



OFFICIAL REPORT
AITHISG OIFIGEIL

DRAFT

Equalities, Human Rights and Civil Justice Committee

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Session 6



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EQUALITIES, HUMAN RIGHTS AND CIVIL JUSTICE COMMITTEE
5th Meeting 2025, Session 6

CONVENER

*Karen Adam (Banffshire and Buchan Coast) (SNP)

DEPUTY CONVENER

*Maggie Chapman (North East Scotland) (Green)

COMMITTEE MEMBERS

*Pam Gosal (West Scotland) (Con)

*Marie McNair (Clydebank and Milngavie) (SNP)

Paul O’Kane (West Scotland) (Lab)

*Evelyn Tweed (Stirling) (SNP)

*Tess White (North East Scotland) (Con)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Nick Bland (Scottish Government)

Matthew Elsby (Scottish Government)

Kaukab Stewart (Minister for Equalities)

CLERK TO THE COMMITTEE

Euan Donald (Scottish Parliament)

LOCATION

The James Clerk Maxwell Room (CR4)

Scottish Parliament

Equalities, Human Rights and Civil Justice Committee

Tuesday 25 February 2025

[The Convener opened the meeting at 10:00]

Subordinate Legislation

Sheriff Appeal Court Fees Amendment Order (SSI 2025/9)

The Convener (Karen Adam): Good morning, and welcome to the fifth meeting in 2025, in session 6, of the Equalities, Human Rights and Civil Justice Committee. We have received apologies from Paul O’Kane.

Our first agenda item is consideration of a negative Scottish statutory instrument. I refer members to paper 1. Do members have any comments to make on the instrument?

Tess White (North East Scotland) (Con): My understanding is that the reason for the SSI is an administrative error. That is why we are here to discuss it and vote on it if necessary.

I want to highlight something that came out in the submission from Citizens Advice Scotland to the Scottish Government’s consultation. CAS raised a big concern about rising court fees, saying:

“We have serious concerns about the negative impact of the proposed uplift in court fees on the realisation of the public’s right of access to justice, especially for those on lower incomes, those who are vulnerable and/or share a protected characteristic.”

I just wanted to put on record that feedback from CAS.

The Convener: Thank you. Your comments are noted.

Maggie Chapman (North East Scotland) (Green): When we debated the original statutory instruments last autumn, I moved a motion to annul them all, because of the barriers that Citizens Advice Scotland and others said that increased fees would create. Given that the order will amend one of those instruments and my motion to annul clearly did not go anywhere, I am not going to challenge it at this point.

The Convener: Thank you. No other members wish to come in. Your comments are noted and are on the record. That concludes consideration of the instrument.

Budget 2025-26

10:02

The Convener: Our next agenda item is continuation of our scrutiny of the 2025-26 budget. I refer members to papers 2 and 3. I welcome to the meeting Kaukab Stewart, Minister for Equalities. The minister is accompanied by Scottish Government officials Nick Bland, who is the deputy director of mainstreaming and inclusion, and Matt Elsby, who is the deputy director of fiscal policy and constitution. You are all very welcome. Thank you for attending. I invite the minister to make an opening statement before we move to questions from members.

The Minister for Equalities (Kaukab Stewart): I am pleased to be invited back to give evidence to the committee. I look forward to providing you with updates on what I am doing to ensure that equality, inclusion and human rights are embedded in the budget and across wider Scottish Government processes.

On competence raising, there is a welcome alignment this week for the committee to fall on. Currently, more than 1,000 Scottish Government officials are participating in equality, inclusion and human rights development academy week, which is a new initiative that forms a key part in further building civil servants’ competence and capability in how to embed equality, inclusion and human rights in everything that we do in Government. I was delighted to contribute to the sessions and, in a recorded interview, I set out the importance of mainstreaming and my personal commitment to demonstrating visible leadership in that area as the Minister for Equalities.

The Government is equally focused on building competence and capability across the public sector. In recent weeks, I have met the Scottish councils’ equality network, the Convention of Scottish Local Authorities, more than 100 public sector equality duty bearers and 14 equality groups at our equality outcome-setting events, at which I have communicated my expectations and provided active leadership.

This year’s budget focuses on building a positive future and improving the lives of everyone in Scotland. It does so through our resolute focus on the First Minister’s four priorities: eradicating child poverty, growing the economy, tackling the climate emergency and ensuring high-quality public services. This year’s changes to the equality and fairer Scotland budget statement—the EFSBS—focused on improving how evidence feeds into the budget decision-making process and how decisions can be communicated more clearly. Key improvements were an earlier

ministerial workshop, publication of gender budgeting pilots and the creation of a more streamlined document. Many of the key decisions highlighted in the EFSBS show positive impacts across many protected groups, such as the increase in the availability of affordable housing that will benefit groups who are more likely to experience poverty or housing insecurity.

I am well aware of the committee's interest in the Scottish Government's progress against the recommendations of the equalities and human rights budget advisory group—EHRBAG. That is why, along with the Cabinet Secretary for Finance and Local Government, I wrote to the committee last week to update members on that.

On accountability, I will continue to champion the three principles of human rights budgeting. I note that, in the Scottish Parliament information centre's recent blog on pre-budget scrutiny, colleagues recognised the personal accountability that I take in my ministerial role. Although I am not directly responsible for budget decision making, I take my role in mainstreaming equality and human rights very seriously. I will continue to do so that I can hold myself and colleagues accountable.

