

Universal Periodic Review: UK, 4th Cycle

Whilst the UK is the state party, many decisions impacting human rights are made at a devolved level. Recommendations are for the Scottish Government, unless stated otherwise.

1. Cooperation with treaty bodies

Recommendation 134.55 partially met We welcome the governments' engagement with civil society to inform the State Party report. We are concerned that the UK Government only accepted 42% of recommendations from the last cycle¹ and that other UN rights scrutiny has not led to government action².

Recommendations

- ❖ The UK Government should support and implement more UPR recommendations.

2. Domestic human rights framework

Recommendations 134.68-76 not met The 3rd Cycle UK UPR made recommendations about keeping the same level of human rights protection. However, recent proposals would mean a **significant roll-back on human rights** legal protections across the UK³.

The UK Government plans to replace the Human Rights Act with a new Bill of Rights⁴. The proposals will water down accountability through: distancing UK courts from European Court of Human Rights; by introducing a 'permissions stage'; by allowing courts to deny equal remedy on the basis of 'past conduct'; reducing courts' ability to require positive obligations; and reducing human rights legislative compatibility requirements.

3. International human rights treaties in domestic law

Recommendations 134.1-50 limited progress The UK ratified the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, but no other progress has been made. The UK has not yet ratified the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (**Istanbul Convention**).

Recommendation 134.59, 60, 65: good progress but not fully met The Scottish Parliament unanimously passed a Bill to incorporate the **UN Convention on the Rights of the Child** into Scots law. The UK Supreme Court ruled that parts of the Bill should be amended to reflect the devolution settlement⁵. However, many months later, the Scottish Government has not yet introduced amendments to the Bill.

The Scottish Government has committed to incorporate four more international rights treaties directly into Scots law as well as the right to a healthy environment, and protections for older and LGBTI

people⁶. This **enhanced human rights framework** must be directly informed by people's lived experience, and be accompanied by resourcing and leadership.

There are significant gaps in the collection and publication of **disaggregated and intersectional data**. For example: a lack of data around BAME people and mental health, housing, and policing; a lack of sex-disaggregated data around employment, skills, and care; a lack of disaggregated data around the rights of D/deaf people.

Recommendation 134.79: good progress but not fully met Scotland's National **Action Plan on human rights** (SNAP) takes a multi-institutional and collaborative approach to driving progress on human rights⁷. SNAP now needs adequate Government leadership and resourcing. There is no national action plan on human rights at a UK level.

It is important that our **National Human Rights Institution** has all the powers and resources that it needs. The NHRI should be given additional powers including to take a court case and intervene in court cases, and should be properly resourced for the expansion of its role.

Recommendations

- ❖ The UK Government shelve proposals to replace the Human Rights Act.
- ❖ The UK Government ratify all UN human rights treaties and optional protocols, removing reservations, and ratify the Istanbul Convention without delay.
- ❖ Urgently introduce UNCRC (Incorporation) (Scotland) Bill amendments
- ❖ Commit to resourcing and leadership for the full and direct incorporation of ICESCR, CEDAW, UNCRPD and ICERD, the right to a healthy environment, and extra protections for older people and LGBTI people into Scots law by 2025. Ensure that access to justice is affordable, accessible, timely and effective for all.
- ❖ Address gaps in published human rights data.
- ❖ Sufficient resourcing and leadership of SNAP.
- ❖ The Scottish Human Rights Commission be given enhanced powers and resourcing.

4. Human rights situation on the ground

COVID-19

Government handling of COVID-19 has exacerbated existing rights infringements. There was little consideration of human rights impacts when government made COVID decisions⁸⁹. Restrictions were introduced with scant regard to impact on minority groups, and legislation reduced people's ability to have a say over their own lives¹⁰. Legislation was rushed through parliaments with little time for scrutiny. Pandemic preparedness did not take a human rights or gendered approach.

People were moved from hospitals to care homes without any testing for COVID-19. People who worked in care homes did not have proper access to Protective Equipment. People who lived in care homes were denied the right to see their family for months at a time. Many people who received care at home had services reduced or removed with little warning. Support for informal carers remains woefully low¹¹.

