

GENDER EDIT OF PROTECTING SCOTLAND, RENEWING SCOTLAND: THE GOVERNMENT'S PROGRAMME FOR SCOTLAND 2020-2021

This gender edit of the Scottish Government's Programme for Government 2020-21 compiles all references to women, gender and issues with implications for gender equality which appear in the document.

This year's Programme for Government comes amid the Scottish Government's response to the Covid-19 pandemic and ahead of the Scottish Elections in 2021. Considerable focus is given to protecting jobs and adjustments or investments in the health and social care system. The Government announced four new Bills to be introduced and the continuation of Bills already introduced ahead of the dissolution for the election next year.

This gender edit examines the Programme in sequence, with emphasis added by Engender.

Introduction from the First Minister

"And we will **ensure equality and human rights is embedded** throughout our response, not least in response to the global awakening we have seen to continued racial injustices through the Black Lives Matter movement."

Page 5

"The pandemic has also reiterated the need for a **radical rethink of our model of social care**, with support growing for a **National Care Service**. We will **establish an independent review of the care system** to examine how adult social care can be most effectively reformed to deliver a national approach to care and support services. This will include consideration of a National Care Service."

Page 7

"And in November applications will open for **the new Scottish Child Payment** – a vital tool in our fight against child poverty. Payments will be made from the **end of February 2021**, delivering on a key commitment of this government."

Page 7

Executive Summary

"As **Agenda for Change pay negotiations** get underway and as we consider the future of care services, we will **consider how we value and reward those who work in our health and care sector**. We also commit in this Programme for Government to maintain and increase the support available for staff who have had to work in some of the most difficult conditions imaginable."

Page 11

"We must also learn lessons from this crisis about our social care system. We will commission an **independent review of the social care system**. This will include consideration of the

creation of a **National Care Service**. We will also put a **renewed focus on tackling health inequalities**, and improving quality of life. Before the crisis, we know there were too many people at risk as a result of long term health conditions – the crisis has exacerbated that. We will **focus on the determinants of health inequalities**, and drive forward our efforts to improve mental health and wellbeing.”

Page 11

“Immediately establish an **independent review of adult social care**. This will examine how adult social care can most effectively be reformed to deliver a **national approach to care and support services**. This will include consideration of a **national care service**.”

Page 12

“Create a new role of **Patient Safety Commissioner**.”

Page 12

“Expand mental health and wellbeing support for health and social care staff, including the development of a **Health and Social Care Mental Health Network** and enhanced access to digital resources.”

Page 12

“This year we will also set out how we will meet our **commitment to 1,140 hours of free early learning and childcare**.”

Page 13

“We will also **redouble our efforts to mainstream equality and human rights** and to improve the life chances of all of our people. This is particularly important in the context of the global **Black Lives Matter** protests that have ignited around the world. We must do more to understand the barriers that people from our minority ethnic communities face and take action to remove those barriers.”

Page 13

- “Open the **Scottish Child Payment** for applications for children under 6 in November 2020, with the first payments made in February 2021
- Make payments of the new **Child Winter Heating Assistance** in winter 2020
- Deliver increased early learning and childcare and set a new target date for the **expansion of childcare to 1,140 hours for all three and four year olds, and vulnerable two year olds**, across all local authorities by the end of 2020.”

Page 14

“We will ensure everyone in Scotland receives the support they need, and we will take action to tackle the systemic injustices in our society. The last few months have shown us not only the specific and additional pressures of the health crisis on parts of our society, particularly those from minority ethnic communities and older people, but we have also seen a global awakening to the continued racial injustices in our society. We can and must do better to tackle those injustices and ensure a better Scotland for everyone. We will:

- **Enable better collection and use of minority ethnic health data**, to ensure the public health response is properly focused
- Undertaking an **audit of past and current initiatives** to tackle **systemic racism**
- Take actions to **tackle the barriers** faced by our **minority communities in work, education, health, and housing**
- Sponsor an independent expert group to recommend how Scotland's existing and future museum collections can better recognise and **represent a more accurate portrayal of Scotland's colonial and slavery history**
- Work with the John Smith Centre to **establish a leadership development programme** for people from minority ethnic communities.”

