



# SNAP: Scotland's National Action Plan for Human Rights

## YEAR ONE REPORT



December 2014

“Scotland’s National Action Plan for Human Rights is a bold venture which aims to bring human rights home in people’s everyday life. It signals a strong commitment to internationally agreed human rights standards.”

NILS MUIŽNIEKS, COUNCIL OF EUROPE COMMISSIONER FOR HUMAN RIGHTS

“There is huge potential for SNAP to make a big difference in Scotland ... particularly where there is extensive and positive policy rhetoric; where person centeredness, co-production, personalisation, self-management and independent living are embedded, but people do struggle to know how to put that into practice and how to make it real.”

HEALTH AND SOCIAL CARE ALLIANCE SCOTLAND

“I warmly welcome the launch of Scotland’s first National Action Plan for Human Rights ... The Plan is an important milestone in our journey to create a Scotland which acts as a beacon of progress internationally.”

NICOLA STURGEON, THEN-DEPUTY FIRST MINISTER, SCOTTISH GOVERNMENT



# Contents

Who’s involved? ..... 2

A route to social justice, equality and democratic renewal ..... 4

**BACKGROUND ..... 7**

    What is SNAP?..... 8

    Why do we need SNAP? ..... 8

    How did SNAP develop? ..... 9

**YEAR ONE: PROGRESS REPORT .....13**

    Towards a **Better Culture** .....15

    Towards Better Lives – **Health and Social Care** ..... 18

    Towards Better Lives – **Adequate Standard of Living**.....22

    Towards Better Lives – **Justice and Safety** .....25

    Towards a **Better World** .....29

Common Themes and Lessons..... 33

Measuring Progress.....36

**YEAR TWO: WHAT TO EXPECT .....39**

# Who's involved?

The Scottish Human Rights Commission led the development of SNAP and continues to coordinate and provide a secretariat function. However, SNAP now belongs to dozens of organisations, with many more taking part on a more fluid basis in wider discussions and forums facilitated by each of the Action Groups.

A Leadership Panel oversees the delivery of SNAP, receiving reports from the Action Groups, reviewing progress and advising on strategic direction. Each Action Group takes responsibility for devising and delivering activities in their area of focus. The Monitoring Progress Group develops and oversees the monitoring framework for SNAP.

## Better Culture Action Group

Amnesty International UK  
Care Inspectorate  
City of Edinburgh Council  
Convention of Scottish Local Authorities  
Engender  
Equality and Human Rights Commission  
Human Rights Consortium Scotland  
Independent Living in Scotland Project  
Office of Scotland's Commissioner for Children & Young People  
Police Scotland  
Scottish Councils' Equality Network  
Scottish Council for Voluntary Organisations  
Scottish Government  
Scottish Human Rights Commission  
See Me

## Better Lives – Health & Social Care Action Group

Convention of Scottish Local Authorities  
Equal and Diverse  
Health and Social Care ALLIANCE  
Joint Improvement Team, Scottish Government  
NHS Health Scotland  
Scottish Consortium for Learning Disability  
Scottish Human Rights Commission  
Scottish Recovery Network

## LEADERSHIP PANEL

### Professor Alan Miller

Chair, Scottish Human Rights Commission

### Dr. Alison Elliot

Former Convenor of Scottish Council  
for Voluntary Organisations

### Alex Cole-Hamilton

Former Chair, Together – The Children's Rights  
Alliance for Scotland

### Alison Petch

Director, Institute of Research and  
Innovation in Social Services

### Dr. Andrew Fraser

Director of Public Health Science,  
NHS Health Scotland

### Annette Bruton

Chief Executive, Care Inspectorate

### Dave Moxham

Deputy General Secretary,  
Scottish Trades Unions Congress

### Ian Welsh

Chief Executive, Health and Social Care ALLIANCE

### James Fowlie

Director of Integration and Development,  
Convention of Scottish Local Authorities

### John Hutchison MBE

Chair, Scottish Rural Parliament

### John Scott QC

Vice Chair, JUSTICE Scotland Executive  
Committee; Vice President,  
Society of Solicitor Advocates

### John Wilkes

Chief Executive, Scottish Refugee Council

**Judith Robertson**

Director, see me; Chair, Scottish Refugee Council

**Kaliani Lyle**

Scotland Commissioner, Equality and Human Rights Commission

**Dr. Lindsay Burley CBE**

Chair, Scottish Association for Mental Health

**Louise MacDonald**

Chief Executive, Young Scot

**Marsha Scott**

Chair, Engender

**Rev. Martin Johnstone**

Priority Areas Secretary, Church of Scotland; Secretary, Poverty Truth Commission

**Dr. Rowena Arshad OBE**

Head of the Institute of Education, Community and Society, University of Edinburgh

**Sally Witcher**

CEO, Inclusion Scotland

**Sarah Davidson**

Director General Communities, Scottish Government

**Siobhan Reardon**

Programme Director – Scotland, Amnesty International UK

**Steve Allen**

Deputy Chief Constable, Police Scotland

**Professor Tahseen Jafry**

Director, GCU Centre for Climate Justice

**Tam Baillie**

Scotland's Commissioner for Children and Young People

**Tim Hopkins**

Director, Equality Network

**Better Lives –  
Justice & Safety Action Group**

Crown Office and Procurator Fiscal Service  
Equality and Human Rights Commission  
Faculty of Advocates  
Justice Scotland  
Law Society of Scotland  
Police Scotland  
Scottish Court Service  
Scottish Government  
Scottish Human Rights Commission  
Scottish Legal Aid Board  
Scottish Prison Service  
Scottish Refugee Council  
Together Scotland  
University of Edinburgh  
Victim Support Scotland

**Better Lives –  
Standard of Living Action Group**

Citizens Advice Scotland  
Convention of Scottish Local Authorities  
Engender  
Equality and Human Rights Commission  
Faith in Communities  
Glasgow City Council  
Glasgow Disability Alliance  
Poverty Alliance  
Scottish Government  
Scottish Human Rights Commission  
Scottish Refugee Council  
Shelter Scotland  
STUC

**Monitoring Group**

Diane McGiffen, Audit Scotland  
Equality and Human Rights Commission  
Konrad Zdeb, The Improvement Service  
Erica Wimbush, NHS Health Scotland  
Scottish Government (National Performance Unit)  
Scottish Human Rights Commission  
Independent academic, University of Edinburgh  
Dr Robert Rogerson, University of Strathclyde  
Dr Robert Black, ex-Auditor General for Scotland

**Better World  
Action Group**

Amnesty International UK  
Engender  
Equality and Human Rights Commission  
Royal Bank of Scotland  
Scottish Carbon Capture Storage  
Scottish Catholic International Aid Fund  
Scottish Enterprise  
Scottish Government  
Scottish Human Rights Commission  
Together Scotland

# A route to social justice, equality and democratic renewal

Scotland is a country alive with intense discussions about its future. The 2014 referendum result was clear: Scotland has chosen to remain part of the UK. However, deep conversations continue to take place across the country about devolving greater powers to the Scottish Parliament, shifting the terms of Scotland's relationship with the rest of the UK and harnessing the energy and political engagement stimulated by the referendum.

As these debates continue, some things are clear.

First, Scotland is a place where the ideals of social justice, equality and living in a fair society matter to most people. Different views exist about the best constitutional framework to achieve those goals, but their desirability is almost universally accepted.

