



04/06/2015

## **EUROPEAN SOCIAL CHARTER**

Comments by SHRC on the  
34<sup>th</sup> National Report on the implementation  
of the European Social Charter

submitted by

**THE GOVERNMENT OF THE UNITED KINGDOM**

(Article 7, 8, 16, 17, 19)  
for the period  
01/01/2010 – 31/12/2013)

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Report registered by the Secretariat on 4 June 2015

**CYCLE 2015**





## **The Scottish Human Rights Commission**

### **Submission to the European Committee of Social Rights**

### **NHRI report in response to the United Kingdom's 34th National Report on the implementation of the European Social Charter**

**(Thematic Group 4: Children, Family and Migrants, Articles 7,8,16,17,19 for the period 01/01/2010-31/12/2013)**

**June 2015**

The Scottish Human Rights Commission (SHRC) is the national human rights institution (NHRI) for Scotland, accredited with A status by the International Coordinating Committee of NHRIs. SHRC was established by an Act of the Scottish Parliament. It has a general duty to promote awareness, understanding and respect for all human rights and to encourage best practice, including through education, training and awareness raising, and by publishing research. SHRC also has a number of powers including:

- The power to conduct inquiries into the policies or practices of Scottish public authorities.
- Recommending such changes to Scottish law, policy and practice as it considers necessary.
- The power to enter some places of detention as part of an inquiry.
- The power to intervene in some civil court cases.

SHRC is one of the three NHRIs in the UK and currently chairs the European Network of NHRIs. SHRC is a member of the UK's National Preventive Mechanism (NPM) designated in accordance with the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT).

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## Introduction to structure and scope of this report

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### Introduction

1. SHRC welcomes the opportunity to make its first submission to the European Committee of Social Rights (hereafter the Committee) in response to the 34th United Kingdom report on Thematic Group 4: children, family and migrants. This document responds to some of the key issues raised by the UK report, as well as highlighting additional issues. SHRC is currently preparing its parallel report for the UK review of the UN ICESCR. Therefore we will be happy to update the present report if the Committee wishes, following completion of the ICESCR report.

As the committee is aware SHRC has lead on Scotland's National Action Plan for Human Rights (SNAP), which is the first of its kind in the UK. SNAP is a roadmap for the realisation of all internationally recognised human rights. It is based on evidence and broad participation. It has been developed by a Drafting Group drawn from across the public and voluntary sectors and overseen by an Advisory Council whose members reflect the diversity of Scottish civic life.<sup>1</sup> The Scottish Government, through its commitment to implementation of Scotland's National Action Plan for Human Rights (SNAP) 2013-2017, has committed to explore the benefits and implications of incorporation of the UK international obligations in Scotland, including the International Covenant on Economic, Social and Cultural Rights.

### Scope

2. This report covers the legal framework, policies and practices in Scotland. The Scotland Act 1998, which established the Scottish Parliament, requires both the Scottish Parliament and Scottish Government<sup>2</sup> to observe and implement all of the UK's international human rights obligations.<sup>3</sup> Under the terms of the Scotland Act 1998 all issues which are not explicitly reserved to the UK Parliament are devolved to the Scottish Parliament. Consequently issues such as physical and mental health, education and social care, justice, detention and policing are within the powers of the Scottish Parliament.

### Structure of the report

3. In selecting material for this report we have followed the format of the United Kingdom report. The Committee will find a number of questions/recommendations that we suggest to put to the UK during its review.

### Sources

4. This report draws primarily on a four year research project by SHRC which culminated in the publication of *Getting it Right: human rights in Scotland* in October 2012<sup>4</sup> and led to the development of Scotland's first National Action Plan for Human Rights (SNAP).<sup>5</sup> It also draws on other SHRC sources, such as our interventions and responses to consultation about proposed legislative change, and many external sources, including reports published by EHRC Scotland, NGOs, Ombudsmen, inspectorates and regulators.

The SHRC would be very pleased to provide any clarification, further information, or other assistance to Committee experts before, during or after the forthcoming session.