6 in 10 people who died with COVID-19 between March 2020 and January 2021 were disabled.^{12 13} There were disproportionately high deaths and adverse health outcomes for BAME people¹⁴. Infection and death rates were higher for people with learning disabilities.¹⁵ Some people were asked without any rationale to sign 'Do Not Resuscitate' orders, whilst others found these in their medical records without their knowledge.

Digital exclusion led to people's access to health and wellbeing services and information being significantly impaired. Proof of EU citizens' immigration status remains digital-only, leading to discrimination in accessing employment, housing and health.

There were delays in information about COVID-19 measures being available in other languages or formats¹⁶. The Scottish Government included BSL interpretation in their COVID briefings, but the UK Government did not¹⁷. More broadly, inclusive communications continues to be an afterthought for many public authorities¹⁸.

Recommendations

- ❖ COVID-19 Inquiries should take a human rights-based and gendered approach.
- ❖ Take a human rights-based approach to policies related to care and carers.
- ❖ Public services should never be digital-only but adopt inclusive communications

Participation

People with lived experience often see participation in policy and law as tokenism.^{19 20 21} Despite inquiry recommendations to address this²², resourcing for community groups is too often short-term, patchy, based on damaging competitive tendering and without core costs.

Independent advocacy is a crucial tool for people's voices to be heard²³. However, there are significant shortfalls in the provision of advocacy in several areas including; sensory impairment, people in prison, BME communities, drug and alcohol addiction, and for people affected by HIV/AIDS²⁴.

Recommendations

- ❖ Adopt a policy of 3-year minimum funding for third sector organisations, and address shortages of independent advocacy.

Migrants, Refugees and Trafficking

Recommendations 134.121; 134.163; 134.214 & 216: have not been met The Nationality and Borders Bill undermines the UN Refugee Convention by proposing to assess people's asylum claims on the basis of the routes they took, demands that people disclose violence they have been subject to and children will be subject to an invasive age assessment regime.

During COVID-19, many asylum seekers were moved with little notice out of communities to be housed in institutional accommodation²⁵. People are moved to new asylum accommodation far from their communities, including children having to move schools. Accommodation for people in the asylum system is often of poor standard²⁶.

Refugees have economic and social rights equal to others. However, people with the status of 'No Recourse to Public Funds' extremely curtails the state support that is available to protect their rights to health, education and an adequate standard of living.

Currently, people seeking asylum can only work if they have been waiting more than 12 months on a claim and their job is on the Shortage Occupation List. Alongside a loss of their skills to the UK workforce²⁷, people must instead exist on a meagre government allowance of just £5.84 a day. In common with many other countries, and supported by the UK public²⁸, people in the asylum system should be allowed to work after 6 months in the UK.

Recommendations 134.215, 217, 218 & 219: not met 64% of the people in immigration detention were held for more than 28 days; 14% (166 people) had been detained for six months or more, and 4% (49 people) had been detained for a year or more²⁹. Unlike most other European countries, there continues to be no time limit on immigration detention in the UK.

Recommendations 134.143, 144 & 146: some progress but not fully met There is a Scottish Trafficking and Exploitation Strategy. However, human trafficking continues to rise³⁰ with children and young people arrested on drugs offences despite being trafficking survivors. From April 2016 to December 2020, 155 potential trafficking survivors faced charges, and 21 of them were children. From April 2016 to Dec 2020, 14 Vietnamese nationals were held in Young Offenders Institutes and ten of them were under 18 years old.³¹

Recommendations

- ❖ The UK Government provide community accommodation to those in the asylum system, put a time limit on detention and end No Recourse to Public Funds.
- ❖ Ensure that the Ending Destitution strategy is resourced, sustainable and reviewed.
- ❖ The Scottish Human Rights Bill includes a commitment to upholding migrants' rights
- ❖ The UK Government step back from criminalising those seeking safety.
- ❖ A review of Scottish Government strategies to mitigate the harmful impacts of the Nationality and Borders Bill.
- ❖ Use existing powers under Scots law to maximise protection for survivors of trafficking and exploitation.
- ❖ The Lord Advocate provide human rights compliant guidance around prosecution of refugees and survivors of exploitation for how they have arrived in the UK.

Prisons

Recommendation 134.161: some progress The blanket ban on prisoner voting has ended, enabling those on short sentences to vote.

