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Dear Joe

Follow Up to Equalities, Human Rights and Civil Justice Committee Budget Scrutiny 2023-24

I am writing to you to follow up on the Budget Scrutiny session I attended on 31st January 2023. I would like to start by thanking you and the Committee for the invitation to discuss what this Government is doing to advance equality and human rights budgeting. Committee members raised a number of questions and I have provided responses to the areas below that fall within my portfolio. As mentioned during my session the Cabinet Secretary for Education and Skills and the Minister for Mental Wellbeing and Social Care will follow up on disability equality within their own portfolios separately.

To begin with, I promised to provide the Committee with further information on the Scottish Government's Open Government Partnership. Scotland's [2021-2025 Open Government Action Plan](#) includes a commitment to *Fiscal Openness and Transparency*. It commits to improving the accessibility and usability of our data and information about public finances, to enable better understanding and scrutiny for a wide range of users, including citizens. This means continuously working to improve how open and transparent we are in Scotland, benchmarked alongside other countries and approaches, about the status, processes, and direction of our public finances.

One of the key actions that we are taking is to implement the findings of the research we conducted on our fiscal data and information accessibility, which we published in our [Fiscal Transparency Discovery Report](#). The Report sets out a clear ambition to strengthen the accessibility of our fiscal information and data, including how it flows through the system from end to end and how that changes over time. A programme has been established to take this forward, continuing to use an agile approach. During 2022 the programme identified existing infrastructure investment data as the subject for a pilot. The aim of the pilot is to identify a technical solution to structuring, standardising and visualising the data, showing (where feasible) how it flows through the system from end to end and over time.

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It will test the concept and the technological, operational and data requirements to achieve this. A prototype will be delivered in Q1 2023; with a Minimum Viable Product by the end of 2023. We recognise that to achieve the ambition of being able to follow the money through the system and over time will take many years. Following the pilot phase, we will decide next steps based on learning from the pilot and judgement about the scope and scale of the next phase of work which will be feasible and affordable.

A key objective of this work will be that the portal is accessible and inclusive for users. We have valued the civil society engagement in the research – such as the Equality and Human Rights Budget Advisory Group (EHRBAG) and the Scottish Human Rights Commission – and in the co-creation and oversight of the financial transparency commitment in Scotland’s third Open Government Action Plan (2021-25). We will continue to involve these stakeholders and other users of the Scottish Government’s fiscal information as we progress work on the portal.

Also, in line with making the budget process and documents more widely accessible the Committee asked about what languages the Scottish Government’s budget documentation is published in. Currently, the Scottish Budget documents are only produced in English. We would of course consider any requests for translation for “Your Scotland, Your Finances” which can be done through our translation request services online. As the main budget documents are highly technical and time limited and as there is not any evidence of demand, we have not proactively published this in other languages. If such an ask was made, we would work with the person or group to understand their requirement specifics.

As we continue to work on improvements in equality and human rights budgeting, I am committed to continue engaging with external experts and stakeholders. I recently met with Professor Angela O’Hagan in her capacity as Chair of EHRBAG which was, as always, constructive and insightful. I also intend to meet with Scottish Women’s Convention to hear their insights on equality and human rights budgeting in the near future.

The Committee was also interested in my short and medium term priorities and I am happy to provide further information on these here. To begin with, we are carefully considering our proposals for legislation to end conversion practices in Scotland, and working at a pace to finesse these. The report of the Committee and the evidence received by its enquiry have been integral to the development of these policy proposals which will be subject to a public consultation in accordance with government procedure. We have committed to work closely with the Committee in developing this legislation and officials will be in contact with the Committee prior to the public consultation process, in order to engage further and provide specific details on the proposals and timings of the Bill.

We have been proactively engaging with the UK government while developing our proposals for legislation and will continue to engage as both Bills progress. The UK Government has announced that it intends to publish a draft Bill which will be subject to pre-legislative scrutiny. This is where the final detail of the UK Government’s approach, as agreed by Ministers will be confirmed. Because of the stage of both processes, it is premature to provide a comparison between the two Bills, but I will provide an update to the Committee once more detail is available on the UK Government Bill.