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## **Article 7. The Right of children and young persons to protection**

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### **Apprenticeships, UK report p. 5**

6. Girls and young women are consistently outperforming boys at school in Scotland. Nevertheless, evidence remains of gender inequalities across subject choices at every level of education.<sup>6</sup> In particular, there is noted under-representation in science, technology, engineering and maths based occupations and in modern apprenticeship programme.<sup>7</sup>

#### **Recommendation:**

**That the Committee recommends increase efforts to integrate human rights in school and professional curricula and development and to combat gender inequality in science, technology, engineering and maths based occupations in Scotland.**

### **Special Protection Against Physical and Moral Dangers**

#### **Child Sexual exploitation, UK report p. 11**

7. SHRC supports the concluding observation made by the Committee on the Elimination of Discrimination Against Women in 2013 that the UK Government 'revise its legislation by shifting the burden of proof from the prosecution to the purchaser of sexual services.

#### **Protection of Victims of Trafficking, UK report p. 19**

8. Criminal offences related to trafficking are provided for in a range of statutes in Scotland. Nevertheless there has been a much criticised lack of prosecutions for trafficking offences in Scotland. Scotland secured its first two prosecutions for trafficking related offences in 2011 and a further three in 2012. This compares with a total of 123 convictions for human trafficking in England and Wales from 2003 to 2009. Baroness Kennedy (who led an in-depth inquiry into human trafficking in Scotland on behalf of the Equality and Human Rights Commission) argued that the failure to secure more prosecutions for trafficking in Scotland, despite having 13.5 per cent of the UK trafficking trade, indicates the failure of the Scottish criminal justice system to address this human rights issue<sup>8</sup>.

9. The inquiry found that people are trafficked to and within Scotland for the purposes of sexual exploitation, forced labour including domestic servitude, and for forced criminal activity. Scotland is not included as part of the UK's anti-trafficking strategy and this could risk creating gaps in practice with regard to the implementation of the UK's obligations. The Anti-Trafficking Monitoring Group has found that there is little coordination of training on trafficking across Scotland and a lack of integration of measures to prevent trafficking into other key policy areas such as poverty reduction or social inclusion. While trafficking is included in the Scottish Government's strategy for combating violence against women, the coordination of anti-trafficking efforts remains partial in Scotland.

10. A Human Trafficking and Exploitation (Scotland) Bill was introduced into the Scottish Parliament on 11 December 2014.<sup>9</sup> However, there remain a number of areas in the

draft legislation which need further consideration. Definitions of trafficking could be better aligned with international law, particularly the EU trafficking directive<sup>10</sup> and the Council of Europe Trafficking Convention. In line with the Modern Slavery Act in England and Wales, there should be a statutory defence on the face of the Bill for trafficking victims who have been forced to commit criminal acts. This would sit alongside new guidelines drawn up by Scotland's chief prosecutor, the Lord Advocate.<sup>11</sup>

**Recommendation:**

**That the UK and Scottish Governments develop a comprehensive strategy to prevent and combat trafficking in human beings, including in Scotland.**

### **Corporal Punishment of Children at Home**

11. The legality of corporal punishment of children at home has continually been highlighted as a human rights concern in the UK. Section 51 of the Criminal Justice (Scotland) Act 2003 provides a defence of 'justifiable assault' for parents. This section also sets out certain types of assault that are unjustifiable in children, including the girl child. There is evidence of the negative effect on children's mental and physical wellbeing in Scotland. While the Scottish Government has taken some initiatives to promote positive parenting, they fall short of the public education campaign recommended by the UN Committee on the Rights of the Child.

