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The Scottish Parliament
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Dear Joe

Follow Up to Equalities, Human Rights and Civil Justice Committee Appearance 29 March 2022

I am writing to you to follow up some of the issues raised during my attendance at the Committee last month. I would like to start by thanking you and the Committee for your good wishes and warm welcome. Committee members raised a number of questions, some of which relate to other ministerial portfolios. I have provide further detail on these here.

To begin, I welcome the Committee's continued concern for advancing equality for the Gypsy/Traveller community. The community faces continued discrimination and my officials are actively considering the points raised during both my Committee appearance and the evidence session held by the Committee with representatives of the community on 22 March.

Historic actions also continue to have a negative impact on the community. I told the Committee that my officials were actively looking at the request for an official apology for the Tinker Experiment. They are currently working on a specification to commission independent research that will look into establishing the facts around this scandal – namely, its impact on the community and people, their rights, their culture, and lives; and the prevalence of this practice and the circumstances that allowed this to happen.

The Committee also asked for updates regarding employment and fair work matters including the ethnicity pay gap, women's unpaid work and unpaid carers, the gender pay gap and the disability employment gap. These areas sit with my colleague, the Minister for Just Transition, Employment and Fair Work. The Minister is grateful for the Committee's interest in this area and has asked me to provide you with the following update.

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Building on the responses to our recent consultation, Becoming a Fair Work nation, we are in the process of developing a refreshed, integrated Fair Work Action plan, which will bring together our work to support Scotland becoming a Fair Work nation by 2025. This new plan will incorporate our commitments in A Fairer Scotland for Women: Gender Pay Gap Action Plan to reduce the gender pay gap, commitments in our Fairer Scotland for Disabled People: Employment Action Plan to at least halve the disability employment gap by 2038, and actions emerging from our new Ethnicity Pay Gap strategy. The refreshed plan will also consider the intersection with age. Should the Committee wish more detail on this I would encourage you to contact the Minister directly.

The Committee expressed further interest in the way in which Universal Credit (UC) Split Payments can be made within Scotland. This issue sits with my colleague, the Minister for Social Security and Local Government. The Minister thanks the members for their interest and has provided the following additional information. First, the Scottish Government recognises that the UK Government's policy of making a single payment of UC to a household can facilitate domestic abuse or financial coercion. Therefore, we intend to introduce split payments of UC in Scotland to give everyone access to an independent income and to promote equality in the welfare system. This would be a new addition to the UC Scottish Choices whereby claimants can opt to be paid once or twice a month and opt to have the housing element of their UC paid directly to their landlord.

The Scottish Government has been carrying out user research to gain the insight of the people who are currently receiving, or have received, UC. We have also been working closely with stakeholders including Scottish Women's Aid, Engender, the Child Poverty Action Group, the Joseph Rowntree Foundation and Citizen's Advice Scotland. This engagement will assist us to produce an informed policy suited to the needs of those accessing UC. We aim to have the findings of this research collated later this month. It is imperative that we take appropriate time to develop the best approach to split payments of UC to deliver the best possible outcome for people in Scotland.

The Committee will be aware that UC is reserved to the UK Government and the delivery of split payments is entirely dependent on the DWP. Moreover, for the DWP to deliver split payments on behalf of the Scottish Government the DWP will charge the Scottish Government for that. This arrangement means it is not solely for the Scottish Government to decide what can be delivered and we are entirely dependent on what is technically feasible within the DWP's IT systems, its operational capacity, and its willingness to deliver these changes within our time frame. Officials from the Scottish Government and the DWP are in regular contact to discuss a range of issues related to UC, including split payments with the intention and aspiration to provide UC Split Payments to the people of Scotland.

This is only one of the options we are exploring to combat domestic abuse and violence against women and girls. The Scottish Government is also in the process of refreshing the delivery plan for our Equally Safe Strategy. The Equally Safe Delivery Plan was published in 2017 and covered the period up to the end of 2021. Due to the Covid-19 pandemic it was agreed to postpone a refresh. The Scottish Government and COSLA will now publish a new short-life Equally Safe Delivery Plan in late spring 2022 and it will run until Autumn 2023. This plan will build on the many achievements of its predecessor, consolidate existing priorities and commitments, and consider what needs to be achieved for the sector to fully recover from the pandemic. We are grateful for the Equally Safe Joint Strategic Board's oversight and have been working closely with them to ensure the short-life plan continues to foster and galvanise collaborative working with key partners across all sectors.