Second, there is both a pressing need and an immediate opportunity to renew democracy in Scotland. There is a clear appetite for change, for a shake-up of 'top down' politics and for new ways of making decisions that deepen and strengthen people's participation in them.

Human rights have a great deal to add to discussions about building this kind of society. A set of internationally agreed values and principles, expressed and articulated in a wide-ranging set of legally binding treaties, human rights offer a route to many of the goals that Scotland has set itself in the coming years. Scotland's National Action Plan for Human Rights (SNAP) gives us the roadmap for that journey.

SNAP will be one year old on 10 December 2014 – International Human Rights Day. Launched with a vision of a Scotland where everyone can live with human dignity, SNAP is a framework for action to address gaps in the reality of human rights in people's everyday lives. Importantly, SNAP brings together government, the public sector, civil society and people whose human rights are directly affected, in a collaborative process of identifying what should be done, and how to do it.

When we imagine a Scotland where SNAP has achieved its goals, it looks like this:

- ◆ A society where all of us – people and organisations – are fully accountable for respecting, protecting and fulfilling human rights. Where human rights are at the heart of all areas of life including health, social care, standards of living, justice, safety and more.
- ◆ A society where national and local budgets are developed with the widespread involvement of everyone affected from the outset, rather than being imposed from 'on high'. Where final budget decisions can only be approved when they have been checked to make sure they advance equality in a meaningful sense, and do everything possible to realise people's rights, including to housing, health, education and access to justice.



- ◆ A society in which people, and their rights, are at the heart of decisions. Where those who are the real experts – people, not policy makers – are enabled to take part in the decisions that affect them. Where the impact of a decision on people’s rights is properly assessed *before* it is made. So that policies like the “bedroom tax” – manifestly unfair and disproportionate in their impact on vulnerable and disabled people – would not even get off the starting blocks.
- ◆ And finally, a society where we – business, government and civil society – help to realise human rights around the world through leadership and positive contributions in our international engagement.

These are hugely ambitious goals. But they are goals that chime with the national mood and the national appetite for change.

This report sets out the progress made in SNAP’s first year. It forms a central part of ensuring transparency and accountability in its implementation. As well as this report, a Monitoring Group is developing an independent process to track progress; the Scottish Parliament will hold debate and evidence sessions on SNAP; and a Leadership Panel met in October to review progress and provide guidance for future action. Finally, a National InterAction in December – a series of events and outreach activities around the country – will consider progress, challenges and opportunities when it comes to realising SNAP’s goals.

SNAP’s first year has been characterised by building partnerships and working together, seeking to change strategic and operational processes so that better outcomes follow in people’s lives. Five Human Rights Action Groups have been convened to take forward the commitments set out in SNAP. These Action Groups bring together public sector, civil society and membership organisations. In this first year, they have focused on agreeing ways of working, identifying specific steps to be taken and beginning to put plans into action. We have seen the strength of partnership – through creativity and collaboration – but at times we have also had to invest in building common understanding and negotiating a shared way forward.

This first year, SNAP has been unfolding in a period of unprecedented political engagement and mobilisation. As we move into year two, we must build on successes – such as the clear commitment to embedding human rights in the integration of health and social care – and capitalise on opportunities to put human rights at the heart of newly-energised public debates about Scotland’s future.

SNAP seeks nothing less than to embed a sustainable human rights culture in all areas of our lives – from homes, schools, streets and workplaces to hospitals, courts, councils and Parliament. But it is, and must remain, relevant to the here and now – delivering change in people’s lives in the shorter term. That is the challenge we must all rise to: act today to bring about change today and tomorrow. It is only with that determination that we will truly achieve a country where everyone can live with human dignity, where social justice, equality and empowerment are the hallmarks of our society.

PROFESSOR ALAN MILLER  
CHAIR, SCOTTISH HUMAN RIGHTS COMMISSION &  
CHAIR, SNAP LEADERSHIP PANEL



“I think the fact that SNAP is explicitly raising human rights as an agenda in Scotland is its biggest strength. It is like a “thud” bit of paper; this is an issue, we’ve got some work to do but all is not right. We’ve got a lot done, come a long way ... but we’re going to have to do some further work and it’s mainly around implementation and about turning rights into reality ... So, that’s a positive thing, but turning it into reality is also really challenging... I think having something like the action plan as an overarching framework ... is really helpful, because it means you’re part of something bigger.”

“SEE ME” CAMPAIGN





# BACKGROUND



Scotland's National Action Plan  
for Human Rights  
2013 - 2017

# What is SNAP?

**SNAP was launched on International Human Rights Day, 10 December 2013.**

Following four years of research and partnership working, led by the Scottish Human Rights Commission, it sets out a bold roadmap towards a Scotland where everyone can live with human dignity, where international human rights are realised in people's lives.

SNAP is the first National Action Plan for human rights in any part of the UK. It is based on the experience of European countries like Finland, Sweden and Spain and Commonwealth countries like Australia, South Africa and New Zealand, as well as guidance from the United Nations and the Council of Europe. It was developed by a Drafting Group drawn from across the public and voluntary sectors. An Advisory Council oversaw the process, whose members reflected the diversity of Scottish civic life. This collaborative approach, and the resulting collective ownership of its delivery, is unique among National Action Plans for human rights.

SNAP is a four year action plan with three overall outcomes:

- ◆ People understand and can affirm human rights and organisations are enabled and accountable to put human rights into practice.
- ◆ Scotland effectively tackles injustice and exclusion, improving lives.
- ◆ Scotland gives effect to its international obligations at home and abroad.

# Why do we need SNAP?

Although Scotland compares well to many other countries when it comes to human rights, there is extensive evidence that good intentions do not always translate into good practice when it comes to the reality of people's lives (*Getting it Right*, Scottish Human Rights Commission, 2012).

Where it matters, in everyday life, there is still inconsistent protection and respect for human rights. This is despite the fact that our laws and institutions are relatively strong and that policies and strategies often make reference to human rights.

Systemic poverty and entrenched social exclusion still prevent too many people from realising their right to an adequate standard of living. Too many children's life chances are still dictated by the postcode they're born into or their gender or their ethnic background. Violence against women continues to be a daily unacceptable occurrence. Disabled people continue to face significant barriers, compared to non-disabled people, in realising their



rights to work, to take part in decisions that affect them, to healthcare and more. Stigma, discrimination and treatment practices that violate dignity and autonomy remain major problems for people experiencing mental health problems. These are just a few examples of the failure to fully protect, respect and fulfil human rights in Scotland. There are many more.

SNAP will not solve all of these problems overnight, or even within the four years it will operate for. It does, however, provide a framework for bringing together organisations and institutions with a responsibility to uphold people's rights, with people whose rights are affected, to identify the best, most sustainable solutions to these problems.

Much of this involves changing the way decisions are made and how strategies that affect people's rights are developed. The test of whether SNAP has been successful or not will be whether these strategic changes begin to translate into practical improvements in people's lives.

## How did SNAP develop?

**SNAP was based on evidence gathered over a three year period.**

Research was carried out using a wide range of existing sources, including:

- ◆ a literature review of social research;
- ◆ three legal literature reviews on references to specific international human rights treaties in relation to Scots law;
- ◆ a review of the UK's outstanding recommendations from international human rights bodies.

