the Scottish Parliament by the Scottish Commission for Human Rights in pursuance of Section 15 (1) of the Scottish Commission for Human Rights Act 2006 on 31 October 2024.

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Welcome



Welcome from the Chair



It is a privilege to take up post as the new Chair of the Scottish Human Rights Commission.

These are challenging times in Scotland and there is much to do to secure everyone's human rights in their everyday lives. Multiple inequalities persist and we see the ongoing failure of public policy and services to ensure that people's basic rights to a safe and dignified life are met.

Our Annual Report demonstrates the work the Commission has pursued in the past year to deliver its statutory duty to promote human rights – through a renewed focus on monitoring and reporting to deliver improved accountability for human rights in Scotland.

As I begin my tenure as Chair, we embark on a new Strategic Plan for the next four years, focused on standing up for those in need of protection and holding those responsible for human rights to account.

The Commission will be agile, engaged, open to collaboration and above all visibly committed to the realisation of rights in Scotland, as an authoritative and challenging partner in pursuit of that goal.

I look forward to working with the current Members of the Commission, the staff team and all of our stakeholders to make rights real for everyone in Scotland.



Professor Angela O'Hagan
Chair, Scottish Human Rights Commission



Professor Angela O'Hagan

**The Commission will be agile,
engaged, open to collaboration
and above all visibly committed to
the realisation of rights in Scotland,
as an authoritative and challenging
partner in pursuit of that goal**

Our purpose, vision, mission and values

Our Purpose

We are Scotland's human rights watchdog.

Our job is to work with people and communities to understand their experiences, hold public bodies to account where human rights are not upheld, and help them to do better.

Our Vision

A fairer Scotland where human rights are respected, understood, and where there is justice when things go wrong.

Our Mission

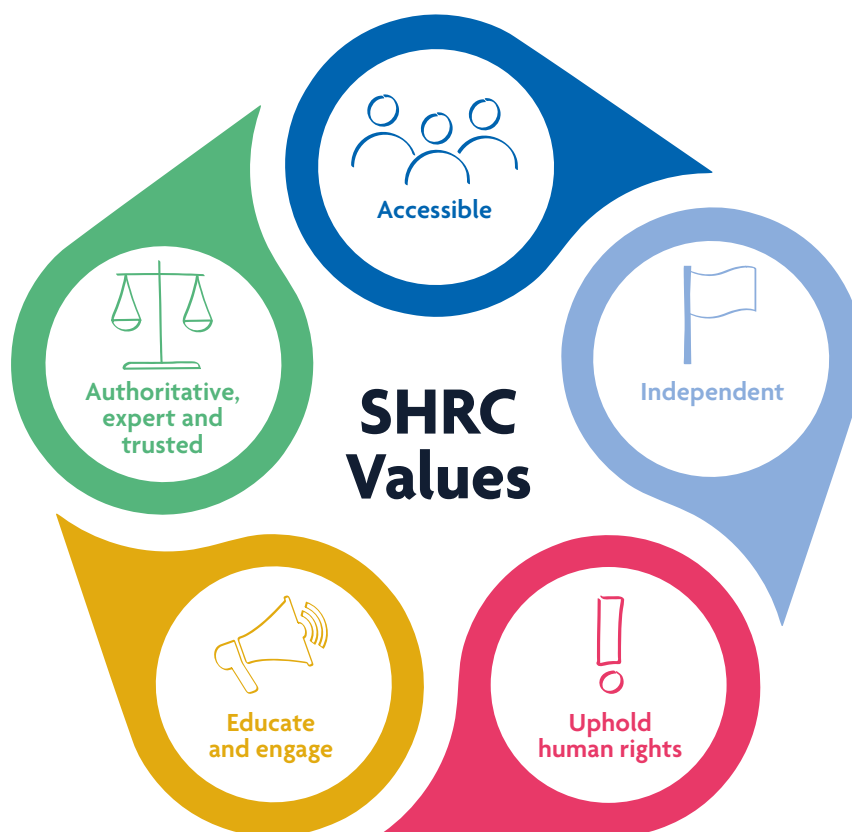
To be a strong, independent authority that works collaboratively to uphold everyone's human rights in Scotland.

Our Values

The Commission delivers its work through the lens of a human rights based approach, known as the [PANEL principles](#)

- **P**articipation
- **A**ccountability
- **N**on-discrimination and equality
- **E**mpowerment
- **L**egality

Our values bring this to life.



We are accessible

We involve people in the work of the Commission on issues that affect their rights and ensure our work is understood by all.



We are independent

We hold duty bearers to account by monitoring human rights standards in Scotland, the system of accountability, and using our mandate to take action where required. We are accountable to the people of Scotland.



We uphold everyone's human rights

Human rights belong to everyone. We recognise where bias, discrimination and power dynamics have an impact on human rights violations, and we take action on rights and groups most at risk.



We educate and engage

We help everyone to understand their human rights and make sure that decision makers are fully supported to develop policy and practice which affect people's rights.



We are authoritative, expert and trusted

We keep watch over national and international human rights law to help duty bearers understand the impact of their plans and actions on their human rights obligations, ensuring that this is rooted in rule of law, and easily understood.

A year in human rights



April 2023

Commission joins 21 other human rights bodies at the National Preventive Mechanism (NPM) annual conference. We are members of the UK NPM, which works to prevent ill treatment of people in places of detention.



May 2023

We [call on the Scottish Government](#) to deliver immediate, practical, human rights-based policies to tackle poverty across Scotland. Poverty will be a priority focus in our next Strategic Plan.



June 2023

Commission launches [At A Crossroads: which way now for the human rights system in Scotland?](#) This new report explores the accountability gap for human rights in Scotland.



June 2023

UK Government withdraws plans to repeal the Human Rights Act, after years of advocacy by Scottish civil society, UK campaigners and international human rights bodies, including the Commission.



July 2023

Commission hosts roundtables on next steps for human rights in Scotland, hearing the views of civil society and human rights defenders from across the country.



August 2023

Our [new reports to the United Nations \(UN\)](#) highlight 'unrelenting attacks' on disabled people's human rights.



September 2023

We present an extensive study into [Access To Justice For Everyone](#), investigating the challenges people in Scotland face when their human rights are violated.



September 2023

We publish the findings of an [Independent Governance Review](#) designed to help us strengthen the Commission's effectiveness as Scotland's independent National Human Rights Institution.



October 2023

Commission responds to Scottish Government consultation on a [new Human Rights Bill for Scotland](#), welcoming the Bill but noting it must deliver real change in people's lives.

January 2024

Commission gives evidence on its performance at the Scottish Parliament, noting our focus on purpose, priorities, visibility, impact and engagement.

October 2023

We start fieldwork research on economic, social and cultural rights in the Highlands and Islands.

February 2024

We embark on a [joint project with human rights defenders](#) to help us monitor Scotland's progress in moving away from institutions.

November 2023

We call for views on human rights in Scotland as we develop our new Strategic Plan.

February 2024

The Scottish Parliament begins recruitment for the next Chair of the Commission.

December 2023

MSPs pass the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill. The Commission is granted new powers under the legislation.

To mark Human Rights Day, we launch our new report on [Attitudes to Human Rights in Scotland](#).

March 2024

Commission delivers a new [treaty monitoring report on civil and political rights](#) in Scotland to the UN, highlighting issues with access to justice and conditions in places of detention.

A year in numbers



6%

increase in support for human rights in Scotland in five years, up to 48%, finds new Commission research



1

new Strategic Plan



1

new Chair recruitment launched



112,000

impressions on our social media channels



1000+

people interviewed for our research into attitudes to human rights in Scotland



3

key reports monitoring Scotland's human rights performance to international treaty bodies



9

major publications



6 weeks

on the road in the Highlands and Islands, with 20 locations visited



5

human rights defenders co-producing new film



31,000+

visits to our website



5

verbal evidence sessions in front of Scottish Parliamentary Committees



4

new spotlight projects



9

Commission meetings

Outcomes



In this section we demonstrate the outcomes we have achieved against the Commission's Strategic Priorities for 2023-24, fulfilling our functions under the **Scottish Commission for Human Rights Act 2006**.

