

Human Rights Bill Consultation

Facilitator Guide

July 2023

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1. Human Rights Bill – Consultation Facilitator’s Guide

Who is the pack for?

This pack intends to help people who are hosting a meeting to discuss the Human Rights Bill consultation. It provides an overview of the consultation and potential questions for facilitation. If you require any further information or guidance, please get in touch with us at HumanRightsOffice@gov.scot.

The following materials may be useful to those organising an event about the Bill and seeking to facilitate engagement with the consultation:

The full consultation

- The full consultation document can be found [here](#). The purpose of the consultation is to allow people to learn about our proposals for the Bill and tell us what they think so it can inform how we develop the Bill. Respondents can complete the consultation online [here](#).

The consultation guide

- The consultation guide can be found [here](#). The guide sets out a plain-English overview of the Bill and could help participants understand the broad purpose of the Bill as they discuss each topic and answer the questions.

Further resources

- Further resources, including audio, Gaelic and Easy Read versions of the consultation can be found on [Citizen Space](#).

Do I need to do anything after holding a session on the Human Rights Bill Consultation?

If you want to host a discussion to talk about the Bill, you might be interested in submitting a group response to our consultation. However, you don’t need to send a response if you don’t want to do so.

If you do wish to send a response to the consultation and would like to find out how we handle your personal data, please see our privacy policy:

<https://www.gov.scot/privacy/>

2. Planning Your Meeting

As facilitator, we encourage you to build your meeting around the topics most relevant to your audience. We would welcome responses to any, or all, of our consultation questions. It is fine if you only want to focus on the topics and questions most relevant to your group's interests.

For example, if you are speaking to environmentalists, you may wish to focus on sections particularly relevant to recognising and including the right to a healthy environment.

Format of meeting

A discussion meeting can be held in person or online. Guidance is given for both types of session. You may wish to follow the guidance for the format that best suits your meeting.

Other helpful resources

This briefing pack could be used to create presentations or help to provide context for discussions. It could be used alongside other resources which facilitators may find helpful to reference.

3. Guidance For Conducting A Meeting

You may choose to follow the below guidance if facilitating a session on the Human Rights Bill. This guidance is split into two sections: one for holding a session online, and one for holding a session in person. If holding a hybrid-meeting (where some people attend in person and others join over the internet), you may choose to refer to both sets of guidance, though some of this does overlap.

Chair's role

As facilitator you may wish to formally chair your meeting. This means you will open and close the meeting, lead people through any information you want to share to support discussions, and help encourage your group to agree on things they would be happy to share as a joint-response to the consultation.

Guidance for Digital Meetings (using a digital application such as Microsoft Teams, or Zoom):

Beginning of session

- The Chair should introduce themselves
- Open the session by welcoming everyone and thanking them for attending.
- Introduce any interpreters or other people supporting the meeting. Check in advance if they have any requirements that may affect your meeting and make these known to your audience. For example, they may require an additional comfort break, or may need people to speak slowly to help with interpreting or translating.
- Acknowledge the challenges of holding an event online: possible IT glitches and pauses between people speaking.
- Ask people joining the meeting to mute their microphones when they aren't speaking to reduce background noise.

Guidance of rules for discussion

You may also wish to set some ground rules for the discussion:

- Use 'Raise Your Hand' options if available instead of interrupting the current speaker.
- If numbers are high and there is limited time for everyone to contribute, you could ask people to try to keep statements short so that everyone has a chance to be heard.
- If the meeting application has a chat box option, you could encourage people to post questions or comments in the chat to help ensure everyone has a chance to speak. If using the chat function for this purpose, make sure you check the chat box throughout the meeting to pick up on these as you go.

- Ask participants to be respectful of other people's views. Human rights concerns often emerge when people face difficulties in their lives for various reasons. You may wish to acknowledge that the session may touch on some topics that some may find difficult or sensitive to discuss. Ensure participants know that there is no obligation to discuss anything they don't want to share and that they can take breaks if they are finding the session difficult to cope with. Remind participants that if someone is sharing a personal experience, it is helpful to be a kind and respectful listener.