**Recommendation 5:**

**That the Committee recommends the prohibition of corporal punishment of children in all settings, repealing of all legal defences currently in place, and further promote positive non-violent forms of discipline as an alternative to corporal punishment across the UK.**

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## **Article 8. The right of employed women to protection**

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### **Gender pay gap**

12. A recent review of gender pay differentials in Scottish public sector organisations (2013) reveal only 17.4 per cent could claim to be delivering equal pay (a gap of 5 per cent or less) with 58 public bodies reporting gender pay gaps of between 5.13 per cent and 31.9 per cent.<sup>12</sup> A 2013 report highlights significant gender segregation in the Scottish Government's flagship modern apprenticeship programme: 95.4% of hairdressing apprenticeships were taken up by women in 2011/12, but women accounted for only 2.1% of engineering apprenticeships<sup>13</sup>. Under devolved Scottish equality regulations, the Scottish Government and listed public authorities are required to publish pay gap, information every two years. Although equal pay legislation remains reserved to the UK Government, the Scottish Government has continued to support the Close the Gap project which work with employers, unions and workers to address the gender pay gap in Scotland.

**Recommendation:**

**That the Committee recommends increased efforts to tackle the gender pay gap, including educational and employment initiatives for women as well as direct support to employers to improve job evaluation, pay transparency and flexible work options.**

13. The Scottish Government has adopted the Living Wage scheme, which encourages employers to adopt a sustainable wage for employees.<sup>14</sup> The Scottish Government have urged employers in the private, public and third sectors to follow suit. Calls have been made for example, to use the Procurement Reform Act to amend the Public Contracts (Scotland) Regulations 2006 to require that the living wage is a part of any contracting authority's bid for a public sector contract.<sup>15</sup> Whilst welcoming the living wage, women's human rights organisations in Scotland have also expressed a concern that it places an exclusive focus on the formal labour market as the route out of poverty which misses the critical problem of women's engagement in the informal labour market which is often unpaid.<sup>16</sup>

### **EXAMPLE**

14. The representation of women in the Judiciary has risen since 1998. Section 14 of the Judiciary and Courts (Scotland) Act 2008 place a duty to have regard to the need to encourage diversity in the range of individuals available for selection to judicial appointments. However, at present, the Judiciary of Scotland lists of Judicial Office holders (as at 19th May 2015) indicate that nine out of 33 (27%) Senators of the Royal College of Justice are women. One out of six (17%) Sheriffs Principal are women and twenty-nine out of 132 (22 %) full time sheriffs are women. Women therefore represent 23 % overall in these categories.

These levels of gender inequality are not representative of the rest of Europe. Scotland sits second from the bottom of the 45 EU member states.<sup>17</sup> The Council of Europe report on European Judicial Systems 2014 observe an almost equal male/ female distribution in the Judiciary (average 49% women).

<p><b>Recommendation: That the Committee recommends that the UK monitors and mitigate the impact of its changes to Employment Tribunals on women's access to justice</b></p>
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### **Access to Justice**

15. The UK government has recently introduced fees for individuals who wish to access employment tribunals via the Employment Tribunals and the Employment Appeal Tribunal Fees Order 2013. This legislation will extend to Scotland and it is likely to affect the ability of many women to pursue cases of discrimination and equal pay and will act as a deterrent to claims.<sup>18</sup> The scheme operates on the principle that the more complex cases should carry higher fees. Discrimination and equal pay claims are considered to be complex and accordingly fall into the higher band of fees. 82 per cent of sex discrimination complaints were brought by women and equal pay complaints are more often brought by women. Women in these types of cases will therefore bear a higher fee and will be more deterred from bringing claims (there is, however, provision for exemption of the fees for those with lower incomes). In addition, there is a possibility that, as fees will deter claims generally, this could act as a disincentive to employers to fulfil their equality duties.

16. In addition, the cuts to legal aid in Scotland will impact on the availability of specialist discrimination advice and casework.<sup>19</sup> An already pressurised legal aid budget may be unable to absorb the extra responsibility of supporting discrimination cases which could directly impact on provision of the legal advice regarding discrimination and equality.



17. There has been a real term decline in legal assistance expenditure for years. The Law Society of Scotland has expressed concern that the lack of investment or re-investment of efficiency savings in legal assistance has made it increasingly difficult to maintain a sustainable, high quality legal assistance system across Scotland.

