

First Minister's Advisory Group on Human Rights Leadership
Friday 18 May 2018, Glasgow
Minutes

In attendance:

Professor Alan Miller (Chair), **Dr Katie Boyle** (University of Roehampton, London), **Dr Tobias Lock** (University of Edinburgh), **Professor Paul Hunt** (University of Essex), **Professor Nicole Busby** (University of Strathclyde) , **Judith Robertson** (Chair of Scottish Human Rights Commission), **Kavita Chetty** (Head of Strategy & Legal Scottish Human Rights Commission), **Shelagh McCall QC** (Black Chambers, Faculty of Advocates), **Professor Aoife Nolan** (University of Nottingham (Via Skype)), **Professor Elisa Morgera** (University of Strathclyde), **Gill Surfleet** (Head of Secretariat) , **Adam Bruton** (Secretariat and Policy Officer) (Minutes)

1. Welcome and Introductions.

- The Chair welcomed all to the third meeting of the Advisory Group and outlined the agenda for the day ahead.
- Members were thanked for their contributions to date and in particular to the reflection papers which would form most of the discussions for the day.

2. Updates

- Minutes of the last meeting were agreed by the group.
- The Chair has continued to meet with civil society organisations, political party representatives, Cabinet Secretaries and Scottish Ministers, Scottish Government officials and Judiciary. These meetings remain positive and informative, whilst opening up various channels of communication and feedback.
- Secretariat advised that the process of recruiting a Communications and Website expert was close to completion and hope to have someone in post ahead of the next Reference Group meeting on 6 June 2018.
- Work is also well underway to recruit an individual to lead on the Participatory process element of the Advisory Groups work.
- Feedback from the inaugural Reference Group meeting has been received from 15 group members. This feedback will be taken on board by the Advisory Group in forming the final report that is produced.

3. Analysis of constitutional questions question and human dignity framework.

- Professor Aileen McHarg – Professor of Public Law at the University of Strathclyde, discussed with the Advisory Group the constitutional analysis of vires questions.
- Dr Elaine Webster of the University of Strathclyde discussed the role of human dignity in the framework.

4. Advisory Group members papers – discussion

- Due to the availability of Advisory Group members at the meeting on 27 March 2018, not all papers were fully discussed. The Chair and Advisory Group members welcomed the presentations from:-

Shelagh McCall QC - Structure and Process – the Human Rights framework in Scotland and learning’s from experience of 20 years of the Scotland Act 1998 and Human Rights Act 1998
and

Professor Aoife Nolan – Structure – European Committee on Social Rights, UNCRC incorporation and relationship to broader incorporation of UN Human Rights treaties.

5. Welsh experience of due regard to UNCRC.

- The group heard from Dr Simon Hoffman, Associate Professor of Legal Studies at Swansea University, about how the experience of the Welsh measures to pay due regard to the UNCRC.

6. Reflection Papers.

- All Advisory Group members were encouraged by the Chair, ahead of this meeting, to continue to work on their discussion papers and reflect on the work that they had submitted at the meeting of 27 March 2018.
- Members analysed in more detail and focused on how their considerations could form and shape both the interim and final report. This involved free flowing discussions, looking at this stage of the work to see if there were any cross cutting themes that could form part of the recommendations ahead of the interim report to the First Minister of Scotland.

7. Stocktaking and Next Steps

- The Chair will share feedback from today’s meeting with the Reference Group members ,actively engaging them on the proposed direction of travel of the Advisory Group.
- Advisory group members were actively encouraged to attend where possible the next Reference Group meeting. This will take place on Wednesday 6 June in Glasgow from 12:15 – 16:30.
- The next Advisory Group meeting will occur on Thursday 5 July 2018 in Glasgow.
- A 2 day meeting of the Advisory Group will take place over the 26 and 27 September 2018.