Page 15

“**The National Performance Framework has promoting equality at its heart** and a National Outcome to respect, protect and fulfil human rights... This Government is driving an ambitious and progressive agenda to **ensure equality and human rights are embedded in all we do**. We know the **impacts of COVID-19 have not been felt equally** and it is **expected ongoing economic impacts will be felt disproportionately by women**, those from minority ethnic communities and disabled people. It is essential we continue to strengthen our approach to equality and human rights across Government by listening, understanding and involving the people affected by our policies.”

Page 17

CHAPTER 1: A NATIONAL MISSION TO CREATE NEW JOBS, GOOD JOBS AND GREEN JOBS

Creating Jobs and Boosting Skills

“However, we know the economic impact of COVID-19 and the removal of the job retention scheme will have a devastating effect on employment and jobs. And this will **impact most acutely** on young people **and those who already face barriers to employment** such as **women**, disabled people, and people from black and minority ethnic communities.”

Page 23

Support for Families in Poverty

“...we are committed to ensuring everyone can access **work that is fair and offers flexibility and opportunity** for all. Our ability to take the necessary action on this is hindered by the continued reservation of employment law to the UK Parliament, but we will actively work with employers to **expand payment of the real Living Wage**, with the aim of 25,000 additional workers receiving payment.”

Page 28

“By embedding the **principles of fair work** across Scotland, we will improve livelihoods and **reduce social inequality**. This will help some of the most vulnerable groups in Scotland – such as **lone parent families** and families with disabilities – as well as **women**, who more often than not are expected to **shoulder the main responsibilities of childcare**.”

“We will make an additional £2.35 million available for our **Parental Employability Support Fund (PESF)** in 2020-21, which already provides intensive person-centred employability support for parents in and out of work.”

No One Left Behind

“The pandemic has also had a **disproportionate impact on women’s jobs and incomes**. Women have made up the **majority of the workforce in many ‘shut down’ sectors**, and in our **care sector**, as well as undertaking **additional unpaid caring responsibilities**. The vast majority of **lone parents** are women. All of this has made them more exposed to the impacts of earnings reductions or losses. **Evidence highlights the potential damage the pandemic could do to women’s employment and career opportunities longer term and the potential to increase both the gender employment gap and the gender pay gap in coming years**. We will **review the actions within our Fairer Scotland for Women: Gender Pay Gap Action Plan** to ensure the actions are fit for purpose and will effectively support our economic recovery through the pandemic and beyond.”

Workplace Transformation

“We will support flexible work experts TimeWise to **develop and sustain a fair, flexible work programme for Scotland** by the end of March 2021, as they deliver high-quality support to help 300 employers adapt to flexible working through COVID-19 and beyond. TimeWise will also support the recruitment of 40 employer-facing employability advisors who will help a further 1,000 employers and 1,000 individuals to implement and benefit from fair and flexible work opportunities. Groups such as **low income parents, carers and parents with disabled children**, as well as older workers, and those with health issues, will access support from ‘fair flex’ trained advisors which will ultimately reduce the inequalities they experience on a daily basis. We will analyse the availability of flexible work opportunities before, during and after the pandemic and use this data to ensure that these opportunities are available for workers across all regions and sectors in Scotland.”

“As part of any learning from and response to the crisis, we must ensure we recognise the **specific determinants of poverty and inequality**, and the role for business to provide targeted support for key groups. There is a risk that those who may have more limited capacity for work – and are therefore at greater risk of poverty – **may be left behind**, whether because they have health concerns around a return to a physical workplace, are **unable to access the necessary childcare, or find their social care or informal support can no longer meet their needs**, particularly for older or disabled workers. Equality and human rights will be at the heart of our approach and we will work with stakeholders, businesses, and others to include considerations of future workplace adjustments, flexible working, and **support for those with caring responsibilities** in any **future work on workplace transformation**, providing better employment opportunities for all.”