A series of focus groups also took place with people living in some of Scotland's more marginalised communities, to understand their lived experiences.

The research findings were then tested through a five month participation process involving civil society organisations, public bodies and government, and people whose rights are affected in practice.

A Drafting Group drawn from 12 public and civil society organisations then worked over a 12 month period to develop SNAP. The group identified a common vision and purpose, outcomes and priorities. They also designed an implementation and accountability process to ensure SNAP delivers real and measurable change at the level that really matters – in people's everyday lives.

“ I think *Getting it Right?* brought together and articulated the sort of long held assumptions I had about the structure we have in Scotland, and the everyday practice, how it is felt on the street as it were. I was very aware of Scotland taking great steps to adhere to all these human rights norms and instruments of legislation... but the actual lived experience of people living in marginalised communities was so far removed from that. Reading through the report, I thought it needed more voices from the people living in poverty, more real experiences to flesh out its conclusion that there's a difference between the structure and the actual practice of it.”

POVERTY TRUTH COMMISSION

“ There was no recognition in the original report that gender had anything to do with your human rights. Right the way through the report, not just in relation to violence against women, but across the board it was lacking in any kind of gender analysis or understanding that your gender... played a part in the achievement of your human rights...”

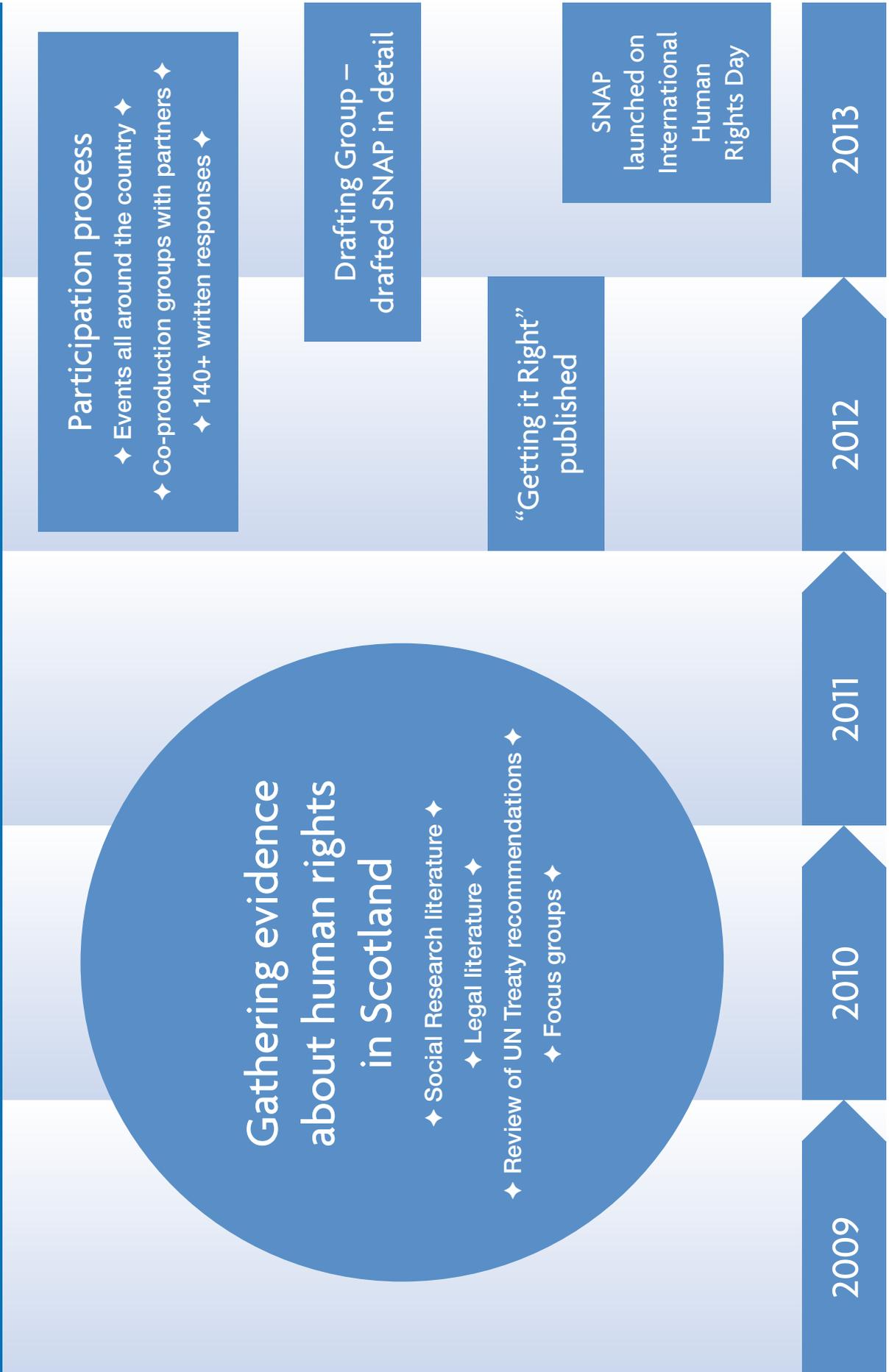
It felt as if there was a gap in the early discussions ... the level of annoyance of the women's sector was largely about the gender neutrality of it, the absence of reference to the part that gender plays...

One of our key points was you can't do women or gender or violence against women as a plug you just stick in there – what was missing was any analysis that understood that gender played a part in many of the other areas of the report. And I think that they took that on board and they worked really hard at threading, at trying out the different lenses and the end result I think is fairly robust in terms of what it allows us to do, what it allows us to try and achieve.”

SCOTTISH WOMEN'S AID



# HOW SNAP WAS DEVELOPED



# SNAP – THE STORY SO FAR

## Where we started

- Gaps in realising human rights, including:**
- ◆ People don't understand their rights
  - ◆ Failures to protect rights in hospitals, care homes and the care system
  - ◆ Inequalities and health inequalities are rising
  - ◆ Stigma and discrimination infringing the rights of people with mental health problems
  - ◆ Violence against women, violating rights to safety, security and bodily autonomy
  - ◆ People living in poverty – failures to realise their right to adequate standards of living, housing, food
  - ◆ Businesses not considering human rights in their supply chain
  - ◆ Climate change negatively affecting human rights around the world

## What we've been doing in Year One

### Setting up and starting:

- ◆ Action Group on Building a Better Human Rights Culture
- ◆ Action Group on Adequate Standard of Living
- ◆ Action Group on Health & Social Care
- ◆ Action Group on Justice & Safety
- ◆ Action Group on a Better World

- Setting up Monitoring Progress Group
- Setting up Leadership Panel

- ◆ Piloting collaborative communications to raise awareness of human rights
- ◆ Bringing organisations and people together to identify good practice and commit to further action (Innovation Forums)
- ◆ Exchanging experiences of putting human rights into practice
- ◆ Creating opportunities for people whose rights are affected to shape strategies and policies
- ◆ Interrogating and helping shape existing strategies and action plans on e.g. violence against women, police use of stop and search powers, Commonwealth Games procurement
- ◆ Securing commitment to more action in Years 2-4
- ◆ Developing an outcomes-based monitoring framework

## Where we want to be

**VISION**  
A Scotland where everyone can live with human dignity

## OUTCOMES

- Better Culture**  
People understand and can affirm human rights; organisations enabled and accountable to put rights into practice
- Better Lives**  
Scotland effectively tackles injustice and exclusion, improving lives
- Better World**  
Scotland gives effect to its international obligations at home and internationally



# YEAR ONE: PROGRESS REPORT



This section sets out the progress that has been made towards the outcomes and priorities set out in SNAP:

- ◆ Towards a better culture
- ◆ Towards better lives – health and social care
- ◆ Towards better lives – adequate standards of living
- ◆ Towards better lives – justice and safety
- ◆ Towards a better world

For each area of work, we have summarised what SNAP aims to achieve, the progress and challenges reported by SNAP partners in the first year of implementation, and plans in place for year two.