I am already looking ahead to how we can continue to improve our processes next year. With that in mind, I will build on the collaborative partnership that was developed last year with the Cabinet Secretary for Finance and Local Government to improve equality and human rights in the budget process. In addition, when I last spoke to the committee, in November, I outlined my plans to carry out one-to-one engagements with my ministerial colleagues. To date, I have held nine meetings, with more happening in the coming weeks. I have been clear that, as ministers, we have a shared obligation to tackle inequality and to progress human rights. I have put across to my colleagues the importance of ensuring that equality impact assessments are carried out from the outset of policy development. I have asked them to highlight to their officials the importance that they place on high-quality and frank impact assessments as key tools to inform decision making. The remit to fully assess the impacts of our proposed policies includes spending cuts, which is critical.

I hope that the committee recognises the Government's commitment to continuing improvement in equality and human rights budgeting and the actions that we are taking to achieve that. I absolutely acknowledge that there is more to be done. We will continue to listen and will use the feedback from this committee and other stakeholders.

The Convener: Thank you, minister. We will now move to questions from members. I will start.

You touched on this in your opening statement, minister, but will you expand on which changes to the equality and fairer budgets Scotland statement were identified and made part of its work with the equality and human rights budget advisory group?

Kaukab Stewart: Yes, I am happy to do that. The equality and human rights budget advisory group makes a significant contribution in helping us to achieve our ambition for Scotland to be a global leader in equality and human rights. We are hugely grateful for its guidance, leadership and recommendations, which we continue to progress, including in our approach to this year's EFSBS. As is noted in the letter that I sent to the committee last week,

"Out of the 22 actions, 9 have been completed and 12 are in progress, with one yet to get underway as it is contingent upon the completion of another action."

That included undertaking a structured review of the 2024-25 EFSBS and discussing the findings with the group, agreeing—in partnership with EHRBAG—an approach to this year's EFSBS and implementing improvements to budget guidance by providing portfolios with a handbook and better integration with the programme for government.

The Convener: Thank you, minister. Why has the use of human rights budgeting principles in explaining the approach to decision making within the equality and fairer Scotland budget statement been abandoned?

Kaukab Stewart: The use of the human rights budgeting principles remains part of the budget process. In our attempt to streamline the document and make it more accessible, we had to focus our efforts on those parts of the publication that we thought would add most value for the readers. We have set out our approach to human rights budgeting in detail over the past two years. Since there has been little change in the principles behind the Government's approach to human rights budgeting, we focused on analysis of the key budget decisions in this year's document.

The six key questions that were developed with EHRBAG were used as part of the case study approach, which included two questions that specifically asked how human rights impacts had been considered. Additionally, the portfolio summary chapters tied portfolio budget activity to both human rights articles and national outcomes.

The Convener: There have been suggestions that basing the equality statement on equality impact assessments is a flawed approach, due to the lack of proven impact of EQIAs. Can you respond to that point, please?

Kaukab Stewart: Yes—if you could just give me a wee second, because there is a lot of information that I want to make sure that I have here.

Can you just repeat the last bit of your question for me?

The Convener: Absolutely. I seek your response to suggestions that basing the equality statement on equality impact assessments is a flawed approach, due to the lack of proven impact of EQIAs.

Kaukab Stewart: We know that EQIAs are an essential tool in policy development that helps us to better understand and address the needs of the people we serve. The best way to understand the impact of budget measures, including on marginalised groups, is through thorough, high-quality and robust evaluation. I am absolutely resolute in my stance that good-quality EQIAs should underpin everything that we do, and I push back on the idea that they do not have an impact.

The Scottish Government has continued to improve in this area, and it provides training materials, online guidance, best practice examples and impact assessment surgeries to support the completion of good-quality equality impact assessments.

The Convener: Thank you, minister. We will move to questions from Pam Gosal.

Pam Gosal (West Scotland) (Con): Good morning, minister and officials. The gender budgeting pilot has found that the Scottish Government lacks strategic, overarching gender goals. To give an example, although I understand the importance of fighting both domestic violence and poverty, we need to understand how those areas are linked. Another example could be a woman coming from a black, Asian and minority ethnic background or a woman earning less than a male counterpart and trying to measure how that affects how she raises her family.

The pilot has also found that there is a need to move away from the current portfolio-based budget model and towards a more performance-orientated approach. What action is the Scottish Government taking on that feedback to make sure that there are cross-departmental links? You mentioned that you have been speaking to other ministers, but it would be good to understand whether impact assessments are being done on their own or whether you are doing them while linking and cross-checking.

10:15

Kaukab Stewart: There was a lot in that question. I will do my best to cover everything, but please prompt me to come back in on anything that I miss.

Regarding the gender budgeting pilot and the overarching goals, I welcome the recommendations from the Organisation for

Economic Co-operation and Development on improving gender budgeting. The Scottish Government recognises the recommendation that we should develop those goals. We are actively considering Scottish gender goals and, in particular, how that recommendation intersects with recommendations from the First Minister's national advisory group on women and girls. With that group, we are working to identify options to develop gender goals with women and girls with diverse lived experience, including BAME women.

We are also exploring how to progress the OECD's second recommendation, on the changes that are required to the budget process, while being mindful that adaptations will be necessary to suit Scotland's specific circumstances. The OECD recognises that no country in the world has managed to achieve what is recommended, so we are all on that journey. A lot of work is required and it is a long-term commitment that has to be specific to, in this case, Scotland.