Strategic theme: Purpose



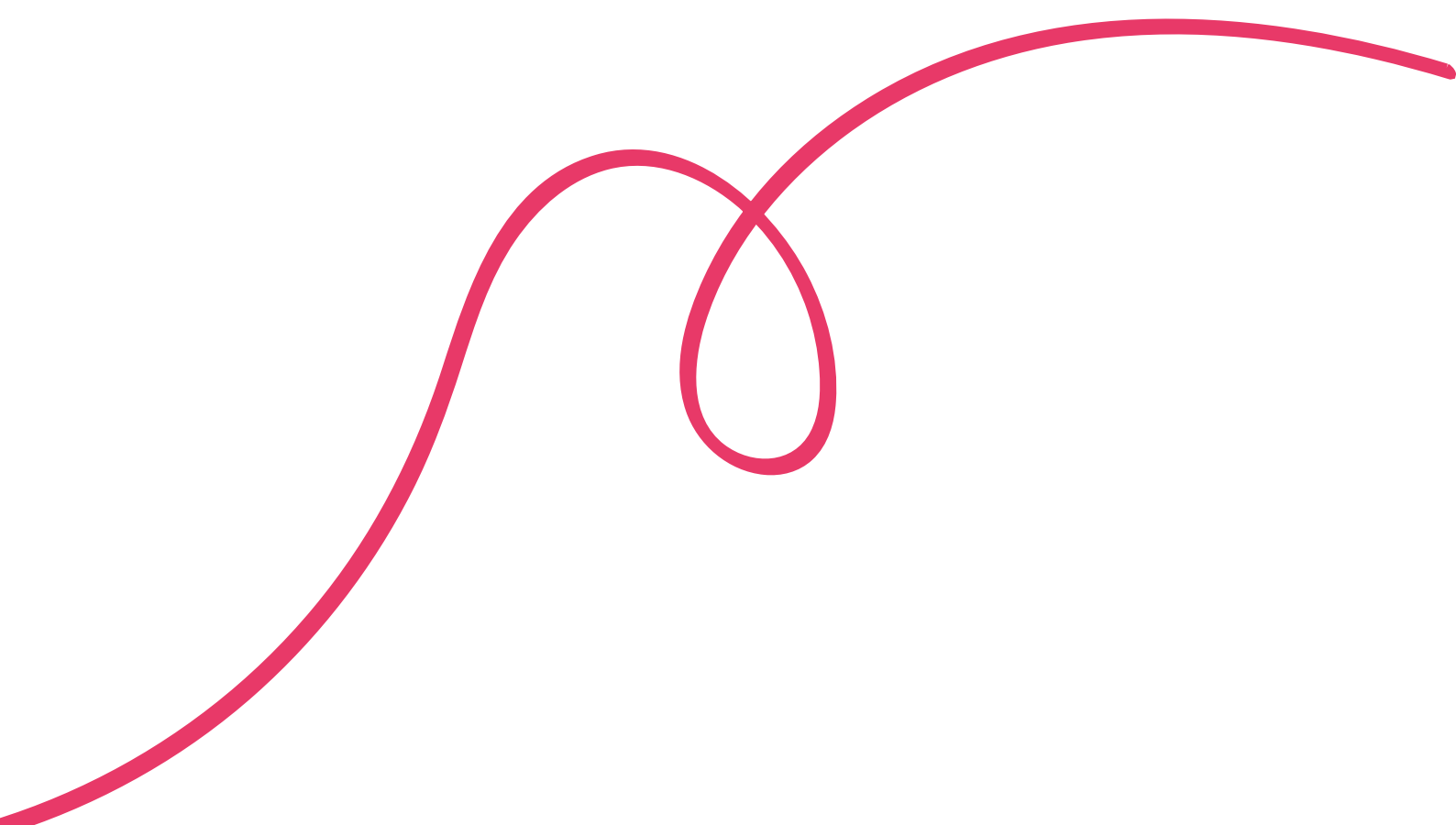
Strategic Objective: Increase impact, visibility and maximise the capacity of the Commission as Scotland's human rights watchdog

This year the Commission began research, fieldwork, engagement and participation work towards delivering four new Spotlight projects. These were designed to shine a light on key human rights issues in Scotland.

The projects were chosen using an evidence-based decision making framework which assesses priority areas of work against our

mandate. You can read the framework in our [Operational Plan 2024-25](#), published on our website.

We have additionally pursued a range of other work under the 'Purpose' theme which is also highlighted in the following pages.





Spotlight: Access to justice

“You know, if you’re already marginalised and then you’ve got to fight the system which is completely stacked against you – you know what? You really don’t have a lot of hope for success unless you’ve got resilience coming out of your pores...”

Quote from an access to justice practitioner.

The Commission is concerned that for many people, access to justice is too difficult when they experience human rights problems. The issues they face include accessing legal aid, legal advice and other barriers.

This year, we launched [Access to Justice for Everyone](#), exploring the barriers which exist for people to access their rights to economic, social and culture rights in Scotland, and suggesting a range of solutions to achieve an access to justice system that is fit for purpose.

We also secured coverage in the media, raising awareness that access to justice should be a simple, affordable, quick and effective process. We will continue to develop our Access to Justice Spotlight project in 2024-25.

Meeting our mandate

We are building on this work to complete the next stages of our Spotlight on access to justice, fulfilling the following sections of our mandate:

- Section 2: General duty to promote human rights (1), (3)
- Section 3: Information, guidance, education (1) (a) (b) (c)
- Section 4: (1) (a)
- Section 16: Publication of reports (2)





Spotlight: Places of detention

The Commission has a long-standing programme of work on human rights in places of detention in Scotland.

In 2021, the Commission co-published the [Independent Review of the Response to Deaths in Prison Custody in Scotland](#), alongside His Majesty's Chief Inspector of Prisons for Scotland and the charity Families Outside.

We believe the pace of change since then has been far too slow and so we [raised our concerns](#) with the Criminal Justice Committee at the Scottish Parliament, urging accelerated implementation of the recommendations.

We also continued to contribute to the UK National Preventive Mechanism, which monitors how people in places of detention are treated. The Commission chaired the Scottish sub group of the NPM.

In a high-profile piece of work with NPM, we began to investigate Scotland's progress meeting international recommendations on human rights protections in places of detention.

Our [report](#), published in July 2024, found an unacceptable level of inaction on most of the outstanding recommendations. Of the 29 recommendations we assessed, looking at issues such as the use of segregation and provision of mental healthcare, 83 per cent had seen little or no meaningful progress.

We raised awareness of our findings by sharing them with civil society, the Scottish Government and Scottish Prison Service. The report prompted strong media attention and a response from the Scottish Government Justice Secretary Angela Constance, who said it would be given "full and careful consideration".

Meeting our mandate

Our work on human rights in places of detention engages the following sections of our mandate:

- Section 2: General duty to promote human rights (1), (3), (4)
- Section 3: Information, guidance, education etc (1) (a) (b) (c)
- Section 4: Monitoring of law, policies and practices (1) (a) (b)
- Section 5: Power to co-operate etc, with others (1) (b)
- Section 16: Publication of reports (2)



The following table summarises our findings.

| Recommendation | Findings | Recommendation | Findings |
|---|----------|--|----------|
| Ensure an independent, prompt and impartial review of all deaths in custody | ✗ | Take urgent measures to protect minority ethnic groups from ill-treatment and disproportionate restraint | ✗ |
| Review the overall Fatal Accident Inquiry system to find ways to speed up the process | ✗ | Review behaviour management policies | ✓ |
| Reduce the number of deaths by suicide | ✗ | Consider measures to ensure body cameras for all control and restraint operations | ✓ |
| Complete data to assess the effectiveness of suicide prevention strategies | ✗ | Stop using segregation for those with mental health needs | ✗ |
| Tackle overcrowding and reduce the remand population | ✗ | Ensure appropriate use of segregation, adequate regimes and reintegration | ✗ |
| Improve prison conditions – 'dog boxes', cell sizes, access to purposeful activity | ✗ | Address staffing issues | ✓ |
| Ensure prompt and systematic investigation of all injuries and allegations of ill-treatment | ✗ | Improve record sharing | ✗ |
| Collect, analyse and publish data | ✗ | Address substance use | ✓ |
| Establish accessible complaints mechanisms | ✗ | Improve mental healthcare in all prisons | ✗ |
| Ensure ongoing, up-to-date training | ✗ | Transfer prisoners with acute mental health problems to appropriate psychiatric facilities | ✗ |
| Ensure human rights standards are included in training | ✗ | Provide training for prison personnel on recognising symptoms of mental health problems and appropriate referral | ✗ |
| Develop a methodology to assess the effectiveness of training | ✗ | Establish a high-secure psychiatric unit for women | ✗ |
| Explicitly prohibit the use of harmful devices, disciplinary restraint and any technique designed to inflict pain on children | ✗ | Improve admission screenings for women | ✗ |
| Develop statutory guidance on the use of restraint on children | ✗ | Upgrade the female prison estate | ✓ |
| Collect, analyse and publish data on restraint on children | ✗ | | |



Spotlight: The right to independent living

In 2018, the Scottish Government published an assessment of the status of people with learning disabilities and/or autistic people living in institutions, where they should not be. The resultant 2022 *Coming Home Implementation: A report from the working group on complex care and delayed discharge* set a target to end this practice by March 2024.