# Towards a Better Culture

## What SNAP aims to achieve

“People understand and can affirm human rights; organisations are enabled and accountable to put human rights into practice.”

### Increasing people’s understanding of human rights and their participation in decisions that affect them:

- ◆ Improving access to reliable information, advice and advocacy on human rights for the public.
- ◆ Pursuing the continual roll-out of human rights education in all schools and integrating human rights at all levels of education.
- ◆ Working to ensure meaningful participation of people in decisions that affect their life, throughout public sector strategy, policy and decision-making processes.
- ◆ Addressing negative social attitudes and behaviours that continue against certain groups, and addressing the negative portrayal of human rights in the media.

### Increasing organisations’ ability to put human rights into practice:

- ◆ Integrating human rights impact assessment into existing processes.
- ◆ Exploring how procurement systems can ensure human rights protection, and how budget analysis can assist human rights based prioritisation of resources.
- ◆ Increasing understanding of human rights, and their relationship with equality, among those providing services.

### Increasing accountability through human rights based laws, governance and monitoring:

- ◆ Pursuing the full incorporation of international human rights treaties into domestic law.
- ◆ Building human rights into the outcomes against which progress is measured at national, local and organisational levels.
- ◆ Improving monitoring of progress on human rights including the availability and disaggregation of data.
- ◆ Pursuing the integration of human rights into inspection frameworks used to assess standards in public services.

## Approach being taken

“How do we embed a human rights culture?” This is the fundamental question which SNAP seeks to address. Addressing it requires more than action in each of the areas identified above – although this is important too. It requires broader consideration of how culture change is achieved, embedded and sustained, not just in organisational structures and processes but in the way we interact with each other in public life. It is this bigger question which the Action Group has been addressing, leading it to develop a series of Innovation Forums which will be held in 2015.

## Progress and challenges in year one

Much of the first year has focused on bringing together a wide-ranging set of organisations and people to discuss and identify priorities and opportunities for action, secure commitment to joint working and develop specific proposals in two key areas:

- ◆ Increasing public understanding of human rights through a collaborative communications campaign. Work on this will begin with a pilot initiative to mark International Human Rights Day in December 2014.
- ◆ Exploring innovative models and approaches to developing people-centred accountability in policy development, law-making and public services. An Innovation Forum to identify good practice and secure commitment to further action from relevant stakeholders will take place in early 2015.

The outcomes that SNAP aims to achieve when it comes to a better human rights culture are broad-ranging and ambitious. One challenge for the Action Group has been to ‘pin down’ these outcomes into a concrete, realistic set of actions, which will have a tangible short-term impact while contributing to longer-term change.

It has also been important to make sure that efforts through SNAP build on existing good practice, do not duplicate other initiatives and maximise the use of existing resources.

In particular, the Group has had to grapple with the challenge of seeking wide-ranging systemic change through existing resources. This is a particular challenge when it comes to the lack of awareness of the relevance and value of human rights. The Group is therefore looking for opportunities to work through existing channels, supporting others to talk about human rights in their own work.



“Developing the Better Culture Action Group over the last year has reinforced to us again just how much appetite there is to progress this agenda from right across Scotland. The significant challenge for us has been managing the sheer size of what we are trying to take forward, particularly when everyone’s time and available resources are already stretched. However, we’ve made a really positive start and are looking forward to progressing some of the excellent ideas and plans that have emerged in 2015.”

SCOTTISH COUNCIL FOR VOLUNTARY ORGANISATIONS, SCOTTISH GOVERNMENT AND SCOTTISH HUMAN RIGHTS COMMISSION, CO-CONVENORS, ACTION GROUP – BETTER CULTURE

## Plans for 2015

In 2015 the Action Group will work together to deliver a series of Innovation Forums on How to Embed a Human Rights Culture. These will explore the following questions:

- ◆ How to deliver people-centred accountability?
- ◆ How to enable organisations to put human rights into practice?
- ◆ How to shift power to people to realise their rights?

These Forums will involve people whose rights are directly affected, alongside those who have responsibilities to protect and fulfil rights. Together they will identify how to deliver empowerment, enhance ability and accountability. They will build a coalition to deliver human rights and clarify actions which will be taken, tested and evaluated by 2017.

Wider public debates continue across Scotland in the follow up to the referendum and they focus on similar questions. How to involve people in decisions and strengthen democratic engagement and accountability at local and national levels? How to build a fairer society and address inequalities? The Group will engage directly with these debates and seek opportunities to link them to the SNAP process, building for example on the SNAP commitments to explore the value of bringing additional human rights into our domestic laws.

The group will also work with the Monitoring Progress Group to identify long, medium and short term outcomes as well as targets and indicators to track progress.

# Towards Better Lives – Health and Social Care

## What SNAP aims to achieve

Enhancing respect, protection and fulfilment of human rights to achieve high quality health and social care:

- ◆ Embedding human rights in ongoing change and improvement of health and care, including the integration of health and social care, the review of the National Care Standards and the drive for person-centred health and care.
- ◆ Taking a human rights approach to reducing health inequalities.
- ◆ Taking action to realise the right to independent living for all, including through self-directed support.
- ◆ Improving understanding and practices to uphold autonomy, including through Scotland's learning disabilities strategy and reviews of law and practice on mental health, legal capacity and guardianships.
- ◆ Improving support for children and young people leaving care, looked after children and children in kinship care.
- ◆ Improving outcomes when it comes to carers' rights including the right to an adequate standard of living and to work.
- ◆ Securing more consistent understanding and respect for human rights in mental health care and treatment.
- ◆ Enabling the health and care workforce to put a human rights based approach into practice, building on good practice in areas like dementia care.

## Approach being taken

In developing SNAP it was clear that there was significant interest in the value of adopting a human rights based approach to health and social care. Previous successful interventions, such as the training and capacity building programme *Care about Rights?*, had demonstrated that adopting a human rights based approach delivered positive outcomes, and there was broad recognition that human rights align with and help ensure person-centred care and support in practice. This led to agreement from a range of partners in SNAP itself on a series of broad and ambitious commitments to put human rights into practice in this area. The Action Group has therefore sought to increase understanding among a broad coalition on best practice approaches to deliver those commitments.



## Progress and challenges in year one

The Action Group is working as a small planning group, leveraging its connections and networks across the public and voluntary sectors to raise awareness of human rights based approaches and SNAP. It has produced a briefing paper on health and human rights for its networks and organised a well-attended stakeholder event to consult on future priorities, where action through SNAP can add most value and to identify opportunities for further action.

