

Emma Roddick MSP, Minister for Equalities, Migration and Refugees
The Scottish Government
St. Andrew's House
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Via email: ministeremr@gov.scot

26 April 2024

Scottish Government Reference: 202300372097

Dear Minister,

Final Report of the Follow Up Procedure of the United Nations Committee on the Rights of Persons with Disabilities UK Inquiry

As you are aware, the Scottish Human Rights Commission (SHRC), along with our partners in the Equality and Human Rights Commission, wrote to you in August 2023, advising you of the publication of a report by the UK Independent Monitoring Mechanism (UKIM).

This report, which was prepared for the UN Committee on the Rights of Persons with Disabilities, found that seven years on from its findings of grave and systemic violations of disabled people's rights in the UK, not enough progress had been made to remedy systemic failures to realise disabled people's human rights, including in Scotland. Where progress had been made, it was insufficient to withstand new external threats to people's rights.

We were also pleased to meet with you to discuss our findings in October 2023.

On 24 April 2024, the UN Committee published its final report on the follow-up to the inquiry, which concluded that:

- No significant progress on disabled people's rights has been made in the UK since the inquiry in 2017;
- There are signs of regression on the standards and principles of the Convention, in contravention of article 4.2
- The UK has failed to take all appropriate measures to address the grave and systematic violations of the convention and failed to guarantee the rights in article 19, 27 and 28.

These findings are deeply concerning. The report pays close attention to devolved policies and highlights a lack of progress on the Immediate Priorities Plan, issues with consultation standards and accessibility, a lack of detail concerning the National Care Service and the rates and eligibility criteria for Adult Disability Payments.

The Commission, as indicated previously, shares the concerns of the Committee relating to the institutionalisation of disabled people and the use of restrictive and unsafe practices.

We of course, warmly welcome the Scottish Government's participation in the follow up process, including as part of the UK Delegation to the interactive dialogue in Geneva in March 2024. We also anticipate the incorporation of the UN Convention on the Rights of Persons with Disabilities through the Scottish Human Rights Bill, which the Scottish Government directly highlighted to the Committee.

However, in line with both its own commitments and human rights legal obligations, the Scottish Government must urgently reflect on how it can utilise the findings from the Committee. The Committee's findings affirm those from ourselves and from many Disabled People's Organisations

(DPOs), members of civil society and rights holders themselves warning of widescale failures to uphold disabled people's human rights.

The Commission would welcome further opportunity to discuss the Committee's report and the Scottish Government's response.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Shelley Gray', with a stylized, sweeping underline.

Shelley Gray
Commissioner