

Cross-Party Group on Rural Policy

5 March 2025, 18:00-19:30 (Hybrid)

Human Rights in Rural Scotland

Minutes (unapproved)

Present

MSPs

Emma Harper MSP

Rhoda Grant MSP

Karen Adam MSP

Speakers

Dr. Luis Felipe Yanes

Scottish Human Rights Commission

Lydia Murphy

Poverty Alliance

Reflections from Professor Lorna Philip (Aberdeen University) and Dr Mags Currie (James Hutton Institute)

Non-MSP Pre-registered attendees

Last Name	First Name	Organisation (if relevant)
Acklam	Fran	
Allen	Beth	Age Scotland
Anderson	Kate	Scottish Government
Astley	Arlene	
Atterton	Jane	Rural Policy Centre (SRUC)
Begum	Jannatul	
Bradley	Sara	
Brett	Lou	University of Strathclyde
Brosnan	Philippa	Scottish Fuel Poverty Advisory Panel
Burke	Florence	BBC Children in Need
Campbell	Jennifer	DM Hall
Cha	YoungHwa	University of Strathclyde
Clannachan	Christopher	Equality Network
	Hugh Andrew	
Corbett	Gemma	
Currie	Carolyn	Women's Enterprise Scotland
Dabin-Debono	Xica	
Dalglish	Chris	South of Scotland Community Housing
Dawson	Lorna	James Hutton Institute
Donnellan	Bernie	Galway County Council
Doyle	Carey	Rural Policy Centre (SRUC)

Last Name	First Name	Organisation (if relevant)
Duffy	Paula	University of Aberdeen
Fancey	Morven	Highlands & Islands Enterprise
Fawcett	Fiona	
Fernandez-Garcia	Cristina	NHS Education for Scotland
Flanigan	Sharon	James Hutton Institute
Fraser	Iain	Age Scotland
Gow	Kirsten	University of Aberdeen / James Hutton Institute
Green	Alexa	University of Strathclyde
Halhead	Vanessa	
Hartley	Ralph	The Poverty Alliance
Hastings	Caroline	Improvement Service
Karahasan	Melek	
Lawson	Elizabeth	Newcastle University
Li	Yingru	University of Glasgow
Lyster	Wesley	University of the West of Scotland
Mackenzie	Alex	Tagsa Uibhist
Macleod	Anne	
MacLeod	Mary	Historic Environment Scotland
Rivett		
MacPhail	Eilidh	UHI
Major	Laura	
Martinez	Miguel	Delera Rural SL
Tomey		
McCall	Ian	Paths for All
McCormack	Annie	Poverty Alliance
McKellar	Susan	The Scottish Women's Convention
McKenzie	John	University of Aberdeen
Miller	David	James Hutton Institute
Morrison	Theona	
Munoz	Sarah-Anne	NHS Education for Scotland
Nicoll	Dr Pam	National Centre for Remote and Rural Health and Care, NHS Education for Scotland (NES)
Philip	Lorna	University of Aberdeen
Powell	Wayne	SRUC
Rasic	Veronika	Rural Health Compass
Reekie	Jack	
Reilly	David	Poverty Alliance
Roehrich	Arianna	University of Edinburgh
Rompani	Hugo	SRUC
Scott	William Douglas	
Shaw	Peg	Fauna & Flora
Sheridan	Mandy	Argyll and Bute HSCP
Shucksmith	Mark	Newcastle University
Skerratt	Sarah	Royal Society of Edinburgh
Smith	Bryn	Rural Policy Centre (SRUC)

Last Name	First Name	Organisation (if relevant)
Steele	Gill	Aberfeldy Development Trust
Tait	Kirsty	Food, Farming and Countryside Commission
Thompson	Kaarina	University of Edinburgh
Thompson	Kate	Children and Young People's Commissioner Scotland
Vergunst	Jo	University of Aberdeen
Vuin	Ana	Rural Policy Centre (SRUC)
Witteck	Marta	Scottish Independent Advocacy Alliance

Apologies

MSPs

Edward Mountain MSP

Non-MSP

Kirsty Tait Food, Farming and Countryside Commission

Agenda Item 1

Welcome, introductions and apologies

Emma Harper MSP (chair and co-convenor) welcomed everyone to the meeting. She noted the MSPs in attendance and apologies received.

It was confirmed that all participants had been emailed the agenda and the list of attendees and that the Rural Policy Centre (RPC) as Secretariat would list apologies in the meeting minutes as usual.

It was noted that speakers' presentations (slides if used and a video recording) would be uploaded to the CPG webpage on the RPC website along with the unapproved minutes. It was confirmed that the meeting would be recorded (no objections to this were received).