18. Following the Scottish Government's Strategic Spending Review, the legal aid fund is facing a cut of 7.2% over the years 2012-13 to 2014-15. Cuts to legal aid in Scotland are expected to impact on the availability of specialist discrimination advice and casework. An already pressurised legal aid budget may be unable to absorb the extra responsibility of supporting discrimination cases which could directly impact on provision of the legal advice regarding discrimination and equality.

19. From 31 January 2011 the way that a child is assessed for civil and children's legal assistance changed via Advice and Assistance (Scotland) Amendment Regulations 2010 and the Civil Legal Aid (Scotland) Amendment Regulations 2010. Previously, a child would be assessed in the same way as an adult, on the basis of their own personal disposable income and capital. From 31 January 2011, a solicitor assessing a child who applies for any civil or children's legal assistance must take into account the financial circumstances of anyone who owes a duty of aliment to that child or young person. SHRC is concerned about the impact of this regulation on children and young people's access to legal advice and legal aid. An evaluation of the legislation would be advisable.

**Recommendation: the Committee ask the United Kingdom how it is planning to maintain a sustainable, high quality legal assistance system across Scotland, as well as ensuring that current and proposed changes to legal aid do not limit access to justice, particularly for children and women in Scotland.**

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## **Article 16. The right of the family to social, legal and economic protection**

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### **Social Protection for families**

#### **UK Public Spending Cuts**

20. Since the 2010 General Election the UK Government has prioritised the reduction of the public debt, pursuing a programme of austerity and cuts in public spending. Recent research supported by the Scottish Parliament indicates that these cuts are anticipated to have the most severe impact on those in the most deprived areas.<sup>20</sup> Particular concern has been raised in relation to the impact on women, disabled people and ethnic minorities, including children.<sup>21</sup> In extreme cases the cumulative impact of a number of these measures may amount to a breach of human rights.<sup>22</sup>

21. Crucially the UK Government has failed to adequately assess the impact of these measures on human rights. Concluding its inquiry on welfare reform, for example, the UK Joint Committee on Human Rights criticised the UK Government for a lack of information on how it had assessed the human rights and equality impact of the new Welfare Reform Act 2012.<sup>23</sup> The Joint Committee further raised concerns that the Welfare Reform Bill (as it was)

*“may risk breaching human rights in leading to destitution (engaging the prohibition of degrading treatment), discrimination and retrogression in the realisation of economic, social and cultural rights.”<sup>24</sup>*

## **Child Poverty- UK report p. 69**

22. Although there has been an overall decline in poverty rates in Scotland over the past ten years, statistics for 2012/2013 showed an upturn in both child and working-age poverty rates<sup>25</sup>. The child poverty rate increased by 4 percentage points between the years 2011/2012 and 2012/13, taking the number of children living in poverty in Scotland to 180,000.<sup>26</sup> Six in ten people in relative poverty in 2012/13 were also in severe or extreme poverty. Single parents and families with three or more children face a higher risk of being in poverty in Scotland.<sup>27</sup>

23. The Scottish Parliament Welfare Reform Committee has predicted that when the welfare reforms come into full fruition by 2018, families with dependent children will lose an average of more than £1,400 a year and lone parents around £1,800 per year.<sup>28</sup> Furthermore, the reforms are thought to put women at greater risk of deeper and sustained poverty, with women representing 92% of lone parents and women tending to be more financially dependent on social security than men<sup>29</sup>. Other groups thought to be worst affected include households with four or more children, those from some BME communities, children living with kinship carers, children with disabilities and those with disabled parents.<sup>30</sup>

24. In 2012/13, more than half of children in poverty (59 per cent) were living in households with at least one adult in employment.<sup>31</sup> The increase in in-work poverty in the year 2012/13 continues the slowly increasing trend in in-work poverty seen in Scotland over recent years. Poverty NGOs such as CPAG note that while employment rates may be growing overall, in-work poverty is not decreasing due to factors such as quality and nature of work.<sup>32</sup>

**Recommendation: That the UK Government and all of those involved in the implementation of public spending cuts ensure that the cumulative impact does not breach the Charter rights.**