Recommendation 134.160: not met Scotland has one of the highest rates of deaths in prison in Europe, and deaths in prison have been rising over the past five years. Between 2005 and 2019, an

average of 24 people died each year in prison, but between 2016 and 2019 the average rose to 33³². Inquiries into those deaths sometimes take years to begin. An Independent review into prison deaths has now made recommendations for urgent improvement.

Recommendations 134.137, 158-160, 162: some progress but not fully met Her Majesty's Inspectorate of Prisons in Scotland (HMIPS) launched new human rights-based inspection standards³³. New legislation reduced custodial short sentences, decreasing those on short sentences of less than 12 months from 83% to 75%³⁴.

However, Scottish prisons continue to be substantially overcrowded. As of 1 March 2022, 10 of 15 prisons in Scotland are overcrowded, with 2 of them at 125% occupancy. Evidence given to the Scottish Parliament³⁵ advised that in Scotland's largest prison, more than 90% of prisoners were doubling up in cells that were designed only for one person, which breaches the minimum desirable space standard of 5m² per prisoner³⁶. Overcrowding impacts people's dignity, physical and mental health, and safety.

COVID-19 has seen a significant rise of remand use - as at 18 March 2022, more than 1 in 4 (26.4%) prisoners are on remand³⁷. Remand affects physical and mental health, family relationships, employment and housing, and financial wellbeing³⁸.

There is a lack of attention and care given to health and additional support needs in Scottish prisons, including communication needs. There are long delays to access drug replacement therapies. There is still no high secure mental health accommodation for women in Scotland despite recommendations that it should have been provided by end 2021³⁹.

During COVID-19, prisoners were let out of their cells for such short amounts of time that it amounted to 'de facto solitary confinement'. Repeated extension of COVID rules involved restrictions on time in cell, purposeful activity, visits and recreation, that prison inspectors repeatedly cited as causing tensions with ECHR Articles 2,3, and 8.

Recommendations

- ❖ Urgently implement recommendations of the Independent Review of Deaths in Prison Custody.⁴⁰
- ❖ Reduce the prison population and use of remand, thus reducing prison overcrowding.
- ❖ People in prison have at least equal access to periods outside their cells than existed pre-pandemic, and this should be regularly monitored and scrutinised.

Women's rights

Recommendations 134.175-177 & 179 not met There remains a 10% gap between men's and women's average hourly rates, and a 30% gap when you compare women's part-time average hourly rate to men's full-time hourly rate⁴¹. The gender pay gap is wider for Black and minority ethnic women, disabled women and older women. Covid-19 has disproportionately affected women's employment, putting women at greater risk of poverty and widening gender pay gaps.⁴² Public sector employers and large private and third sector employers are required to publish their gender pay gap but there is little evidence of meaningful action to address their pay gaps.⁴³

Recommendations 134.180, 182-187 some progress but not fully met On any given day, over 1100 women, children and young people receive support from Women's Aid services in Scotland. These services are stretched and frequently do not have refuge accommodation available for those who need it⁴⁴. Women's Aid groups too often have short-term, insecure funding which is insufficient to support all those who need help.

The minimum age for marriage in Scotland is 16 and no parental/guardian consent is required.⁴⁵ Child marriage is strongly linked with violence against girls.⁴⁶

Only 43% of rape and attempted rape trials result in a conviction, compared to an 88% overall conviction rate. In 2019-20 there were 2,343 rapes and attempted rapes reported to the police, but only 300 prosecutions and just 130 convictions⁴⁷. The conviction rate for rape and attempted rape in Scotland has remained stubbornly lower than for any other crime type. An independent review into how to improve the management of sexual offences cases in Scotland⁴⁸ made a number of important recommendations, which now need implemented in full.

Recommendations

- ❖ Implement recommendations of the review into Improving the Management of Sexual Offences Cases
- ❖ Introduce a new system of funding for specialist domestic abuse services so that they can provide needs-led, rights-based support to every woman, young person and child who needs it.
- ❖ Require listed public bodies to take action to address their gender pay gap.
- ❖ The UK Government to require large employers to take action to address their gender pay gap.
- ❖ Raise the minimum age of marriage to 18 in line with international standards.

Children's rights

Recommendations 134.193-199 fully met in Scotland New law passed to end the lawful physical punishment of children and young people.

Recommendations 134.205-208 Not fully met The minimum age of criminal responsibility was raised from 8 to 12 years old - this still remains below the international minimum standard of 14 years.