Group members were encouraged to send the RPC an email if amendments were required in the unapproved minutes once they are made available. The minutes will be formally approved at the next meeting (June 2025) and an approved version uploaded to the website thereafter. It was noted that the Secretariat will include any action points, links, etc. in the meeting minutes.

Agenda Item 2

Approval of minutes from last meeting and actions

Emma Harper motioned to approve the minutes of the previous meeting ‘Does Part 1 of the Land Reform Bill address land reform issues or not?’ which took place on 4th December 2024. The Secretariat confirmed that no comments had been received on the unapproved minutes. Minutes were approved by Jo Vergunst and seconded by Mary Macleod and Ana Vuin. The minutes of the December meeting were approved, and will be uploaded to the CPG section of the RPC website and the CPG area of the Scottish Parliament website. No actions were identified.

Agenda Item 3 - Discussion

Two short presentations were given (with no slides), followed by two discussants on the theme of ‘Human Rights and Rural Scotland’, and then a period of questions and discussion. A summary of the presentations and discussion is provided below.

Luis Yanes, Scottish Human Rights Commission (SHRC)

Luis provided an overview of the recent SHRC report focused on economic, social, and cultural rights in the Highlands and Islands. The report is available at: <https://www.scottishhumanrights.com/projects-and-programmes/spotlight-projects/economic-social-and-cultural-rights-in-the-highlands-and-islands/>

While the research was specific to the Highlands and Islands, the findings and recommendations are relevant to other parts of rural Scotland.

- **Rights Examined:** The report examined all economic, social and cultural rights, including rights to work, social security, food, clothing, housing, health, social care, education, and culture.
- **Obligations:** The examination of these rights was based on four specific obligations:
 - Minimum core obligations (most basic obligations)
 - Progressive realisation (obligation of improvement)
 - Non-retrogression (prohibition of making things worse)
 - Adequacy (standards for service delivery)
- **Key Concerns identified:**
 - One of the main issues, and probably the thing of greatest concern to participants in the study, was in relation to minimum core obligations - these are the most basic obligations.
 - There was a critical concern found in relation to the lack of basic foodstuff provision for many across the Highlands and Islands. Support is given by charitable organisations, volunteers, churches or communities themselves, but they are operating without the necessary financial or policy support from local authorities or government.

- The same situation is observed in relation to housing, where SHRC found a high degree of homelessness, i.e. people who do not have access to even short-term accommodation. What was important was that much of this homelessness is quite hidden away—people staying in temporary accommodation (on a sofa, in a camping pod, etc).
 - There has been insufficient progress in relation to most rights over time, with some exceptions such as devolved social security.
 - The impacts of some plans are not yet clear (e.g. depopulation).
 - There has been a deterioration in the rights to health, social care, education, and culture.
 - None of the rights fulfil all the criteria of adequacy.
 - There are specific concerns about access to equitable sexual and reproductive health services, as a basic obligation.
- **Recommendations:**
 - Luis highlighted some recommendations, but noted the full set was in the report.
 - Urgent need for strengthening human rights laws and ensuring better access to justice. Noted that the proposed Human Rights Bill has been delayed. This is so that both the adequacy of service and the general progressive realisation of rights across the Highlands and Islands can be fulfilled.
 - Adopting a human rights-based approach consistently across the whole region. This approach should be a real reflection of community needs and potential solutions.
 - Need to go beyond standard consultations - a huge concern heard over and over again by SHRC was the significant frustration of feeling that most consultations in relation to rights issues are tokenistic.
 - Urged the Scottish Government and the Scottish Parliament to ensure that we have flexible and localised policies. They found many policies that are based on a general approach at a national level that result in significant limitations for rights realisation across the Highlands and Islands; this includes policies such as the fuel poverty payment, which are so vital to rural residents due to higher energy costs.
 - Called for improving the island impact assessment, including to be informed by a human rights approach and with better consultation with island communities and residents.
 - Called for the extension of the island impact assessment to other (mainland) rural communities.
 - Taking concrete and targeted steps to ensure the full realisation of human rights, in the short, medium and long term, and implementing human rights budgeting.
- **Future Work:** The Commission will continue its work across Scotland, focusing on South Scotland next and then Mid Scotland, and the Central Belt.