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As part of this work, an independent Strategic Funding Review, chaired by Lesley Irving, was launched on 5 April 2022 with a remit to deliver recommendations for a new funding model that will ensure high quality, accessible specialist services across Scotland. The review is due to report its findings by March 2023. The review Secretariat is currently working with the Chair and the advisory group on a programme of engagement. This will ensure that lived experience and intersectionality is reflected in the work of the review at all levels, and that the review engages proactively with organisations and existing reference and survivor groups through a range of different channels. In addition, the review is also committed to engaging with those women, children and young people who do not access support services, and we are currently exploring opportunities to reach these groups.

On the specific issue of the prevention of violence against women and girls in further and higher education, the Equally Safe in Colleges and Universities Core Leadership Group has now been established and is chaired by the Minister for Higher Education, Further Education, Youth Employment and Training. Membership is drawn from across the sector and include Universities Scotland, College Development Network, Scottish Funding Council, Emily Test and NUS Scotland. The Group has agreed its Strategic Plan and is working at pace to develop its annual operating plan.

In addition, in the last financial year the Scottish Government has supported the work of Equally Safe in Colleges and Universities by funding Emily Test and Rape Crisis Scotland. Emily Test will develop a Charter for Universities and a Risk Assessment Matrix to support the safe identification of students at risk of gender based violence (GBV). Rape Crisis Scotland will develop training to equip staff with the knowledge, understanding and skills to provide survivor-centred and trauma-informed support to those affected by GBV and to engage student communities at scale through the delivery of a GBV eModule which has already been taken up by 23 institutions. The Scottish Government has also supported Universities Scotland in the refreshing and distribution of a GBV and Mental health sticker (and associated digital resources) for universities, halls and now purpose-built student accommodation which signposts students to sources of help.

I also updated the Committee on the formation of the Expert Advisory Group on Ending Conversion Practices. I was pleased to attend its first meeting on 31 March, and it met for the second time on 29 April. The membership of the Group includes individuals who are experts in their field from LGBTI organisations, faith and belief organisations and communities, mental health, the law, human rights, academia, and people with personal lived experience of conversion practices. I am grateful to all members of the Group and extend a particular thanks to those members with lived experience. The full membership list as well as an overview of the Group, the terms of reference and minutes of meetings can be found on the [website](#).

A theme that runs through all of this work is our need for robust equality data and evidence. The Scottish Government is making good progress with the Equality Data Improvement Programme (EDIP) which is designed to strengthen Scotland's equality evidence base. It has already completed a range of actions on sharing good practice with regards to equality data collection and analysis. It is currently developing equality data improvement plans to share with equality stakeholders for their input, and these plans will form the basis of a new Equality Evidence Strategy. I will be happy to keep the Committee updated as these plans progress.

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Finally, the Committee will be aware that responsibility for establishing the Scottish Covid-19 inquiry sits in the portfolio of the Deputy First Minister and Cabinet Secretary for Covid Recovery. The Scottish Government recognise that the pandemic has had disproportionate impacts on different groups and that this may have further deepened the inequality they face. Ministers have established the inquiry with terms of reference that make specific provision for the Scottish inquiry to consider human rights, which includes equality issues. Ministers have also announced the appointment of Lady Poole to be the independent chair of the Inquiry. Her extensive experience in equality and human rights will ensure the Scottish inquiry embeds and implements equality principles in its operation.

We have not specified any groups or characteristics in the terms of reference so that all groups can be considered in scope of the inquiry. No group should be excluded, and we do not wish to create the perception of a hierarchy with some groups seeming to be more important than others. As part of the period of reflection on the terms of reference, the Deputy First Minister and Lady Poole have reconfirmed the importance attached to ensuring human rights and equality are part of the Scottish inquiry. Its Terms of Reference, alongside the letter which Ministers sent to the Chair on 14 December when her role was announced, mean there should be no doubt of the importance of equality and human rights. Should you require further information on the Scottish Covid-19 inquiry, I encourage you to make contact with the Deputy First Minister.

I would like to thank the Committee again for its hard work and dedication in advancing equality, human rights and civil justice and I look forward to continuing to work together on these crucial issues for the people of Scotland.

Yours sincerely,

CHRISTINA MCKELVIE

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