

# SHRC

Scottish  
Human Rights  
Commission

# Strategic Plan 2020 - 2024

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# Foreword

The Scottish Human Rights Commission is now just over 10 years old and this is our fourth Strategic Plan. The Commission is pleased to set out here our vision and ambitions for the next four years. We are looking forward to working with partners to realise everyone's rights more fully in everyday life in Scotland.

Our hope as a Commission is that we can all unite behind a vision of a Scotland where the full range of human rights – civil, political, economic, social, cultural and environmental – are embedded in both our culture and our laws.

The coming years are likely to present many challenges to our society – economic, environmental, technological and constitutional. In changing and uncertain times, human rights will play an essential role in anchoring Scotland's laws and culture as both socially progressive and internationally connected.

This is in a global context where violations of rights are systemic, and where too many states are forgetting the lessons of history by turning their backs on collective action and the international rule of law.

Scotland compares favorably to some other countries around the world in many ways. However, too many people still don't have their rights met in everyday life, nor any redress for their situation. Much more is needed for the vision of a rights-respecting Scotland to become a reality.

As we look ahead to the next chapter in Scotland's human rights journey we face a two-fold challenge.

First, to make sure that people know, understand and value their human rights. People need to have ownership of their rights and be able to claim them with confidence in all parts of their lives. And governments and public bodies need to respond appropriately, and to know how to take a human rights based approach to delivering services for people.

Second, we need to build a stronger culture of accountability for human rights in all its forms – from scrutiny, monitoring and measurement to enforcement. This will include establishing concrete legal standards, where they do not already exist, that people can use to hold government and public bodies to account.

The Commission also hopes to add value in areas where human rights can guide and navigate us through contemporary challenges like climate change, environmental issues and technological innovation. We will contribute to and learn from good practice, both in Scotland and internationally.

As we work to inform law, policy and practice over the next four years, the Commission will invest in working more closely with people with lived experience of the issues we, and they, want addressed. This will help us to better understand their perspectives, and to share ours. We will encourage others to take the same approach. We will also continue to communicate our work to maximise its impact. Finally, we will continue to build our strength as an organisation to support the delivery of our work.

### **Scottish Human Rights Commission March 2020**

Judith Robertson, Chair of the Commission

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# 1. Introduction

## What is the Scottish Human Rights Commission?

*“The Commission’s general duty is, through the exercise of its functions under this Act, to promote human rights and, in particular, to encourage best practice in relation to human rights.”*

Scottish Commission for Human Rights Act 2006, section 2(1)

The Scottish Human Rights Commission is an independent public body, accountable to the people of Scotland through the Scottish Parliament.

The Commission is accredited as an “A Status” National Human Rights Institution (NHRI). This means that the way we work, and the law that governs our work, both comply with a set of guidelines called the Paris Principles. These were adopted by the UN General Assembly in 1993 and state that an “A Status” NHRI should:

- + have a foundation in national law;
- + be independent from government;
- + have a mandate to cover a broad range of international human rights standards;
- + demonstrate pluralism and independence in the selection and appointment of members;
- + have a responsibility to work with both civil society and the state;
- + have adequate resources; and
- + have adequate powers of investigation.

See Annex 2 for more information about the Paris Principles.

As an “A status” NHRI we are accredited within the United Nations (UN) system and can report directly to the UN on human rights issues. Our status also means that we are the only Scottish organisation that can make direct contributions to the UN Human Rights Council on issues affecting people here.

The Commission acts as a bridge between human rights in Scotland and the international human rights system. We monitor the implementation of international human rights treaties in Scotland, working closely with civil society to gather evidence and produce recommendations for change.

We also act as a bridge between civil society and the state, working with both to progress understanding, awareness and respect for human rights.

The Commission is one of over 100 NHRIs around the world, and one of three in the UK. The Commission is a member of both the European Network of National Human Rights Institutions and the Global Alliance of National Human Rights Institutions, bringing together institutions from all over Europe alongside regional groups from Africa, Asia / Pacific and the Americas.

## What are the Commission's duties and powers?

The Commission's duties and powers are set out in the Scottish Commission for Human Rights Act 2006.

The Commission has a general duty to promote awareness, understanding and respect for all human rights – economic, social, cultural, civil and political – to everyone, everywhere in Scotland, and to encourage best practice in relation to human rights.

The Commission fulfils this duty through education, training, guidance, publications, awareness-raising and research, and by recommending appropriate changes to Scottish law, policy and practice.

The Commission promotes and protects the human rights guaranteed by all of the international conventions ratified by the UK.