Although Scotland has a Children's Hearing System, 37% of children who come into contact with the formal justice system go to court.¹³³ In 2017-18, this included nine 15-year-olds, 384 16-year-olds and 1,381 17-year-olds. This is particularly concerning given the lack of amendments made to Court processes for children, raising questions about whether children have a fair trial.¹³⁴

If a child accepts the grounds for referral within the Children's Hearings system, even when they have no access to legal advice, this is equivalent to a conviction. This 'relevant information' can then be held on police systems and on their record for the rest of their lives.

Many children aged 16 and 17 years old are still being held in prison-like settings, including a high proportion who are on remand. For example, in February 2022, sixteen 16 and 17 years old were held in a Young Offender's Institution, 13 of whom had not been tried⁴⁹.

The Scottish Prison Service has committed to stop the routine body searching of under 18s in custody. However, strip searches of children are still being carried out – between January 2017 and February 2022, there were 3067 strip searches of children in police custody⁵⁰.

From 2018-2020, nearly 6,000 children were held overnight in police cells, including 95 children aged 13 or under, and three of those under 11 years old. 1,518 children were in police custody for more than 24 hours. Police custody is not an appropriate setting for children where they cannot get the support or care that they need.

Parents have a right to withdraw their child from religious observance in schools but pupils do not have an equivalent right.^{42 43} As highlighted by the Committee in its 2016 Concluding Observations to the UK, there are concerns this breaches children's rights under Articles 12 and 14 UNCRC.

A 2018 investigation identified 2674 incidents of restraint and seclusion in schools. It found local authorities' policies and practices were inconsistent, incidents were largely unmonitored, and that restraint and seclusion were disproportionately used against disabled children.⁵³

Mosquito devices are machines that give off a sound which most adults cannot hear, but which cause children and young people discomfort and distress. They have been used to make young people leave public spaces. Selling and using them is a breach of international human rights law⁵¹.

An independent review found that Additional Support for Learning legislation is not consistently implemented, is over-dependent on committed individuals, and is not ensuring that all children and young people who need additional support are being supported to fulfil their potential⁵². The transition from school for disabled young people was really difficult before COVID-19 but after COVID-19, is now 'absolutely dire⁵³'.

Recommendations

- ❖ Make sure that the way we treat children in conflict with the law is rights-based.
- ❖ Raise the minimum age of criminal responsibility to at least 14 years old.
- ❖ End the practice of children being dealt with by adult courts, being held in police cells overnight, and being placed in Young Offenders' Institutions, ensuring that the detention of children is the option of last resort.
- ❖ Ensure that no child admits to an offence with long-term implications without legal advice.
- ❖ Commit to legislative change to ensure all children have the right to withdraw from religious observance.
- ❖ Ensure that restraint is only used as a measure of last resort, and that isolation and seclusion are no longer used.
- ❖ Implement recommendations of the review of Additional Support for Learning.
- ❖ Ban mosquito devices.

LGBTI people's rights

LGBTI people are experiencing increased levels of harassment, discrimination, stigma and abuse. This both demonstrates, and is leading to, roll-back and de-prioritisation of LGBTI rights progress, and there is concern about a lack of leadership to champion LGBTI rights by government.

Gender recognition laws in Scotland are out of step with international best practice, and must be reformed to allow trans people to change the sex on their birth certificate more easily and without intrusive medical and bureaucratic requirements.

Many LGBTI people have been harmed by conversion practices. Conversion practices need a full and comprehensive ban in law. This must cover sexual orientation and gender identity, apply to adults and children, cover all settings, and include "consensual" conversion practices. Any ban should have both legislative and civic measures, with adequate support for survivors and informed by their voices.

Recommendation 134.135 not fully met There are long waiting times for NHS gender identity services of up to 47 months between referral and first appointment⁵⁴. Trans people cannot access transition-related surgical services in Scotland, but instead need to travel to England for surgery. These services are urgent and are not given parity with other services.

Recommendations

- ❖ Pass the Gender Recognition Reform Bill without any further delay.
- ❖ Introduce legislation to ban conversion therapy.
- ❖ Address the long waiting time and lack of gender identity-related services in Scotland.
- ❖ Show leadership to champion LGBTI people's rights.