Infrastructure and capital investment – driving our net zero transition

“We are also on track for **the Scottish National Investment Bank** to open this year... Other missions expected to be set for the Bank focus on investing in places to create opportunities, **tackling inequalities**, and supporting innovation in response to demographic challenges... The Bank will hold to the principles of **equality**, transparency, diversity and inclusion.”

Page 43

CHAPTER 2: PROMOTING LIFELONG HEALTH AND WELLBEING

“COVID-19 has **highlighted and exacerbated inequalities that exist** within our country. In response, we will promote lifelong health and wellbeing with an increased focus on improving population health and **tackling health inequalities** as we move into the next stage of living with COVID-19. We are also determined to further develop the strengths of our public health service.”

Page 64

The impact of COVID-19 on minority ethnic people and communities

“The independent Expert Reference Group on COVID-19 and Ethnicity (ERG) has put forward initial advice and recommendations on data, evidence, risk and systemic issues to ensure disparities can be identified quickly and resolved. This work highlighted that the **lack of high-quality population-based data on ethnicity hampers our understanding of ethnic variations in COVID-19** and its outcomes in Scotland. To overcome this the ERG recommended a number of actions which we will take forward, including:

- Making **ethnicity a mandatory field for health databases**
- Developing a linkage to the census
- **Embedding the process of ethnicity data collection** in the culture of the NHS in Scotland.”

Page 66

NHS Mobilisation

“We will continue to develop our Women’s Health Plan which will underpin actions to tackle women’s health inequalities by raising awareness around women’s health and improving access to healthcare for women throughout life. Priority actions for the plan will be to ensure women have access to specialist menopause services for advice and support on the diagnosis and management of menopause; improve access for women to appropriate support, speedy diagnosis and best treatment for endometriosis; improving access to information for girls and women on menstrual health and management options; improve access to abortion and contraception services; ensure rapid and easily accessible postnatal contraception; and reduce inequalities in health outcomes for women’s general health, including work on cardiac disease. We will also continue to work to deliver improved services for women who have suffered complications as a result of transvaginal mesh.”

Page 67

Resumption and redesign of cancer services

“Scotland’s adult **national screening programmes**, which include **breast**, bowel and **cervical** cancer screening, as well as screening for Diabetic Retinopathy and Abdominal Aortic Aneurysm, are now resuming following the temporary pause to the programmes due to the COVID-19 pandemic.”

Page 68

Chronic Pain Services

“We will work with local, regional and national stakeholders, including patient groups, to develop the current Scottish Service Model for **Chronic Pain** and to publish a **new Framework for Chronic Pain Service Delivery in 2021**. This will involve agreeing pain management pathways that are sustainable, improve health outcomes and minimise harmful variation.”

Page 69

Rethinking Social Care

“As we move forward, we will ensure that people using social care services are provided with the best possible care. We owe it to them to acknowledge the challenges that social care has faced, learn from them, and reconsider the most effective model for the future. **We will immediately establish a comprehensive and fundamental independent review of adult social care, which will report by January 2021**. This will consider changes required to achieve the highest attainable standard of support for the independence and wellbeing of people who use adult social care support. The aim of the review will be to recommend improvements to adult social care in Scotland, **focused on the outcomes achieved by and with people who use services, their carers and families, and the experience of people who work in adult social care**. The review will take a **human-rights based approach** with a particular but not exclusive focus on the views of those with lived experience, about what needs to change to make real and lasting improvements. Using the powers that are available to the Scottish Parliament this will set out how **adult social care can be reformed to deliver a national approach to care and support services**. It will include **consideration of a national care service**. Ahead of that independent review reporting, a new stakeholder group will govern our approach to adult social care recovery and remobilisation as we move through and out of the COVID-19 pandemic period.”

Page 74

“Within social care, we cannot forget that a **significant element is delivered by unpaid carers who play an immense and vital role** in supporting the people they care for. Quite simply, our health and social care systems would be unsustainable without that support, and we could not have got through the pandemic without them.”