The Commission also has the powers to:

- + conduct inquiries into the policies or practices of Scottish public authorities;
- + enter some places of detention as part of an inquiry; and
- + 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 has a statutory duty to avoid duplicating the work of others. We develop and maintain close working relationships with public bodies whose mandates share a boundaries with ours.

We have a Memorandum of Understanding with the Equality and Human Rights Commission. EHRC Scotland is the equality regulator in Scotland and a mandate to promote and protect human rights in relation to areas of policy reserved to the UK Parliament. This means that we communicate and collaborate as appropriate on the delivery of our respective mandates, and meet regularly to discuss complementary and aligned work.

## What work does the Commission carry out?

Since we were established in 2008, we have:

- + engaged the Scottish Parliament and Scottish Government on human rights issues in law and policy;
- + engaged with the international human rights system, including monitoring and reporting on the implementation of human rights treaties;
- + supported other organisations to take a human rights based approach to their own work;
- + worked with people with lived experience of the issues we want addressed to better understand their perspectives and share ours;
- + raised awareness of human rights and human rights issues with civil society and wider public audiences through our communications and outreach;
- + carried out research into how human rights are experienced by people in Scotland, where gaps remain, and what can be done to better promote and protect human rights for all;
- + facilitated the development of Scotland's National Action Plan for Human Rights and supported its progress;
- + developed practical resources for civil society and the public sector to improve understanding and awareness of how to put human rights into practice.

Full details of the Commission's work since 2008 are set out in our Annual Reports for each year. These are available on [our website](#).

We also produced a report called "[Ten Years in Review](#)" to mark our tenth anniversary in 2018. This highlights key successes in our first decade of work, and the challenges we see ahead.

Our third Strategic Plan ran from 2016 to 2020. During this period, the Commission undertook a wide programme of work, which is discussed further below.



## Influencing law and policy

Each year, the Commission produces a number of responses to Scottish Parliament and Scottish Government consultations and inquiries. We contribute to Scottish Government short-life working groups, provide evidence to Parliament Committees, and make recommendations to strengthen laws and policies relevant to human rights.

Some examples of recent law and policy processes we have engaged with include:

- + Limitation (Childhood Abuse) (Scotland) Act
- + Social Security (Scotland) Act
- + Child Poverty (Scotland) Act
- + Scottish Parliament Inquiry into Scottish Approach to Taxation
- + Joint Committee on Human Rights Inquiry: 20 years of the Human Rights Act 1998
- + Scottish Parliament Inquiry into Human Rights at the Scottish Parliament
- + Scottish Government Review of the National Performance Framework
- + Climate Change Bill
- + Children (Equal Protection from Assault) (Scotland) Bill
- + Scottish Government Consultation on a Good Food Nation
- + Post-legislative scrutiny of the Police and Fire Reform (Scotland) Act
- + Scottish Government Consultation on Reform of Adults with Incapacity Legislation
- + Forensic Network Short Life Working Group on Electronic Monitoring of Mentally Disordered Offenders
- + Independent Advisory Group on Biometric Data and Associated Technologies

## **Advancing the incorporation and implementation of economic, social and cultural rights**

The Commission has led a long-term programme of work to increase knowledge, awareness and understanding of the implementation and incorporation of economic, social and cultural rights.

In 2015, the Commission hosted a national conference titled “Putting the Justice into Social Justice” with the First Minister of Scotland as a guest speaker. In 2018, we organised a high-level seminar on “Incorporation and Justiciability of Economic, Social and Cultural Rights” with guest speaker, Virginia Bras Gomez, Chair of the United Nations Committee on Economic, Social and Cultural Rights.

We have also hosted a series of workshops on the right to health, social security and housing, and published research on models of incorporation for Scotland.

We participated as a member of the First Minister’s Advisory Group on Human Rights Leadership, which reported in December 2018. Its recommendations, if implemented, will be significant in advancing human rights in Scotland in the next period and we look forward to working towards their implementation.

The Commission has also worked on a project to help Scotland’s public authorities put human rights at the heart of their budget planning. This work has been led by the Commission in partnership with the Health and Social Care Alliance for Scotland (the ALLIANCE), with funding from the European Union and managed by the Danish Institute for Human Rights.

## **Training and capacity building**

The Commission has provided training on human rights and human rights based approaches to local authorities, independent advocates, Scottish Government officials, and Scottish Parliament officials and elected members.

## **Engaging with the UN and monitoring international human rights treaties**

The Commission engages with reviews of the implementation of international human rights treaties and obligations in Scotland.

