

Dear First Minister,

We are writing to express our deep disappointment in the Scottish Government's decision to renege on their commitment to introduce the Scottish Human Rights Bill in this parliamentary session. Incorporation of more of our international human rights treaties into Scots law is a crucial step in ensuring that the rights are made a reality, and its absence from the legislative programme is a deeply troubling sign of diminishing priority given to human rights at this critical juncture.

This highly regrettable decision is a dismissal by Scottish Government of the very real and pressing human rights issues facing people in Scotland. Children across Scotland are going hungry as families are pulled deeper into poverty, more households than ever before are stuck in temporary accommodation for months on end, disabled and older people are being refused the social care support that they desperately need, and some Scots can't access the medical care they have a right to. These are just some of the human rights emergencies being experienced by people in Scotland today, and these require the Scottish Government to press on with advancing human rights, not sit on its hands.

Overwhelming support for the Bill

This Bill is simply too important to be dropped from your priorities and kicked into the long grass. There is overwhelming support for human rights incorporation from across civil society. The experience of civil society, communities and individuals across Scotland is that human rights incorporation is vital as a bedrock for human rights-based decision making in public bodies, and to enabling people to name and claim their rights. Indeed, the Scottish Government's own engagements through meetings with hundreds of people, community conversations in All Our Rights In Law, the Scottish Government's own Human Rights Bill Lived Experience Boards, and the overwhelming message from the public consultation have all stated very clearly that this Bill is both vital and timely. In choosing not to press on with the Bill in this session, Scottish Ministers are either not listening to those voices or are listening but choosing to ignore them.

There is no reason for delay

We fully appreciate that the Supreme Court decision in the 2021 UNCRC Bill reference has implications for the Bill's scope. Transparent and positive discussion between Governments would avoid all risk of challenge or constitutional difficulty. This Bill could also then have been the means to amend the UNCRC (Incorporation)

(Scotland) Act so that it has a wider scope. The suggestion that the devolution-related issues mean that the Scottish Government does not keep its own promise on the Bill is unacceptable and not credible.

We also appreciate, and agree, that the Bill proposals can be developed further so that they are as strong as they can be, particularly for disabled people, women and people from ethnic minorities. Again, this is no reason to break your promise. Instead, this is reason to engage constructively and innovatively with these groups so that the Bill goes as far as it can do within devolved constraints. This can be done now, and in time for introduction in this session.

Pressing need to make rights a reality

The current financial circumstances provide yet more reason to press on with this Bill in this session. Embedding human rights into decision-making gives an essential framework for determining priorities with participation of the people affected most. Human rights budgeting enables robust decision-making that ensures that fundamental human rights are protected for all in the midst of tough finances.

Furthermore, we emphasise again that those most at risk of violations of their economic, social, cultural and environmental rights are people living in poverty. If the First Minister is serious about ambitions to end child poverty, then surely requiring our public services to deliver everyday rights for all is an essential and valuable tool for doing so.

We have engaged in good faith

Scottish Ministers have made repeated and high-profile commitments to the Human Rights Bill being introduced in this parliamentary session. Many of us have engaged in good faith for many years, contributing thousands of hours to development of the Bill, including sharing deeply personal experiences on lived experience boards. The Scottish Government has already devoted huge resources to developing the legislation. Given all of this, and the urgent need for it, it is highly regrettable that the Scottish Government has reneged on its commitment. Indeed, it is a significant breach of trust and disrespect to all of those who have engaged around the Bill.

Keep promise to introduce the Bill in this parliamentary session

In light of these concerns, we urge you to reconsider the decision to exclude the Scottish Human Rights Bill from the legislative programme. We request a clear and public commitment to this effect, including a detailed timeline for its introduction by February 2025 at the latest.

Anything less suggests that Scottish Ministers' promises on human rights are just words that mean very little.

Thank you for your attention to this urgent matter.

Yours sincerely,

The Human Rights Consortium Scotland

Organisational co-signatories to letter:

Age Scotland
Alcohol Focus Scotland
Amnesty International Scotland
Art27 Scotland
Autism Rights Group Highland
Ayr Housing Aid Centre SCIO
AyeRight
Barnardo's Scotland
BEMIS Scotland
Campaign for Freedom of Information in Scotland (CFoIS)
CAPS Independent Advocacy
Capella Charity
Carers Trust Scotland
CELCIS
CEMVO Scotland
Chest Heart and Stroke Scotland
Children 1st
Children and Young People's Centre for Justice
Children's Parliament
Clan Childlaw
Close the Gap
Coalition of Carers in Scotland
Committed to Ending Abuse (CEA)
Community Policy Forum
Community Transport Association
Creative Lives
Disability Equality Scotland
Dumfries and Galloway Advocacy Service
Early Years Scotland
East Ayrshire Advocacy Services
Energy Action Scotland
Environmental Rights Centre for Scotland
Equality Network
Faith in Older People
Families Outside
Fa'Side Women & Girls Group
Feniks
Forces Children Scotland
Global Justice Academy
Global Justice Now
Grampian Independent Advocacy Ltd
Headway East Lothian SCIO
Health and Social Care Alliance Scotland (the ALLIANCE)
Highland Senior Citizens Network
Hospice UK

Humanist Society Scotland
In Control Scotland
Inclusion Scotland
includem
Inclusive New Normal
Just Fair
JustRight Scotland
Lanarkshire Deaf Hub
LEAP Sports Scotland
Liberty
LGBT Youth Scotland
Living Rent
Making Rights Real
Marie Curie Scotland
Maryhill Integration Network
Member of the Human Rights Bill Lived Experience Board
Menstrual Rights Global
Migrant Voice
National Deaf Children's Society
Nourish Scotland
NSPCC
Outside The Box
Parenting across Scotland
People's Health Movement Scotland
Pilton Youth and Children's Project
Play Scotland
Psychiatric Rights Scotland
Quakers in Scotland (General Meeting for Scotland)
Robinson Research Institute, University of Adelaide
Royal College of Paediatrics and Child Health
Royal Edinburgh Hospital Patients Council
Salvesen Mindroom Centre
Save the Children
Scouts Scotland
SCVO (Scottish Council for Voluntary Organisations)
Scottish Care
Scottish Child Law Centre
Scottish Independent Advocacy Alliance
Scottish Pensioners' Forum
Scottish Recovery Consortium
Scottish Refugee Council
Scottish Women's Budget Group
Scottish Women's Aid
Scottish Youth Parliament
Secure Scotland
Simon Community Scotland

SISU
Springburn Unity Network
The Destiny Project SCIO
The Donaldson Trust
The Fostering Network
The Hong Kong Scots
The Institute for Inspiring Children's Futures
The National Autistic Taskforce
The Poverty Alliance
The Sound Lab
The STAR Project
Third Sector Dumfries & Galloway
Together (Scottish Alliance for Children's Rights)
Wellbeing Economy Alliance Scotland
Welfare Scotland
Who Cares? Scotland
WithYou
Women's Support Project
Worker Support Centre
The Young Women's Movement

Members of the Human Rights Bill Lived Experience Board, which met 12 times to provide vital advice to the Scottish Government, strongly support this letter, including:

Alex Thorburn
Amanda Foster
Ann Coleman
Caroline Mockford
Rose Jackson
Tom Bennett