Checking material

- You may wish to give time in your meeting to check that people have any documents or material you want to use to inform your discussion.
- You may also wish to lead your group through the material before starting a discussion (or invite others to do this).
- Present the group with consultation questions from the section(s) you wish to cover in your meeting.

Guidance for breakout rooms

Where breakout rooms are being used due to a high volume of participants, you might wish to ask people to be breakout room facilitators, who can keep a note of what is discussed and give feedback to the full room once the breakout group section of the meeting is completed.

- You may wish to make clear to participants that breakout discussion only lasts a limited time to ensure everyone gets a chance to speak.

Guidance for encouraging discussion

During the discussion, it can be helpful if the speaker encourages discussion by using open-ended questions:

- Can I ask you to expand on that?
- Does anyone else have a view on that?
- Have you any examples of how that might work?
- You may also wish to ask anyone who has not had a chance to speak if they would like a chance to do so before the meeting ends.
- You may wish to give time near the end of the meeting to summarise key conclusions of your discussion.

Submitting a response to the consultation and end of session

- If your group plans to submit a joint response to the consultation, you should give time to ensuring everyone agree on the points from the discussion that should form the basis for the joint response.

- You may wish to remind people that they are free to submit individual responses to the consultation if they wish. If participants are unable to give their views, we welcome their responses on the consultation document or to the shared mailbox: HumanRightsOffice@gov.scot.
- At the end of the last session, you may wish to thank everyone for their time and encourage them to let other people know about the consultation.

Guidance for in person meetings

The Chair may wish to ask that mobile phones are switched off or silenced. The Chair may wish to note, and should follow, any health and safety guidance about the venue they are using for the meeting (such as noting the location of fire exits and assembly points).

Beginning of session

- The Chair should introduce themselves.
- Open the session by welcoming everyone and thanking them for attending.
- Introduce any interpreters or other accessibility support workers in attendance. Check in advance if they have any requirements that may affect your meeting and make these known to your audience. For example, they may require an additional comfort break, or may need people to speak slowly to help with interpreting or translating.

Guidance of rules for discussion

You may wish to set some ground rules for the discussion:

- Participants should signal they wish to speak instead of interrupting the current speaker.
- If numbers are high and there is limited time for everyone to contribute, you could ask people to try to keep statements short so that everyone has a chance to be heard.
- Ask participants to be respectful of other people's views. Human rights concerns often emerge when people face difficulties in their lives for various reasons. You may wish to acknowledge that the session may touch on some topics that some may find difficult or sensitive to discuss. Ensure participants know that there is no obligation to discuss anything they don't want to share and that they can take breaks if they are finding the session difficult to cope with. Remind participants that if someone is sharing a personal experience, it is helpful to be a kind and respectful listener.

Checking material

- You may wish to give time in your meeting to check that people have any documents or material you want to use to inform your discussion.

- You may also wish to lead your group through the material before starting a discussion (or invite others to do this).
- Present the group with consultation questions from the section(s) you wish to cover in your meeting.

Smaller group discussions

- Where smaller group discussions are being used due to a high volume of participants, you might wish to ask people to be group facilitators, who can keep a note of what is discussed and give feedback to the full room once the small group discussion section of the meeting is completed.

Guidance for encouraging discussion

- During the discussion, it can be helpful if the speaker encourages discussion by using open-ended questions:
 - Can I ask you to expand on that?
 - Does anyone else have a view on that?
 - Have you any examples of how that might work?
- You may also wish to ask anyone who has not had a chance to speak if they would like a chance to do so before the meeting ends.
- You may wish to give time near the end of the meeting to summarise key conclusions of your discussion.

Submitting a response to the consultation and end of session

If your group plans to submit a joint response to the consultation, you should give time to ensuring everyone agree on the points from the discussion that should form the basis for the joint response.