In 2023 we began a new programme of work to assess the objectives of the Coming Home Implementation Plan against the human rights protected under the [Convention on the Rights of Persons with Disabilities \(CRPD\)](#).

- We developed human rights indicators on the [right to independent living \(Article 19 CRPD\)](#) to measure progress.
- We invited human rights defenders with experience of the issue to work with us to create tools for people with learning disabilities, autistic people and those who support them.

Meeting our mandate

The report, a toolkit and film will be published in 2024-25, delivering under the following areas of our mandate:

- Section 2: General duty to promote human rights (1), (2) (a) (b), (3), (4)
- Section 3: Information, guidance, education etc (1) (a) (b) (c)
- Section 4: Monitoring of law, policies and practices (1) (a) (b)
- Section 5: Power to co-operate etc, with others (1) (a) (b)
- Section 16: Publication of reports (2)





Spotlight: Economic, social and cultural rights the Highlands and Islands

The Commission has become increasingly aware of gaps in the realisation of economic, social and cultural (ESC) rights in rural areas of Scotland, including for example, the rights to housing, health, and food.

In 2023, members of the Commission team undertook a six week fact-finding trip to the Highlands and Islands, visiting more than twenty towns across six local authorities.

We met with more than 140 people, including representatives from local community groups, charities and decision-makers.

Our research has informed a report which aims to fill the gaps in human rights data, raise awareness with duty bearers who are designing services, and to bear witness to the lived experiences of people and communities across the Highlands and Islands.

This project is the start of a new, four year monitoring programme for the Commission evidencing the status of ESC rights in local communities across Scotland.

Meeting our mandate

Our report on ESC rights in the Highlands and Islands will be published in 2024-25, in accordance with our mandate:

- Section 2: General duty to promote human rights (1), (2) (a) (b), (3), (4)
- Section 3: Information, guidance, education etc (1) (a) (b) (c)
- Section 4: Monitoring of law, policies and practices (1) (b)
- Section 5: Power to co-operate etc, with others (1) (a)
- Section 16: Publication of reports (2)



Children's rights brought into Scots law

In December, MSPs in the Scottish Parliament unanimously passed the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill (UNCRC). This was a milestone moment, being the first time the Scottish Parliament has incorporated an international human rights treaty into Scots law.

This means that public authorities and decision makers in Scotland are legally obliged to respect children's rights by designing policies, budgets and services that fulfil the obligations of the UNCRC.

The progress of the Bill was delayed in 2021, after a Supreme Court challenge by the UK Government. During its successful reconsideration, we encouraged the Scottish Government to work more closely with the UK Government to achieve landmark legal progress for human rights.

Giving evidence at the Scottish Parliament, our Executive Director Jan Savage told MSPs:

"Children, young people and their families have waited a very long time for this. Incorporation of children's rights is essential to secure accountability when the rights already held under the UNCRC are not adequately considered by public bodies. Is this more complex than we envisaged at the start of this process? Yes. Is that a reason not to proceed? Absolutely not. Reconsideration is the best route forward."

Extending our mandate

The UNCRC (Incorporation) (Scotland) Act 2024 granted new powers for the Commission to take legal action in relation to children's rights. The Commission is preparing itself to be ready to implement its powers under this duty in the period ahead.

Section 4A of the Scottish Commission for Human Rights Act 2006 was inserted as follows: "For the purposes of its general duty, the Commission may:

- (a) bring proceedings under section 7(1)(a) of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024
- (b) intervene in proceedings in which a person claims that a public authority has acted (or proposes to act) in a way which is made unlawful by section 6(1) of that Act.

Attitudes to Human Rights In Scotland

To mark Human Rights Day on 10 December 2023, and to celebrate the 75th anniversary of the Universal Declaration of Human Rights, the Commission published major new findings into [Attitudes to Human Rights in Scotland](#).

The research, which questioned more than 1000 people across the country, revealed that support for human rights has increased, but many are worried about declining protections. It also revealed the number of people who don't know where to go for help has increased in the past five years.

“Human rights belong to every one of us, and they exist in the lives, communities and attitudes of real people in real places. This report helps us understand public attitudes towards human rights and gives us a more detailed picture of how public views on human rights in Scotland are evolving over time. Our findings are of interest to duty bearers, regulators and elected representatives who have responsibilities to uphold human rights.”

Jan Savage, Executive Director of the Commission:



Meeting our mandate

The research supported the following duties in our mandate:

- Section 2: General duty to promote human rights, (1), (2) (a) (b), (3), (4)
- Section 3: Information, guidance, education etc (1) (a) (c)
- Section 5: Power to co-operate etc, with others (1) (a)
- Section 16: Publication of reports (2)

Human rights concerns of the Gypsy Traveller community

The significance of the human rights issues faced by the Gypsy Traveller community in Scotland is an area of poor realisation of human rights which is of keen interest to the Commission.

This year, Members of the Commission met with people from the community, who spoke of their ongoing investigations into the ‘Tinker Experiment’ and their campaign for an apology as well as a permanent inter-cultural peace centre to promote understanding of Scottish Gypsy Traveller culture.

We also heard concerns on a range of human rights issues, including racism and discrimination, access to services and poor-quality accommodation.

The Commission is committed to working alongside community members to further explore the human rights denials they are experiencing. We have begun work on a new Spotlight Project with community members and this will be published once completed in 2025.

Meeting our mandate

Our new project will ensure rights holders from the Gypsy Traveller community are engaged meaningfully, respectfully and purposefully in the Commission's work, in line with the following duties in our mandate:

- Section 2: General duty to promote human rights, (1), (2) (a) (b), (3), (4) (a) (b)
- Section 3: Information, guidance, education etc (1) (a) (b) (c)
- Section 5: Power to co-operate etc, with others (1) (a) (b) (c)
- Section 16: Publication of reports (2)

Strengthening the legal framework for human rights

A core focus for the Commission under the Strategic Theme 'Purpose' has been improving accountability for human rights for the people of Scotland.

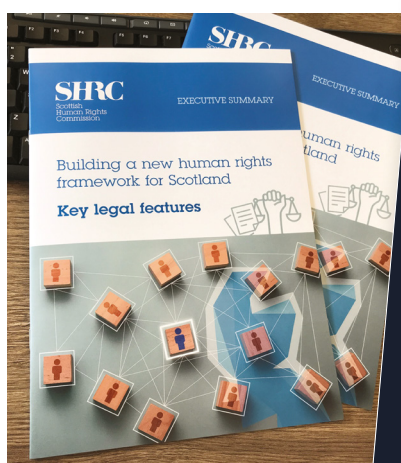
The Scottish Government's consultation on its proposed Human Rights Bill for Scotland was a significant step towards this objective.

We provided evidence and insight to inform the development of the proposed Human Rights Bill as it progressed through the pre-consultation.

In June 2023 we welcomed the opening of a consultation on the Bill in a public statement. We followed this with roundtable events to support civil society to engage with the Bill development process, and in October 2023, submitted our own response to the consultation.

At that time, we published [three major new reports](#) as part of an Incorporation series, which included a Legal Opinion on the model of incorporation, and a paper exploring potential changes to the Scottish Commission for Human Rights Act 2006 to strengthen the Commission's role in upholding human rights. These papers were available to all on our website and we promoted them across our social media channels.

We also raised public awareness of the importance of the new Human Rights Bill for Scotland, with an interview on BBC Radio 4's *Law in Action* and an article in the *Law Society of Scotland Journal* on *Transforming Scotland's human rights obligations*.





Above: Commission hosts a discussion on the proposed Human Rights Bill for Scotland



Following the Scottish Government confirming in September 2024 that the introduction of the Bill will be delayed until the next session of the Scottish Parliament, the Commission now continues to advocate for a strengthened legal framework for human rights in Scotland.