On your point about cross-portfolio working and the intersectionality that will lead to good practice when it comes to completing good-quality equality impact assessments, that has been part of my discussions with the nine ministers I have met so far. By speaking to all my colleagues, I am able to spot the overarching connectedness across their portfolios. An example of that is in housing. I have a meeting with the housing minister coming up, but I can already spot and will bring to his attention the disproportionate impact that housing policy and budget decisions can have on ethnic minorities. I use that particular protected characteristic group as an example because you mentioned it.

Housing is one portfolio but, to give another example, I can also spot within the local government portfolio the need for access to services in communities. That also links to transport. We know that members of that protected characteristic group are more likely to use public transport and are less likely to have access to private transport. In my conversations with the Cabinet Secretary for Transport, I am able to link those policy areas together.

My role is not to make ministers' decisions for them but to highlight those intersectionalities, to get them talking to one other and, more important, to get them to do that prior to making any decisions. That is the change of approach. I assure the committee that I am robustly challenging my colleagues to consider those things, to come out of our silos and to move towards that outcome rather than outcomes that are based on portfolios. I am aware that the effect of that approach will take a long time to be seen, because we are talking about people behaving differently and a cultural change is required for

that. Ministers have been very receptive and very grateful for the oversight that I am able to provide.

It is early days and I am realistic that the impact that the work will have had on this year's budget will have been minimal due to my coming into the role when I did. However, I am expecting a difference and I will be holding ministers to account, just as they hold me to account, you hold us to account and, more important, the general public hold us all to account. At the end of the day, that is what we want.

I want to see that work cut through, so that the family that Ms Gosal mentioned feels that tangible difference and can see that connection between their lives and the decisions that ministers make.

Pam Gosal: Minister, it is good to hear that you are probing the other departments and the nine other ministers to make sure that they look at the intersectionalities and to make sure that other things are looked at, such as housing and how people who are victim survivors of domestic abuse need housing. That will be very different from day to day and for different people.

It is sad to see that we are going to have the budget debate this afternoon and that issue has not been reflected on fully. I do not know how much it has been reflected on. It would have been good to see something like this, to show that the Government takes it seriously enough to see that, if this happens, that happens. We cannot look at areas in silos any more.

It is good to see that you are doing the work and pushing it. I hope that you will push it more next year.

Kaukab Stewart: Thank you for that. I take on board and totally agree with your comments about silo working. That is something that I hear very commonly. However, as I have said previously, when I ask people to come out of their silos, they always say that somebody else should do it, not them. That is just a general human nature thing, is it not?

There is a bigger structural issue here, because humans are complex—we know that—and they do not see themselves as being in a silo. However, even our parliamentary structures, our committees and our systems are based on individual portfolio areas. It is a challenge for all of us, and I am certainly approaching it in the most robust way that I can.

Marie McNair (Clydebank and Milngavie) (SNP): I would like to ask how you are supporting the development of greater intersectional equalities competence across portfolios and public bodies. You touched on it slightly earlier, but is there anything that you would like to expand on?

Kaukab Stewart: Are you referring to intersectionality regarding mainstreaming?

Marie McNair: Yes.

Kaukab Stewart: There is an increased use of intersectional evidence and analysis to inform policy making across the Scottish Government, and that is helping us to understand structural inequalities and to inform inclusive policy making. Analysts and policy professionals—I will bring in Nick Bland shortly—are building their understanding of how to apply intersectional approaches. Practical considerations are set out in "Minority ethnic women's experiences in Scotland 2024: intersectional evidence review". That was published in December, and the committee will be aware of it.

When undertaking intersectional research, analysts are encouraged to use qualitative and quantitative sources of data and evidence to ensure a deeper understanding of intersectional issues. We then need to triangulate those to ensure that we get the best evidence possible and the clearest picture. Nick, can I bring you in here?

Nick Bland (Scottish Government): I will add a bit more on work at an official level, and reflect on that from an analytic perspective. Further work is being done on data and evidence and on the application of that evidence within policy work by officials and advice to ministers.

On the data and evidence front, we have the continuing work on the equality data improvement programme and the recent "Equality evidence strategy 2023-2025: interim review". Within the programme, a whole series of actions is focused specifically on intersectional data across different policy areas, and the evidence review has similarly continued to point to the importance of mainstreaming equality.

The evidence review that the minister mentioned does two things. It points to key intersectional disparities that are experienced by ethnic minority women—findings for policy areas where such disparities are to consider in the coming period. There is also learning from a research perspective about the ways in which we can get better at that data and evidence. That points to the importance not just of quantitative data—the numbers—but the qualitative evidence about intersectional experiences.

Intersectionality is included in the internal training materials for policy officials that were developed last year, and three standards under the policy profession include intersectional training. We are due to publish, under the public sector equality duty, new equality outcomes by the end of April. We are looking at data and evidence being one of those outcomes, and intersectional evidence being a component of that.

I am trying to give you a sense of the range of activities at official level in terms of consideration of intersectionality and the data and evidence that can inform and drive that.

Marie McNair: I note that the Scottish Women's Budget Group highlighted four examples of policy areas where information on equalities consideration is lacking: the Scottish welfare fund, maternal health funds, carer support plans and housing and homelessness. Minister, you touched on housing, but could you give a bit of background as to why the information is lacking? Perhaps your officials will pop in as well.

Kaukab Stewart: I can bring in Nick Bland—actually, Matthew Elsby would be better on that issue.

Matthew Elsby (Scottish Government): We set out the impacts of all budget choices in the level 4 tables that are published alongside each budget. The critical thing is that the budget is an allocative event. It is not asking portfolios about every single decision that they will take on the use of the funds throughout the financial year, because those are decisions for cabinet secretaries.