- You may wish to remind people that they are free to submit individual responses to the consultation if they wish.
- At the end of session, you may wish to thank everyone for their time and encourage them to let other people know about the consultation.

4. Setting the Scene

What is being proposed?

We all have human rights. We should be able to access our rights in daily life. If our human rights are not respected, we should be able to do something about this by making a complaint, alerting an appropriate body, or taking legal action if appropriate.

The Scottish Government's proposed Human Rights Bill will bring four United Nations international human rights treaties into the law in Scotland, within the limits of the Scottish Parliament's devolved powers.

The Bill will also recognise and include the right to a healthy environment.

The Bill will be designed to make sure the rights it sets out in Scots law are available to everyone equally.

Why introduce a Human Rights Bill now?

Since devolution, Scottish Ministers have worked to respect, protect, and fulfil internationally recognised human rights in Scotland.

The Human Rights Bill is the next stage in Scotland's journey to make more of our fundamental human rights real for everyone in their day-to-day lives.

Recent events, such as the Covid-19 pandemic and the cost-of-living crisis have shown that people still sometimes have unequal access to their rights. We believe there is more we can do to address this.

That is why the Human Rights Bill will create a new human rights framework in Scotland. The Bill will provide people with stronger legal protections, put new duties on public bodies, and help to build a stronger human rights culture in Scotland.

Don't we already have human rights?

All human beings are entitled to human rights and freedoms.

The Scottish Government already works to create a society where all our human rights are upheld.

We are doing this by building human rights into the day-to-day business of government.

The Scottish Ministerial Code also requires Scottish Ministers to follow international law such as human rights treaty obligations.

Since the end of World War Two, members of the United Nations have agreed to a series of international treaties that set out what our fundamental human rights are, and how countries should work to realise them.

Over the years the UK has signed up to ('ratified') many of these treaties. This means that the Scottish Government must ensure it respects, protects, and fulfils all the human rights found in these treaties.

The rights in these treaties exist in what is known as 'international law'. International law is different from our domestic law in Scotland. Bringing rights from international law into our domestic law will improve rights protection.

For example, the Human Rights Act 1998 brought the European Convention on Human Rights (ECHR) into law in the UK. This means that our civil and political human rights can be enforced by courts in Scotland if they are not being protected.

However, some internationally-recognised human rights – like the right to health or to an adequate standard of living – are not yet set out in Scots law. This means people don't have the same routes to access justice if those rights are not upheld.

It means public bodies and private organisations delivering public services in Scotland do not always have to show how their decisions helped to make those rights real for the people they work with or serve.

Also, public bodies cannot be held to account in court or by regulators if they fail to take actions to uphold these human rights or take actions which undermine rights.

Public bodies provide services that people use every day to access their rights.

Local councils provide lots of services that help ensure we have an adequate standard of living. NHS Scotland is a public body that helps deliver services which provide elements of the right to health. Schools help deliver services which provide the right to education.

Private organisations also help deliver public services. For example, there are businesses that deliver social care, as well as education.

The Human Rights Bill will bring more rights into Scots law. It aims to ensure that economic, social, cultural, and environmental rights will be protected for the people of Scotland, similar to how our civil and political rights are already protected.

This means public bodies and private organisations delivering public services in Scotland can be held to account if they are found to have taken actions that fail to uphold people's rights.

How did the Scottish Government decide what the Human Rights Bill should do?

In 2018 the former First Minister Nicola Sturgeon MSP asked human rights experts in Scotland to form an Advisory Group on Human Rights. They were asked to explore how Scotland could better protect and promote human rights.

Their report called for an Act of the Scottish Parliament to create a new Human Rights Bill for Scotland. They also called for the creation of a special Taskforce to set out what the new Bill should deliver.

The National Taskforce for Human Rights Leadership was formed in 2019. It included human rights academics and human rights experts from civil society. The Taskforce met with lots of different groups with an interest in human rights.