The Action Group is exploring the potential for developing a network of ‘champions’ – local rights-holders who would be connected into the Action Group – to maintain and nurture a bottom-up approach that will help bridge the gap between policy and people’s lives. Alongside rights-holders, there will also be champions who work locally or nationally and can help embed SNAP in practice.

Discussions have also taken place to raise awareness and influence practice in relation to human rights with local and national government and NHS Education Scotland about health and social care integration (workforce development and strategic commissioning), and the Public Bodies (Joint Working) (Scotland) Act.

Local sites have been approached to pilot how rights can be built into health and social care in practical ways, with potential partners discussing plans for operationalising this in year two.

Finally, the Action Group is exploring possibilities for an online resource to share knowledge and experience about human rights in health and social care.

Challenges experienced so far include:

- ◆ The need for general education on what human rights are and are not.
- ◆ Showing demonstrable and practical ways of using a human rights based approach to improve the ways that people are already working, rather than it being an ‘add on’.
- ◆ Concerns that human rights are wrongly perceived as creating additional bureaucracy with little appreciation for the difference a human rights approach makes to people’s lives.

## Plans for 2015

In year two, action will take place to:

- ◆ Pilot approaches to building human rights into health and social care at a local level. Partners are already discussing how to do this – in year two, these early stage plans will be developed and then operationalised.
- ◆ Hold a series of learning events, bringing together rights holders, civil society networks and public bodies on areas where there is a need to influence strategy, policy and practice. These could include health inequalities, support for carers, independent living, mental health and the implementation of national strategies for learning disabilities and self-directed support.
- ◆ Support the embedding of human rights within the National Care Standards being developed by the Scottish Government and the Care Inspectorate.

The group will also work with the Monitoring Progress Group to identify long, medium and short term outcomes as well as targets and indicators to track progress.

“Over the past year we’ve had many positive and engaged conversations about SNAP. There is a strong feeling that SNAP and a Human Rights Based Approach can really offer something to the way we think about health and social care, particularly in terms of focusing on what matters to people and communities, designing person-centred support and tackling health inequalities.

In the year ahead we look forward to working with rights holders and others to get to grips with how we move from rights in theory, to rights in reality.”

THE ALLIANCE AND NHS HEALTH SCOTLAND  
CO-CONVENORS, ACTION GROUP – HEALTH & SOCIAL CARE



“Health care services need to be both well-resourced and competent. We often struggle to attract staff to the islands... it’s not uncommon to have clients kept in hospital or respite because of the lack of resources in the community.”

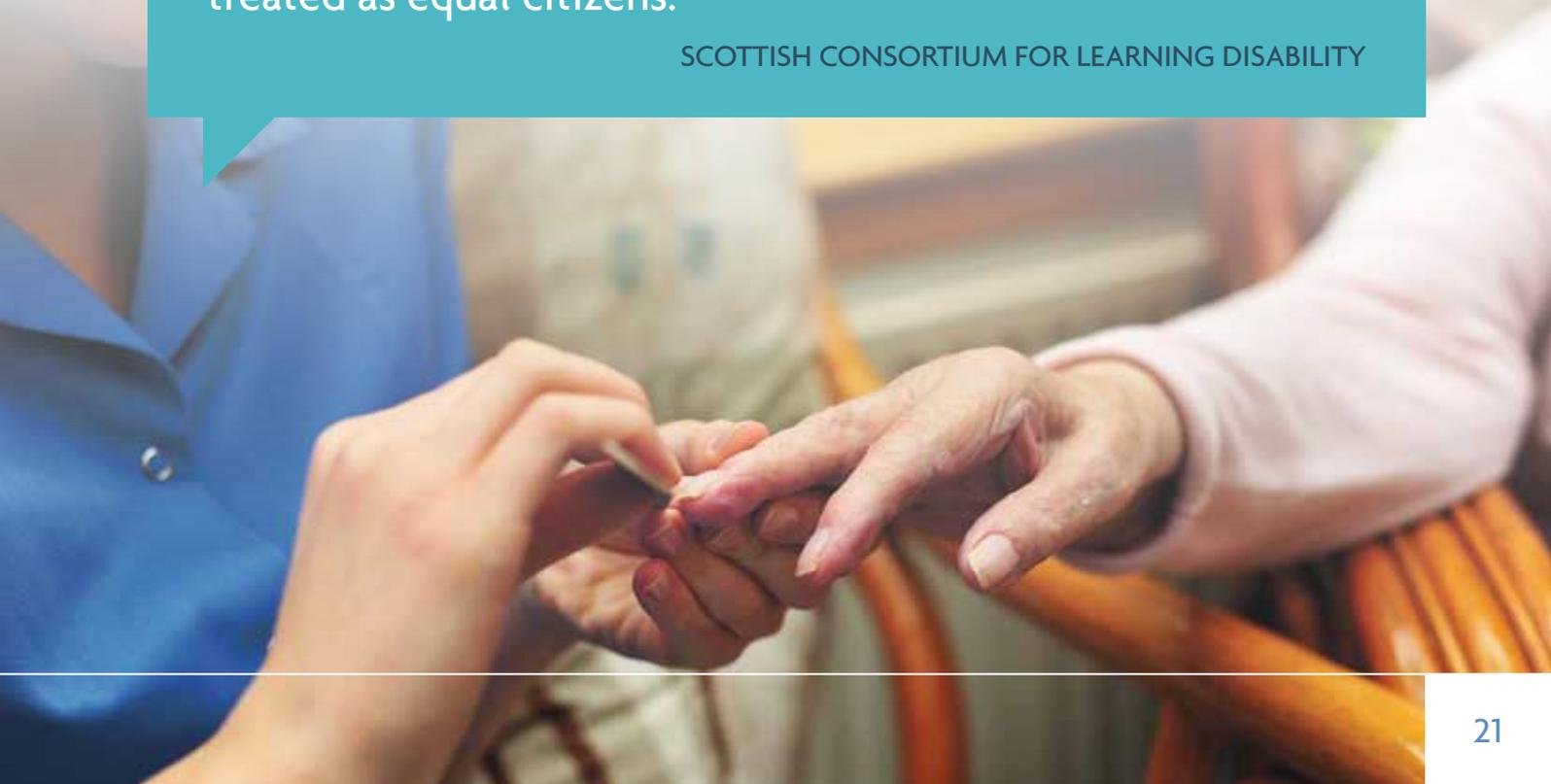
ADVOCACY WORKER (GETTING IT RIGHT, 2012)

“SNAP is a really important initiative. We’ve come a long way but there’s still a lot to do to raise awareness of human rights within public authorities in Scotland.

We know from sources like Mental Welfare Commission reports that when things go wrong for people with learning disabilities, it’s often because they haven’t been understood as people with rights and choices. As a result they’ve been offered inappropriate treatment and services or even just ignored.

SNAP has a vital contribution to make to enabling people to have personal control of their lives and ensuring they’re treated as equal citizens.”