What we are doing in the budget is allocating public money across the piece. On the four areas that you mentioned, I cannot comment on the specific decisions that cabinet secretaries took in conjunction with their Cabinet colleagues, but I can say that the budget process is a process whereby cabinet secretaries have the opportunity to speak to each other on the basis of a provisional set of allocations and to look at what it would mean for how they might need to spend money over the year ahead. They can then feed back to the First Minister and the Cabinet Secretary for Finance and Local Government through the Cabinet process by saying, "Here are where the challenges will be and here are where equalities issues might come up." There are multiple checkpoints along the way to raise such issues, so that when the First Minister and the cabinet secretary present the draft budget, it is based on advice from cabinet secretaries that has been fed in all along the way.

Marie McNair: That is helpful for the committee. I hand back to you, convener.

The Convener: We move on to questions from Maggie Chapman.

Maggie Chapman: Good morning to the minister and her officials. Thank you for joining us this morning and for your comments so far.

I will follow on from Marie McNair's questions on mainstreaming and ensuring that equalities and human rights are everybody's business. The Scottish Human Rights Commission chair was clear that they should not be only in the remit of

this committee. You have described the work that you have done with Government colleagues. I am interested in exploring how we can ensure that equalities issues, perhaps specifically in relation to autism and neurodivergence, are taken seriously by portfolios across Government and public bodies that the Scottish Government funds.

We have probably all heard too many stories of autistic people being fobbed off, not listened to, misdiagnosed and given treatments that do not work and could cause further harm. We have also heard about autistic people being arrested or being made homeless. All that costs the taxpayer and departments across both central and local government much more money. That is before we even consider the life-changing impact and detriment to those individuals and their families. It is even more galling that when those harms are brought to light, public bodies close ranks and do not take the human rights and equalities agenda seriously.

Minister, how have you worked with colleagues to try to ensure that that kind of waste of resource and human potential does not happen? How can we minimise that, and how can we get away from the stress and the detriment that it causes? I have a follow-up question on the issue, but I am interested in your comments on those points first.

10:30

Kaukab Stewart: Thank you for that, Maggie. You will be well aware of my years in education. I still feel very passionate about children in particular, but I include neurodivergent adults, autistic adults and dyslexic adults as well.

What you describe is heartbreaking, and we should absolutely be doing better. I would argue that we are, and that those issues are being taken very seriously.

I outlined to the committee the approach of getting portfolios to speak to each other. In the particular case that you raise, there are clear correlations with other areas. Cross-working needs to happen between, for example, the health budget, which is substantial, and education. Those are just two areas—there will be others. Housing will come into it, as will social care.

The challenge for all of us, as elected members with portfolio responsibilities, is that we have a duty not only to take care of our own patch but to recognise—as you alluded to in your question—that a decision in one portfolio area that is taken with the best of intentions could have an unintended consequence, and deprive somebody of a service, in another area. In addition, there are areas in which duplication can happen.

I have highlighted some of the work that I am doing—for instance, I met with representatives of the Scottish councils' equality network. For a minister to meet with those folk, who are working incredibly hard at local authority level, has never been done before; I brought together all 32 local authorities to do that. That should give you an indication that I am trying to get to the heart of our public services—in that case, our local authorities, which are direct providers of many of the services to the folks you mention.

The Scottish Government is taking those steps to build that competence and capability across the public sector. In addition, the online equality and human rights mainstreaming strategy toolkit will be published later this year. That will provide resources for officials across the public sector to increase their competence in equality, inclusion and human rights. Those resources will include guidance, checklists, training materials and best practice examples. The content is being developed by working groups, with representatives from key stakeholders, and the aim is to support policy officials by setting out pragmatic steps that they can take to support their mainstreaming journey.

We are also moving forward in building our capacity in inclusive communications, and we are committed to embedding that across our public services. I know that I am due another visit to the committee with regard to our public sector equality duty, so we will be able to go into that in further detail.

I hope that that gives you an indication that there is visible leadership in this area, not only in ensuring that we have different ways of working but in empowering officials. Those officials may be working in local authorities, as in the example that I gave, but the approach applies equally to those in the third sector; I mentioned my extensive meeting with duty bearers, for instance. We need to provide people with the support that they need to do that work. We cannot simply say, "This is what I expect", because people will come back and say, "Well, how am I meant to do that? Where are the resources, and where is the support?" I think that I have given a reasonable account of how we are doing that.

Maggie Chapman: Thank you, minister—that is helpful. In your opening remarks, you talked about the competence and capability training that is happening. At the heart of what we are talking about here is prevention—that goes back to Campbell Christie's principles of prevention, which are now more than 10 years old but which still require a lot of work to be implemented.

You also talked about the need for cultural and behaviour change. I suppose that there are some challenges in that regard because when people

are at a point of crisis, and they are being made increasingly ill, homeless or worse, there is not always a mechanism for saying, "We can see exactly what we need to do—how do we do that?" That is not necessarily about resource but about transparency and accountability, which you also talked about in your opening comments.

Maybe we can pick the subject up after the meeting. There are some specific questions that it is not appropriate for me to ask here, but I would be interested to pick some of them up with you after the meeting.

Kaukab Stewart: Yes, absolutely. Please write to me with any supplementary questions that you have.

I will bring in Nick Bland.

Nick Bland: On the point about transparency and accountability, I mentioned that the Government will produce its new equality outcomes under the public sector equality duty at the end of April. As the committee will know, that duty sits on all public listed authorities.