We have also engaged with UN special procedures, including the Special Rapporteur on Adequate Housing and the Special Rapporteur on Extreme Poverty. We have provided statements to the UN Human Rights Council on issues including food insecurity, climate change, and the human rights of people with mental health issues who have been detained by the state.

## **“Housing Rights in Practice” project**

This project was set up to empower a local community to work more closely with the local council to tackle poor housing conditions. The project was established by the Commission and delivered in partnership with Edinburgh Tenants Federation and Participation and the Practice of Rights. The project contributed to significant changes to residents’ housing conditions.

## **Business and human rights**

The Commission has worked closely with the Scottish Government, business, trade unions and civil society stakeholders on a programme of activity to advance the development of a National Action Plan on Business and Human Rights.

## **Inspecting and monitoring places of detention**

The Commission has joined Her Majesty’s Inspectorate of Prisons for Scotland (HMIPS) on a selected number of inspection visits to Scottish prisons. We also support the system of Independent Prison Monitoring through an Advisory Group.

We are also part of the National Preventive Mechanism (NPM) under the United Nations Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT). This means we are one of 20 independent bodies in the UK who draw directly on human rights standards when monitoring places of detention such as prisons, police custody, court cells, customs custody facilities, children’s secure accommodation, immigration, military and mental health detention.

## **Research on public perceptions and understanding or rights**

In 2018 we published and widely disseminated the findings from a major piece of audience insight research into how people in Scotland perceive and understand human rights.

## **Historic child abuse InterAction**

The Commission is a member of the Review Group that has been established to ensure the continued and effective implementation of the Action Plan for Survivors of Historic Abuse. The Action Plan was developed through a previous InterAction process, supported by the Commission. We have worked with the Group on a number of issues experienced by survivors of historic abuse that took place before 1964, who cannot access the same remedies as other survivors. This informed the Group's work on establishing a financial redress scheme for all survivors of historic abuse, which was a key feature of the Action Plan.

## **Scotland's National Action Plan for Human Rights**

In 2017 Scotland's National Action Plan for Human Rights (SNAP) completed its first 4 year cycle. SNAP was launched in 2013 following four years of research and development. It has operated as an ambitious and collaborative programme for action to realise all human rights for everyone in Scotland. We invested in a national participation process to inform the future of SNAP and are facilitating the development of proposals for a second phase of SNAP.

# The Commission's vision, mission and values

## Our vision

The Commission wants to see all human rights protected, harnessed and realised in a Scotland where everyone lives with dignity and thrives.

## Our mission

We will strengthen accountability and implementation in human rights law, policy and practice to improve people's lives.

## Our values

Our values are grounded in our statutory mandate which is underpinned by the United Nations Principles relating to the Status of National Institutions – the 'Paris Principles'. Our values reflect how we strive to operate under these principles.

- + The Commission is independent, authoritative and influential
- + The Commission is collaborative
- + The Commission is participatory, inclusive and empowering
- + The Commission is accountable and holds others to account

## 2. Our Strategic Priorities

The Commission wants to see all human rights – civil and political as well as economic, social and cultural – protected, harnessed and realised. These rights are interdependent and interrelated. All must be given equal weight and protection for a Scotland where everyone lives with dignity.

In all of our work, we will seek to increase the voice of those with lived experience of the human rights issues involved.

To advance towards the goals of our vision and mission, our strategic priorities for 2020 – 2024 are:

**Strategic Priority 1:** Progressing understanding and strengthening legal protection of economic, social and cultural rights.

**Strategic Priority 2:** Strengthening accountability for meeting human rights obligations.

**Strategic Priority 3:** Building wider ownership of human rights.

**Strategic Priority 4:** Advancing best practice locally and sharing our learning globally.

These priorities are interrelated and reinforce each other. For example, by strengthening legal protection of rights, we will advance debates about accountability in all its forms. And by building wider ownership of rights, accountability will be enhanced – people will be more empowered to claim their rights and organisations will be more proactive about using human rights to drive change.

The rationale, objectives and aims of each of these four priorities is set out below. More detailed indicators of success for each priority will be developed as part of our annual operational planning process. Progress towards our outcomes will be reported to the Scottish Parliament through our Annual Report and related scrutiny.

# Strategic Priority 1: Progressing understanding and strengthening legal protection of economic social and cultural rights

In the next four years, the Commission wants to see strengthened understanding, legal protection and implementation in Scotland of economic, social and cultural rights (ESCR), and other internationally protected rights. We believe this has the potential to contribute significantly to progress towards a Scotland which is achieving its Sustainable Development Goal commitments, is free from poverty in all its forms, and where no-one is left behind.

