

All Our Rights in Law

Introduction

This project brought together over 430 people for over 35 community conversations to talk about a new human rights law for Scotland.

Thank you to everybody who took part!

Across all conversations, people welcomed the idea of putting all of our human rights into Scots law. This was seen as a positive step.

However, across almost every conversation, people also spoke about their significant concern that this new law needs to be fully put into practice. People felt strongly that ensuring real improvements to their rights requires more than simply passing a new law.

People said that, to make these rights reality:

1. **People need to know and understand their rights**
2. **The new law needs to have teeth**
3. **Systemic change on human rights should not rely on individuals**
4. **In-depth advice should be available when you have a rights problem**
5. **Independent advocacy services should be available to all**
6. **We need a human rights culture across public authorities**
7. **Adequate resourcing is needed**
8. **Voices of marginalised people should guide public decision-making**
9. **Mechanisms for public accountability should be built in**
10. **Incorporation of specific rights for women, disabled people and on race**
11. **Action needed to address economic, social and cultural rights, and right to a healthy environment**
12. **Action needed to protect rights of particular groups**
13. **Learning should be applied from experience of rights during COVID-19**

Reports

[Read the report in full here \(48 pages\).](#)

[Read the summary of key points here \(1 page\).](#)

[Read the Easy Read version of the report here \(9 pages\).](#)

Participants were also asked ‘What is your final message to the National Taskforce and Scottish Government?’ **[Find out what they said here.](#)**

[Watch a video which summarises the key findings of the project, with BSL interpretation](#)

The National Taskforce recommendations

All Our Rights In Law informed the work of the National Taskforce for Human Rights Leadership. The Taskforce published their report with recommendations for the new human rights law. **[Read the Taskforce report here.](#)**

The Taskforce’s 30 recommendations were accepted by the Scottish Government. They include a new Bill to be introduced in the next parliamentary session that will include:

- the International Covenant on Economic, Social and Cultural Rights
- the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
- the Convention on the Elimination of All Forms of Racial Discrimination (CERD)
- the Convention on the Rights of Persons with Disabilities (CRPD)

But what next?

- **Stay informed!**

It is really important that people are involved in helping to shape what this new law looks like. If you would like to stay in touch with us and be informed of the latest developments, please email **Rebecca@hrcscotland.org**

- **Join us!**

Is your organisation a member of the Human Rights Consortium Scotland? Members receive updates, information and invites to events, to help you keep up with all the latest developments around human rights in Scotland. **[You can sign up for free here.](#)**

Hosting Organisations

People across Scotland held 'All Our Rights in Law' online conversations, including:



Our voices ■ Our choices



About

A National Taskforce put together recommendations to the Scottish Government for a new human rights law. This law would build on existing human rights laws to strengthen how all our rights are protected.

This new law might include the right to the following economic, social and cultural rights:



Adequate, accessible and affordable food



The highest possible standard of physical and mental health



Adequate housing



A social security safety net



Take part in cultural life



A healthy environment

The new law could also include specific rights for disabled people, women, black and minority ethnic people, older people and LGBTI people.

As a country, Scotland has signed up to international laws that set out our human rights. But only some of these rights can be enforced in Scotland's courts at the moment. Those are the rights set out in the European Convention on Human Rights, and protected by the Human Rights Act – like the right to vote, right to private and family life, and rights to freedom from torture or unfair detention, sometimes known as civil and political rights.

A new human rights law would put all our rights directly into Scotland's laws.

A conversation about a new human rights law

The Human Rights Consortium Scotland and the Scottish Human Rights Commission were both members of the National Taskforce. Through All Our Rights in Law, we heard from people and communities across Scotland about how a new human rights law should work. We also learned about what people might need to use the new law to claim their rights.

These conversations are now complete, and responses were gathered into a report for the National Taskforce, which informed their recommendations to the Scottish Government. See a link to the report above.

The following resources were used to help facilitate the conversations:

[This short film sets out what All Our Rights in Law is all about, and proved a great way to start the chat!](#)

[You can watch it with BSL here](#)

Here are the other resources we used:

- A handy summary of what it's all about. You can see this in [pdf](#) or in [Word](#).
- The questions! There are only 5 of them. Here they are, in [pdf](#) and [Word](#).
- Need an Easy Read version so people with learning disabilities can take part? You can see this [here](#).
- The short film above with BSL is available to view [here](#).
- A draft session plan for reference [here](#).
- People sent us their responses in lots of different ways – find out more [here](#).
- Together (Scottish Alliance for Children's Rights) have produced 3 briefings for children and young people on different parts of the new Act – on [rights for children from black and ethnic minorities](#); on [rights for disabled children](#); and on [the right to a healthy environment](#).