Lydia Murphy, Poverty Alliance

- The Poverty Alliance is Scotland's national anti poverty network. They are a membership organisation made-up of well over 400 civil society organisations who are working to combat poverty.
- The Poverty Alliance has been working on a project called "Rights and Action" since January 2022. The project aims to raise awareness of economic, social, and cultural rights and build the capacity of organisations to use human rights as a tool for change. It also involves research in partnership with marginalised communities to explore how inequalities intersect with human rights breaches in Scotland.
- A phase of the project specifically involved working with rural organisations. Six organisations participated, including those from remote rural areas, islands, an accessible small town, and a national organisation with rural reach.
- The project used action learning methodology to analyse and plan actions to address poverty using a human rights lens. Participants engaged in human rights training and mapped issues in their communities to international human rights frameworks.
- The organisations identified far-reaching issues related to the right to food, the rollback of services, and disabled persons' lack of equal access in rural areas. They also highlighted that people in rural areas face significantly higher costs, and some organisations were providing essential services in the absence of state services and funding.
- They also noted that traditional measurements of poverty (Scottish Index of Multiple Deprivation) sometimes do not capture challenges at the local level, and therefore support can be minimal. They reported people being unable to afford the essentials to live and that organisations were often providing key services in their rural communities, in the absence of state services and sometimes in the absence of state funding as well.
- Organisations involved in the project embedded human rights into their work, and participants gained confidence in advocating for their communities using human rights language. They found human rights language helpful in challenging discrimination in local decision-making.
- The Poverty Alliance is also working on a project called "Taking Action on Rural Poverty" in Aberdeenshire and Argyll and Bute. This project aims to identify practical changes to reduce the rural poverty premium and advocate for local and national change to support this reduction. It has highlighted the vital role of services in rural areas as a shield from poverty and as a springboard out of poverty.
- Lydia emphasised the continued need for rights-based decision-making at the local level and the importance of a rights-based anti-poverty strategy that considers rural experiences.
- The Poverty Alliance advocates for a twin approach where rights-based rural policies are developed through an anti-poverty lens, and anti-poverty policies are developed with a rural lens. This approach should include how national

and local budgets are considered to reflect the increased cost of living in rural areas.

More information available at:

<https://www.povertyalliance.org/research-becoming-human-rights-defenders-rights-in-action/>

Professor Lorna Philip, Aberdeen University

- Lorna highlighted that the issues identified in the previous presentations about rural Scotland are not new, with similar concerns being raised in research dating back to the 1970s and particularly in the work of Mark Shucksmith in the early 1990s.
- What is new is the way the human rights perspective is used as a means of analysing and better understanding problems, as well as offering solutions and ways forward.
- We need to understand what has not worked in attempting to address these problems before, and how a human rights lens can change this.
- Lorna discussed the positive aspects of involving communities in advocacy and action but questioned whether it is appropriate to leave all the responsibility for addressing these problems to the communities themselves, emphasising that communities need support and facilitation, along with the involvement of other actors.
- Lorna also raised concerns about relying too heavily on measures like island community impact assessments, questioning whether policymakers, especially in local government and other public sector organisations facing staff and resource shortages, can adequately undertake these assessments.
- Lorna advocated for rural proofing, or adopting a rural lens in policymaking, while also stressing the need to better inform decision-makers and the general population about the realities of living in rural Scotland.
- Lorna suggested that there is a need to move away from a "rose-tinted" view of rural life, acknowledging the advantages but also addressing the often-hidden problems.
- Lorna proposed several ways to achieve this, including better reflecting rural realities in the education system, increasing the availability of rural social science courses in higher education, and ensuring that civil servants are better informed about rural issues.

Mags Currie, James Hutton Institute

- Mags began by noting that previous presentations were explicitly about social injustice (lack of rights), but that there are also implicit spatial injustices - the injustices people feel because of the place that they're in.

- She highlighted that most of Scotland's population lives in urban areas, with policy and support designed around what works in urban areas, which has implications for rural areas. And this can worsen injustices for minorities in rural areas.
- She noted that data used to understand inequalities at the national level may not accurately capture the diversity of rural areas, where people with different circumstances might live close to each other.
- Policy has a role in addressing these injustices, and while there are examples like the recent land reform legislation and the Island (Scotland) Act 2018, policy and legislation can also inadvertently exacerbate these injustices. For example, by giving people and communities that have bought their land more power than those who don't, or by placing preference for action on islands, maybe to the detriment of remote rural areas. This fits with the need for more general rural proofing as emphasised by Lorna Philip.
- Mags noted that the issues discussed are not new and are possibly worsening due to decreasing public finances and communities facing multiple threats like the cost of living crisis, COVID-19, and climate change.
- She stressed the need for evidence of these injustices and imaginative ways to tackle them, emphasising that communities cannot be expected to solve these problems alone. We need to move on from just thinking about empowerment and a rural movement as a bottom up solution, and for local people to advocate for their rights. What is needed is local solutions to be supported all levels of governance from local to regional to national. There is also learning from place-based solutions. Research has a key role to play in understanding, but also facilitating change.