In 2021 the Taskforce published 30 recommendations and Scottish Ministers accepted these in full.

Using these recommendations, the Scottish Government has developed plans for the Human Rights Bill. The consultation sets out these plans and invites people to tell us what they think.

The Scottish Government worked with civil society groups, public authorities, and people with lived experience of trying to access their human rights, to develop these plans.

Does the Scottish Human Rights Bill have anything to do with the Bill of Rights which was proposed by the UK Government?

The Human Rights Bill we are consulting on will only apply to policy areas devolved in Scotland.

The Human Rights Act 1998 is about civil and political rights protected by the ECHR. Only the UK Parliament has the power to change that Act.

The Scottish Government's Human Rights Bill is about the economic, social, and cultural rights in United Nations human rights treaties, as well as the right to a healthy environment. It is also about specific protections for women, disabled people, and people and groups who experience racism.

Potential questions for facilitation

1. What do you think about current human rights protections in Scotland?
2. Do you think new human rights protections are needed? If not, why not? If yes, why?
3. You could also refer to the Taskforce report and ask the group – if they have read it - whether they agree with the Taskforce recommendations.

5. What will be in the Human Rights Bill

The Human Rights Bill will bring four international human rights treaties into law in Scotland, introduce a new right to a healthy environment, and include measures to ensure those rights apply to everyone equally. It will include specific rights for women, disabled people and people and groups who experience racism.

The International Covenant on Economic, Social and Cultural Rights (ICESCR)

This treaty is about ensuring people have a standard of living that reflects their human dignity.

It sets out everyone's right to an adequate standard of living, including access to adequate food, housing, and clothing.

The ICESCR also contains rights to the highest attainable standard of physical and mental health, to education, to take part in cultural life and to enjoy the benefits of scientific progress.

All these rights should be delivered equally, without discrimination.

The International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)

This treaty sets out how everyone can enjoy their human rights equally, regardless of their race, colour, descent, or national or ethnic origin.

Governments who agree to it must take actions to end racial discrimination, to end incitement to racial hatred, and to combat prejudices.

Governments must also promote tolerance and friendship among different national, racial, or ethnic groups.

The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)

This treaty is about equality between women and men.

Governments who agree to it must make sure there are protections in place for women in relation to pregnancy and maternity, in family planning, rural living, trafficking and prostitution, and around marriage and family life.

It requires governments to work to fulfil the human rights of women and girls, end discrimination against women and take action to change cultural practices that harm women and girls.

The Convention on the Rights of Persons with Disabilities (CRPD)

This treaty is about how disabled people face barriers to their rights.

Governments who agree to it should work to make sure people with disabilities can enjoy their human rights and live with dignity.

They should take actions to remove barriers so that the rights of disabled people are respected.

The actions they take should be informed by principles to make sure disabled people can take part fully in society and be respected and accepted.

The Right to a Healthy Environment

The human right to a healthy environment was recognised by the United Nations General Assembly in 2022.

A right to a healthy environment will help us place the environment at the heart of our decisions so that the environment we create for ourselves, and for people in the future, is one where human rights can still be realised.

By building this right into the Bill we will help to deliver a safer climate, healthier ecosystems and biospheres, and reduce the number of toxic materials released into our environment.

How will these treaties be brought into Scots law?

Bringing these treaties into Scots law is a challenge because each treaty is different but also overlapping.

Some of the rights they contain apply to everyone, and some only apply to women, disabled people, or people and groups who experience racism.

They were written at different times over many years, and so some have more detail than others in saying what governments should do to make the rights within them real for people.

The treaties include areas reserved to the UK Parliament.

All of this affects how we could set out the treaties in the Human Rights Bill. There are different ways to do this. The consultation refers to our approach to doing this as our preferred 'model of incorporation'.

Our approach is to incorporate the rights in all four treaties into the Bill using the same wording as in the treaties themselves. We would remove any text covering areas reserved to the UK Parliament.

