

Equalities, Human Rights and Civil Justice Committee
Tuesday 1 April 2025
9th Meeting, 2025 (Session 6)

Scottish Human Rights Commission – moving from institutions to independent living – Note by the Clerk

Introduction

1. The Scottish Human Rights Commission (SHRC) is Scotland's National Human Rights Institution. It is independent of the Scottish Parliament and Scottish Government.
2. It was set up under the [Scottish Commission for Human Rights Act 2006](#) (as amended). The SHRC is accountable to the people of Scotland through the Scottish Parliament and is accredited as an A-Status National Human Rights Institution within the United Nations (UN) human rights system
3. The SHRC has a general duty to:
 - Promote human rights by raising awareness and understanding; and
 - Encourage best practice in relation to human rights
4. At this meeting, the Committee will hear from the Scottish Human Rights Commission on its report [“Tick Tock...” A human rights assessment of progress from institutionalisation to independent living in Scotland](#)
5. The report examines Scotland's progress in moving from institutional models of care towards independent living, evaluating the extent to which current policies and practices uphold the rights of disabled people in line with Scotland's domestic and international human rights obligations.
6. Although the focus of the session is on the above report members also have an ongoing interest in rurality and will explore questions about the SHRC's report on [Economic, Social and Cultural Rights in the Highlands and Islands](#).

Participants

7. The Committee will hear from—
 - **Jan Savage, Executive Director**, Scottish Human Rights Commission
 - **Oonagh Brown, Participation and Policy Officer**, Scottish Human Rights Commission, and
 - **Cathy Asante, Legal Officer - Human Rights Based Approach**, Scottish Human Rights Commission

Key Issues

8. The Tick Tock report assesses Scotland's progress in deinstitutionalisation and the realisation of independent living rights for disabled people. The report is framed within Scotland's legal obligations, including the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), which calls for a transition away from institutional models of care towards systems that support autonomy, dignity, and choice.
9. The report acknowledges steps taken to advance independent living, including the development of Self-Directed Support (SDS) and policy commitments such as A Fairer Scotland for Disabled People. However, it highlights ongoing barriers to full realisation of these rights, including challenges in access to appropriate social care, gaps in housing provision, and issues related to funding and service delivery.
10. The report suggests that systemic changes are needed to accelerate progress and ensure disabled people can live independently in the community with the necessary support.

Key Conclusions

11. The SHRC's report identifies several areas where further action is required. In summary, the SHRC outlines these as:
 - Slow pace of change – Despite policy commitments, progress towards fully enabling independent living remains inconsistent, and some disabled people continue to experience institutional-style care settings.
 - Barriers to Self-Directed Support (SDS) – The report raises concerns about the implementation of SDS, with some individuals facing restrictions on how funding is allocated or used.
 - Gaps in housing provision – A lack of accessible, affordable housing is cited as a key barrier to independent living.
 - Resource and workforce challenges – The report highlights ongoing issues within the social care sector, including funding constraints, workforce shortages, and inconsistent service delivery.
 - Legal and policy coherence – The SHRC notes that existing policies and legal frameworks do not always align in practice, leading to gaps in rights protection.
12. The report concludes that while Scotland has made progress in recognising the right to independent living, significant structural and systemic barriers remain. The SHRC recommends that the Scottish Government and public authorities take urgent action to fully implement human rights-based approaches to independent living, with a focus on funding, accountability, and participation of disabled people in decision-making processes.

Format

13. The meeting will be held in person.

Next Steps

14. Following the evidence session, the Committee will reflect on the evidence received and consider next steps.

Clerks to the Committee
March 2025