Key issues raised in the discussion included:

Sarah Skerratt (Royal Society of Edinburgh), question for Luis Yanes. What do you feel a rights-based approach would achieve that hasn't been achieved in the past 25 years of us looking at these persistent issues?

Response from Luis: This is often asked, and it comes down in some ways to what would a Human Rights Bill would do. Firstly, there's a considerable difference between local authorities in how they act and how they provide services from a people centred approach or rights centre approach, which is often dependent on the leadership of the institution.

There is a considerable difference between local authorities in terms of how they provide services and how they use a human rights based approach. Leadership on human rights can lead to different outcomes. We don't have any of the kind of legal underpinnings that requires authorities to act consistently in terms of what is demanded from human rights.

The other key thing is what kind of rights are required-- like progressive realisation and non retrogression. Once it is clear what rights are required, it is then appropriate

to plan improvements to achieve those targets, and to devise strategies to determine policy decisions.

Luis gave the example of a service cut or a budget reduced, without a significant impact on the budget overall, but which would have a significant impact on localised human rights. A human rights based approach would uncover and devise ways to deal with this situation.

Response from Lydia Murphy:

We see a big gap on access to justice. For example, a lack of adequate housing, looking at this long-standing challenge through a human rights approach highlights that the solution required is structural change. There is additional protection that human rights legislation offers.

Jim Hume, Support in Mind Scotland: How has mental illness been taken into account in the research and recommendations?

Response from Luis: The right to health analysis includes both physical and mental health. There are many aspects relating to lack of sufficient health provision in the Highlands and Islands, e.g. those in Orkney need to travel to Aberdeen for mental health emergencies, and a mental health professional has to travel to Orkney from Aberdeen to make diagnosis.

In Caithness, there is the highest percentage of use of localised anti-depression medication - 25% of the population. But in terms of population size, it is one therapist or psychiatrist, which doesn't take into account geography, and that in an area the need might be significantly more than in another area.

Response from Lorna Philip: Squaring the circle here is a fundamental issue. Health care costs can be significant when services are spread across large geographic areas, combined with severe issues with recruitment and retention in some areas, which arise from availability and cost of housing. Lack of money for services, and a lack of staff. Digital has a role to play, but not everything can be done online and this needs to be recognised. There is a need for specialised health care.

If the wider population was better educated about rural Scotland and the challenges (and opportunities), we wouldn't have to consistently advocate for rural contexts as a starting point.

Question from Kirsten Gow, researcher with University of Aberdeen and the James Hutton Institute — Noted that policy design which considers urban as the norm and rural and island as requiring 'exceptions' which might require specialist impact assessments, was addressed by the speakers. This creates an environment where there is a lack of clarity about policy in rural areas and an additional burden on individuals and communities to understand the policy and advocate for their rights. What can we learn from a human rights approach around creating policy which does not view rural and islands as exceptions?

Question from Theona Morrison, Scottish Rural Action (Chair)

Spoke about the information Luis Yanes presented to their community in Uist regarding rights. She highlighted the issue of transporting patients needing to be sectioned for mental health care, which requires two professional escorts and can strain resources in rural areas by taking away police officers, psychiatric nurses, or GPs for extended periods. Theona emphasised the need for different approaches in rural communities, referencing the Dewar Commission and its approach to local needs. She also supported Kirsten's point about “othering” and the importance of ensuring equity by recognising and meeting the specific needs of individual communities.

Response from Lorna: Noted the potential for delivering health services remotely through digital platforms, acknowledging its significant potential while also pointing out its limitations. She emphasised that digital solutions are not universally suitable and suggested that a systematic review would be beneficial to determine which services could be effectively delivered online, which could be acceptably delivered online, and which should not be delivered online.

Response from Lydia: The Poverty Alliance inquiry into poverty in rural Scotland noted that a rural lens is needed, as part of the policy making process - and that there is a need to have an anti-poverty lens as well.

The inquiry into poverty in rural Scotland can be accessed here: [CPG-on-Poverty-Rural-Report-May-24- DE design.pdf](#)

Question from Lorna Dawson, James Hutton Institute

What geographic analysis has been done? Noted that the issue of food poverty is all the more significant as the country produces wonderful food. How much are people aware about their rights?

Question from Jennifer Campbell, Chartered Surveyor, noted limitations on public funds and wondered what solutions were arising from the private sector.

Response from Lydia — Noted that the Poverty Alliance work explored community owned renewables as an anti-poverty tool, pointing to the importance of local enterprise.