This will ensure we follow the treaties as closely and as clearly as we can.

We want to make sure that public bodies and private organisations delivering public services in Scotland will clearly understand what they need to do to make people's rights real in practice.

Taking this approach means that in any future legal cases about rights in the Bill, courts will use the text of the Bill and can also look at guidance from international best practice, to understand what the rights are meant to achieve in practice.

Who are duty bearers under the Bill?

The term 'duty bearers' describes the organisations in Scotland who are expected to give effect to rights and duties included within the Bill.

The Scottish Government itself is a duty bearer. Other examples of duty bearers include your local authority or health board, your school, and care providers.

Some public services are delivered by private companies. We want the duties to apply to companies when they carry out those services. This includes when they provide services under a contract with a public body.

What will duty bearers in Scotland have to do under the Bill?

We want to make sure duty bearers in Scotland are better prepared and able to respect, protect, and fulfil the rights in the framework.

Initially, they will have to show how they have built human rights into the decisions they make. This is described in our consultation as the 'initial procedural duty'.

It is 'initial' because it is the first duty that will be brought into force under the Bill once it has become an Act.

It means that duty bearers must be able to show they have thought about the rights in the Bill when making decisions and delivering services.

This duty is meant to ensure new laws, policies, plans, and budgets set by duty bearers take account of people's human rights.

The Bill will also create a duty to comply for some of the rights, to be brought in at a later point and after the initial procedural duty.

Once this duty begins, duty bearers will then have to use their resources to meet a basic minimum standard in delivering the rights, and work towards meeting the rights fully over time.

If they don't do this, they can be challenged through complaints mechanisms or the courts.

These duties will be brought into force in law at different stages. The consultation refers to this as 'stages of commencement of the duties'.

This is meant to ensure duty bearers have time to prepare to meet their new duties under the Bill. For example, they might need to train their staff, create new processes to help inform decision-making, or change procedures such as how they respond to complaints.

The Bill will also require duty bearers to report on the actions they have taken to realise the rights in the Bill and show their plans for improving rights in the future. The consultation refers to this as a 'reporting duty'.

How will duty bearers and the courts make sense of the rights?

We want the principle of human dignity to be the core value for understanding and interpreting the rights in the Bill.

Human dignity is a term used by human rights experts. It refers to the inherent equal worth of every person and access to their rights which reflects this.

Using this approach will allow courts and duty bearers to use human dignity as a guide to understand the rights in the Bill. This is referred to in the consultation as an 'interpretative provision'.

How does devolution affect the Bill?

The way we bring the treaty rights into Scots law must account for devolution. The Scottish Parliament can only make laws in areas that are not specifically reserved to the UK Parliament.

For example, healthcare and education policy are devolved to the Scottish Parliament. Defence and immigration are areas reserved to the UK Parliament.

The Scotland Act 1998 reserves the power to make laws on most equality matters to the UK Parliament. Our consultation refers to this as the 'equal opportunities reservation'.

This means there are limits on how the Scottish Parliament can make laws to prevent unequal treatment between people based on sex, race, disability, and other protected characteristics.

This limits what we can do for some of the rights in the international treaties we want to bring into Scots law.

We propose drafting our Bill carefully so that we work around these areas reserved to the UK Parliament.

We believe this will help ensure strong protections for human rights within the limits of our devolved settlement.

How will we ensure equal access to the rights in the Bill?

A key goal we have for the Bill is that everyone has equal access to the rights it includes. We want to achieve this through an 'equality provision'.

The provision will help ensure equal access to the rights in the Bill for everyone.

A Human Rights Scheme

We aim to place a duty on Scottish Ministers that will require them to report on actions they take, or plan to take, to implement the Bill. It will be called the 'Human Rights Scheme'.

It will be published regularly so that people can check what Scottish Ministers are doing to make the rights in the Bill real in practice.

It will function as a guide for overall implementation by making sure that Scottish Ministers report on the different areas of the human rights framework the Bill will create.