Meeting our mandate

Our activities around the new Human Rights Bill fulfilled our mandate in the following areas:

- Section 2: General duty to promote human rights, (1), (2) (a) (b), (3), (4) (a) (b)
- Section 3: Information, guidance, education etc (1) (a) (b) (c)
- Section 4: Monitoring of law, policies and practices (1) (a) (b)
- Section 16: Publication of reports (2)

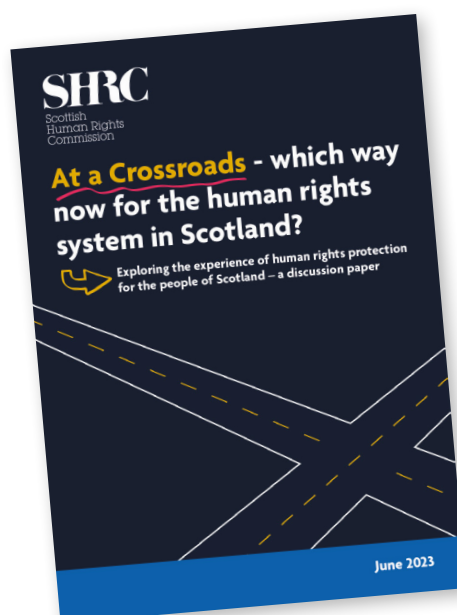
Building a new human rights system

The Commission has led engagement with MSPs, civil society stakeholders and a wide public audience about what calls for new Commissioners reveal about rights realisation in Scotland.

In our discussion paper *At a Crossroads – which way now for the human rights system in Scotland*, we explored why so many communities feel their rights aren't being served by current protections in Scotland – and asked what can be done now to build a system where everyone in Scotland can name and claim their rights.

The paper also explored the Commission's own role in that system, looking at ways to strengthen Scotland's NHRI, in line with the mandate of the others in Great Britain, so that it can best make rights real for everyone in this country.

We achieved strong impact for our research, with coverage in *The Herald* newspaper, *Third Force News* and a series of well-attended stakeholder roundtables.



In January 2024, the Finance and Public Administration Committee at the Scottish Parliament launched an Inquiry and call for views into whether a more coherent and strategic approach is needed for the creation of such commissioners in Scotland.

The Commission provided written and oral evidence to the Committee which has since recommended that a further review of the existing office holder landscape should take place before any development of new Commissioners, or the extension of powers for the existing SPCB-supported bodies, including the Commission.

We look forward to participating fully in the next stage of that process to explore how the mandate and function of the Commission as Scotland's NHRI may be strengthened.

Meeting our mandate

Our activities around the new Human Rights Bill fulfilled our mandate in the following areas:

- Section 2: General duty to promote human rights (1), (2) (a) (b), (3), (4) (a) (b)
- Section 3: Information, guidance, education etc (1) (a) (b) (c)
- Section 5: (1) (a)
- Section 16: Publication of reports (2)



Legislative and policy development and scrutiny

We fostered Parliamentary engagement with human rights in 2023-24, submitting expert human rights analysis and evidence to a wide range of legislative and policy processes. All of the Commission's policy submissions can be found on the publications page on our website. These included:

- [Letter to First Minister of Scotland on Human Rights](#)
- [Letter to local authorities on housing conditions of Scottish Gypsy Traveller Community](#)
- [Response to Review of National Performance Framework National Outcomes](#)
- [Response on Reforming the Criminal Law to Address Misogyny](#)
- [Submission to the Council of Europe's European Commission Against Racism and Intolerance](#)
- [Response to the Abortion Services \(Safe Access Zones\) Scotland Bill Consultation](#)
- [Guidance to Committee members on taking a human rights approach to the Scottish Budget](#)



- Letter to Convener of the Criminal Justice Committee Regarding Deaths In Custody
- Briefing to MSPs for Human Rights Day Debate 2023
- Briefing on the 30th Anniversary of the Paris Principles
- Letter to Minister Emma Roddick MSP on Scotland's National Action Plan For Human Rights
- Joint letter to Cabinet Secretaries and Ministers on Restraint and Seclusion
- Letter to Convener Education Children and Young People Committee on Redress Scotland
- Submission to the Finance and Public Administration Committee Inquiry on Scotland's Commissioner Landscape



International monitoring

We have drawn attention to the gaps in human rights protections in Scotland with a series of international treaty monitoring reports to the United Nations and Council of Europe. This activity fulfills one of our key duties as Scotland's National Human Rights Institution, as accredited by the United Nations.

Our findings have informed policy development with government and duty bearers, and provided useful data and evidence to human rights defenders across civil society.



Commission warns of crisis for disabled people's rights

In [new reports to the UN](#), the Commission and a coalition of Scottish Disabled People's Organisations drew public attention to warnings that disabled people are experiencing 'unrelenting attacks' on their human rights.

The findings highlighted worsening poverty rates for disabled people in Scotland and the impact of the cost of living crisis on independent living.

The Commission produced its research as part of the UK Independent Mechanism, a group of the three NHRIs across Great Britain, designated by the UK Government as the official mechanism to report together on the UK's performance against the UN Convention on the Rights of Persons with Disabilities (CRPD).

We published a second powerful supplementary report produced by the Scottish Independent Living Coalition (SILC).

We secured widespread coverage to raise awareness of these issues in Scottish and UK media, including STV news, BBC News and national newspaper titles.

One of the Commission's recommendations, that the Independent Living Fund be re-opened to new applicants, was subsequently actioned by the Scottish Government in April 2024.

66

We urge action for further protection of disabled people's rights to dignity through employment, independent living and an adequate standard of living.

SHRC

Executive Director,
Jan Savage

Concern for civil and political rights in Scotland

This year we highlighted to the UN our concerns about the progress of civil and political rights in Scotland, including issues with access to justice for human rights violations; and conditions in places of detention.

Our [evidence to the UN Human Rights Committee](#) in Geneva was part of its four-year, review cycle of the UK's human rights record on civil and political rights.

In it, we highlighted systemic failure to implement long outstanding recommendations on deaths in custody; the use of remand; and mental health support in Scottish prisons and other places of detention.

On access to justice, the Commission noted structural problems with the criminal justice system. In particular, we highlighted the availability of legal aid; practical challenges being experienced in the courts system; and time limits for judicial review, all of which make it difficult for people to challenge potential human rights violations.

Following our report, a question was raised in the Scottish parliament, referencing our submission to the UN and our findings about current conditions in the Scottish prison estate. The Cabinet Secretary for Justice and Home Affairs Angela Constance gave a reply, which included a commitment to work to improve and better support care of individuals located in separation and reintegration units.



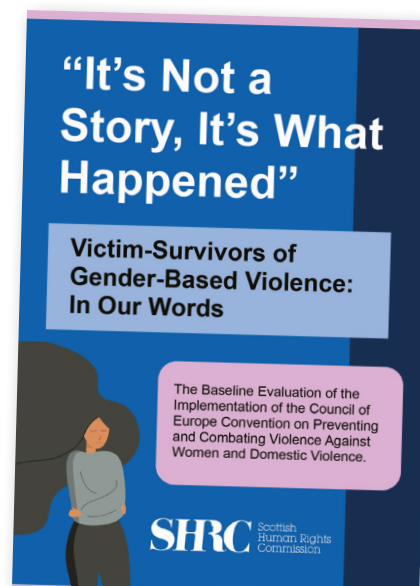
Commission finds gaps in support for women who've experienced violence

Ahead of International Women's Day on 8 March, we highlighted critical gaps in services for victim-survivors of violence against women and girls in Scotland.

The findings, in a [report to the Council of Europe](#) on the [Istanbul Convention](#), showed evidence that women's experiences of accessing support are falling short of the national strategy and undermine Scotland's compliance with international human rights obligations.

The Istanbul Convention is the human rights agreement to end violence against women in Europe, ratified by the UK Government in 2023.

The Commission also submitted a supplementary report containing the direct experiences of survivors of violence against women, who spoke with the Commission to inform its evidence to the Council of Europe. Read [It's Not A Story, It's What Happened](#) on our website.