Page 74

“As a result of lockdown, **unpaid carers have had to take on additional responsibilities, including balancing the challenges of home working and increased caring responsibilities**, often without the same support which would have previously been available to them. Emerging research suggests there may be **an additional 400,000 people**

undertaking unpaid care as a result of COVID-19. The Scottish Government made a one-off Coronavirus Carer's Allowance Supplement payment of £230. This was in addition to the regular six-monthly Carer's Allowance Supplement, benefitting around 83,000 of Scotland's lowest income carers with some of the most intense caring roles. This additional payment, together with the existing six-monthly Carers Allowance Supplement, will mean that **eligible carers in Scotland in receipt of Carer's Allowance will receive an additional £690 this year** on top of their Carer's Allowance."

Page 75

"Support for carers is key to protecting their wellbeing. During the pandemic, we provided £500,000 to carers services to support them in working remotely. We will work with these services to increase their capacity and ensure sharing of best practice and learning across settings, together **with an additional £11.6 million for ongoing implementation of the Carers (Scotland) Act**, provided to local authorities to deliver carers services this year, recognising the extra demands they may be under."

Page 75

"The pandemic has thrown into sharp focus the important role that unpaid carers play in our communities and we will continue to work to build on this public awareness to encourage those who are caring to **take up the support that is available** to them. We will provide tailored information to support carers to help them identify themselves, access routes for support and know their rights under the Carers Act. **We will do this through a dedicated national campaign which will assist carers in identifying the support they need to look after their own health and wellbeing.** Alongside publishing guidance to support the re-opening of adult day care services, we will continue to deliver the £3 million voluntary-sector Short Breaks fund, offering time off and away for carers. As part of this fund, carers services in every local authority area are able to provide small grants to carers to support them to take a break in a way that they choose."

Page 75

Safeguarding Staff and Patients

Work is underway with the **Social Care Fair Work group** to **develop and implement proposals to embed fair work principles** that will lead to **better terms and conditions and more rewarding roles for people working in social care**, including care homes, care at home, housing and other support. An interim report is due in September 2020, with fully developed proposals by the end of 2020."

Page 75

"We will implement a number of services to support improved mental health among health and social care staff, backed initially by £5 million of funding. This includes **development of a Health and Social Care (HSC) Mental Health Network, to enhance existing mental healthcare provision**, and to supplement support which has already been instigated on behalf of health and social care staff locally and nationally."

Page 76

“In 2019, the Independent Medicines and Medical Devices Safety Review, chaired by Baroness Julia Cumberlege, set out a range of recommendations to improve patient safety, including the **establishment of a Patient Safety Commissioner** to be a national advocate for patients. We are considering the full recommendations made, but are committed to the establishment of a Patient Safety Commissioner.”

Page 77

A Scotland where we eat well, have a healthy weight and are physically active

“In addition we will support the delivery of health and care services to address inequalities by building on examples of innovation and best practice developed to **address the impacts of the COVID-19 pandemic on sexual health services, by developing a Recovery Framework for Sexual Health and Blood Borne Viruses.**”

Page 79

Responding to the additional mental health needs associated with the pandemic

“We recognise the pandemic has been challenging for carers, in particular young carers. **We will work with carer representative bodies to understand, and respond to, the mental health impacts of COVID-19 and lockdown on carers,** recognising in particular the disproportionate burden experienced by female carers.”