Responses

Participants responded in whatever way suited them best, both on behalf of groups or organisations, or as individuals.

Participants gave their views by:

- Filling in this [online survey](#)
- Using this [interactive pdf](#) –

- Putting their response into an email
- Sending a video or audio recording
- Emailing a video or audio recording of an online conversation
- Sending us a video in BSL

Thank you to everyone who took part in All Our Rights in Law. Human rights are vital for all of us. And this new human rights law needs to be shaped by people's views and experiences.

Want to know more? Here are some Frequently Asked Questions.

Q. What are human rights and why are they important?

Human rights are the basic protections that everyone has. They are internationally agreed, and they are about the basics that we all need. They are for everyone, no matter who you are or where you are from.

Want to find out more?

Watch this [short film](#) about human rights

A [handy timeline](#) of human rights in the UK, produced by Each Other

Q. What difference will this new human rights law make?

We all have international human rights. However, only some of them are currently in our own law in Scotland. Incorporating them into Scots law will mean that public authorities will have an explicit requirement to take all of them into account, affecting their culture, decision-making and priority-setting. People who face human rights infringements will be able to get remedy. Importantly, it will mean that individuals' human rights will ultimately be enforceable in court.

Our human rights are very practical and affect us everyday. They include things like freedoms not to be locked up without good reason, to have your own beliefs and talk about them, and to not be treated inhumanely by

government. They include the basics we all need to live, such as adequate housing, affordable food and the right to the highest attainable level of physical or mental health.

Q. Why was a National Taskforce on Human Rights set up? What did it do?

The [First Minister's Advisory Group on Human Rights Leadership](#) reported in December 2018. Its recommendations included that Scotland should have a new human rights law that would incorporate internationally-recognised human rights into Scots law. This would include economic, social and cultural rights, the right to a healthy environment, and rights for specific groups.

The Taskforce was set up to develop these proposals further, including through wider public participation.

Q. Who was on the Taskforce?

The Taskforce was co-chaired by the Cabinet Secretary for Social Security and Older People Shirley-Anne Somerville MSP and Prof Alan Miller. It included a number of different organisations and individuals, including the Law Society, Public Health Scotland, the Scottish Human Rights Commission, and the Human Rights Consortium Scotland. You can see the full list [here](#).

Q. How can I find out more about what the Taskforce did?

You can see agendas and minutes from Taskforce meetings [here](#).

If you are from civil society and want to keep up-to-date with developments around this new human rights law, you may want to become a member of the Human Rights Consortium Scotland or get their enewsletter – see www.hrcscotland.org

Q. How can I give my views to the Taskforce?

The All Our Rights in Law project is now complete, and we cannot accept new submissions. Submissions were gathered up to give to the Taskforce, to inform their recommendations to the Scottish Government. If you would like to be kept up to date with the latest developments, please email Rebecca@hrcscotland.org

Q. What opportunities will ordinary people have to comment on the recommendations from the Taskforce?

The Taskforce reported to the Scottish Government in March 2021. After that, there was a consultation on Scotland's new Human Rights Bill, held from June to October 2023. If you would like to keep in touch with other opportunities to give your views, email us at Rebecca@hrcscotland.org

Q. This law will have an impact on public authorities like councils and the NHS. What will the Taskforce or Government do to help them to follow the new law?

The Taskforce met with a wide range of stakeholders including a public sector reference group around what capacity building activity will be required to help public authorities to fulfil new duties under this law. It is also proposed that the law would be accompanied by statutory guidance.

Q. Why is the Convention on the Rights of the Child is being incorporated now? What is the Taskforce doing around incorporating all the treaties for different groups?

A Bill to incorporate the UN Convention on the Rights of the Child has been long-awaited and is in many ways, the first step to deliver a radical blueprint for human rights legislation covering all areas of devolved responsibility.

The Taskforce is considering how best to incorporate the UN Convention on the Elimination of All Forms of Discrimination against Women into domestic legislation. A reference group is being set up to advise on this.

In addition, the Taskforce has also actively considered 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.

Q. If we have this new human rights law, will we not have the Human Rights Act in Scotland?

The Human Rights Act 1998 will continue to apply in Scotland – in fact, this new law might repeat it to make this clear. The Human Rights Act is a vital protection for all of us.

Get In Touch

If you would like more information, or want to be kept up to date on the outcomes of All Our Rights in Law, please get in touch!

Email: Rebecca@hrcscotland.org

Twitter: [@HRCScotland](https://twitter.com/HRCScotland)

Address: Human Rights Consortium Scotland, 66 Hanover Street, Edinburgh
EH2 1EL