

## Commission Meeting Minutes

Date: 27 October 2025

Time: 10:00 - 15:00

Present:	Angela O'Hagan (Chair) AOH
	Aaliya Seyal (Member of the Commission) AS
	Claire Methven O'Brien (Member of the Commission) CMO, via MS Teams, items 5 - 12 only
	Rosemary Agnew (Member of the Commission) RA
In Attendance:	Jan Savage (Executive Director) JS
	David Lees (Head of Secretariat and Business Support) DL
	Jennifer Cannon (Head of Legal and Policy) JC, items only
	Rosie McIntosh (Head of Communications and Engagement) RM, items only
	Tia Kontro (Minute Secretary) TK
Apologies:	Shelley Gray (Member of the Commission) SG

List of Acronyms:	ECHR: European Convention on Human Rights
	FWS: For Women Scotland
	LSA: Legal Services Agency
	RAG: Research Advisory Group
	SSI: Scottish Statutory Instrument

## 1. Welcomes

The Chair opened the meeting and welcomed all Members and attendees.

Apologies were noted from SG.

## 2. Declarations of Interest

A transparency statement was noted from AS who declared that LSA are the solicitors for the defender in relation to a case noted in item 10.3 of the agenda, South Lanarkshire Council v Margaret O'Raw.

AOH declared a prior academic relationship with the Commission's current research intern, and a transparency statement was noted.

## 3. Minutes from Previous Meeting

The Minutes from the Commission meeting on 1 September 2025 were approved with no changes.

## 4. Matters Arising/Action Log

The Action Log was reviewed and an update shared on key points.

It was noted that the meeting with RAG (Action 03-04-25) will now be diarised in Q4.

A revised proposal on the Social Care Complaints system (Action 10-07-25) will be developed in Q4.

## 5. Chair Report

CMO joined the meeting.

The Chair's report was tabled for Assurance. Members noted the update provided by the Chair which included a summary of relevant meetings and engagements since the previous Commission meeting in September.

## 6. Member Report

Members shared a verbal report on recent meetings and activities, which was noted.

A written update provided by SG will be shared with Members via email.

### Action 1: SG update to be shared with Members

## 7. Executive Director Report

The Executive Director's report was tabled for Assurance. Members noted the update provided by the Executive Director on matters relating to operational performance, corporate governance and risk.

The new approach and formatting of the Commission papers was welcomed by Members, and the protocol was adopted.

## 8. Corporate Services

### 8.1. Code of Governance Updates

The Code of Governance update paper was tabled for Assurance. The current updates on Code of Governance were highlighted. It was noted that substantive updates will be reviewed by ARC for approval and tabled at the following Commission meeting.

It was agreed that there should be a protocol for absence of the Executive Director and Accountable Officer, to be incorporated into the Scheme of Delegation. This will require discussion with SPCB in relation to the Accountable Officer.

**Action 2: Develop protocol in Scheme of Delegation for absence of Executive Director/Accountable Officer, in conjunction with SPCB.**

## 8.2. Executive Scorecard

The Executive Scorecard update was tabled for Assurance on process and progress against year 2 of the 2024-28 strategic Plan.

Members welcomed the approach and in addition requested the inclusion of a colour coding key and a more practical view to illustrate progress status.

The Executive Scorecard will be tabled to provide quarterly updates.

**Action 3: Develop colour key and revise progress status approach**

# 9. Communications and Engagement

## 9.1. Communications and Engagement Update

RM joined the meeting to present an update on the Commission's recent communications activities. Members noted the updates and welcomed the progress outlined.

# 10. Legal and Policy

## 10.1. Policy Update

JC joined the meeting to present papers for agenda items 10.1 -10.3.

### 10.1.1. Live Facial Recognition

Following discussion, Members agreed on the proposals as detailed and agreed to issue a position paper in Q4.

**Action 4: A position paper will be drafted for Commission approval and issue.**

10.1.2. Treaty Incorporation (proposed Human Rights Bill)

The Members approved the approach proposed in the paper.

The Members expressed a desire to adopt the language and ambition of embedding human rights in the Scottish legal and public policy framework, which includes, but is not solely, incorporation of Treaties.

It was agreed that the position on incorporation of Human Rights treaties into Scots Law will be reframed on this basis ahead of Human Rights Day and to inform a revised SHRC position on the Human Rights Bill ahead of the next session of the Scottish Parliament.

**Action 5. Review and revise SHRC Position on the Human Rights Bill**

10.1.3. Threats to ECHR Rights

The Members discussed the proposals detailed in the paper and it was agreed that a position statement with a broad focus on Human Rights and ECHR would be developed for publication by the end of the year.

**Action 6. Position statement to be developed in relation to threats to ECHR Rights**

10.1.4. Response to Scottish Government Consultation on adding 'sex' as a hate crime characteristic

Members agreed to the approach outlined in the paper with agreed revisions in relation to Human Rights standards as discussed.

Members did reflect reservations in relation to the use of the SSI for this issue, and the potential to undermine the role of the Scottish Parliament in terms of scrutiny.

**Action 7: Consultation response to be circulated to Members following agreed revisions.**

**10.2. Monitoring and Research Update**

An update on monitoring and research work was shared with the Members for Assurance. Members noted the update.

### **10.3. Legal Update**

An update on the status of current legal work was tabled for Assurance. Members noted the paper.

#### **10.3.1. Potential Use of Intervention Powers**

Following a discussion, Members requested further information on a proposal to instruct counsel in relation to intervention in FWS 3 and confirmed that the approach will be to commission advice from junior counsel on the processes for using the SHRC's intervention powers.

In addition, the team were invited to outline the scope and content of a potential Section 14 intervention in this case, following which a paper will be tabled for Members to make a decision, either at the next meeting in December or at an alternative date by the end of the year.

**Action 8: Staff to produce analysis of the human rights issues raised by the case to inform a decision of the Members on progressing with an intervention.**

**Action 9: Junior counsel advice to be sought on the process of SHRC engaging its Section 14 intervention powers at the Supreme Court**

**Action 10: Following actions 8 & 9 above, paper to be tabled for Members to make a decision**

## **11. Strategy and Governance**

### **11.1. Protocol - decision making framework**

Following discussion Members approved the approach outlined. A further paper will be tabled in December with scoring matrix included.

**Action 11: Paper to be tabled at December meeting.**

## 12. AOB

### 12.1. Next Meeting

Next Commission meeting will be held on Monday 1 December 2025 at Bridgeside House, Edinburgh.

**ENDS.**