SCOTTISH CONSORTIUM FOR LEARNING DISABILITY



# Towards Better Lives – Adequate Standard of Living

## What SNAP aims to achieve

Enhancing respect, protection and fulfilment of human rights to achieve an adequate standard of living for all:

- ◆ Taking a human rights based approach to eradicating poverty, tackling austerity and welfare reform.
- ◆ Ensuring human rights are taken account of in budget decisions and that people with direct experience of poverty are directly involved in shaping budget and other decisions that affect them.
- ◆ Addressing inequalities in access to services for those in rural areas.
- ◆ Improving transport in rural areas and for disabled people.
- ◆ Increasing the provision of culturally appropriate accommodation for Scottish Gypsy/ Traveller communities.
- ◆ Reviewing the use of land as a resource for realising a range of human rights.
- ◆ Tackling gender inequality in employment including the gender pay gap and lack of child care.
- ◆ Tackling a range of inequalities in education.
- ◆ Tackling low pay and issues related to in-work poverty.



## Approach being taken

There is limited understanding of human rights as a lens through which to view the problems of poverty and inadequate living standards in Scotland. This means that the starting point for work in this area through SNAP is to raise awareness of human rights, what they mean when it comes to poverty and how they can be used as a way of effecting change in people's lives. To achieve this the Action Group has focussed on developing an Innovation Forum on How to Take a Human Rights Based Approach to Poverty? which will be held in December 2014.

## Progress and challenges in year one

Much of the first year's work of the Adequate Standards of Living Action Group has focussed on developing ideas and content for an Innovation Forum to explore the benefits of human rights based approaches to understanding and eradicating poverty.

Taking place on 10 December 2014, the Innovation Forum will explore and identify innovative models and approaches to taking a human rights based approach to poverty. People with experience of poverty will join civil society, public sector and government stakeholders to establish the human rights issues raised by poverty, to hear about and explore examples of human rights based approaches from other countries, and to secure commitment to action on priority tasks in 2015.

## Plans for 2015

The Innovation Forum in December 2014 will lay the foundations for progress in 2015. It will build a coalition and clarify actions which will be taken, tested and evaluated by 2017.

The group will also consider additional opportunities to address gaps identified in SNAP and will work with the Monitoring Progress Group to identify long, medium and short term outcomes as well as targets and indicators to track progress.

“The Action Group understands the breadth and depth of the issues being considered. They similarly appreciate the requirement for a long term strategy to examine suitable and sustainable solutions. The Action Group is broad based and has within its ranks much experience and considerable enthusiasm to address these matters from a human rights perspective, together with a commitment to learn from the work of others in tackling austerity, poverty and social exclusion. The 10 December Innovation Forum will be an opportunity to learn and then to act from these experiences.”

SCOTTISH TRADES UNION CONGRESS AND SCOTTISH HUMAN RIGHTS COMMISSION  
CO-CONVENORS, ACTION GROUP – ADEQUATE STANDARD OF LIVING

“...the rent is extortionate and they can be in there for 6 months to a year, sometimes plus and it is financially impossible for them to work during that time ... it becomes an absolute nightmare to manage because they are then having to pay towards their rent, which can be about £200 plus a week. A lot of the young people I work with are in that situation – they are on job seekers allowance and they are getting a lot of pressure from the job centre to prove that they are seeking work, when in actual fact it's just not in their interests financially to do that because they don't gain anything from it and if anything they are out of pocket, so that is a barrier for them, but the odds are really stacked against them.”

EMPLOYABILITY WORKER (GETTING IT RIGHT, 2012)





# Towards Better Lives – Justice and Safety

## What SNAP aims to achieve

Enhancing respect, protection and fulfilment of human rights to achieve justice and safety for all:

- ◆ Improving access to justice, particularly for children, survivors of violence and abuse, people on low incomes and disabled people.
- ◆ Addressing concerns about the asylum process and capitalising on opportunities in the new Refugee Integration Strategy.
- ◆ Improving the protection of human rights within the criminal justice system, particularly for children and when investigating and prosecuting sexual offences.
- ◆ Improving detention conditions, particularly when it comes to women offenders and people with mental health conditions.
- ◆ Tackling the growing problem of hate crime, including improving reporting, recording and education to address underlying discriminatory attitudes.
- ◆ Embedding human rights in policing including through training and accountability, for example ensuring legality and proportionality of stop and search.
- ◆ Improving understanding of victims' rights including the right to an effective remedy and ensuring justice for victims of historic child abuse.
- ◆ Improving the protection of children from violence.
- ◆ Improving Scotland's approach to addressing Violence Against Women through a new strategy and action plan that does more to protect women's rights in practice.

## Approach being taken

Connections between human rights and justice and safety are well established. SNAP however offers an opportunity to reflect on areas for improvement and consider best practice approaches. In reviewing progress on each of the specific commitments made in SNAP for 2014 the Action Group has sought to adopt an "inquiry" approach to considering whether steps taken are sufficient and are capable of delivering transformations required in how people experience their rights.

## Progress and challenges in year one

The Justice and Safety Action Group has met throughout 2014 in round-table discussions which have brought together networks of organisations and individuals to 'interrogate' progress and developments under priority areas for action.

The Action Group has convened these discussions to explore:

### **The development of a comprehensive human rights based strategy on Violence Against Women (September 2014)**

The Action Group met together with a range of women's rights organisations to consider the recently published Scottish Government strategy 'Equally Safe'. Questions were raised about the extent to which the strategy reflected human rights throughout, and applied best practice principles as proposed by the UN Special Rapporteur on Violence Against Women. Areas of improvement were identified and subsequent discussions will consider the development of an action plan to deliver the strategy.

### **Developing a monitoring framework for Justice & Safety (October 2014)**

This session will work with the Monitoring Progress Group to clarify the vision for this group; identify long-term outcomes and time-bound targets as well as begin to identify medium and short term outcomes.

### **Embedding human rights in structures and cultures of policing (December 2014)**

The group will focus on Police Scotland's commitment to embed human rights in structures and culture of policing. The meeting will consider the actions of Police Scotland to date in strengthening accountability for the respect of human rights, such as through training and monitoring and consider what other actions could be taken to help achieve this aim.

During the course of the year the Action Group has refined its approach, seeking to move away from merely reporting on action taken, to introducing more open and reflective exchange with a broader range of people and organisations. One concern has been to ensure that there is honest reflection on challenges and obstacles and interaction between those whose rights are affected and those with responsibility to ensure actions planned or underway are more likely to lead to improvements in practice.

## Plans for 2015

In 2015 the Action Group will continue its approach of holding thematic meetings to explore specific priorities, including stop and search procedures, human trafficking, an Action Plan on Justice for Victims of Historic Child Abuse, hate crime, criminal justice reform and access to justice. Each of these discussions will identify areas for further reflection to ensure best practice approaches are taken, and specific additional actions which are required. The group is also exploring the possibility of developing a code of ethics for the justice sector.

The group will also work with the Monitoring Progress Group to identify long, medium and short term outcomes as well as targets and indicators to track progress.



“We are fortunate to be working in a sector where progress is already on-going in various areas, as identified in SNAP. We are actively engaging in those areas to ensure improvement, taking account of the views of rights-holders while holding duty-bearers to account. We are finding our roundtable sessions both effective and inspiring but we can't stop there. We are identifying areas for future work and particularly excited about a possible code of ethics for the justice sector.”

SCOTTISH GOVERNMENT AND SCOTTISH HUMAN RIGHTS COMMISSION – CO-CONVENORS, ACTION GROUP – JUSTICE AND SAFETY



“I asked I don't know how many times for social work to help and intervene with my son. You could see he was having problems dealing with the aftermath of what had happened, but no, the request had to come from the school or another agency, it couldn't come from me. There I was saying, please help us, we need help now, but it had to come from someone else.”