## Why economic, social and cultural rights?

- ✦ These rights include, for example, the rights to housing, social security, food and health. We believe these rights have unharnessed potential to be a positive force for change for people in Scotland.
- ✦ In our work talking to people from all over Scotland, people consistently express concerns about their housing, access to quality healthcare, and having enough money to eat well and heat their homes. The ongoing impact of austerity measures and changes to social security at a UK level by the UK Government are of concern.
- ✦ The UK's departure from the European Union makes working on these rights a matter of priority. These rights have the potential to guide Scotland's responses to any economic impact arising from Brexit, or future global financial recession. In a changing legal context, embedding these rights in law will help shore up our legal framework and connect Scotland to international developments.
- ✦ A focus on economic, social and cultural rights will enable progress towards Scotland's implementation of the UN Sustainable Development Goals (SDGs), and secure better compliance with our international human rights obligations.
- ✦ In doing all of the above, Scotland has the potential to become a global leader in the embedding of economic, social and cultural rights in law, policy and practice.

## What will the Commission do to make progress on economic, social and cultural rights?

In 2020 – 2024, the Commission will:

- ✦ Contribute to the work of the National Taskforce for Human Rights Leadership established by the Scottish Government. Both as part of this group and beyond, we will give guidance and views to the Scottish Government and Scottish Parliament on legislation which seeks to incorporate these rights, and other international human rights standards, into Scots law. Our guidance will cover both the process of developing new legislation, and the substance of its content.
- ✦ Ensure Scotland is prepared for this change in law by equipping people and organisations with the knowledge and understanding they will need to put these rights into practice. This includes the Scottish Parliament, Scottish Government, civil society and rights holders (people whose rights are affected).
- ✦ Present evidence and guidance for human rights based scrutiny of Scotland's Budget. This will include advocating for the provision of transparent and accessible information to enable this. We will continue work to support the Scottish Government and public bodies to consider the rights implications of their budgets.
- ✦ Build on the lessons we have learned from experience of protecting and implementing the civil and political rights that are already enshrined in Scotland's domestic law. We will also continue to work to ensure these rights are better respected in practice (see strategic priorities 2 – 4).

## What will progress look like?

The Commission will seek to influence, contribute to and achieve the following outcomes:

- ✦ An Act of the Scottish Parliament is passed which gives the strongest protection possible to internationally protected rights, with a particular focus on economic, social, cultural and environmental rights.
- ✦ There is an increase in knowledge and understanding about economic, social and cultural rights across Scottish Parliament, Scottish Government, civil society and rights holders.
- ✦ The Commission and other key stakeholders contribute to human rights based scrutiny of Scotland's Budget and are better able to hold government to account for budget choices.
- ✦ The Scottish Government and local government are better able to demonstrate improvements in fiscal transparency and participation, and an understanding of key concepts around human rights budgeting.



## Strategic Priority 2: Strengthening accountability for meeting human rights obligations

The Commission wants to see a Scotland where those with power are held to account for meeting their human rights obligations. This accountability should extend to all civil, political, economic, social and cultural rights, and should apply in law, policy and practice.

We want accountability for human rights in Scotland to be strong locally, internationally, politically, legally, and in everyday practice.

### Why strengthen accountability?

- ✦ It is a fundamental principle of human rights that people should be able to claim their rights, and have access to justice and a remedy when their rights are breached. Both law and practice must reflect this.
- ✦ When we speak to people across Scotland, they express concerns that they have nowhere to go when their rights are not met. They tell us their experience is not visible, and that they are ignored by those in power.
- ✦ Scotland's overall culture and understanding of accountability for human rights is weak, even though accountability mechanisms such as complaints bodies, regulators, inspectorate and oversight bodies have strengthened over the last 20 years. For example, there is only limited human rights scrutiny in parliamentary processes. Statutory accountability bodies do not consider human rights compliance systematically. And people face significant barriers to accessing justice through complaints processes or in the courts.
- ✦ Accountability needs to be better understood as having many forms which can be mutually reinforcing. Accountability for human rights can happen at an international level through, for example, United Nations mechanisms. It can also happen through parliamentary and political processes; monitoring and reporting; campaigning and media; complaint handling and dispute resolution; and through court or tribunal proceedings.