Page 82

“As a long-term response to the COVID-19 crisis, evidence and expert opinion is telling us that a trauma-informed approach to recovery should be a key component of remobilisation. We are expanding the National Trauma Training Programme by a further two years (to 2022/23) to ensure that our workforce has the resources they need to help **raise awareness of the different ways in which traumatic experiences and stress affects people.**”

Page 82

Focusing on good mental wellbeing at a population level

“Evidence indicates that the **impacts of lockdown and COVID-19 have had more of a negative impact on women than on other groups.** We will **engage with women’s organisations** in order to identify, and take action to **support women and girls’ mental health on an individual and structural level.** This will include work to support women and their families in the perinatal period through **the Perinatal and Infant Mental Health Programme Board.** We will **also build on existing research into the causes of poorer mental health for teenage girls** and take action to address the **impact of social media and body image on young women.** We’ll also act to address the **mental health impact on those living with domestic violence, abuse, coercive control and toxic masculinity.** We also know that women tend to have greater carer responsibilities, which the pandemic has exacerbated. Our dedicated national campaign will ensure carers can identify the right support and advice they need for their own health and wellbeing.”

Page 82

CHAPTER 3: PROMOTING EQUALITY AND HELPING OUR YOUNG PEOPLE GRASP THEIR POTENTIAL

“This investment **more than doubled our Scottish Welfare Fund budget**, making over £120 million available to support third sector and community efforts, and supporting investment of over £110 million to tackle food insecurity.”

Page 88

“The **Social Renewal Advisory Board** is advising the Scottish Government on how to build a **stronger, fairer and more equal Scotland** for the post-pandemic period. The Board aims to build on the shifts in policy and practice we saw in the immediate response to COVID-19 where, by working at pace and in partnership, we challenged traditional ways of working to deliver real change.”

Page 89

“**Underpinning all the Board’s work is a commitment to advancing equality and promoting and protecting human rights. COVID-19 has intensified many pre-existing inequalities**, and it is crucial that the policies we are putting in place work for all of Scotland’s people.”

Page 89

Tackling Poverty

“Already, **the Agency is successfully delivering eight benefits**, four of which are new and the others more generous than the UK benefits they have replaced. These support low income families, young people entering employment, **carers**, and people facing a bereavement. In the coming year we expect to spend £3.3 billion in total on benefits, providing vital support to low income people and helping to mitigate the impact of UK Government welfare cuts.”

Page 89

“Chief among that is the introduction of the **Scottish Child Payment** – a new benefit to **increase family incomes and reduce child poverty**. It will pay £10 per week for each eligible child in a family, every four weeks. There will be **no cap on the number of children that families can claim for** and it will be uprated annually in line with inflation. It has rightly been hailed as a game-changer by leading anti-poverty charities. We are introducing the Scottish Child Payment **first for families with children under 6** in recognition of the fact that of all children in poverty, almost 60% live in a family where a child is under six years old. Before the pandemic, we estimated that could support up 170,000 children. Since the beginning of the pandemic, **we know that more and more families will have had to rely on social safety nets, with an increase in people applying for qualifying benefits, such as Universal Credit**. We will ensure everyone who is eligible is aware of their entitlement, and is able to receive the support they deserve.”

Page 90

“Throughout the pandemic we have prioritised delivery of the Scottish Child Payment. Significant work, under incredible pressures, has meant that we will aim to **start taking applications for under 6s in November 2020** and **for first payments to be made to eligible families from the end of February 2021**. Despite the delays and pressures caused by

COVID-19, that is a delay of only two months to our original timetable. Together with the support already in place through the Best Start Grant and Best Start Foods, **this will offer families on low incomes over £5,200 of financial support by the time their first child turns six.** Importantly, **we will never place arbitrary limits on the number of children who can be supported** and up to £4,900 is available for second and subsequent children.”

Page 90

“Recognising the additional hardships that winter can bring, particularly with rising fuel costs, we will **also start making payments of our new Child Winter Heating Assistance in winter 2020**, subject to DWP providing the necessary data on time.”

Page 91

“The Social Renewal Advisory Board made a series of recommendations on social security, which we are now responding to.”