This will include work to increase public participation in decision-making, and work to raise awareness about human rights.

It will also include plans for building the capacity of duty bearers to make rights real, improvements to how human rights are monitored and reported on, and work to build human rights into how budgets are set.

Potential questions for facilitation

1. What do you think about the treaties being proposed for incorporation? Is there anything in these treaties that really matters to you?
2. What do you think about plans to recognise the right to a healthy environment in law?
3. What do you think about our approach to putting the rights into law?
4. What do you think public bodies should need to do to comply with the rights the Scottish Government has proposed to put in the Bill?
5. What do you think about proposals for Scottish Ministers to publish a Human Rights Scheme?

6. What will the Bill change about daily life?

Bringing new rights into Scots law should make a real difference to daily life over time. Making rights real requires a whole host of actions, from improvements in public services, to better access to justice, and a stronger human rights culture.

Progressive Realisation of Economic, Social and Cultural Rights and the Right to a Healthy Environment

Once the duty to comply has commenced, duty bearers will have to comply with certain rights. These are likely to be the economic, social, and cultural rights in the Bill as well as the right to a healthy environment.

We are considering how best to treat rights from the other treaties in a way which works clearly and accounts for devolution.

Making these rights real will require duty bearers to progressively realise these rights over time.

To do this, duty bearers will have to show they are taking steps to improve access to the rights by using as much of their resources as they have available to do so. They will also have to show they have not taken deliberate actions to reduce the enjoyment of the rights.

Delivery of Minimum Core Obligations

As well as improving these rights over time, the Bill will require duty bearers in Scotland to deliver a minimum core of the rights.

This refers to the most basic minimum level of meeting the right to ensure everyone's life is lived with dignity.

A minimum core of rights protection aims to ensure that people who are most disadvantaged in society have their most basic needs met.

The Taskforce recommended that the people of Scotland should be involved in working out what our minimum core standards should be.

To achieve this, the Bill proposes that a public process is set up so that people can tell us their views on setting the minimum standards for economic, social, and cultural rights as well as the right to a healthy environment in Scotland.

Access to Justice and Delivering Effective Remedies

We access our human rights every day. For example, using public services such as the NHS is how we access our right to adequate health. If something goes wrong and we are let down, we can be at risk that our rights are not upheld.

Our consultation sets out proposals to ensure access to justice and remedies for people. Our aim is for the Bill to deliver improved access to justice for human rights in Scotland. This includes making sure effective remedies are available when a right is not being met.

This means we want the options available to people when things go wrong to be easier, quicker, and more effective than they are now.

When things do go wrong, we want issues to be resolved as early, quickly, and effectively as possible without going to court, where that is possible and if it's the best thing to do.

We are also looking at what improvements might be made around people's access to information about rights, access to advice and access to advocacy.

We are open to views on the most effective means of supporting people to access the rights in the Bill.

Our key aim is to improve access to justice in the context of the Bill and ensure that services are equipped to provide the support rights-holders need.

We are also looking at how we could improve front-line complaints handling mechanisms of public bodies so that they can deal with complaints related to the Bill.

We are also looking to develop complaints handling for bodies that deal with escalated complaints, such as the Scottish Public Services Ombudsman (SPSO) so that they too can deal with complaints related to the Bill.

If issues do need to go to court, we want to help reduce the burden this places on people seeking to resolve their issues.

It should be easier for issues that affect many people to be identified as a common problem and resolved in such a way that the issue stops happening again to other people.

The consultation also asks for views on new powers for the Scottish Human Rights Commission (SHRC).

The SHRC is an independent body accountable to the Scottish Parliament. It promotes human rights in Scotland and encourages best practice in relation to human rights.

We want to make sure the SHRC can play a key role in protecting and realising human rights.

We also want to create a clearer human rights remit for scrutiny bodies with an interest in human rights, such as some inspectorates and regulators, so that they can ensure the rights in the Bill are built into public services.