- ✦ For the fulfilment of human rights to become a reality for everyone, accountability also needs to be strengthened in “everyday” spaces in people’s lives. That means in decision making and discussions about issues like care and support or housing, as well as policy making and resource allocations.
- ✦ Discussions around human rights accountability are increasing and taking place in more places in Scotland. For example, accountability featured strongly in the Scottish Parliament Equalities and Human Rights Committee’s 2018 Inquiry Report, and in the recommendations of the First Minister’s Advisory Group on Human Rights Leadership in December 2018.

## What will the Commission do to strengthen accountability?

In 2020 – 2024 the Commission will:

- ✦ Support efforts to strengthen the human rights framework with greater enforcement of economic, social, cultural and environmental rights (see Strategic Priority 1). In doing this we will draw on learning from the legal protection and implementation of civil and political rights that are already protected in law through the Human Rights Act 1998.
- ✦ Oppose any weakening of the Human Rights Act 1998 or other legal protections for human rights.
- ✦ Work alongside, and where necessary challenge, the Scottish Parliament to progress its roadmap towards becoming a guarantor of human rights. This will include strengthening parliamentary scrutiny and public participation, as well as following up on human rights recommendations made by the United Nations.
- ✦ Raise issues with the UN treaty bodies through treaty body reporting procedures and through the Universal Periodic Review process. This will include working with civil society to enhance their role in international accountability processes.
- ✦ Identify and map the range of barriers to accessing justice for breaches of rights. We will do this with a view to strengthening and enhancing routes to justice and remedies in identified key areas.
- ✦ Seek to use our legal powers to highlight issues of importance and accountability gaps in the law. In particular, we will seek to use our powers of intervention in civil litigation. We will continue to seek resourcing to facilitate the use of our power of public inquiry whilst delivering on the other aims of this Strategic Plan.

- ✦ Work with other accountability and oversight bodies, such as identified inspectorate and regulation bodies, to raise their awareness and improve their enforcement of human rights. We will also support them to take a more aligned and consistent human rights based approach to their work.
- ✦ Contribute as a member of the UK's Independent Monitoring Mechanism for the Convention on the Rights of Persons with Disabilities, and seek to strengthen the UK's National Preventive Mechanism under the Optional Protocol for the Convention Against Torture through our active participation.
- ✦ Continue to advocate and give technical support to developing a human rights based National Performance Framework which measures laws, policies, processes and outcomes for people according to human rights standards.
- ✦ Monitor and report on human rights issues in Scotland where they require increased attention, and draw attention to areas where human rights based approaches are not being taken. This will include, for example, contributing to the reviews of mental health and incapacity legislation, police complaints handling, investigations and misconduct issues and recommended statutory frameworks related to the use of new technologies in policing.
- ✦ Support civil society groups and community groups to ensure people know and can claim their rights effectively through building awareness and understanding (see Strategic Priority 3).

## What will progress look like?

The Commission will seek to contribute to and achieve the following outcomes:

- ✦ Domestic legal protections for human rights are strengthened and not weakened.
- ✦ Barriers to access to justice are mapped and progress is made to remove them in key identified areas.
- ✦ Accountability gaps in the law are highlighted and addressed through the strategic use of our legal powers, contributing to enhanced legal protection of rights.
- ✦ An increased number of inspectorate and regulation bodies take a human rights based approach to their enforcement powers.
- ✦ Parliamentary scrutiny is increasingly informed by human rights and human rights based approaches in practice.

- + UN Treaty Body Concluding Observations and recommendations reflect issues affecting people in Scotland and action is taken to implement them.
- + The UKs National Preventative Mechanism under the Optional Protocol of the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment (CAT) is stronger in achieving the purposes of CAT and strengthening the protection of persons deprived of their liberty.
- + The National Performance Framework better measures progress towards realising human rights and makes stronger connections between human rights and achieving the Sustainable Development Goals.

## Strategic Priority 3: Building wider ownership of human rights

The Commission wants to see a Scotland where everyone knows and understands the value of their rights, particularly in their everyday lives. And we want people to be able to work together with those with responsibilities to uphold rights, to put them into practice.

### Why build wider ownership of rights?

- + We are faced with both opportunity and risk for human rights protections in Scotland. On the one hand, there is an opportunity to develop enhanced protections for economic, social and cultural rights, among others. On the other hand, regressive debates about human rights, particularly in the media and public debate, continue. To ensure continued progression towards realising rights for everyone, it is essential that there is broad support for human rights.
- + For rights to be supported, they need to be understood. This means building understanding across society of the values that human rights uphold, and the benefits they bring to people, to public service delivery, to policy and decision makers, and to law makers.
- + YouGov research, published in 2018, showed us that a considerable swathe of the Scottish population already supports human rights. There are also many people who do not feel a strong affinity with rights and rights language. We also know that where we share messages about human rights in ways that people can relate to and engage with, their perceptions change.
- + When people understand and claim their rights it can be transformative, empowering them and their communities to press government and public bodies to deliver on their legally binding commitments.
- + When organisations understand and apply a human rights based approach, underpinned and supported by the views of those most affected and sufficient evidence and disaggregated data, it can help them deliver better services centred around people.