Meeting our mandate

International Treaty reporting delivers the following sections of our mandate:

- Section 2: General duty to promote human rights (1), (2) (a) (b), (3), (4) (a) (b)
- Section 3: Information, guidance, education etc (1) (a) (b) (c)
- Section 4: Monitoring of law, policies and practices (1) (a) (b)
- Section 5: Power to co-operate etc. with others (1) (a) (b) (c)
- Section 16: Publication of reports (2)



Human Rights Budgeting

The Commission has a well-established programme of strengthening public and parliamentary engagement on human rights budgeting. We continued our work to support the Scottish Parliament to take a human rights based approach to its budget scrutiny this year.

In 2023-24, we [advised MSPs on the Social Justice and Social Security Committee during the Pre-Budget Scrutiny process](#), recommending the application of a human rights-based approach (HRBA).

A HRBA is a way of getting things done, rather than an assessment after a decision has been made. It means thinking through how people's rights are impacted by the way money is raised, allocated, and spent, and ensuring that budget decisions, approvals and audit reflect human rights standards and principles.

We also published a [short briefing for stakeholders](#) on our website, explaining what a human rights based approach to budgeting means.

In parallel, we wrote to the Convenor of the Equalities, Human Rights and Civil Justice

Committee encouraging it to develop its focus on involving the public more in scrutiny of Scottish Government spending plans. We highlighted that this approach would bring new perspectives on the need for and impact of public spending, in particular, where improvements in people's lives are being failed by poor budgetary processes and/or decisions.

Finally, we secured media coverage to amplify a report from the Accounts Commission, which said radical change was needed if local councils are to keep delivering for the people of Scotland. In a published article, we called for a rights-based approach to resourcing public services, as a crucial step on Scotland's collective journey to respect, protect and fulfil human rights.

Meeting our mandate

Human rights budgeting work fulfils the following duties under our mandate:

- Section 2: General duty to promote human rights (1), (2) (a) (b), (3), (4) (a) (b)
- Section 3: Information, guidance, education etc, (1) (a) (b) (c) (d)
- Section 4: Monitoring of law, policies and practices (1) (b)

Work in progress

The Commission also has a number of projects in progress under the Purpose theme, focusing on a range of rights in people's everyday lives. We will be engaging with communities across Scotland to bear witness to people's experiences of human rights and urging action from public bodies. This process is additionally informing decision-making about the engagement of the Commission's powers of Inquiry, intervention and own-name litigation via the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024.

Strategic theme: People



Strategic Objective: Ensure that the Commission is fully resourced with a skilled, supported, valued and stable workforce

Strengthening the Commission to deliver for the people of Scotland

To ensure the SHRC is performing efficiently and effectively as a public body, we took the decision to commission an [Independent Governance Review](#), which concluded with the publication of its recommendations in September 2023.

Members of the Commission fully accepted its recommendations, which were focused on themes such as:

- Documentation of governance processes
- Developing the Commission's mandate
- Finance functions
- Improving internal and external engagement
- Structure of the organisation
- The strategic role of the Chair and Commissioners

A internal taskforce was established to implement the recommendations and 80 per cent of this work was completed by April 2024. The highest priority workstream

developing a new Code of Conduct, was delivered and a Code of Governance prepared for adoption by the new Chair of the Commission in 2024/25.

These actions will ensure the Commission is stable, well governed, and working effectively with the staff team to bear witness to people's daily experiences, and use our duties and powers to help make rights real for all in Scotland.

Meeting our mandate

As an NHRI, the Commission must satisfy the United Nations Paris Principles and submit to periodic re-accreditation. It must also align in its values and practices with international human rights standards, particularly those mentioned in its founding law, the Scottish Commission for Human Rights Act 2006. Those particularly relevant to this work programme include:

- Section 2: General duty to promote human rights (1), (2) (a) (b), (3), (4) (a) (b)
- Section 16: Publication of reports (2)

Strategic theme: Performance



Strategic Objective: Be a trusted, authoritative, accessible and credible public body which can demonstrate impact for rights holders and effective use of public funds.

Measuring our impact

The Commission's vision is a fairer Scotland, where human rights are protected and understood, and there is justice when things go wrong.

To help demonstrate the role of the Commission in achieving this, we are invested in developing a Theory of Change to track our contribution and gather data to evidence our impact on improving human rights outcomes across Scotland over time.

This tool has been carefully developed, staff trained and the Theory of Change piloted to inform our 2024-28 Strategic Plan. By using this structured approach, we ensure ongoing accountability and continuous improvement in our human rights work.

Over the coming years, the outcomes we capture digitally will provide a comprehensive analysis of our impact, guiding future strategies, including our 2028-2032 plan. Our Theory of Change will be published on our website next year.

Meeting our Mandate

Developing a Theory of Change has contributed to our goal to increase trust and confidence in our duties as a public body of the Scottish Parliamentary Corporate Body. It also meets our mandate under:

- Section 2: General duty to promote human rights (1), (2) (a) (b), (3), (4) (a) (b)
- Section 16: 2 Publication of reports (2)



Speaking up for human rights

Our communications and engagement work reaches out to a range of audiences – the general public (rights holders), public bodies and government (duty bearers), the Scottish Parliament and non-governmental organisations such as community groups and others. Our aim is to encourage deeper understanding of human rights and our impact in Scotland.

This meets our general duty, as outlined in the SCHR Act 2006, to promote awareness of human rights and best practice, and to publish information and ideas.

This year we have been focused on raising the visibility and understanding of the Commission and the areas where we want to see change to uphold the human rights of the people of Scotland.



Commission staff undertake media work during our research on economic, social and cultural rights in the Highlands and Islands



The Commission has social media accounts on X, LinkedIn, Instagram and Facebook and we are now achieving the highest ever social media engagement for the Commission across these platforms and the number of followers has risen across all platforms compared to previous years.

We have made more use of video, improved our 'brand identity' with stronger, more recognisable graphics and delivered digital campaigns for our Spotlight projects and international treaty reporting.

Setting the agenda

Our spokespeople and stories successfully delivered a strong profile for human rights issues in Scotland across TV, radio and online this year.

This included interviews across local and national broadcast and print outlets, live radio work, published opinion pieces and partnership work to strengthen voices from civil society, aligned with the expectations of the Paris Principles.

In line with our commitment to making our content easy to use and accessible to everyone, this year we carried out a full accessibility audit of our website and made improvements based on the recommendations.

We were also excited to begin consultation work towards our British Sign Language Plan 2024-30.

The Commission also participated in the Communications Working Group of the European Network of National Human Rights Institutions, sharing best practice on communicating about human rights with international partners.

Responding to enquiries

During 2023-2024, the Commission responded to 262 individual enquiries by phone and email. We received and responded to seven Freedom of Information requests.

Sharing, developing and learning from best practice

As Scotland's NHRI, we are powerfully connected to the wider human rights community and committed to domestic and international collaboration and practice exchange.

This year, we joined our peers across the globe, celebrating 75 years of the Universal Declaration of Human Rights and the 30th anniversary of the Paris Principles.

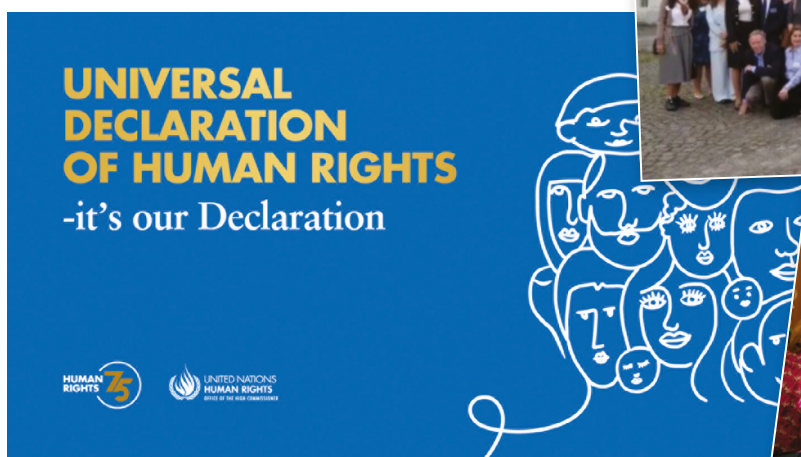
We also sent MSPs in the Scottish Parliament a briefing on the 30th anniversary of the Paris Principles, to further raise visibility of the purpose and value of an NHRI.

The Commission is an active member of the European Network of National Human Rights Institutions (ENNHRI), the Global Alliance of Human Rights Institutions (GANHRI) and the Commonwealth Forum of National Human Rights Institutions (CFNHRI).