Page 91

“Recognising the **importance of maximising people’s incomes in tackling poverty and disadvantage**, we will do more to **promote benefit take up**, including making a benefits eligibility checker available online. We will consider which benefits need specific attention and how partners and online content can help us strengthen our approach. We will also explore with COSLA **how to embed Scotland’s Social Security principles and human rights-based approach within the local authority level benefits and payments system.**”

Page 91

The Best Start in Life

“We are determined to deliver our commitment to the expansion of early learning and childcare, and will work with Local Government and providers to deliver on this as quickly and as safely as possible. Councils have continued to develop their offer even over the recent months, and **in some parts of the country, they are able to provide 1,140 hours to eligible children this year. A date for full implementation of the expansion hours will be jointly agreed by Scottish Government and Local Government and an assessment of readiness provided by December 2020. Childcare for school-age children** is equally important, and has a significant part to play in **supporting people into work and to secure better jobs with higher incomes.** We have committed to **develop and deliver a framework for school age childcare during this Parliamentary term.** This will set out a bold vision for school age childcare in Scotland and the steps we will take to make it more accessible and affordable, using the responses to our 2019 consultation to consider what more the Scottish Government can do.”

Page 93

Keeping the Promise

“The UNCRC Bill will fully and **directly incorporate the United Nations Convention on the Rights of Children into Scots law, to the maximum extent of the Scottish Parliament’s powers**, before the end of this Parliament. Public authorities, including the Scottish Ministers, will be under a statutory duty not to act incompatibly with the UNCRC requirements as set out in the Bill. If they do, children, young people and their representatives can use the courts to

enforce their rights. This will deliver a **proactive culture of everyday accountability** for children's rights across public services."

Page 102

Better Housing

"Recognising that some groups are at higher risk of homelessness than others, we will continue to **implement the homelessness prevention pathways** so that people leaving prison, care leavers and **victims of domestic abuse** have positive housing pathways that support them to keep a settled home and achieve positive outcomes in their lives. **We will ensure our policy responses are gender-sensitive and take into account the diverse and complex needs of women.** We will also take forward plans to remove the requirement for people facing homelessness to have a connection with the local area before they can receive an offer of settled accommodation."

Page 106

Promoting Equality and Human Rights

"The impacts of COVID-19 have been and will continue to be experienced disproportionately by different groups, including women, those from minority ethnic communities, older people and disabled people. **To address this, we will develop an equality and human rights mainstreaming strategy, which is underpinned by a comprehensive approach to improving data collation and analysis, and will ensure that the voices of those impacted shape our approach and policies.** We will work across different groups to promote equality, recognising intersectional inequality, drawing from the **expertise of key stakeholders**, and being guided by vital national forums such as the **First Minister's National Advisory Council on Women and Girls.**"

Page 107

"At a time of global crisis, meeting our international human rights obligations as a responsible modern nation has never been more important. We will continue work on the **First Minister's National Taskforce for Human Rights Leadership**, to deliver a radical blueprint for **human rights legislation** covering all areas of devolved responsibility. **This will include how best to take forward our commitment to incorporate the UN Convention on the Elimination of All Forms of Discrimination against Women into domestic legislation.** We will also actively consider the incorporation of the UN Convention on the Rights of Disabled People and the UN Convention on Racial Discrimination, working closely with key stakeholders in these sectors. We will continue to play our part in building international capacity to advance human rights through increased funding for the Scottish Human Rights Defenders Fellowship."

Page 107

"We will continue to take forward our work to protect, promote and improve equality in Scotland. This includes building on our international reputation for LGBTI equality. Our Non-Binary Working Group will bring valuable lived experience to our work towards equality for non-binary people, and we will **continue work to produce guidance for the Scottish Government**, which will also **be available across the public sector** and more widely, on **realising trans inclusion while continuing to advance the rights of all women.**"

“Through our **collaborative work on the Period Products (Free Provision) (Scotland) Bill**, we also **expect access to free period products to be enshrined in law for anyone who needs them**, building on Scotland’s world-leading work in this area.”

Equally Safe

“**The experience of lockdown reiterated the importance of protecting women and girls who are isolated and vulnerable during unprecedented times, and facing domestic abuse.** We provided a **£1.5 million funding package for the women’s aid and rape crisis network**, helping to maximise the effective protection and provision of support for those experiencing gender-based violence, both during the immediate crisis period and in the longer term. We **continue to support Emily Test and Rape Crisis Scotland** in their work in further and higher education sectors.”