## What will the Commission do to build a wider ownership of rights?

In 2020 – 2024 the Commission will:

- + Promote a human rights based approach to public bodies, helping them understand how human rights, in particular economic, social and cultural rights, can help them deliver more effective services. This will be done through targeted capacity building and training and the publication of resources. This work will take account of steps taken by the National Taskforce for Human Rights Leadership established by the Scottish Government to advance human rights understanding across Scotland.
- + Share information about our work and key human rights issues in a targeted, strategic way to our identified audiences. We will strive to continue to increase our voice, and to reach our many different audiences, including the public, with information they can relate to and engage with.
- + Share our insights, learning and knowledge about promoting human rights with civil society partners, to support them to build broader understanding and support for human rights with their own audiences.
- + Work with the Scottish Parliament to ensure it is a positive catalyst for a human rights culture in Scotland. Where debates and scrutiny are understood in rights terms, this will help in building broader understanding of rights.
- + Support efforts to secure further government engagement in Scotland's National Action Plan on Human Rights (SNAP) as a forum for collective action on rights across civil society, public bodies and government. We will continue to advocate for resources for SNAP, in particular to ensure that people with lived experience of rights issues are able to engage increasingly with the actions.
- + Support and engage with a diverse network of people in communities and civil society organisations to both inform our work, and enable them to influence change, whether in their own communities or nationally.

## What will progress look like?

The Commission will seek to contribute to and achieve the following outcomes:

- + An increased number of public bodies demonstrate that they consider and implement human rights in the design, delivery or scrutiny of services, with services showing improved outcomes for people as a result.
- + An increase in informed human rights discourse in the Scottish media and social media.
- + An increase in Parliamentary debates and scrutiny informed and framed by human rights.
- + Scotland's National Action Plan on Human Rights (SNAP) is better resourced and able to deliver on its defined priorities, continuing to act as a mechanism for collective action on rights across civil society, public bodies and government.
- + The Commission's work increasingly reflects the voices and experiences of people affected by the human rights issues we work on, and those experiences are more reflected in public debate.

## Strategic Priority 4: Advancing best practice locally and sharing our learning globally

The Commission strives to show leadership as Scotland's National Human Rights Institution, both in delivering our mandate in Scotland and by contributing to the progressive evolution of human rights internationally. We seek to contribute to and learn from emerging international trends and best practice, leading the way for Scotland in developing the means to better realise everyone's rights. Our international and regional relationships, in particular with our peer National Human Rights Institutions, are key to this.

### Why show international leadership?

- ✦ Across Europe and around the world, there has been a rise in populism and a decline in commitment to the international rule of law and human rights. A lack of respect for rights, particularly economic, social and cultural rights, has undoubtedly contributed to the disempowerment of many.
- ✦ Brexit creates an impetus to re-engage people around human rights as underpinning values to our society.
- ✦ A potential Act of the Scottish Parliament incorporating new rights into law also creates an opportunity to develop world leading legislation, both on the statute book and in its implementation.
- ✦ Advancing human rights in new ways in law, policy and practice in Scotland can provide learning and inspiration for others around the world in challenging times.
- ✦ Global challenges and opportunities require global collaboration and sharing of best practice. Human rights are central to finding solutions to challenges such as climate change, environmental damage, technological innovation, artificial intelligence, extremist ideologies, development, poverty, inequalities, migration and conflict.
- ✦ Scotland has already taken some first steps towards becoming a leading thinker in some of these areas, for example in its commitment to the UN Sustainable Development Goals. There is potential to do more in years to come to translate this commitment into real change in people's lives.



## What will the Commission do to show and support global leadership?

In 2020 – 2024 the Commission will:

- ✦ Continue to be a progressive and authoritative voice for human rights and international best practice, helping Scotland to develop as a socially progressive and outward-looking nation.
- ✦ Continue to play an instrumental role in bringing international best practice in rights to Scotland. Examples include human rights monitoring, alignment with Sustainable Development Goal (SDG) reporting, climate justice, environmental rights, business and human rights, and the role of parliaments vis-a-vis human rights.
- ✦ Learn from and draw on international best practice, and share our experiences with others. For example, we will continue to work through NHRI networks and working groups, and engage with regional and international human rights mechanisms.
- ✦ Proactively engage with the UN special procedures, independent experts and working groups, contributing to their work and drawing on their expertise and insight in Scotland.
- ✦ Continue to provide human rights insight into the pressing challenges of our times as they relate to Scotland. For example, advising on the human rights implications of new technologies or climate change, or on the emerging consensus around developing human rights standards such as the right to a healthy living environment or the rights of older persons.

