

Commission Meeting Minutes

Date: 28 April 2025

Time: 1000 - 1445

Present:	Angela O'Hagan (Chair) OH Shelley Gray (Member of the Commission) SG
In Attendance:	Jan Savage (Executive Director) JS Eilidh Dickson (Policy and International Officer) ELD, item only Tiia Kontro (Minute Secretary) TK
Apologies:	Claire Methven O'Brien (Member of the Commission) CMO [sick leave] David Lees (Head of Secretariat and Business Support) DL
List of Acronyms:	COSLA: National Human Rights Institution EHRC: Equality and Human Rights Commission ENNHRI: European Network of National Human Rights Institutions ERDM: Electronic Records and Data Management

NIHRC: Northern Ireland Human Rights Commission

NPM: National Preventative Mechanism

OLR: Order for Lifelong Restriction

SPCB: Scottish Parliament Corporate Body

SPS: Scotland's National Action Plan for Human Rights

RAG: Research Advisory Group

1. Welcome / Declarations of Interest

For transparency ahead of Agenda Item 5, it was noted that the Chair has previously worked with Research Advisory Group Members on other projects.

2. Minutes of Previous Meeting

The minutes of the meeting held on 26 March 2025 were approved with minor changes.

3. Matters Arising

The matters arising report was discussed and the following points noted.

- 3.1. Briefing with members of the Commission and NPM has been scheduled for June 2025.
- 3.2. The Commission is anticipating the publication of "Prison Rules" later in the spring of 2025. Confirmation will be sought from SPS on the ownership of the Rules post publication in writing.
- 3.3. Work on the memorandum of understanding with EHRC continues. Discussion on provisional planning will take place later in the meeting.
- 3.4. Draft discussion paper on OLRs will be shared with the members of the Commission in due course.

4. Chair Update

The Chair updated the members of the Commission on her recent activities and the following points were noted.

- 4.1. The Commission has recently met with several duty bearers, including but not limited to SPS, Mental Welfare Commission, and COSLA and aims to follow up on all the meetings as appropriate.
- 4.2. The Commission has received a request for a submission into the UK COVID Inquiry. The members of the Commission will receive an update on the next steps in due course.

- 4.3. The Commission attended the Scottish Complex Needs Conference on 24 April 2025 in Glasgow. It was noted that a follow-up meeting with Minister Maree Todd will be arranged to continue the discussions.

Action: a meeting will be scheduled with Minister Maree Todd.

5. Executive Director's Update

- 5.1. The Commission has published the Theory of Change, the Participation Strategy and the ENNHRI Rule of Law Report.
- 5.2. It was noted that due to continued capacity pressures in the Communications team because of extended bereavement and subsequent sick leave, temporary external communications support will be contracted to provide coverage until the start of the new Head of Communications and Engagement.
- 5.3. Unforeseen capacity pressures and external events have meant that the Operational Planning for 2025 - 2026 is behind original schedule. Planning work involving staff has taken place and a capacity map is currently in development. The members of the Commission have identified priorities which will be included in the planning.
- 5.4. A short update was shared on the start dates for the positions of the new Interim Head of Communications and Engagement and the Interim Head of Legal and Policy across May 2025. It was noted that planned start dates have been staggered to account for impact on capacity due to induction and onboarding.
- 5.5. Alternative routes to delivering the Phase 1 function of the People and Culture Manager position are currently being explored. These plans include purchasing additional HR support via the Shared Services agreement as well as facilitated sessions with the external culture consultant.
- 5.6. The Commission has issued a staff wellbeing survey which will close on 25 April 2025. Further to this, a programme of one-to-one interviews with an external culture consultant will be scheduled with staff from late April to inform reports on matters of workplace culture. This report together with the results from the staff survey will provide a baseline for a

programme of work on culture. A separate session between the consultant and members of the Commission will continue after Easter.

- 5.7. As we review the approaches to research and international work, emergent thinking is that the Commission requires a cohesive Monitoring Strategy. The members of the Commission supported the proposal, and it was agreed that scoping work on a Monitoring Strategy should commence to pull together a number of the work strands and bring clarity across the Commission.

Action: A further discussion on the development of a Monitoring Strategy will be scheduled at a future Commission meeting.

- 5.8. It was noted that the deadline for applications for the positions of members of the Commission has closed. No further update on number of applications have yet been received from SPCB but any updates will be shared with the current members of the Commission as well as staff.
- 5.9. The Commission's Legal Officer attended the First Minister's Summit on Weds 23rd April 2025 as representative of the Commission. A short update from the summit was shared with the members of the Commission.

6. Research Strategy - Advisory Group

- 6.1. It was noted that the purpose of the paper and the discussion is to provide the Commission with background on the Research Advisory Group (RAG) and provide an options appraisal for progression.
- 6.2. The Commission discussed the different options laid in the paper. The Commission unanimously agreed 4.3 as their preference.
- 6.3. It was noted that the Commission welcomes an opportunity to meet with the current RAG to discuss further and clarify thinking on both sides. This conversation will serve as both relationship building as well as an informative session to allow for revision of the Terms of Reference for the group.