Racism and racial discrimination

Recommendations 134.90, 92, 97, 98, 110, 111, 114,117,118,121 not met There is a lack of recognition of systemic racism in Scotland, with a self-perception of friendliness which often masks or downplays people's lived experience of racism⁵⁵. For example, the employment rate for BAME Scots is 15% lower than the white population, BAME Scots are much more likely to live in poverty, and on average BAME employees are paid 10% less than their white counterparts⁵⁶. We need far greater accountability on sustained action to address racism within Scotland.

There were 2,251 racist incidents recorded in Scotland's schools over the last 3 years. Almost half (48%) of teachers are aware of a pupil, or pupils, expressing negative attitudes relating to skin colour⁵⁷. There are gaps in provision of religiously or culturally appropriate food in schools (and in healthcare settings)⁵⁸.

Recommendations

- ❖ Ensure that there is a national policy on racist incident reporting in schools.
- ❖ Ensure that the Race Equality Framework is prioritised and properly resourced to bring sustained action that reduces racism.

Mental health

There is significant shortage of mental health services in Scotland⁵⁹. Mental health support is too often inconsistent or for short periods. Much of the burden of providing community mental health support is falling to small, under-funded organisations.

Shortages in Children and Adolescent Mental Health Services are severe with increased demand - in 2021, around 30% of children were not seen by CAMHS within 18 weeks of referral.⁶⁰ About 23% of CAMHS referrals were rejected, despite being referred by their family doctor⁶¹. Too many children and young people are in adult hospital mental health wards – there were 86 admissions involving 62 children and young people in 2020-2021⁶².

There is a lack of community and specialist support and beds so people with mental ill-health are stuck in secure facilities or hospital for far longer than they should be.

Recommendation 134.137 not met Mental health detention is significantly increasing, with 10.5% more in 2020-2021 than in 2019-20, and higher than the average year-on-year increase in the previous years of 4.5%⁶³. There is a lack of effective safeguards, with little involvement of a Mental Health Officer⁶⁴.

The Scottish Mental Health Law Review is considering steps needed to implement the UNCRPD. Many people affected by the mental health system have little say in decisions made about them, and few avenues for accountability and redress. Mental health law permits the compulsory treatment of a person to begin before that person can appeal, and this treatment can last for 28 days.

Recommendations

- ❖ Take steps to ensure that every person in need of mental health services gets the support that they need without delay.
- ❖ Commit to a UNCRPD-compliant national mental health law framework.
- ❖ Explore reasons for the increase in mental health detention and ensure that proper safeguards are operating well.

Disabled people's rights

The independent Rome review⁶⁵ recommended removing learning disability and autism from the definition of mental disorder in Scots law, and removing discrimination in detention and compulsory treatment on the basis of disability.

Too many people with learning disabilities (LD) are living in a hospital setting without clinical need. Institutional living risks exacerbating individuals' mental distress and ill health, infringing upon their right to family life and risks their freedom from degrading treatment. For example, in 2018 67 people with LDs were subject to a delayed discharge. Of these, 22% had been in hospital for more than ten years and another 9% for five to ten years⁶⁶.

Recommendations

- ❖ Implement all recommendations of the Rome Review⁶⁷.
- ❖ Scottish Government ensure that no person is living in hospital without clinical need.

Human rights and the environment

Recommendation 134.136 Not met

Everyone has the right to live in a safe, clean, healthy, and sustainable environment. Yet, we are facing a climate emergency⁶⁸, a sharp decline in biodiversity, unsafe levels of air pollution and food insecurity⁶⁹. It is also difficult to access justice on the environment and the Aarhus Convention's governing bodies have made their 10th finding that Scotland is in breach of Article 9(4) that access to justice should 'not be prohibitively expensive'.

Recommendation

- ❖ Put the right to a healthy environment with substantive and procedural elements into Scots law by 2025 and measures to ensure full compliance with the Aarhus Convention.

Adequate standard of living

Recommendations 134.163-164, 168 & 177 not met

Up to 14.5 million people in the UK were in poverty before the pandemic, and around another 700,000 people were plunged into hardship during the pandemic⁷⁰. One in six working households are living in poverty⁷¹. Around one in three people have difficulty in affording adequate food⁷². This level of poverty is only set to get worse as the cost of living is rising sharply.