## What will progress look like?

The Commission will seek to contribute to and achieve the following outcomes:

- ✦ The delivery of our strategic plan reflects global best practice in the implementation of human rights.
- ✦ Climate justice is increasingly understood as a human rights issue in Scotland and beyond.
- ✦ Regional and international human rights actors invite the Commission to share our work to inform practice elsewhere, with our contribution leading to positive progressive change.

# 3. Organisational Development

Over the next four years the Commission will seek to continually keep under review the resource base of the Commission in response to the changing external context. In the early years of this plan we will focus our planning to ensure our resources are used in an effective and efficient way.

## Development plans

We will build on our current practices to strengthen our organisation, and to sustain and improve our operational performance.

Between 2020 and 2024, we will focus on:

- + Investing in our business systems and processes with an emphasis on streamlining, efficiency and creating benefits for staff and stakeholders.
- + Ensuring our data and records management, and cyber resilience processes are fit for purpose to meet increased demands.
- + Developing our policies and practices in order to support the wider participation of people with lived experience of the human rights issues we work on.
- + Developing our processes and systems to support the continued professional development and performance of our staff, focusing particularly on developing leadership and management skills within the organisation.
- + Building on our operational and project planning models to support the delivery of our strategic priorities, and the monitoring, evaluation and performance management of our work.
- + Retaining our “A Status” accreditation with the United Nations, including through dialogue with the Scottish Parliament where required.

## Governance

Members of the Commission convene regularly and are responsible for setting the strategic direction of the Commission and ensuring the delivery of Strategic Plans. The Commission is also responsible for ensuring the effective and efficient use of Commission resources in delivering the Strategic Plan. The Commission is supported internally in its function by a Finance, Risk and Audit Committee, and externally by an Audit Advisory Board. The Commission reviews performance against strategic and operational plans and receives assurances on use of resources, financial performance and on business risk. The Commission also has an annual external audit. In the period ahead, we will review and ensure our governance arrangements are fit for purpose to support the delivery of the strategic priorities.

## Transparency

The Commission has adopted the Model Publication Scheme produced by the Scottish Information Commissioner. We publish a wide range of information about the Commission on our website, including minutes of Commission meetings, our Annual Reports, our audited Accounts and relevant corporate policies and reports. Our website also hosts all of the Commission's publications, research and consultation responses. The Commission is subject to the Freedom of Information (Scotland) Act.

## Skills

The Commission will consolidate and build our skills and knowledge as an institution. Both staff and Commissioners will be supported in this to ensure we are a strong voice for human rights in Scotland in delivering our priorities.

# Annex 1: The Commission

The Commission team comprises a full time Chair, three part time Commissioners and around 13 -14 members of staff (around 11 full time equivalent posts).

## Chair of the Commission

Judith Robertson took up office in April 2016 and leads the Commission's strategy and operations. She represents the Commission in a range of national and international contexts, provides leadership to the staff team and has overall responsibility for the Commission's accountability. Previously, Judith ran the See Me campaign to end mental health stigma and discrimination. She has also held senior leadership and management roles with Oxfam including as Head of Oxfam in Scotland.

## Commissioners

Jane-Claire Judson joined the Commission in September 2017. Jane-Claire is the Chief Executive Officer for Chest Heart and Stroke Scotland. She was previously National Director for Diabetes Scotland, responsible for leading and managing Diabetes UK's activities in Scotland. Jane-Claire is also currently a Board member at NHS Health Scotland.

Susan Kemp is a lawyer specialising in international criminal and human rights law. She has worked extensively in Latin America, Africa and Europe with non-governmental organisations, the United Nations and the International Criminal Court, representing victims, investigating human rights abuses and providing technical assistance to state prosecutors.

Alan Mitchell is a General Medical Practitioner at Dungavel House Immigration Removal Centre and Member of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT). He was previously Clinical Director of the East Renfrewshire Health and Social Care Partnership.

## Annex 2: The 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 (NHRIs), which were developed in Paris in 1991 and adopted by the UN General Assembly in 1993.