Representatives from the Commission attended and presented at the GANNHRI General Meeting, and ENNHRI General Assembly and 10th Anniversary Conference,

important opportunities to meet with NHRIs from across the globe and share learning on the promotion and protection of human rights.

We were also pleased to host the annual 'Four Jurisdictions' meeting this year. Leaders from the Commission, the Northern Ireland Human Rights Commission, the Equality Commission for Northern Ireland, the Equality and Human Rights Commission and the Irish Human Rights and Equality Commission came together at our offices in Edinburgh to share learning and discuss future areas for potential collaboration.



Top right image: Commission attending the ENNHRI General Assembly

Lower right image: The Four Jurisdictions meeting in Edinburgh

About the Commission



What the Commission does

Under our duties laid out in the Scottish Commission for Human Rights Act 2006, our job is to:



Monitor how human rights are being experienced in Scotland in people's communities and everyday lives



Shine a light on places where human rights are not being upheld



Report to the United Nations, the Council of Europe and the Scottish Parliament on areas of concern



Be an expert, objective and independent authority on human rights



Check if what law and policies say should happen is actually happening



Educate people about their human rights



Educate duty bearers about their duties to uphold people's human rights and help them learn how to do this



Help the Scottish Parliament make good decisions about the impacts of the legislation it passes on the human rights of all people in Scotland



Identify gaps and problems and bring them to public attention



Use our legal powers to enter places of detention



Use our legal powers to set up inquiries into areas of concern

SHRC
Scottish
Human Rights
Commission

Strategic Objectives



Strategic Objectives 2023-24

Transitioning from our Strategic Plan 2020-2024

The Commission operates to deliver four-year Strategic Plans, based on public consultation, approved by the members of the Commission and laid before the Scottish Parliament.

The Commission's fourth Strategic Plan established the following priorities for 2020-2024:

1. Progressing understanding and strengthening legal protection of economic, social and cultural rights
2. Strengthening accountability for meeting human rights obligations
3. Building wider ownership of human rights
4. Advancing best practice locally and sharing our learning globally.

To support the new senior leadership team and Commissioners to develop and deliver our next Strategic Plan, we developed a Transition Strategy for 2023-24. It was approved by the Commission in March 2023 and focused on three areas of strategic intent: Purpose, People, Performance.

A set of key performance indicators (KPIs) and a performance scorecard were developed. These were monitored quarterly by members of the Commission to track progress and delivery against the Commission's mandate.

Purpose, People, Performance



Purpose

Strategic Objective: Increase impact, visibility and maximise capacity of the Commission as Scotland's human rights watchdog



People

Strategic Objective: Ensure that the Commission is fully resourced with a skilled, supported, valued and stable workforce



Performance

Be a trusted, authoritative, accessible and credible public body which can demonstrate impact for rights holders and effective use of public funds

Moving forward

Strategic Plan 2024-2028

The Commission's next [Strategic Plan](#) was developed in 2023-24, informed by civil society and key stakeholders through an online survey and consultation event. In addition, the Commission undertook a programme of research, internal review and consultation, human rights monitoring and engagement with other National Human Rights Institutions.

The plan outlines how we will use our powers to build our role and profile, to investigate human rights violations and to hold those responsible accountable for making sure those rights are realised.

“We have detailed our ambition to lead this organisation out into communities; to talk, to listen and find out how well human rights are being realised in Scotland. This will inform our decisions on how we will use our powers and resources over the next four years.

“The Commission will focus its efforts on being a strong watchdog for everyone’s human rights in Scotland. This means holding power to account where things go wrong, and supporting public bodies to do better with our help.”

Members of the Commission Jim Farish, Shelley Gray and Claire Methven O’Brien.

Moving into delivery of this Strategic Plan, and with a new focus on taking an evidence-based approach to the lived experience of people’s human rights in Scotland, the

Commission will develop its strategic themes under renewed definitions of Purpose, People and Performance in the period ahead.

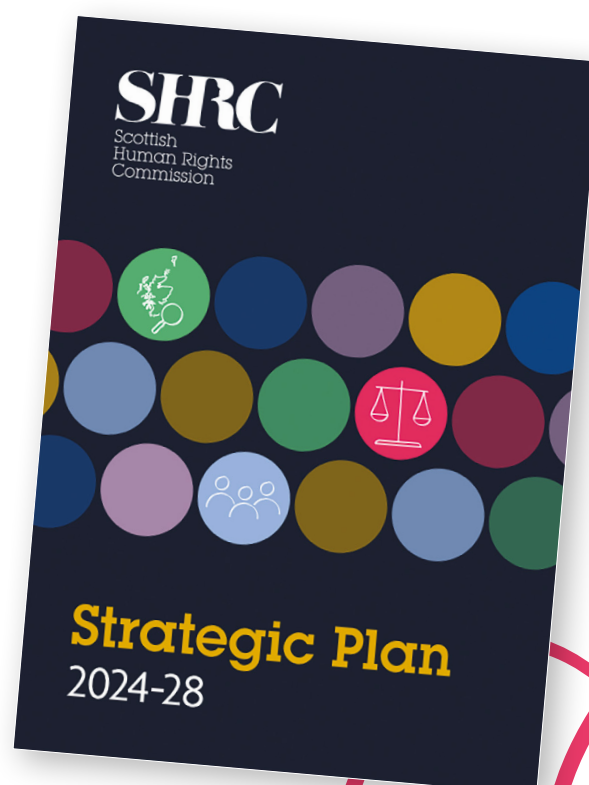
This includes developing an enhanced participation strategy, to ensure our work continues to be grounded in the experience of rights holders.

The Commission has an ambitious workplan for 2024-25. You can read it in the [Operational Plan](#) on our website at www.scottishhumanrights.com.

Meeting our mandate

The publication of our fifth Strategic Plan meets our duty under the following section of our mandate:

- Section 7: Strategic Plans (1), (2), (3), (4)



Organisational Development



Organisational Development

Our organisation

The Commission is a Scottish public authority and complies with Scottish public sector responsibilities in areas such as freedom of information, equality, public procurement, data protection and others. We also take part in networks and forums with other relevant public authorities to develop and share good practice where possible.

We make the most of opportunities for joint working where this is efficient and appropriate. For example, we work closely with the Scottish Public Services Ombudsman (SPSO) and the office of the Children and Young People's Commissioner for Scotland (CYPCS), sharing office accommodation and arranging joint training and information sessions on topics such as cyber security, deafblind awareness, allergy management and waste reduction. The Commission has a Shared Services Agreement in place with SPSO for the provision of payroll, finance, HR and cyber security services.

Governance Structure

At the beginning of 2023-24, the Commission's governance structure provided for up to five Members; a full-time Chair and up to four part-time Members (working for one day per week), supported by a full time Executive Director.

In June 2023 the Commission's fourth Chair

demitted office. Following an Independent Governance Review we commissioned in 2023, it was recommended the Chair position be a part time appointment (2.5 days per week). The Scottish Parliamentary Corporate Body supported the recommendation and the post was recruited on this basis.

For the remainder of 2023-24, the Chair position was vacant and three part-time members were in post. They operated with a rotational Chair arrangement until the new Chair was appointed and took up office in August 2024.

Meetings of the Commission take place around nine times each year. Minutes and agendas are published on the Commission's website. We also have one Sub-Committee, the Audit and Risk Committee (ARC) which is chaired by an independent member of SPCB's Advisory Audit Board and met quarterly in 2023-24.

Diversity and Equality

The Scottish Human Rights Commission promotes and protects the human rights of everyone in Scotland. In relation to the work of the Commission, we are working to increase awareness, recognition and respect for human rights, and make them more relevant and easier to apply in everyday life. We take a human rights-based approach to our own organisational governance, including the principles of non-discrimination and equality.

Environment and Sustainability

The Commission's office at Bridgeside House in Edinburgh is shared with SPSO and the Children and Young People's Commissioner Scotland. SPSO reports on these matters for the building as a whole. The Commission does not own land or buildings, or regulate land use, so our direct impact on the environment is mainly related to our shared building – energy use and waste – and staff travel, in particular overseas. The Commission has a mandate to promote and protect all human rights. This includes the right to a healthy environment. Our Biodiversity Report outlines the ways in which we are working to protect this right and help to tackle the issues of climate change.