Action: a meeting will be scheduled for the members of the Commission to meet with the members of the RAG. A draft of the

revised Terms of Reference will be tabled for the July 2025 Commission meeting.

- 6.4. The Commission discussed the potential of drafting a core terms of reference document which could be used across all new working groups or advisory groups formed with specifications made as required for each group. It was agreed that a further conversation on this will be scheduled at the Code of Governance discussion later in 2025.

Action: include a discussion point on core terms of reference in the Code of Governance discussion in 2025.

7. Governance

7.1. Operational Plan 2024-25 Close Out Report

- 7.2. An overview on the delivery of the Operational Plan for 2024-25 was shared with the Commission. It was noted that we have delivered 78% of all planned work, with 17% started and making good progress, and only 5% not delivered. Additional unplanned workstreams had also been delivered, demonstrating a degree of agility and prioritisation.
- 7.3. Those ongoing and outstanding workstreams will be prioritised in the Operational Plan for 2025-26.
- 7.4. It was noted that in addition to a significant body of human rights outputs, the SHRC has laid solid foundations in how it records work, signoff tracker and other internal processes have allowed for more accurate data management and consistency across the team and will continue to improve as the Commission evolves.
- 7.5. The Commission formally acknowledged the work conducted by Senior Leadership Team as well as the wider Commission staff on implementing the new processes and delivering an impressive body of work. Positive impact of the processes and outputs has been noted by members of the Commission also.
- 7.6. The Commission discussed the importance of resource planning to allow agility in the ways of working.

- 7.7. It was agreed that further conversations on the pattern of formal Commission Meetings will be scheduled for when the new members of the Commission have started their positions.

7.8. Reaccreditation

- 7.9. Given that there are currently so few members of the Commission, rather than as a standalone working group, a standard update on the reaccreditation process will be included in the upcoming Commission Meetings.
- 7.10. The Commission discussed the next steps of the accreditation process and agreed that an indicative timeline on any work requiring Commission oversight will be drafted. A formally documented project plan is in development and, together with the Commission's Scheme of Delegation, will inform the timeline shared with the members of the Commission.

7.11. Memorandum of Understanding with EHRC

- 7.12. The Commission noted that the work on drafting the updated Memorandum of Understanding is ongoing, and reconfirmed members' priority concern that it must be rooted in the legislative mandate of each organisation and the Paris Principles.

8. Policy Update

8.1. Human Rights Bill

- 8.2. The Commission discussed the written policy proposals received from Scottish Government officials to amend the Commission's mandate via a forthcoming Human Rights Bill in the next session of the Scottish Parliament
- 8.3. The Commission agreed that further discussions will need to take place both with the First Minister as well as the Cabinet Secretary. A letter to this effect will be drafted from the Chair of the Commission.
- 8.4. The Commission also agreed to organise a roundtable discussion with Scottish Government officials in May 2025 to explore the proposals further.

- 8.5. Finally, the Commission agreed to develop a new paper on Strengthening Scotland's NHRI, updating the October 2023 submission to the consultation, by the Autumn of 2025, to be published as a standalone policy.

Action(s): A letter from the Chair to the First Minister and Cabinet Secretary will be issued.

A roundtable discussion with Scottish Government officials will be scheduled. Staff to programme work to develop updated proposals to amend the mandate of the SHRC by Autumn 2025.

9. Legal Update

9.1. Supreme Court Judgement on FWS Ltd v Scottish Ministers

- 9.2. A briefing on the Supreme Court Judgement on the FWS Ltd v Scottish Ministers was shared and discussed.
- 9.3. The Commission confirmed that its previously agreed intention to convene a roundtable of legal experts to consider human rights implications of the ruling in Scotland would now proceed. It was noted that the purpose of the roundtable is to provide a deliberative forum and inform further Commission deliberations.

Action(s): A proposed list of invitees for the legal roundtable will be invited from the members of the Commission.

A proposed list of questions for the roundtable will be drafted and circulated with the members of the Commission.

9.4. UNCRC Act 2024 - potential intervention

The Commission was made aware that notice of a case citing the UNCRC Act has been given to the SHRC, and the team is scoping out the potential for an intervention. Further detail will follow.

10. Human Rights Monitoring

- 10.1. ELD joined the meeting to provide the members of the Commission a deeper insight into the Commission's international monitoring work and to discuss the proposed approach to promoting the outcomes of international human rights monitoring procedures.
- 10.2. The Commission discussed the proposals and agreed that any monitoring and reporting products should be used more widely in various parts of the Commission's work.
- 10.3. The Commission referred to the prior conversation regarding the plans for creating a Monitoring Strategy for the Commission.
- 10.4. The Commission approved the specific proposal to arrange for a series of events over 2025 focused on capacity building with the public, third and where useful and possible, the private sector to promote the purpose and outcomes of the international treaty monitoring reviews.
- 10.5. The Commission noted that when planning for the events, thoughtful consideration needs to be given to timing and resources required for each event.

11. AOB

- 11.1. Next Commission meeting will take place on 7th July 2025.

ENDS.