

Convener, Kaukab Stewart

Scottish Parliament Equalities, Human Rights and Civil Justice Committee

The Scottish Parliament

Edinburgh EH99 1SP

09 November 2023

Copied to: Emma Roddick, MSP, Minister for Equalities, Migration and Refugees

Dear Convener, Kaukab Stewart,

We call upon the Scottish Government to heed the recommendations of the Equalities, Human Rights and Civil Justice Committee's report and take action to safeguard the human rights of the people attacked by the Illegal Migration Act 2023.

We welcome the Equalities, Human Rights and Civil Justice Committee's recommendations published in the latest report about asylum seekers in Scotland. In particular, we support the Committee's strong messaging on using powers within devolved competence of the Scottish Parliament to combat the negative impacts of the Illegal Migration Act 2023, and to improve the lives of asylum seekers in Scotland.

The Inquiry report made some key conclusions recognising concerns about hotel asylum accommodation, very limited access to legal advice across Scotland, the urgent need to continue to support victims of trafficking and ensuring unaccompanied children are safeguarded. Support was also declared for concessionary travel for asylum seekers in Scotland, as well as for further investment in improving access to healthcare and education.

We note from the report and recent media reporting that the Committee is seeking urgent clarification as to whether unaccompanied asylum-seeking children are or were accommodated in hotels by local authorities (para 228 of the report).

We made reference in our evidence to children being accommodated in a hotel within Glasgow City Council. This was accurate. Between January 2022 and June 2023, we represented six unaccompanied children who were accommodated in a hotel for periods ranging from 3 weeks to several months. We recognise that this happens due to severe resource constraints. Our evidence on this point stressed the need for additional funding and support to the statutory sector to ensure that hotels are not being used to accommodate children.

While we welcome the Scottish Parliamentary Committee's report, we are simultaneously very concerned at the lack of concrete action by the Scottish



Government to respond to the threats posed by the Illegal Migration Act 2023. The Act was published as a Bill over seven months ago.

The devastating effects of the Act on areas of policy and practice within devolved competence – including combating trafficking and exploitation, and child protection – were immediately clear. Alongside partners, we have provided legal analysis and recommendations to help the Scottish Government respond in concrete and practical ways.

The Scottish Government has committed to develop mitigations against the Act's impact in the immediate and longer term. We appreciate there are constitutional complexities at play. But time is running out to take action in what is a human rights emergency in Scotland.

We call upon the Scottish Government to heed the recommendations of the Committee's report, reaffirm its commitment to take action, and say clearly and publicly what steps it will take to safeguard the human rights of the people attacked by this egregious Act.

Yours sincerely,

Emma Hutton

CEO, JustRight Scotland