However, social security amounts have declined 9% compared to inflation over the last five years. Unless benefits keep in line with inflation, it is estimated that nine million households on low incomes will experience a real-terms cut of £500 a year on average.⁷³

The Government's benefits cap policy, that limits the total amount of social security you can get, is only increasing poverty. The way the cap is designed means that our most vulnerable groups are the most likely to have their support capped. 63% of those impacted by the annual cap on household benefits have been lone parents, 90% of whom are women⁷⁴.

UK Child Tax Credits are not available for third or subsequent children unless there are multiple births or a child is conceived through rape. This policy pushes larger families into poverty. Policies which punish women and their children for reproductive choices or require trauma disclosure in circumstances not of their choosing are incompatible with human rights.

1.5 million people in Scotland are living in overcrowded, dangerous, unsafe or unaffordable homes. 13,192 households are in temporary accommodation, including 7510 children⁷⁵. If you have a disability, receive social security benefits, are a refugee, or a person of colour you are even more likely to

face discrimination or struggle to find a decent home. There is a chronic shortage of accessible and adapted housing.^{76 77}

People's legal rights to housing are being routinely breached and there is lack of monitoring and accountability for this. In 2020/21, there were 605 instances of households not being offered temporary homeless accommodation when they were entitled to it⁷⁸. This law is regularly broken by local authorities but there is no accurate data on the extent of the problem.

Recommendations

- ❖ The UK Government do more to reduce poverty, including by ending the 2-child limit and the benefits cap, and raising the level of benefits in line with inflation.
- ❖ Deliver on commitment to secure delivery of 110,000 affordable homes over the next ten years, with at least 77,000 for social rent, including housing accessible to disabled people.
- ❖ Make sure that people's legal right to housing is upheld. Accurate monitoring should be put in place immediately and there should be greater accountability for when public bodies break the law.

¹ Discussed in Scottish Human Rights Commission statement of 21 September 2017, available at: <https://www.scottishhumanrights.com/news/scottish-government-urged-to-show-leadership-as-spotlight-falls-on-uk-s-human-rights-track-record/>

² For example, Report of the Special Rapporteur on extreme poverty and human rights on his visit to United Kingdom of Great Britain and Northern Ireland - Comments by the State, A/HRC/41/39/Add.3

³ Joint response from 48 Scottish organisations to the Bill of Rights proposal, stating that it is unnecessary and regressive, is available here: <https://hrcscotland.org/2022/03/11/46-organisations-join-consortium-to-say-no-to-human-rights-act-reform/>

⁴ UK Government 2021, Human Rights Act Reform: A Modern Bill of Rights, available at: <https://consult.justice.gov.uk/human-rights/human-rights-act-reform/>

⁵ The Supreme Court Case 2021/0079, judgment available at: <https://www.supremecourt.uk/cases/uksc-2021-0079.html>

⁶ Scottish Government, statement on New Human Rights Bill, 2021, available at: <https://www.gov.scot/news/new-human-rights-bill/>

⁷ Scotland's National Action Plan on Human Rights, available at: <https://www.snaprights.info/>

⁸ Human Rights Consortium Scotland & Amnesty International, Delivering Human Rights in Scotland during COVID-19: A 2020 Survey of Public Authorities, available at: <https://hrcscotland.org/wp-content/uploads/2021/05/Final-Delivering-Human-Rights-During-COVID19-survey-report-May-2021.pdf>

¹⁰ Inclusion Scotland (2020), [Rights at risk – Covid-19, disabled people and emergency planning in Scotland](#); Glasgow Disability Alliance, Supercharged: A human catastrophe, 2020, available at: <https://gda.scot/resources/supercharged-a-human-catastrophe/>

¹¹ Coalition of Carers in Scotland, Carers' Experiences of SDS February 2022, available at: <https://www.carersnet.org/carers-experiences-of-sds/>; Citizens Advice, An Unequal Crisis - Why workers need better enforcement of their rights 2020 – finding that parents, carers and disabled people twice as likely to face redundancy in pandemic, available at: <https://www.citizensadvice.org.uk/about-us/about-us1/media/press-releases/parents-carers-and-disabled-people-at-least-twice-as-likely-to-face-redundancy-warns-citizens-advice/>