They provide that NHRIs 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 co-operate with nongovernmental 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”; and
- + have stable mandates for the members of the institution provided for by law.

The Paris Principles also provide that NHRIs 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; and
- + 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. NHRIs 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; and
- + publicise their decisions and concerns, as well as meet regularly.

## Annex 3: Participation and consultation in shaping this Strategic Plan

The Commission developed a draft of this Strategic Plan in early 2019.

We then consulted with a wide range of external stakeholders, seeking their views and inputs on our draft priorities. This included:

- + 4 roundtable discussions with civil society, public bodies, regulator and scrutiny bodies, academics and people with lived experience of poverty;
- + 54 written responses to our online consultation from individuals, civil society organisations, public bodies and academics; and
- + 11 anonymous interviews with key stakeholders carried out by an independent researcher.

In total, almost 90 stakeholders contributed their views and perspectives.

The Commission is extremely grateful to everyone who made a contribution to our Strategic Plan. We have taken on board all of the feedback. We have either reflected it directly in our priorities presented here, or have taken it into consideration in how we carry out our day to day work.

# Annex 4:

## Timeline of key milestones

### Throughout 2020-2024

- + Human rights scrutiny of law and policy
- + Legal powers: intervention work
- + Sharing our work and human rights messaging
- + Human rights based approach capacity building support
- + SNAP strategic oversight and contribution
- + High-level advocacy for progression not regression in the protection of rights

### 2020-2021

- + Legal powers intervention strategy implementation (Q1-4)
- + Re-accreditation process within international system (Q1)
- + Participation in National Taskforce on Human Rights (Q1-4)
- + SNAP 2 Launched (Q1-2)
- + Supporting Human Rights Champions capacity building at Scottish Parliament (Q1-4)
- + International Covenant on Civil and Political Rights (ICCPR) State review (anticipated Q4)
- + The International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) List of issues (anticipated Q4)
- + UN Climate Change Summit, 26th Conference of the Parties, COP26 hosted in Glasgow (Q3)
- + CRC Incorporation Process Q1-Q4
- + Continuing Engagement with Mental Health and Incapacity Law Review



## 2021-2022

- + Development of strategy to support passage and implementation of new statutory framework for rights in Scotland (Q1-4)
- + Consolidation of online training resources (Q1-4)
- + CRC Incorporation (Q1)
- + The International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) State Review (anticipated Q2-4)
- + The International Covenant on Economic, Social and Cultural Rights (ICESCR) List of issues (anticipated Q3-4)
- + Universal Periodic Review Participation and Drafting (Q1-Q4)

## 2022-2023

- + New Chair of Commission (Q1)
- + Universal Periodic Review (UPR) (Q1)
- + Roll out of strategy to support implementation of new statutory framework for rights in Scotland (Q1-4)
- + The Convention on the Rights of the Child (CRC) List of Issues (anticipated Q1-3)
- + The Convention on the Rights of the Child (CRC) State Review (anticipated Q4)

## 2023-2024

- + The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) List of Issues (anticipated Q1- 3)
- + The Convention Against Torture (CAT) List of Issues (anticipated Q2-4)
- + The Convention on the Rights of Persons with Disabilities (CRPD) List of Issues (anticipated Q3-4)
- + Roll out of strategy to support implementation of new statutory framework for rights in Scotland (Q1-4)
- + Voluntary National Review of progress towards the UN Sustainable Development Goals

## Annex 5: Estimated cost of delivering this Strategic Plan

	2020-21	2021-22	2022-23	2023-24
<b>Strategic Priority 1</b>	£32,000	£33,000	£29,000	£27,000
<b>Strategic Priority 2</b>	£57,000	£58,000	£59,000	£61,000
<b>Strategic Priority 3</b>	£27,000	£27,000	£32,000	£36,000
<b>Strategic Priority 4</b>	£25,000	£26,000	£27,000	£27,000
<b>Total project costs</b>	<b>£141,000</b>	<b>£144,000</b>	<b>£147,000</b>	<b>£151,000</b>
<b>Staffing costs</b>	£804,000	£823,000	£843,000	£863,000
<b>General running costs</b>	£65,000	£66,000	£68,000	£69,000
<b>Grand total</b>	<b>£1,010,000</b>	<b>£1,033,000</b>	<b>£1,058,000</b>	<b>£1,083,000</b>
<b>Additional staffing costs</b>	<b>£98,000</b>	<b>£99,000</b>	<b>To be confirmed</b>	<b>To be confirmed</b>

This Strategic Plan will be supported by annual Operational Plans which cost programme and project activity in detail.