VICTIM OF DOMESTIC ABUSE (GETTING IT RIGHT, 2012)

“We teach our children this kind of hatred. Kids are colour blind and have no concept of religious difference. They are not biased, they learn their behaviours from others, they learn from their families and society ... Hopefully with the legislation, and given some time, people might start to think about the implications of their behaviour ... and think, this is not something I am meant to do, it is not worth paying the price.”

SURVIVOR OF A RACIALLY MOTIVATED HATE CRIME (GETTING IT RIGHT, 2012)



# Towards a Better World

## What SNAP aims to achieve

### Scotland gives effect to its international obligations at home and internationally:

- ◆ Implementing international human rights obligations including exploring the benefits of further incorporation of human rights treaties into domestic law.
- ◆ Respecting, protecting and fulfilling human rights in our international action, including better cross-government coordination of implementation of human rights treaties, championing climate justice and implementing the UN Guiding Principles on Business and Human rights.
- ◆ Engaging constructively with the international human rights system.

## Approach being taken

There was considerable commitment to realising human rights in our international action at the time SNAP was finalised. As launched, therefore, SNAP contains a series of concrete commitments to action in 2014. In addition to supporting and reviewing progress with those immediate commitments, the Action Group has centred discussion on best practice approaches to delivering the three broad outcomes above.

## Progress and challenges in year one

Concrete commitments in SNAP for 2014 included that the Glasgow Commonwealth Games 2014 Organising Committee would publish and implement a human rights policy. This document, published on the day SNAP was launched, was the first human rights policy of any Commonwealth Games anywhere in the world. The impact of the policy is currently being analysed, with a view to its reflection in future Games.

In relation to the UN Disability Convention the Scottish Government has worked with the UK Independent Mechanism, in Scotland the EHRC and SHRC, and disabled people's organisations. A disability symposium was held in May, and followed up by tailored seminars for policy areas in June. From late 2014, commitments for specific actions will be gathered into an overall implementation plan for Scotland.

In relation to the broader areas of implementation, business and human rights and climate justice, the Action Group has begun a series of broad and inclusive discussions with relevant experts and stakeholders to consider the best manner to achieve the outcomes.

To inform discussion on implementation, a concept paper has been drafted which sets out the Scottish Government's current approach, primarily in the context of UN treaty reporting cycles. This will inform a future interaction between Scottish Government and stakeholders, which will explore the practical steps required to improve cross-government coordination. A future session involving civil society and other stakeholders has been planned to explore how Scotland can play a constructive and fully engaged role in international human rights reviews.

The group has also convened a discussion on how best to take forward developing an action plan to implement the UN Guiding Principles on Business and Human Rights. The session, which involved international experts, agreed that a model developed by the Danish Institute for Human Rights should be the basis for a Scottish Action Plan. This model requires that a business and human rights action plan is evidence based; developed inclusively; and independently monitored, just as the full SNAP process has been. To take this forward, the Action Group will next consider a proposal for a national baseline assessment (the evidence base).

A future thematic meeting will explore the potential for developing an action plan on climate justice.

## Plans for 2015

A Disability Summit in 2015 will see the publication of a draft report and delivery plan on the UN Disability Convention, followed by a formal consultation. The final plan will be influenced by the list of issues raised with the UN Committee ahead of the UK's first review under the convention in 2015.

Progress will continue to implement the outcomes of each of the interactive sessions on implementation of international obligations, business and human rights and climate justice.

The group will also work with the Monitoring Progress Group to identify long, medium and short term outcomes as well as targets and indicators to track progress.



“ Exploring the international dimension of SNAP has been really quite fascinating – human rights have been sometimes perceived in a narrow way in this area and ensuring that international framework of human rights obligations and global dialogue on the big human rights challenges of our time is more closely integrated into Scotland’s journey is the big challenge for us.

There have been a number of really good conversations (formal and informal), and we’ve begun the process of building relationships for the long term that will lead to a different way of doing things and hopefully create a genuine sense that we are equals co-producing an approach rather than imposing predetermined solutions. That’s a good start, and as we seek to build that trust, we also need to build in a concrete focus on action steps designed to effect the change we’re looking to see – not to mention involve the very rights holders that we’re trying to effect positive change for. That will be an ongoing challenge, and an exciting one to get to grips with.”

SCOTTISH GOVERNMENT, AMNESTY INTERNATIONAL UK AND SCOTTISH HUMAN RIGHTS COMMISSION, CO-CONVENORS, ACTION GROUP – BETTER WORLD

“Adopting a focus on human rights was the right thing for the OC [Organising Committee] to do: as a business, a buyer of goods and services, an employer, and as an organisation with significant reach and influence... by committing to a human rights agenda, the OC has helped to advance the issue of human rights and mega sporting event to some degree; it is incremental progress, but progress nonetheless, and it is surely an area to which mega sporting events in the future will devote ever-greater focus.”

GLASGOW 2014 – COMMONWEALTH GAMES ORGANISING COMMITTEE





# Common Themes and Lessons

Although each Action Group has approached its task differently, with different priorities and ways of working, a number of common themes have emerged from their work. These are set out below and are based on discussions and reflections from the Action Group Co-Convenors and Leadership Panel.

## Building consensus for action is essential, but takes time

SNAP is not a traditional action plan, owned and delivered by one organisation. It brings together numerous partners across five Action Groups, a Leadership Panel and a Monitoring Group. Each of the Action Groups also engages with a wider network of organisations and individuals to determine priorities and opportunities for action.

This process of bringing lots of different perspectives together has had benefits already. It has resulted in buy-in from those with responsibility for protecting people's rights and has started to lead to changes in the way existing resources are channelled. It also means that the problems SNAP is trying to address are being tackled with collective energy and commitment, and from a rounded perspective.

However, this approach takes time and energy. Immediate changes are not easy to bring about. When new partners come round the table, efforts are needed to make sure that conversations about problems and potential solutions do not simply go back to the beginning.

## Relationships of trust and equality are important

Because implementing SNAP is a collaborative process, relationships of trust and equality are important to maintaining commitment, ensuring that different perspectives are given equal value and that actions taken are supported by all affected.

## There is a continued need to make the case for human rights

Many of the Action Groups have reported a need to show demonstrable and practical ways of how a human rights based approach can help people do what they already do, better.

This lack of understanding amongst decision makers and front line workers about the value of human rights has been a key issue to overcome before organisations make a wider commitment to taking a human rights based approach.

A number of groups have, therefore, highlighted the importance of wider engagement within relevant sectors, as well thinking of creative ways to ensure that the voices of those with direct experience of rights issues are supported to be involved in SNAP from an early stage.

## SNAP is a good example of human rights education in action

By becoming involved in SNAP, organisations and wider networks have begun to understand human rights more, taking on a 'champion' role within their own sectors. In this way, SNAP itself is contributing to building a better human rights culture in Scotland.

## Action is constrained by lack of financial and other resources

Each Action Group has acknowledged the need to appreciate the commitments of their stakeholders. For those organisations with limited resources, there is a challenge of engaging with SNAP as much as they might like to.

The issue of financial resources to take forward SNAP actions has also been raised as a challenge and potential limit to action. The will to act has sometimes been constrained by a lack of dedicated resources.