Improving the Human Rights Culture in Scotland

Making rights real requires us all to work together towards building and nurturing a human rights culture in Scotland.

Our aim is for the Bill to help build a better human rights culture across different sectors of society so that public bodies and private bodies delivering public services,

as well as all individuals and groups, share the common goal of realising the human rights of everyone in Scotland.

To help build this culture, we propose using a multi-institutional approach.

This means bodies in Scotland with roles delivering public services are united in placing human rights at the heart of their decision-making.

It also means that the Scottish Parliament has a key role to play in checking that new laws properly protect and advance our human rights.

A stronger human rights culture will help tackle the sense people have of needing to 'fight against the system' to access their rights.

Achieving this will require a range of actions including providing guidance for duty bearers, improving human rights education, public campaigns to raise awareness of new rights and duties, and training for public officials.

It will also require improved access to information on human rights, creating more chances for the public to have a say in decisions about the services they use to access their rights, and better accountability when things go wrong.

Building a better human rights culture in Scotland is about empowering people to know their rights, know how to claim their human rights, and to be supported by duty bearers to do so.

Potential questions for facilitation

1. What do you think about our proposals for a basic minimum standard and progressive realisation of the rights in the Bill?
2. What do you think needs to happen where something goes wrong and your right is not upheld?
3. Who should help you resolve the problem and what should they do to help you?
4. What information and support do you think would help you if you have a problem with your rights?
5. How can organisations work better together to help uphold everyone's rights?

7. What to do next - Responding to the Consultation

You may wish to respond to this consultation after participating/holding a session about the Human Rights Bill.

We are inviting responses to the consultation by Thursday 5 October 2023.

Please respond to this consultation using the Scottish Government's consultation hub, Citizen Space (<http://consult.gov.scot>). Access and respond to this consultation online at <https://consult.gov.scot/equality-and-human-rights/a-human-rights-bill-for-scotland-consultation>. You can save and return to your responses while the consultation is still open. Please ensure that consultation responses are submitted before the closing date of 5 October 2023.

If you are unable to respond using our consultation hub, please complete the [Respondent Information and Answer Return Form](#) and send to:

Human Rights Strategy & Legislation Unit
Directorate for Equality, Inclusion and Human Rights
Scottish Government
Area 3H North
Victoria Quay
Edinburgh
EH6 6QQ

Or by email to: HumanRightsOffice@gov.scot

Handling your response

If you respond using the consultation hub, you will be directed to the About You page before submitting your response. Please indicate how you wish your response to be handled and, in particular, whether you are content for your response to be published. If you ask for your response not to be published, we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

If you are unable to respond via Citizen Space, please complete and return the Respondent Information Form included in this document.

To find out how we handle your personal data, please see our privacy policy:

<https://www.gov.scot/privacy/>

Next steps in the process

Where respondents have given permission for their response to be made public, and after we have checked that they contain no potentially defamatory material, responses will be made available to the public at <http://consult.gov.scot>. If you use the consultation hub to respond, you will receive a copy of your response via email.

Following the closing date, all responses will be analysed and considered along with any other available evidence to help us. Responses will be published where we have been given permission to do so. An analysis report will also be made available.

Comments and complaints

If you have any comments about how this consultation exercise has been conducted, please send them to the contact address above or at HumanRightsOffice@gov.scot.

Scottish Government consultation process

Consultation is an essential part of the policymaking process. It gives us the opportunity to consider your opinion and expertise on a proposed area of work.

You can find all our consultations online: <http://consult.gov.scot>. Each consultation details the issues under consideration, as well as a way for you to give us your views, either online, by email or by post.

Responses will be analysed and used as part of the decision making process, along with a range of other available information and evidence. We will publish a report of this analysis for every consultation. Depending on the nature of the consultation exercise the responses received may:

- indicate the need for policy development or review
- inform the development of a particular policy
- help decisions to be made between alternative policy proposals
- be used to finalise legislation before it is implemented

While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.



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