

Special Meeting of the Commission – Minutes

Date: 3 February 2025

Time: 1330 - 1600

- 1. Present:**
 - Angela O'Hagan (Chair) OH
 - Shelley Gray (Commissioner, SG)
 - Claire Methven O'Brien (Commissioner, CMO)
- 2. In Attendance:**
 - Jan Savage (Executive Director, JS)
 - David Lees (Head of Commission Secretariat and Business Support, DL)
- 3. Apologies:** N/A
- 4. List of Acronyms:** SPCB: Scottish Parliament Corporate Body

1. Welcome / Context

- 1.1 The Chair convened a special meeting of the Commission to discuss four items.
 - i. Scoping Poverty Spotlight. (1330-1445)
 - ii. Ongoing discussion on sex and gender (1500 -1530)
 - iii. SPCB Supported Bodies Landscape Review Committee Inquiry e (1530 - 1545)
 - iv. Prep for Annual SPCB Review meeting 6 February. (1545-1600)
- 1.2 It was noted that any agreed actions arising from this meeting would be added to the rolling Commission action log.
- 1.3 There were no declarations of interest.

2. Scoping Poverty Spotlight

- 2.1 It was noted that a commitment to deliver a Spotlight on Poverty is contained within the Strategic Plan 2024-28, and that the Commission's Operational Plan 2024/25 detailed that work would commence in this period to scope the scale, model, and focus of this spotlight.
- 2.2 Commissioners had a wide-ranging discussion exploring potential models and acknowledged that this could run as a three-year programme over the remainder of the Strategic Planning period. It was recognised that Poverty as a subject is very broad, and touches on a range of Human Rights issues, and the Commission is uniquely placed to address this.
- 2.3 Notes were captured of the Commission's direction in order to frame this project.
- 2.7 Actions agreed.

Action: Produce a scoping paper on the Poverty Spotlight to support the delivery of the Commission's direction.

Outline to be tabled at March Commission meeting for initial approval.

3. Sex and Gender

3.1 It was noted that there had been ongoing discussion amongst Commissioners outwith Commission meetings referencing a range of issues on this topic.

3.2. The Chair noted that the Commission has not received any new enquiries, requests, or correspondence on these matters and as a result, felt that there was no requirement for the Commission to revisit these issues at this time.

3.3. However, it was acknowledged that this may change following, for example, further discussions with Police Scotland on their policy review, or the outcome of the forthcoming Supreme Court decision on the effect of the Gender Recognition Act 2004 on the definitions of 'woman' and 'man' in relation to the Equality Act 2010. A discussion on the latter ruling would take place at the Commission meeting.

3.4 Members outlined their perspectives and assessment of priority action required.

3.5 Recognising the complexity and sensitivity around these issues, the Chair reminded all Members of the requirement to uphold Section 3 (35) of the Commissioner Code of Conduct.

3.3. Following a robust and wide-ranging discussion on the issues highlighted, a number of actions were agreed to support the Commission in exploring the matter further.

3.5 Actions agreed.

Action: Develop a Plan for a Commission-led private Roundtable event with external, invited legal expertise.

Action: Follow up to diarise next regular meeting with Chief Executive of Scottish Prison Service at earliest opportunity

Action: Issue a letter to the Chief Constable seeking clarification on their ongoing review and requesting an opportunity to explore our shared interest in their policy in relation data collection.

Action: Confirm reference to the Code of Conduct in the minute.

4. SPCB Supported Bodies Landscape Review Committee Inquiry

4.1 Following an informal session with members of the Commission on Monday 20th January 2025, a draft submission for the Committee is being prepared this week and will be circulated for review.

4.2 It was noted that links to evidence from other office holders would be circulated to members of the Commission for information.

5. Preparation for SPCB Review meeting on 6 February

5.1 The Commission are scheduled to meet with SPCB on Thursday 6 February for the annual review discussion. AO and SG are attending.