Lydia advocated for Scotland to maximise its available resources to advance human rights, referencing Scotland's commitment to the Treaty on Economic, Social and Cultural Rights. Scotland could utilise its taxation powers more boldly to generate more resources and ensure basic rights are met.

The Alliance's work also pointed out that the minimum levels of rights not being met are global standards, not Scotland-specific, raising questions about resource mobilisation and investment to prevent people from living in poverty.

Response from Luis: argued against viewing rural areas as exceptions to urban-centric policies. They contend that policies designed for urban centres like Edinburgh or Glasgow are often applied nationally, creating issues in rural areas where the problems are different.

The example of short-term lets was used, where policies are extended in ways that don't address the distinct causes of these problems in the Highlands and Islands.

There is a need for localised and flexible policies in addition to rural proofing because the causes and solutions to issues like the housing emergency vary across different rural areas in Scotland (e.g., Western Isles, Shetland, Orkney, Highlands, South Scotland). These differing causes might include a lack of social housing, or an inability to use existing social housing due to lack of services, cost of building, and building regulations.

Furthermore, it is important to raise awareness of rights. Even local authorities may not fully understand the implications of framing services as human rights.

Public funding was discussed in terms of a human rights budgeting approach. The example of a homelessness crisis existing alongside significant spending on events like festivals with fireworks, can be used to illustrate this point. They also acknowledge shortcomings in the report regarding the assessment of the right to water and sanitation and the capacity to scrutinise local authority budgets to ensure funds are being allocated to the most urgent needs.

Emma Harper Question: Noted the relevance of the current proposals led by Community Land Scotland for a Sovereign Wealth Fund.

Raised question from an online participant in the Teams meeting chat about how the human rights of children have been taken in account in rural areas. Also questioned the reduction in public services and supporting basic needs.

Response from Luis:

- Regarding the UNCRC (United Nations Convention on the Rights of the Child), Luis believes it's too early to fully assess its impact. While acknowledging the initial plans and reporting, they emphasise that successful implementation requires a shift in working methods. It's crucial that children's rights are integrated across various government and council departments, not just handled by dedicated children's rights teams.
- A significant concern is raised about the abrupt change at age 18. It was noted that in Scotland, individuals lose certain human rights (to food, health, housing) when they turn 18. This is contrasted with other countries where rights are more continuous. This raises a question around the long-term effectiveness of UNCRC implementation if broader legislation doesn't protect these rights for the entire population for all of their lives.

Question from Keith Mathews: Noted need for appropriate data to interrogate these problems

Response from Mags Currie:

- Highlighted the issue of public authorities becoming increasingly large, using the example of the Highlands being geographically larger than Belgium. The impact of this scale of working on human rights can be questioned, particularly in relation to services like Police Scotland, where centralisation can affect local understanding and resource allocation.
- Emphasised that the discussion shouldn't be limited to public services. For example, the issue of food access involves private businesses. There is the example of food banks in island communities and the complex relationship they might have with local shops. This point broadens the scope of the discussion beyond just how public authorities can improve, to also consider the role of private businesses in meeting people's needs.

Question from Emma Harper: Asked speakers for one key action or ask for policy makers:

Responses:

Luis: The report sets out the SHRC's recommendations. If have to choose one: we've heard frustrations from communities, local authorities- what is needed is a general conversation, between communities, government at all levels.

Lydia: Something that's come through all of our rural work has been the additional cost of living in rural areas is a really distinctive feature of rural poverty, and it's not reflected in general policy or anti poverty policy currently.

The Poverty Alliance's big ask is that we need to have an anti-poverty strategy which takes better account of rural experience and specifically the cost of living in rural areas.

Lorna: We need those making decisions, designing policy and delivering policy to be better educated and informed about the diversity and the complexity of rural Scotland

Mags: I was on the COVID-19 stakeholder group with others in the room. And one thing that was great about that was that we were coming up with solutions that were acted on with speed. I think it was because the government was prepared to take more risks at that time. So my ask is for the government to take more risks in policy making with rural communities and that rural policy should be the 'Trump card' over any other policy that's applied in rural Scotland.

Action points

Several potential topics for future meetings were suggested:

- Interest in more detail/future discussion on Kirsten Gow's island typology
- The role and impact of Nuffield Scholarships.
- Potential also for discussion on land use, RLUPs.
- Update from National Islands Plan

AOB

Emma Harper MSP concluded the meeting by thanking the speakers and the audience for their contributions to the discussion.

Next Meeting

The next meeting will be on Wednesday 4th June 2025. Topic to be decided, more information to follow shortly from the Secretariat.