In her opening remarks, the minister reflected on a series of engagements that we had with public listed authorities in the autumn and winter, about our equality outcome setting, deliberately to provide leadership, to share our thinking about setting equality outcomes and to elevate the status of that equality outcome-setting process.

I invite the committee to look at what those other public listed authorities choose to do in their equality outcome setting. We have shared with them where we intend to go, but they make their own decisions about the equality outcomes that they set. For transparency and accountability, they are all required to report on those outcomes in two years' time in the same way as we are. That is a very strong mechanism for accountability.

Maggie Chapman: That is helpful. I will take you up on that offer, minister.

The next chunk of my questions are about human rights budgeting more generally. You will remember from your time on this committee all the challenges and questions about data: who has it and where it is available. A substantial amount of data is available. We think that it informs budget decision making, but the EFSBS does not describe how it does so. Can you say more about the data—which sometimes is really good and sometimes has a lot of gaps—and how it informs your and your colleagues' decision making?

Kaukab Stewart: It goes without saying that it is essential to have good quality, robust data. There are always calls for more of it. I hear calls for intersectional data, as well, to inform good policy making.

The EFSBS uses information gathered from different portfolios to support ministerial decisions as part of the budget process. This year, the document included, in the distributional analysis, new analysis of the impact of some areas of public service spending. Chapter 1 of the EFSBS sets out how the budget process integrated evidence on equality and fairness, through the ministerial workshops and better integration with the programme for government.

As Matthew Elsby said, the budget does not determine every single decision for the Government. Cabinet secretaries will consider the evidence available when they make their many decisions outside the budget process as well. For example, data was used in the setting of tax and social security policy, as demonstrated in the distributional analysis document. In that tax example, we know that there are different outcomes for men and women, and we can break those categories down into, for instance, women who are in an ethnic minority and those who are disabled. That gives an indication of the layers upon layers of data that we need.

Another thing, which I mentioned in a previous committee meeting, is that I am mindful of making sure that we have the robust data sets that we need and that we have enough data, because sometimes we drill down so much that we are talking about very small numbers. The numbers tell a story but not a complete story, which is why I keep saying that the process must be qualitative as well as quantitative. If you triangulate the data with the voice of lived experience, you get a clearer picture on which to make decisions. Making decisions purely based on numbers would further exacerbate situations for those who are already marginalised, and we want to be absolutely sure that that does not happen.

Matthew Elsby: Data is used throughout the budget process. We take forecasts from the Scottish Fiscal Commission that are informed by the data that it is collecting on the state of the Scottish economy and that sort of thing.

In the equalities space, data is most prominently used as part of the information that we set out in the distribution analysis document. That is the most easily accessible data and it tells us an awful lot about what the impact of tax and social security system changes would be for families up and down income distribution levels. It tells us what tax system changes would mean for the gender gap—we know that men tend to earn more than women. We are looking to expand our capability in that area, because we want to understand more about how we can quantify the impacts of those types of changes. As the minister said, there are limitations, which depend on quality of the underlying data in the first place.

That is the most prominent bit, but throughout the budget process, we are gathering information from cabinet secretaries and portfolios to understand what the impact of our budget propositions would be in practice. Such propositions should be based on the best use of data, because we want to get value for the money that we are spending. Therefore, through all the budget processes that we do this year, we are saying, “Tell us about what you know and what the evidence is on the impact that this money is having.” The responses are used to inform Cabinet discussions about how that money is used further down the line.

Maggie Chapman: Thank you, Matthew. That is helpful.

Minister, you mentioned the relationship between the budget planning work, national outcomes and human rights principles. What role does the equality data improvement programme have in supporting the direct read-through to national outcomes and sustainable development goals, which open up the human rights space a little bit more broadly than the national outcomes do?

Kaukab Stewart: The Scottish Government is continually in the process of improving equality and intersectional data collection. We encourage its analysis, publication and, when sample size allows, robust disaggregation.

Forty-five actions are set out in the equality evidence strategy, which is overseen by the EDIP project board that you referred to. Those actions, which are the key mechanism to advance the equality evidence base, cover improvements to all main equality variables: 33 cover data on race, 30 cover data on disability and long-term conditions and 16 cover intersectionality. As the equality evidence strategy moves into its final year, the key task across the Scottish Government will be to work across all the analytical areas, as well as with external stakeholders, to set out a new strategy to prioritise and fill remaining gaps in equality and intersectional data.

I expect that that will include expanding disaggregation of quantitative data sets, where that is possible with the sample sizes; utilising qualitative data and lived experience to allow for insight into differentiated experiences, which may not always come through in the quantitative data; and drawing on the mix of evidence to identify the relevant research questions from an intersectional point of view.

In addition to those improvements, which we are working towards, we expect policy areas to take a proportionate approach to the existing evidence base in order to ensure that they have enough

information to enable ministers to take equality-informed budget decisions.

10:45

Maggie Chapman: Thanks. Can I have a final question, convener?

The Convener: Yes.

Maggie Chapman: This will be the last one from me. Given what you have said about the value of quantitative and qualitative data and lived experience, can you explain why engagement and participation were largely absent from this year's budget process?

Kaukab Stewart: We have brought forward a budget that is set within the mainstream of Scottish public opinion, and that would not have been possible without engagement and participation. We have worked in good faith with Opposition parties to deliver a budget that can command the support of a majority of this Parliament, and I am hoping that it will be voted through this afternoon. I believe that we have listened to and assessed the extensive proposals that were received as part of the budget's development; we have heard a range of views from a range of stakeholders from diverse communities across Scotland, and we have heard the priorities of the third, public and business sectors. We can deliver progress for Scotland only with the support of our partners and Parliament, and we will continue to take that approach.