“Everyone should be protected and violence, discrimination and gender-based inequality consigned to history. This year, we will continue to implement our Equally Safe strategy with a particular focus on supporting women and children at risk of violence and abuse. **We will introduce legislation on domestic abuse protection orders, progress legislation to improve forensic medical examinations for victims of sexual assault, consult on challenging men’s demand in relation to prostitution, and take forward the implementation our new Female Genital Mutilation (Protection and Guidance) Act.** By the end of the year, we will launch our £13 million Delivering Equally Safe Fund to support greater prevention and early intervention for women and children at risk.”

“We will also continue to **pursue our gender equality ambitions in education and learning via the mechanism of the Deputy First Minister’s Gender Equality Taskforce in Education and Learning.** Given the evidence which suggests that girls and young women are disproportionately impacted by crises such as COVID-19, we will continue to work with education and children’s and equality stakeholders to **ensure that girls and young women’s experience of the education and learning landscape is a gender competent one.**”

“As a result of the work of the Chief Medical Officer for Scotland’s Taskforce for the improvement of healthcare and forensic medical examination services for people who have experienced rape, sexual assault or child sexual abuse, such examinations no longer take place in a police station. **The Taskforce is continuing its work to create a Scottish Sexual Assault Response Coordination (SSARC) service in each territorial Health Board supported by Scottish Government funding towards infrastructure and workforce.** Despite the evident pressures involved in responding to the COVID-19 pandemic, Health Boards remain committed to maintaining these services as part of their core service. **Underpinning the work of the Taskforce, the Forensic Medical Services (Victims of Sexual Offences) Bill remains a priority and is proceeding to a new timetable.** This will

enshrine in law a holistic healthcare and recovery focused model and will provide a legal framework for consistent access to self-referral services across Scotland.”

Page 109

Supporting Cohesive Communities

“Nearly £275,000 funding was allocated to third sector organisations supporting people seeking asylum and others who are subject to **No Recourse to Public Funds** (NRPF) to respond to people’s essential needs during the pandemic.”

Page 109

“As well as **delivering consolidated, modernised and updated hate crime legislation**, we will continue to work with stakeholders, including Police Scotland, to tackle and encourage reporting of hate crime. We will work with Police Scotland, Local Authorities and wider partners to safeguard those individuals who become vulnerable to divisive and radicalising narratives, including as a result of having been disconnected from positive influences during lockdown.”

Page 109

Ensuring Safer Communities

“We will work with justice bodies, the legal profession, victims organisations and others to look at how we can continue to tackle the backlog [in courts] and provide confidence to **victims, witness and others affected by delays.**”

Page 116

“Our plans for the new female estate are transformative and world-leading. It will deliver, by the end of 2022, a new national prison and two Community Custody Units in Dundee and Glasgow **tailored to the specific support needs of women**. We take seriously the pressures facing HMP Barlinnie and are have provided additional funding for remedial measures that will directly address infrastructure concerns.”

Page 117

“Underpinning the recovery and transformation agenda, we will put the interests of victims at the heart of justice reforms, supported by the work of the Victims Taskforce. We will continue work to strengthen communication and engagement with victims and families throughout the justice process. We will work with justice agencies and third sector support providers to explore further use of non-court buildings for the pre-recording and giving of evidence. To better support victims or witnesses of sexual offences involved in the criminal justice system **we will consider the recommendations from the report of Lady Dorrian’s Review of the management of sexual offences**. While the pandemic has placed significant pressure on parliamentary time, **we will continue to progress the Forensic Medical Services (Victims of Sexual Offences) (Scotland) Bill before the end of the parliament.**”

Page 117

THE LEGISLATIVE PROGRAMME

“Against that challenging backdrop the Scottish Government will **progress 11 bills before the end of this parliamentary session**. This includes continuing the passage of bills introduced

last year such as the Forensic Medical Services (Victims of Sexual Offences) Bill and the Redress for Survivors (Historical Child Abuse in Care) Bill.”