## Because different areas of action are connected, efforts are needed to avoid duplicating efforts

For example, both the Better World and the Better Culture Groups have a focus on international obligations and incorporation of international human rights.

This issue was seen as a key reason for the Action Group Co-Conveners to continue to meet on a regular basis, as well as one of the benefits of the Monitoring Progress Group sitting on every Action Group.

Duplication of effort was also raised in relation to the need for all groups to be fully aware of the policy and practice landscape that they were working within. All groups were acutely aware that part of their role over the first year to 18 months of SNAP was the need to identify and link in with other existing strategies and to draw on existing examples of good practice.

## Uncertainty over Scotland's constitutional future has made concrete planning more difficult

This was particularly noted in relation to the implementation of international human rights obligations, but also in relation to other commitments which interact with areas of responsibility currently reserved to the UK.



“There are obviously challenges around making it real, not least in actually finding the right people, persuading them to come along to meetings, getting them to allocate time in their diaries, all of these real life challenges that exist. So we’re just at a point with these action groups where that is the big issue: have we got the right people? Have we got people contributing in the right ways? Have we made the connections? Do we understand how we’re chunking up the different bits of work in ways that are manageable?”

SNAP CO-CONVENOR

“None of these processes are perfect, and anything where you’re trying to bring together a bunch of different, very diverse stakeholders with different agendas and different capacities – the capacity of government and the capacity of a small voluntary sector organisation are poles apart – but even to have them in the same room on a kind of universal agenda, that is really important.”

SEE ME

# Measuring Progress

**A good action plan is one that can articulate what success looks like.**

After SNAP was launched, a “Monitoring Progress Group” was established to develop a monitoring framework. The group brings together relevant research and evaluation expertise from NHS Scotland; the Local Improvement Service; Scottish Government National Performance Framework; Audit Scotland; the Scottish Human Rights Commission, the Equality and Human Rights Commission and the Universities of Edinburgh and Strathclyde. The Group’s work is overseen by an Independent Chair, ex-Auditor General for Scotland Robert Black.

The group has engaged with national, regional and international experts to review how other national action plans for human rights are monitored, as well as how progress in achieving social goals is measured in Scotland. For example, it has been influenced by experience in Sweden – considered to be among the most advanced in this area. The Swedish Ombudsman has advised that the timeframe of ambition should be medium to long term, so that an action plan contributes to sustainable systemic change.

The Monitoring Progress Group is working with each of the SNAP Action Groups to develop a framework that identifies long-term outcomes required to achieve the vision of SNAP, medium and short term outcomes that will contribute to those long term changes, time-bound targets to focus ambition and indicators to track progress.

Outcomes and indicators at the level of people’s lives will be identified by engaging with people whose rights are directly affected by SNAP. This is important for many reasons, including ensuring that SNAP itself takes a human rights based approach to how it develops. This is an area where more focus will be needed in 2015.

The monitoring framework will enable an “improvement” approach to be taken. This involves identifying and testing actions, assessing progress towards long-term systemic changes and making adjustments to action as necessary.

The “Theory of Change” methodology is being used to develop the monitoring framework. This has gained prominence as a strategic planning tool in recent years. It focusses attention on identifying desired changes in the long term and developing a ‘causal pathway’ of medium and short term outcomes, as well as activities to achieve them, that are stepping stones to achieve that long term change. It also involves identifying underlying assumptions about the relationship between cause and effect, at each step. Evaluation is fundamental so that the impact of each action is assessed and adjustments can be made to remain on track towards the long-term goals. Progress is assessed along the way against a set of targets and indicators, to test assumptions made in selecting actions – is it working as expected? Were the assumptions right? Are there unintended outcomes that need to be explored?



# Elements in the SNAP Theory of Change

- 1 The **vision** of SNAP (that Scotland is a country in which everyone can live with human dignity)
- 2 The **outcomes** SNAP aims to achieve (these are long term goals for change, i.e. SNAP outcomes Better Culture, Better Lives, Better World)
- 3 Identify **long, medium and short term outcomes** which will support the three SNAP outcomes (Nine priority areas are set out in SNAP)
- 4 The time-bound **targets** which must be agreed as the ambition statements for delivering the change
- 5 Identify **indicators** which will be used to track progress (these can track progress based on either qualitative or quantitative data)
- 6 Identify **actions**
- 7 **Evaluate** progress towards targets and revisit actions if required

“My expectations were that I would be treated fairly and that my rights as a human being would be respected. I would have access to information, the same range of resources and the same standards afforded to that of the man stalking me ... my experience of the criminal justice system was one of dismay and horror. If ever a system abused victims and denied vulnerable people of their very basic human rights, this was it. The focus of the criminal justice system is purely on the accused or offender and the system has been structured for this specific purpose.”

VICTIM OF CRIME (*GETTING IT RIGHT*, 2012)





# YEAR TWO: WHAT TO EXPECT



Activities taking place in year two of SNAP will include:

### Better Culture

- ◆ A series of Innovation Forums will bring together people and organisations to identify the best ways and opportunities to empower people to understand and use their rights; increase organisational ability to protect rights in practice; and improve accountability for human rights.
- ◆ Based on an evaluation of activities taking place in December 2014, plans will also be developed to raise awareness of human rights with the wider public.

### Better Lives – Health and Social Care

- ◆ Pilot projects will be set up in local areas to embed human rights in health and social care.
- ◆ Learning events will bring together rights holders, civil society networks and public bodies on areas where there is a need to influence strategy, policy and practice. These could include health inequalities, support for carers, independent living, mental health and the implementation of national strategies for learning disabilities and self-directed support.
- ◆ Work will take place to support the embedding of human rights within the National Care Standards being developed by the Scottish Government and the Care Inspectorate.

### Better Lives – Adequate Standard of Living

- ◆ The Innovation Forum taking place in December 2014 will lay the foundations for progress in 2015. It will build a coalition and clarify actions which will be taken, tested and evaluated by 2017.

### Better Lives – Justice and Safety

- ◆ Thematic meetings will be held to explore specific priorities, including stop and search procedures, human trafficking, an Action Plan on Justice for Victims of Historic Child Abuse, hate crime, criminal justice reform and access to justice. Each of these discussions will identify areas for further reflection, to ensure best practice approaches are taken, and specific additional actions which are required.

### Better World

- ◆ A Disability Summit in 2015 will see the publication of a draft report and delivery plan on the UN Disability Convention, followed by a formal consultation. The final plan will be influenced by the list of issues raised with the UN Committee ahead of the UK's first review under the convention in 2015.
- ◆ Progress will continue to implement the outcomes of each of the interactive sessions on implementation of international obligations, business and human rights and climate justice.



“The National Action Plan is built around the idea that human dignity should be at the heart of everything we do. That’s a powerful vision. But the most exciting aspect to SNAP is that we’ve not just got the shared vision, we’ve also got a convincing method for making change happen. Placing the emphasis on co-ordinated partnership working that realises internationally-recognised human rights is clearly the right approach. And it’s one that aligns closely with wider thinking about how to deliver the outcomes that matter most to people across Scotland. So, we are certainly attempting something ambitious. But we are building on really strong foundations”

SCOTTISH GOVERNMENT



SNAP is Scotland's National Action Plan for Human Rights. You can get involved by taking part in events, reviewing progress, developing ideas for action and more.

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