Maggie Chapman: I will leave it there, convener.

The Convener: We move on to questions from Evelyn Tweed.

Evelyn Tweed (Stirling) (SNP): Good morning to the minister and her officials.

Minister, it is really good to hear that you have been meeting ministerial colleagues on a one-to-one basis. Specifically, was the impact of geographical inequalities, including rurality, discussed?

Kaukab Stewart: I will be meeting the Cabinet Secretary for Rural Affairs, Land Reform and Islands very shortly. There are many people to talk to, and I have got through nine ministers so far. My offer is that I am quite happy to raise anything that comes up today at that meeting, which is yet to come.

I suppose that you are talking about targeted funding to address the sort of geographical issues with regard to rurality and inequality that you highlighted. I understand the issues that are faced by marginalised communities in remote, island and rural settings, and we are absolutely committed to supporting them. Something that the First Minister

has encouraged is that, when we make visits as ministers, we do so on a cross-portfolio basis. Therefore, on our summer tours of constituencies, I made a special effort to visit rural and island communities and look at housing provision, and I was able to speak to not only our delivery partners but residents, including potential residents, and communities and see the challenges at first hand. I would not have known all that just by sitting in Holyrood. We are getting out and about and speaking to real people, and that is informing me and allowing me to be in a position to challenge and support my colleagues.

We need to ensure that the services that we offer are tailored specifically to the challenges that people face. Like everything else, rural impacts should be taken into account in all Scottish Government portfolios; in other words, any good policy should already be thinking about its impact across Scotland, including rural areas. Moreover, we have island communities impact assessments, which must be carried out in relation to any policy, strategy or service whose effect on an island community is likely to be significantly different from its effect on, say, another community. Those assessments must also consider the impacts on different groups on an island, too. I would say that, through such an approach, we are actually drilling down to what sometimes can be quite small numbers, which brings me back to what I was saying earlier about our challenges with regard to data sets.

We are in the process of introducing a new systemic approach, which is called the rural assessment toolkit, to aid that further and enable a greater focus to be applied to the unique needs of rural communities and businesses. That toolkit will support civil servants to understand the unique characteristics, challenges and opportunities of rural areas and weave those through all the stages of policy development so that, again, policy is being influenced early—thereby creating more robust policy that is more reflective of needs.

Evelyn Tweed: You spoke about silos. How difficult will it be for ministers to move out of silos and work across the whole of Government on issues such as rurality?

Kaukab Stewart: I gave you an example of how we already do that by making sure that ministers with different portfolios undertake visits in communities and see projects that are not necessarily directly within their portfolios.

For instance, housing is not my policy area, although I take an equalities interest in it. I do not make any financial decisions over it, and I am lucky that it sits in the social justice portfolio. Nevertheless, I go out and see the challenges in real life.

The example that gave me a profound understanding was about the cost of building additional housing and the challenges around that. The questions are: why are we not building more houses and why are we not building them more quickly? I have been on the ground, seeing the landscape and the difficulties of drilling into what is pretty hard rock, as well as the transport of goods and services, and being mindful of not only the skills that are required but the impact of decisions that inflate the costs of goods and services.

Through seeing that, I am in a better position to challenge the Minister for Housing. Obviously, he will be an expert, but I put an extra lens on from an equalities point of view. For example, what happens if you are disabled? If you are building a new housing estate, where is the nearest hospital, where are the main transport routes and what is the availability?

That is happening, and I hope that it gives you a good example. I am trying to show visible leadership and encourage all ministers to do that cross-portfolio walking as well as talking.

Evelyn Tweed: Thanks, minister. Will you consider adding rurality to the equality and fairer Scotland budget statement?

Kaukab Stewart: We are not currently considering adding rurality as a specific dimension to the EFSB. The document focuses on the public sector equality duty and our fairer Scotland duty, and it supports budget scrutiny and provides evidence of our meeting those duties. Portfolios are best placed to consider the rural impacts of their policies and, where appropriate, consider those as part of their decision processes. Island impacts are considered separately as part of the budget process. Rural considerations are mainstreamed in the Scottish Government, which means that good policy should already be thinking about the impacts that policies have across all areas, including rural ones.

Tess White: I have a couple of questions to follow up on rural proofing the budget and spending cuts. I will then go on to my next topic, which is about where spending is being earmarked.

On funding cuts, the SHRC published a report that identified a

“failure to meet the most basic international obligations related to the right to food, the right to housing”—

we have talked about housing quite a lot today—

“the right to health, and the right to cultural life”

in the Highlands and Islands. The report has massive implications for rural Scotland more widely.

You may remember that, when you met the committee in November, I asked you about rural proofing and you said:

“As equalities minister, I cannot be expected to deal with such in-depth detail on each portfolio.”—[*Official Report, Equalities, Human Rights and Civil Justice Committee*, 5 November 2024; c 16.]

How can you address such obvious failings in equalities budgeting when you are not across the detail? What are you going to do differently, in addition to talking to ministers, to address geographical inequalities?

Kaukab Stewart: It is always a bit odd when something is read out—it sounds quite stark. I do not agree that I was not across the detail. However, you will understand that each portfolio has a specialism and that, although I would be expected to have an overarching knowledge, I do not think that it would be reasonable to expect the equalities minister to have an in-depth knowledge of each individual portfolio area. I think that that is only reasonable, given that each area is highly specialist and extensive.