Anti-corruption and Anti-bribery

The Commission is a small organisation, with a small budget. The Commission however recognises that all organisations, regardless of size, are vulnerable to fraud and is committed to having a robust approach to prevention, detection and management. The Commission has a Fraud Policy Statement and a number of policies and procedures in place that support the detection and prevention of fraud for key processes where there is a greater vulnerability of fraud, corruption or bribery occurring. There have been no incidences of fraud in the current or prior year.

Financial Summary



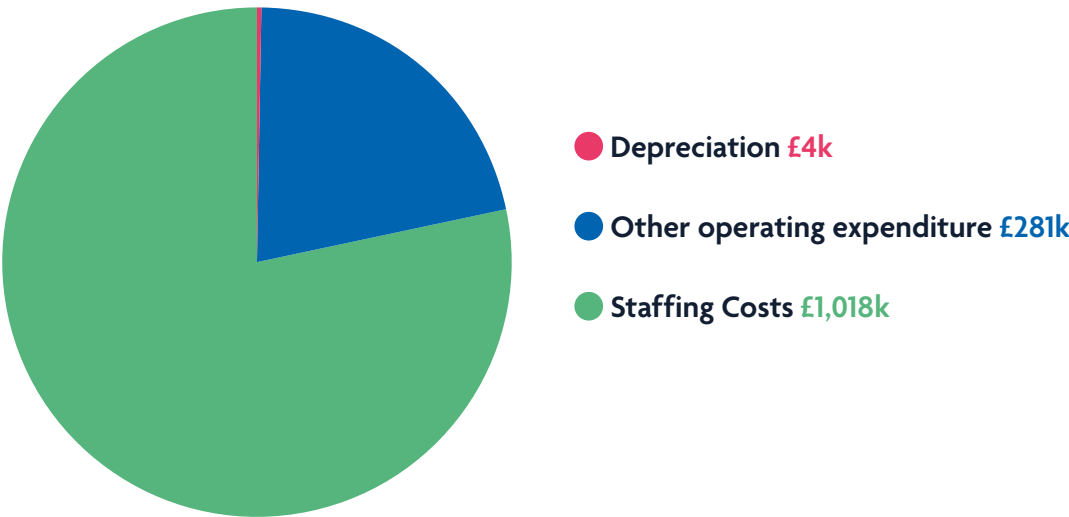
The Financial Position

The Commission receives its budget on a cash basis from the Scottish Parliamentary Corporate Body (SPCB). The SPCB approved a core cash budget of £1,341k for the financial year 2023-24 (2022-23: £1,099k) supplemented by an additional £37k from contingency funding (2022-23: £180k) for the recruitment of a new 12-month, fixed term Legal Fellow position to the Scottish Human Rights Fellowship scheme; a total of £1,378k.

| | 2023-24 Budget £'000 | 2023-24 Expenditure £'000 | Variance £'000 | 2022-23 £'000 |
|----------------------------------|----------------------------|---------------------------------|-------------------|------------------------|
| Net expenditure per the accounts | 1,378 | 1,303 | -75 | 1,268 (expenditure) |
| Capital Expenditure | - | - | | - |
| Total expenditure | 1,378 | 1,303 | -75 | 1,268 |
| Adjustments | | | | |
| Non-cash items | | -4 | -4 | -6 |
| Working capital (including cash) | | 79 | 79 | 74 |
| Cash funding from SPCB | 1,378 | 1,378 | -91 | 1,188 |

The Commission’s expenditure on operating activities for the year ended 31 March 2024 totalled £1,303k (2022-2023: £1,268k). This was on staffing costs £1,018k (2022-23: £988k), other operating expenditure £281k (2022-23: £274k) and depreciation £4k (2022-23: £6k).

Net Expenditure 2023-24

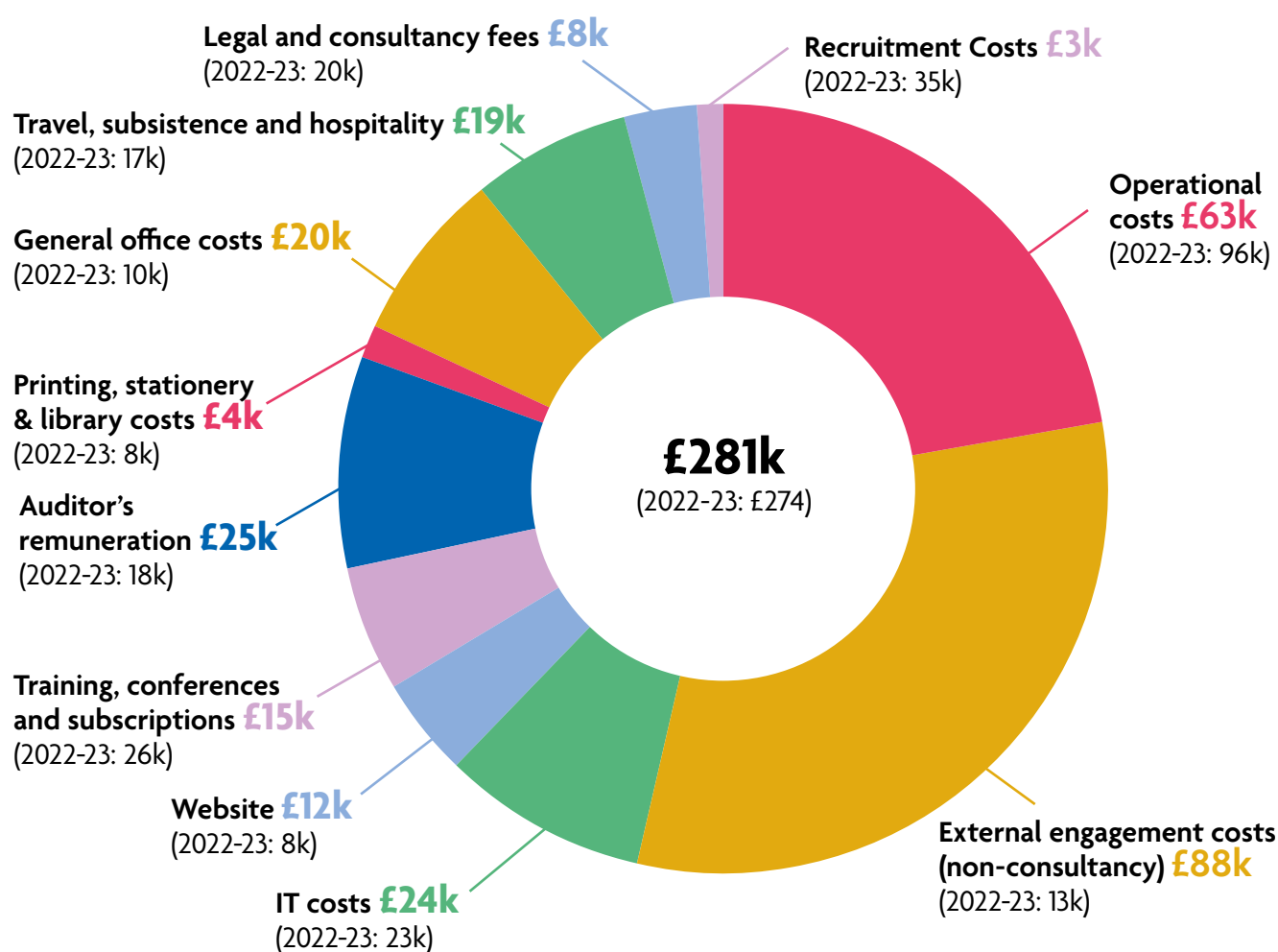


Source: Scottish Human Rights Commission Annual Accounts 2023-24

Other operating expenditure 2023-24

The chart below illustrates the cost of operating activities by category of expenditure.

The Commission's net expenditure on operating activities for the year ended 31 March 2024 totalled £1,303k. The chart below offers a more detailed breakdown of the additional operating expenditure. Excluding staff costs of £1,081k and depreciation of £4k, other operational expenditure amounted to £281k, spent on the following categories:



A full copy of the Scottish Human Rights Commission Annual Accounts 2023-24 is available on our website www.scottishhumanrights.com.

Who We are



Members of the Commission 2023-24



Claire Methven O'Brien, Professor Angela O'Hagan, Shelley Gray, Jim Farish

Members of the Commission are appointed by the Scottish Parliamentary Corporate Body.

Chair of the Commission



The Chair represents the Commission in a range of national and international contexts, provides leadership and has overall responsibility for the Commission's strategic direction.