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We are also supporting the UK's ongoing fourth Universal Periodic Review ("UPR") cycle. The Scottish Government and the UK Ministry of Justice jointly facilitated civil society engagement sessions in January 2022 to discuss issues of interest to Scottish civil society organisations. On this basis, the Scottish Government then contributed to the UK's [National Report](#), which was published in August 2022, and developed its own standalone [position statement](#), which was published in October 2022. Scotland's overall human rights record, as part of the UK, was subsequently examined by the UN Human Rights Council in an Interactive Dialogue which took place in Geneva on 10 November 2022.

Civil society organisations and National Human Rights Institutions can submit their own "shadow reports" to the UN in advance of the Interactive Dialogue. Civil society submissions can be used as a source of information by national delegations participating in the UPR and, in [summary](#), form part of the documentation prepared for the Interactive Dialogue by the Office of the High Commissioner for Human Rights. Civil society representatives can also participate in informal "pre-sessional" briefing events organised by the NGO [UPR Info](#), which again serve to draw attention to specific human rights issues within the Member State under review. The "shadow reports" submitted as part of the UK's current UPR round are [available on the UN website](#), together with [guidance](#) on civil society participation in the UPR process. Shadow reports submitted by Scottish stakeholders were used by the Scottish Government to inform its October 2022 position statement and its preparations for the Interactive Dialogue. The [recommendations](#) received by the UK during the Interactive Dialogue are available on the UN website, which will also publish the UK's formal response in due course.

In December 2022, the Scottish civil society organisations who attended the January 2022 engagement sessions were invited to submit comments and feedback on the UPR recommendations received by the UK, to inform the UK's formal response. The Scottish Government has subsequently contributed to the UK's response, which will be presented to the UN Human Rights Council during its next session in March and April 2023. The Scottish Government will also publish its own standalone position statement on the recommendations in due course, and will consider what further engagement may be required to inform that position statement. We will of course keep the Committee updated on this work.

We are working with Disabled People's organisations and their members to develop a new Disability Equality Strategy. Our focus is on listening to what disabled people have told us are the challenges and obstacles they face, and finding solutions that we can deliver.

The steering group for the new strategy has met 5 times since February 2022 to discuss the development of the plan with a focus on co-design. In the latest meeting in November the group took the broad priorities and worked to define them more narrowly. These actions will be broken down into immediate, short, medium, and long-term priorities. One of the confirmed priorities identified in the work with the steering group is to tackle disabled people's poverty.

In light of the current impact of the cost crisis on disabled people, I want to focus on an immediate priorities plan and set up a Short Life Working Group to focus on progressing this work. The group will consider what further research is needed to understand the real impact of the cost of living on disabled people. The overarching strategic plan will continue to be developed simultaneously.

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Currently, £5m of our Equality and Human Rights Fund also provides support for disabled people's organisations to deliver work focused on tackling inequality and discrimination, furthering equality, and advancing the realisation of human rights in Scotland.

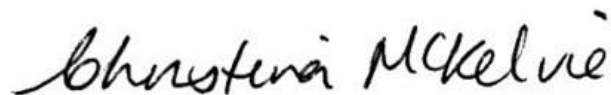
As part of our commitment to improving transitions for disabled young people, we are committed to introducing Scotland's first National Transitions to Adulthood Strategy in this Parliamentary term to ensure there is a joined-up approach to supporting our disabled young people as they make the transition to adult life. This will provide them and those who look after them with joined up guidance and support to unlock better educational and employment opportunities and health outcomes. The Minister for Children and Young People and I have joint Ministerial leadership for transitions.

Finally, the Committee asked to be kept up to date with the Government response to the EHRBAG recommendations and the Equality Evidence Strategy. My officials will be sure to inform the Committee when these are published.

I would like to take this time to reaffirm our commitment to mainstreaming equalities and human rights in all that the Scottish Government does, including in relation to the Budget. I recognise that there is still much that we can do to improve in this area, but I am proud of the strides forward we have made in recent years.

My thanks to yourself and the Committee again for its hard work and dedication in advancing equality, human rights and civil justice. I look forward to continuing to work together on these crucial issues for the people of Scotland in 2023 and beyond.

Yours sincerely,



Christina McKelvie

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