On rural proofing, rural considerations are mainstreamed in the Scottish Government, so, as I have said, good policy making should already include those. As I said in earlier responses, the Scottish Government is in the process of introducing a new and systematic approach, which is called the rural assessment toolkit and which should further aid the greater focus that is required to be applied to the unique needs of rural communities and businesses. As I have said, the toolkit will support civil servants to understand the unique characteristics, challenges and opportunities.

A key principle of the successful development of rural policy is to have meaningful engagement with rural stakeholders and communities at an early stage in the policy development process in order to consider how those stakeholders can actually shape that policy. The challenge for us will be to ensure that their evidence is visible within the policy. As part of the support and challenge, that is where I can come in to track that voice. We have spoken about that before, and Tess White will know that I am committed to ensuring that, as part of that transparency process, the stakeholders and people that we hear from can see that when we produce our documents.

Tess White will also be aware that many voices come to the table and many representations are made. Ministers and cabinet secretaries have the right to take on board everything that they hear before they make decisions. They are best placed to do that.

Tess White: That is perfect, minister, thank you.

It is very encouraging that you have said you are going to meet the Cabinet Secretary for Health and Social Care and that that meeting is coming up.

Kaukab Stewart: I was talking about the Cabinet Secretary for Rural Affairs, Land Reform and the Islands. That meeting is coming up, and if there is anything that Tess White—

Tess White: I am just about to get on to that. Bearing in mind that this is the Equalities, Human Rights and Civil Justice Committee, there are two areas that I would like you to take forward, one of which has been raised by my colleague Maggie Chapman.

The first issue relates to NHS Grampian, which serves a huge rural area and has gone short of £0.25 billion in funding while the Scottish National Party has been in government. That is a huge issue and it is having a massive knock-on impact on the integration joint board.

11:00

The second area—the one that was highlighted by Maggie Chapman—is assessments for autism and attention deficit hyperactivity disorder. In fact, I am not just talking about assessments; the fact is that people are waiting sometimes two years and sometimes five years, and they still have no date for an assessment. There is also a massive shortage of medication. The concern for people right now is that they go to their GP, who agrees that they need an assessment, but they cannot get one. The fear is that, with the massive shortage of medication, assessments are not going to happen—it is a bit of a chicken-and-egg situation. That is a massive issue.

The national health service is in crisis, because of a shortage of funding. I have raised the issue of rural proofing again and again. Neil Gray did not recognise the figure of a quarter of a billion pounds, which actually came from the Scottish Parliament information centre. Then there is the huge issue that we have in the north-east of autism and ADHD assessments and medication. You told my colleague that you were happy to write on those areas, you say that you are having meetings and you have a toolkit, which is a good step forward—but, please, rural areas are in crisis, and money is being taken away from them.

I would like to go on to my next section of questions, which is on funding approaches. As my background is in business, I always judge people not on their words, but on where they actually spend their money. We have already talked about health. In September, you told MSPs—and I listened very carefully to this—that your

“fund manager, Inspiring Scotland, will continue to work with”

Edinburgh Rape Crisis Centre’s

“board as it implements the necessary changes ... recommended by Vicky Ling’s report.”—[*Official Report*, 17 September 2024; c 8.]

After that, however, in January, Rape Crisis Scotland U-turned on delivering a definition of “woman”—something that, as I am sure that you are aware, had been a key recommendation of Vicky Ling’s report. It means that women remain in the dark about which services are male free. Two weeks ago, you announced close to £2 million—I repeat: £2 million—from the delivering equally safe fund for the scandal-ridden Edinburgh Rape Crisis Centre and Rape Crisis Scotland. My question is this: what oversight do you have of that situation, given the seriousness of the report’s findings and the fact that public money—this is important; it is taxpayers’ money—is being used to support those services? This evidence session is about transparency and accountability, minister, so I would like you to address the issue of accountability with regard to that spend.

Kaukab Stewart: On your first question about my raising various issues with the Cabinet Secretary for Health and Social Care, I believe that that meeting might have happened. Regardless of that, though, I am happy to raise the two areas that you have highlighted—that is, NHS Grampian funding, and ADHD assessments and the shortage of medication.

As for your second point, I published, in the interests of transparency, the amount of money that we spend across my portfolio. We put that up; we did not wait to be asked for it in any shape or form—it was published proactively. As for the budget lines, which you have quite rightly pointed out, we procure from organisations specific services that are required to address mental health issues, provide refuges for domestic violence and so on. There is a wide range of projects dealing with socialisation and loneliness, for instance, and those are all listed with their budget lines next to them.

What happens then is that there is a clear contract—for want of a better word—that sets out the terms of engagement, the services and the quality that we expect to be delivered. We fund helplines that support people at high risk of suicide, for instance; indeed, we fund a wide range of organisations to deliver specific services.

We then have fund managers that provide the governance for the process. They are in regular contact with all the organisations, making sure that the Scottish Government is getting the service that it is paying for. The fund managers do all the quality assurance, and they are independent of the process to ensure that Scottish Government money is actually being spent on the services that we have procured.

Many organisations will, of course, provide other services. We procure particular services provided by third sector organisations, although the organisations may themselves be providing other stuff. We are responsible for our bit.

Tess White: I get that, but I hope that you appreciate that people are scratching their heads when they find that money has been taken away from one thing, leaving them in crisis, but that money is still being spent on something else. You have shared with me that you are across the brief on that, and that the £2 million—

Kaukab Stewart: I believe that the overall budget for delivering the equally safe strategy has increased. I was at the launch of that, with SAY Women. Indeed, that was an excellent visit. That organisation provides support to women and girls between the ages of 16 and 24 who are dealing with sexual abuse and violence. I think that there was an uplift in equally safe funding of £2.4 million, approximately.