Professor Angela O'Hagan was appointed Chair in August 2024. She was previously Professor of Equality and Public Policy at Glasgow Caledonian University where she created the current MSc in Human Rights and previously led the MSc in Citizenship and Human Rights. She was also Deputy Director of the WISE Centre for Economic Justice.

Throughout her career Professor O'Hagan has focused on integrating equality and human rights analysis in public policy, policy

analysis and service design. She has served on a number of advisory and project groups with successive Scottish Governments including as the independent chair of the Equality and Human Rights Budget Advisory Group, a member of the National Advisory Council on Women and Girls, and previously as a member of the Commission on Local Tax Reform. Professor O'Hagan has an international profile, particularly in gender and human rights budgeting, and through membership of academic and civil society networks. In 2019, she was awarded the Jo Cox Award for Public Service and Activity Citizenship by the Political Studies Association.

Members of the Commission



Jim Farish was appointed as Member of the Commission on 26 September 2022. Jim Farish is currently a board member of the Risk

Management Authority having retired from the Scottish Prison Service in 2020. During his prison service career he held a number of senior positions including as Governor of four prisons, and he was also seconded to HM Inspectorate of Prisons for Scotland, where he held the position of Deputy Chief Inspector.



Shelley Gray was appointed as Member of the Commission on 26 September 2022. Shelley has 20 years' experience in the

third sector in roles spanning engagement, policy and strategy development. She is currently Head of Policy and Communications at Corra Foundation, where she focuses on human rights, diversity, equity and inclusion and racial justice.



Claire Methven O'Brien was appointed as Member of the Commission on 26 September 2022. Claire is a human rights lawyer and

academic with more than 20 years' experience of advising governments, global businesses and international organisations on human rights matters. She is Reader in Law at the University of Dundee where she is Director of the LLM Business and Human Rights. She is also a Global Practitioner at the University of Strathclyde Business School, and an Honorary Lecturer at the University of St Andrews School of Management.

Executive Director



Jan Savage took up post as the Commission's first Executive Director in January 2023. Jan leads and shapes the delivery of

operational and strategic priorities across the Commission. She has 20 years' experience across Executive and Non-Executive roles in the public and third sectors in leadership, corporate governance, human rights, policy, communications, public affairs, and participation work, with a focus on leading high impact campaigns to achieve real change in the realisation of rights. In June 2023, she was appointed as Acting Accountable Officer for the Commission, a position which was made permanent in September 2023 following the recommendations of the Independent Governance Review.

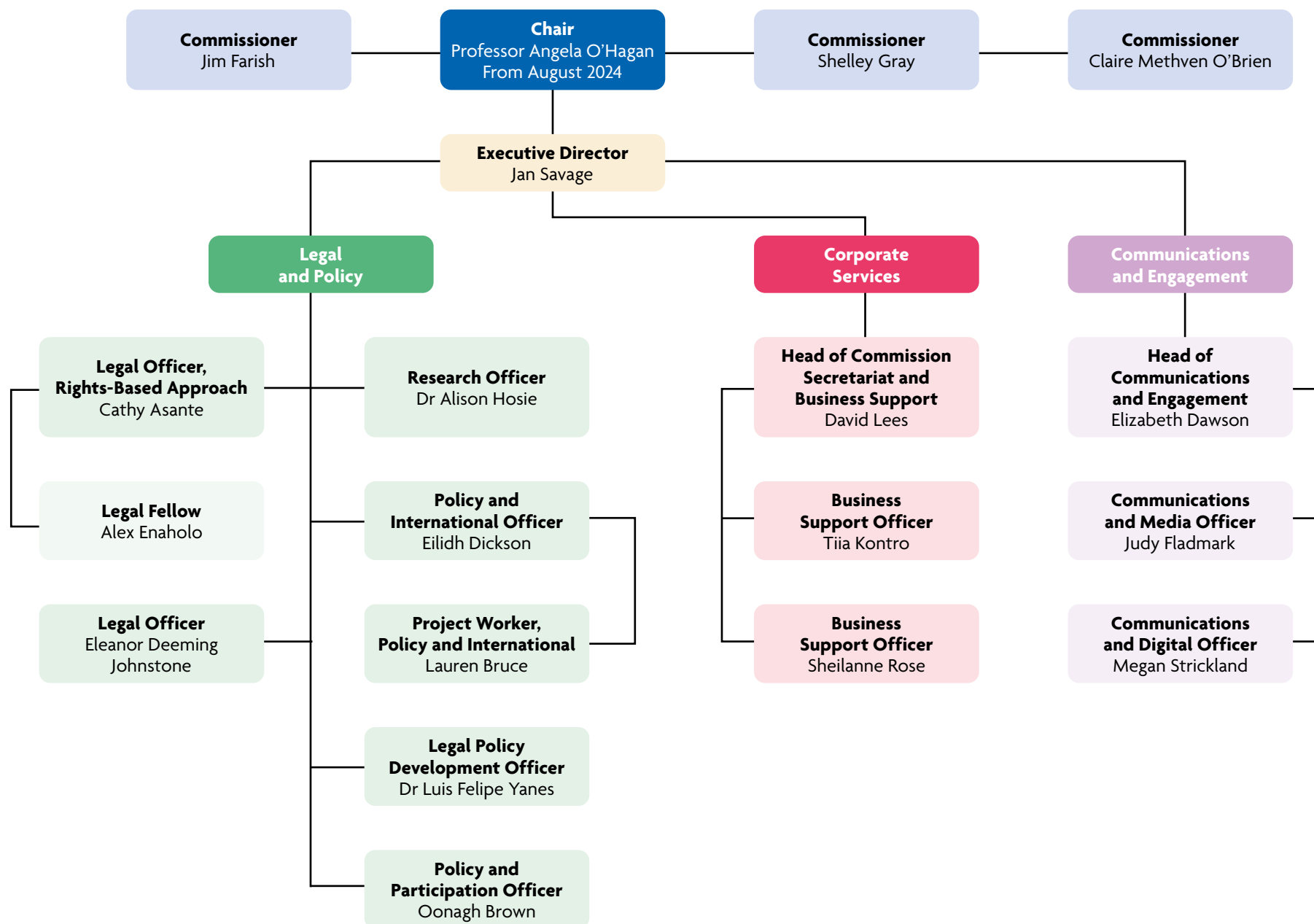
Our Staff

Our staff expertise in international human rights law, domestic law, social policy and research, delivers our work to promote and protect human rights through law, policy and practice. Our staff team is described on the next page.

Contact Us

General Enquiries

Telephone 0131 297 5750 or email hello@scottishhumanrights.com



Getting Involved in Our Work

The Commission welcomes the opportunity to work with people and organisations affected by human rights issues, and our work to promote and protect human rights more generally. You can keep in touch and get involved in our work in the following ways:

Website

Our website www.scottishhumanrights.com contains all of our policy submissions, reports to international human rights treaty bodies, case studies, training materials and other resources.

Social Media

Our Facebook, X (@scothumanrights), LinkedIn and Instagram (scothumanrights) feeds are updated regularly with news, information about our work and links to other relevant human rights information.

Projects

If you would like any more information about any of the projects or policy areas we work on, please email hello@scottishhumanrights.com

Annual report

We welcome feedback on the content of our Annual Report, as well as ideas of what you would like to see in it in future years.

Accessibility

We're committed to making our communications easy-to-use and accessible for everyone. Our accessibility policy can be found on our website, along with some support tools:

ReachDeck

Our website includes software called ReachDeck which provides reading, speech and translation support for a range of people including those with dyslexia, low literacy, English as a second language, and/or mild visual impairments. This service is free and will help users to read all the content available on our website (including this annual report).

To begin using ReachDeck please visit our website and click on the logo. Then simply click on any text to hear it read out loud.

British Sign Language (BSL)

In Scotland, British Sign Language (BSL) users can use the contactSCOTLAND Video Relay Service (VRS) to contact all of Scotland's public bodies and third sector organisations for free. This service is available online via <http://contactscotland-bsl.org/> You can also download the app onto your smartphone and/or tablet (iPhones, Android phones, iPads, tablets etc).

If you have any queries about other support needs and would like this publication in another format such as large text, British Sign Language (BSL) or Braille, please contact: hello@scottishhumanrights.com or call 0131 297 5750.

SHRC

Scottish
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Commission

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SHRC/2024/02

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