Page 129

“We will also introduce to the Parliament a further 4 new Bills in our final legislative programme of this parliamentary session. In fact this year will see one of our most ambitious Bills go before Parliament. **The UNCRC (Incorporation) Bill will see one of the most significant changes to our legal system since devolution.** It will incorporate the UNCRC into domestic law so that the rights of children, young people and their families will be **built into all aspects of public life in Scotland.** We will also seek to advance the existing legislative protections for those most at risk of domestic abuse, including the ability to ban suspected perpetrators from their homes.”

Page 129

Bills to be progressed this parliamentary year

“New

- Budget
- Domestic Abuse
- The UNCRC (Incorporation) Bill
- University of St. Andrews (Degrees in Medicine and Dentistry)

Already Introduced

- Defamation and Malicious Publication
- Forensic Medical Services (Victims of Sexual Offences)
- Hate Crime and Public Order
- Heat Networks
- Redress for Survivors (Historical Child Abuse in Care)
- Social Security Administration and Tribunal Membership
- UK Withdrawal from the European Union (Continuity)”

Page 130

Bill Summaries

“Domestic Abuse; **The Bill will introduce emergency orders designed to protect people who are at risk of domestic abuse by imposing prohibitions or requirements** on the person subject to the order which are necessary for the purpose of protecting the person at risk. **An example would be a requirement to leave the home of the person at risk, and a prohibition on re-entering it while the order is in force.**”

Page 133

“The UNCRC (Incorporation) Bill; The United Nations Convention on the Rights of the Child (UNCRC) is the global “gold standard” for children’s rights. **The Scottish Government is committed to further embedding the rights of children and young people, as enshrined in the UNCRC, through the delivery of new legislation.** The UNCRC Incorporation Bill seeks to do this in two ways: to **incorporate the UNCRC into domestic law so that children and their representatives can vindicate their rights set out international law in our**

domestic courts; and to ensure that there is a **proactive culture of everyday accountability for children's rights** across public services in Scotland.

The Bill will mean that children, young people and their families will experience public authorities consistently acting to uphold the rights of all children in Scotland. Public authorities, including Scottish Ministers, will be under a statutory duty not to act incompatibly with the UNCRC rights as set out in the Bill and rights holders will be able to challenge public authorities in the courts for breaches of their rights. The Bill will ensure that public authorities take proactive steps to ensure compliance with children's rights in their decision making and service delivery. This will build on existing structures which will enable children and young people to be heard and take an active role in their own lives and communities. Delivering the new legislation will improve outcomes for children and young people and help make Scotland the best place in the world to grow up."

Page 133

"Forensic Medical Services (Victims of Sexual Offences); **The Bill will underpin the ongoing work of the Chief Medical Officer for Scotland's Rape and Sexual Assault Taskforce.** The Bill provides a new legal basis for the carrying out of forensic medical examinations for victims of sexual crime, and in particular will **establish a national self-referral model** for victims who wish to have an examination without first reporting to the police. The Government wishes to give victims control over what happens to them at a time when it has been taken away."

Page 134

"Hate Crime and Public Order; **The Bill consolidates, modernises and extends hate crime legislation in Scotland.** It adds age as an additional characteristic and includes **a power to enable the characteristic of 'sex' to be added at a later date.** The Bill provides for **new stirring up of hatred offences** for age, disability, race, religion, sexual orientation, transgender identity and variations in sex characteristics. Currently there are only offences of stirring up racial hatred."

Page 135

FOR FURTHER INFORMATION

Contact: Eilidh Dickson, Policy and Parliamentary Manager, Engender

Email: eilidh.dickson@engender.org.uk

Phone: 0131 558 9596

ABOUT ENGENDER

Engender is a membership organisation working on feminist agendas in Scotland and Europe, to increase women's power and influence and to make visible the impact of sexism on women, men and society. We provide support to individuals, organisations and institutions who seek to achieve gender equality and justice.