Tess White: I turn to my last, follow-up, question. We have talked about funding in the equalities portfolio. This point is about accountability and transparency. I have been told that one of your former SNP colleagues, Alison Thewliss, who appeared with you in a photo with banners saying “Decapitate TERFs” and who refused to say whether she accepts the Cass report, has been hired by Rape Crisis Scotland. If that is indeed the case, is that one hand washing the other? Do you recognise the concerns that Rape Crisis Scotland, as a Government-funded body—

The Convener: Excuse me. Tess—

Tess White: I am just finishing, convener.

The Convener: Tess, could I please have your attention? On the question that you have just asked, we have to keep the questioning relevant to the minister’s portfolio and to why she is here today with regard to our budgeting inquiry, please.

Tess White: And that is important. You know that my background is personnel and human resources. One of the biggest spends is staffing. There is also the matter of accountability and transparency. This is a very important matter, so if I can just finish.

Marie McNair: It is not—

Tess White: It is a Government-funded body, and it appears to be doubling down on its commitment to wiping out women-only spaces for survivors.

The Convener: Excuse me. Tess White, please.

Tess White: That is my question—but if the minister does not want to answer it, I can address it separately. Thank you.

The Convener: We are just going to move on now, thank you very much.

We have a supplementary question from Pam Gosal.

Pam Gosal: As the minister will know, violence against women and girls is one of the areas to which I have paid great attention since I have become an MSP. I often meet with representatives of organisations in the violence against women and girls sector. Lack of funding has been a major issue for many of those organisations, particularly the smaller and less well-known ones. They say that they need more certainty from the Scottish Government to be able to carry out the excellent work that they do in helping women and girls, many of whom are survivors of domestic abuse. What is the Government doing to ensure that those organisations have the certainty that they need, especially through funding, to carry out their important work helping women and girls?

Kaukab Stewart: You raise a very important point, and I acknowledge your long-standing interest in that area. I suppose that you are referring to advocacy groups in particular, as a lot of organisations provide that as a service. We have taken the approach that we place both equality and human rights at the heart of everything that we do—which relates to fairness, equality, dignity, respect, autonomy, empowerment and participation. Out of the 48 organisations that are being funded, 43 might be categorised as equality advocacy groups.

Nick Bland has some further detail on that.

Nick Bland: On the question about funding, the equality, inclusion and human rights directorate has a number of significant funds, and delivering equally safe is the one that specifically focuses on supporting projects and organisation services that tackle violence against women and girls.

We issued letters of comfort before Christmas in relation to the continuity of all that third sector funding; we are waiting for the completion of the budget process this afternoon, shortly after which we intend to send out renewed grant offer letters. As with the equality and human rights fund, that DES funding has been multiyear but, at the moment, the grant offer letters are sent annually, so I hope that organisations will get that certainty very soon.

Pam Gosal: I thank the minister and her official for that response.

Minister, you have said that 43 out of 48 organisations are smaller, advocacy ones. Are you saying that 43 organisations are not the larger

ones—that they are more niche in those areas? We know that some organisations deliver on helping people from BAME backgrounds but that it sometimes does not come to light—they must prove that by giving their figures and statistics to the Government because their data is not collected. I know that because my domestic abuse bill was looking at the matter of certain data not being collected. The information on data is kind of bottom up rather than top down. How much does that affect your decisions, and are you saying that 43 out of the 48 organisations that are being funded are smaller ones and that there are five larger ones?

Kaukab Stewart: I know my organisations but, with the best will in the world, I could not say that unless I had the list in front of me, which I could then cross-check. It could be the case, but it might not be so—I cannot give a definitive answer. I can say that it is not necessarily the size of the organisation but the service that it provides that is the important thing. Obviously, the Government wants to deliver services: it is about the organisation that is best placed to deliver that service, and its size is not the most significant factor.

Pam Gosal: It is good to hear that it is about the delivery of the service and that small organisations are not being missed out, as they sometimes are.

Would you like me to ask question 15 as well, convener?

The Convener: Absolutely.

Pam Gosal: There is often an assumption that anti-poverty measures will proportionally impact people from BAME backgrounds, but that is not always the case. What can be done to account for the differences in access to and take-up of anti-poverty schemes, particularly among people of minority backgrounds?

Kaukab Stewart: We know that families from Black and minority ethnic backgrounds are one of the six priority family types that are identified in our tackling child poverty delivery plan as being at the greatest risk of poverty. We recognise that the intersection with other protected characteristics, including disability, increases the risk of living in poverty. Since 2018, the Scottish Government has strengthened the evidence base on poverty, building on a series of focus reports, including on minority ethnic families, that outline the challenges and barriers faced as well as policy approaches that might be taken that are successful in addressing those challenges.

Remember that tackling poverty and inequality is a priority for all ministerial portfolios, so those actions should be driven across the Government to deliver on that progress. That includes our more focused work, such as on the take-up of devolved social security benefits and benefits for seldom-heard groups, and our anti-racist employment strategy, which is focused on addressing structural barriers to enable more people from racialised minorities to access, sustain and progress in employment. Understanding how we can address unacceptable levels of poverty for Black and ethnic minority families is a shared endeavour that we will continue to drive forward, and the member knows that I will do that.

Pam Gosal: Thank you, minister.

The Convener: That concludes our formal business in public. I thank the minister and her officials once again for their attendance. We now move into private session to consider the remaining item on our agenda.

11:14

Meeting continued in private until 11:41.

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