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- ¹² National Records of Scotland (2021), [Deaths involving coronavirus \(COVID-19\) in Scotland](#) – the report states that this is probably an underestimate.
- ¹³ Between March 2020 and March 2021, over 3,200 Scottish care home residents died from coronavirus – BBC News (2021), [The full picture of Covid-linked deaths in Scotland's care homes](#)
- ¹⁴ House of Commons Women and Equality Committee, Unequal impact? Coronavirus and BAME people, 2020
- ¹⁵ Scottish Learning Disabilities Observatory (2021), [The impact of COVID -19 on people with learning/intellectual disabilities in Scotland](#)
- ¹⁶ House of Commons Women and Equalities Committee, Unequal impact? Coronavirus, disability and access to services: full Report, 2020, available at: <https://committees.parliament.uk/publications/4068/documents/40461/default/>
- ¹⁷ Inclusion Scotland, UNCRPD Scottish Civil Society Shadow Report, March 2022, available at: <https://inclusionScotland.org/get-informed/uncrpd-report>
- ¹⁸ Deaf Scotland Manifesto 2021, 5 asks for inclusive communications, available at: <https://deafscotland.org/wp-content/uploads/2021/03/2021-Scottish-Election-Asks-from-deafscotland-Copy.pdf>
- ¹⁹ Inclusion Scotland, UNCRPD Scottish Civil Society Shadow Report, March 2022, Appendix 3, available at: <https://inclusionScotland.org/get-informed/uncrpd-report>
- ²⁰ Inclusion Scotland (2020), Disabled people's views of the Fairer Scotland for Disabled People Delivery Plan request copy from Inclusion Scotland
- ²¹ Glasgow DPO Network (2022), [Transforming participation for disabled people in Glasgow beyond Covid-19 - Report and Recommendations from Disability Workstream to Glasgow Social Recovery Taskforce](#)
- ²² Scottish Parliament Equalities and Human Rights Committee, Looking ahead to the Scottish Government's draft budget 2020-21: Valuing the Third Sector, available at: <https://digitalpublications.parliament.scot/Committees/Report/EHRiC/2019/11/7/Looking-ahead-to-the-Scottish-Government-s-Draft-Budget-2020-21--Valuing-the-Third-Sector#Introduction>
- ²³ Human Rights Consortium Scotland, All Our Rights In Law report recommendation 5, available at: www.allourrightsinlaw.scot
- ²⁴ Scottish Independent Advocacy Alliance, Ten Years of Advocacy Provision, 2021
- ²⁵ Refugees for Justice, information at: <https://www.refugeesforjustice.com/>
- ²⁶ For example, BBC News investigation: 'Asylum seekers: The homes where ceilings have fallen in', available at: https://www.bbc.co.uk/news/uk-59763205?at_campaign=KARANGA&at_medium=RSS
- ²⁷ Refugee Action: Government will have lost £880 million as a result of the ban over the past decade by the end of 2022, new release of 9 March 2022, available at: <https://www.refugee-action.org.uk/ban-on-people-seeking-asylum-from-working-will-cost-taxpayer-880-million/>
- ²⁸ Refugee Action, report of survey data 2022, available at: <https://www.refugee-action.org.uk/ban-on-people-seeking-asylum-from-working-will-cost-taxpayer-880-million/>
- ²⁹ Scottish Detainee Visitors, 'Continuing the trend towards business as usual', accessed 14/3/22, available at: <https://sdv.org.uk/latest-news/continuing-the-trend-towards-business-as-usual>
- ³⁰ Daily Record Justice Magazine, accessed 14/3/22, available at: <https://www.dailyrecord.co.uk/in-your-area/renfrewshire/human-trafficking-rise-scotland-according-24927469>
- ³¹ The Ferret, 22 Aug 2021, 'Trafficked: concerns over criminalisation of young Vietnamese found in cannabis factories', accessed 4/3/22, available at: <https://theferret.scot/concerns-raised-over-trafficked-vietnamese/>
- ³² HM Inspectorate for Prisons in Scotland (2021) Independent Review of the Response to Deaths in Prison Custody, Edinburgh: HMIPS
- ³³ HMIPS, Standards for Inspecting and Monitoring Prisons in Scotland, accessed 14/3/2022, available at: <https://www.prisonscotland.gov.uk/standards>
- ³⁴ Criminal Proceedings in Scotland 2019-2020, accessed 14/3/22, available at: <https://www.gov.scot/publications/criminal-proceedings-scotland-2019-20/>
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