## **Gypsy/ Travellers, UK report p. 41**

25. The Equal Opportunities Committee of the Scottish Parliament has published two reports into discrimination faced by Gypsy/Travelling people this session. *Gypsy/Travellers and Care* was published in 2012, and *Where Gypsy/Travellers Live* was published in 2013.<sup>33</sup> The Committee noted that twelve years on from the first Scottish Parliament inquiry into Gypsy/Traveller life, it is concerning to see that the appalling situation of many Gypsy/Travellers has witnessed little change. The Committee, together with the Commission,<sup>34</sup> has recommended the adoption of a national action plan, including fit-for-purpose housing strategies which embrace Gypsy/Traveller needs.

**Recommendation: the Committee asks the United Kingdom to indicate what steps are being taken to address the Charter rights of the Gypsy/Traveller community in Scotland.**

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## Article 17. The right of mother and children to social and economic protection

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### **Childcare Provision, UK report p. 46**

26. The UK has one of highest costs of childcare for in the world - 26.6% of average family incomes, compared to an OECD average of 11.8%.<sup>35</sup> Scotland has some of the highest childcare costs in Britain and equality of access to affordable care remains inconsistent.<sup>36</sup> The Children and Young People (Scotland) Act 2014 increased the amount and flexibility of free early learning and childcare for 3 and 4 year olds, and 2 year olds who are looked after or in kinship care. Nevertheless, only 21 per cent of local authorities are able to satisfy current demand, and therefore, without improved infrastructure a rise in allocation is unlikely to be able to be fulfilled.<sup>37</sup>

#### **Recommendation:**

**That the Committee recommends further steps to ensure the effective provision of affordable, good quality childcare in Scotland.**

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## Article 19. The right of migrant workers and their families to protection and assistance

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27. The UN CEDAW Committee and civil society in Scotland have also raised concern of the impact of any cutbacks and austerity programme on refugee *accommodation*, and support *services* for victims of domestic abuse. Further, recent research has explored the scale and nature of destitution amongst people in the asylum system in Scotland. The research concludes that:

*“The [UK Border Agency] has cut asylum support and resources for support services. Funding cuts mean services supporting destitute people face growing demand, but reduced capacity... At present they can be left for years, trapped in destitution but unable to return to their home country... The existence of such extreme poverty in Scotland should be a focus of public policy concern and action to minimise its existence and mitigate its effects”.*

#### **Recommendation:**

**That the Committee recommends further steps to ensure the effective and good quality provision of services for asylum seekers and refugees in Scotland.**

## References

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<sup>1</sup> See <http://www.scottishhumanrights.com/actionplan>

<sup>2</sup> The Scottish Executive is renamed the Scottish Government under the Scotland Act 2012.

<sup>3</sup> SHRC notes that both the Scottish Government and Parliament should, in compliance with the Scotland Act 1998, observe and implement UK's international obligations.

<sup>4</sup> An unprecedented three year research project by the Scottish Human Rights Commission, Getting it Right? Human Rights in Scotland, found that while Scotland has made notable progress, it can do better. It has a relatively strong legal and institutional framework for human rights, some examples of positive strategy and policy direction, but the actual outcomes for people often remain inconsistent. In response the Commission proposed the development of SNAP to help bring about the necessary progress in implementation of human rights at the level of service delivery and practice.

<sup>5</sup> For further information visit <http://scottishhumanrights.com/actionplan>

<sup>6</sup> EHRC Triennial review (2010): How Fair Is Britain?, London, EHRC.

<sup>7</sup> Skills Development Scotland, 2011

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<sup>8</sup> <http://www.equalityhumanrights.com/about-us/devolved-authorities/commission-scotland/human-rights-scotland/inquiry-human-trafficking-scotland>

<sup>9</sup> In November 2011, the Equality and Human Rights Commission published an inquiry report into human trafficking in Scotland, available at [www.equalityhumanrights.com/about-us/devolved-authorities/commission-scotland/human-rights-scotland/inquiry-human-trafficking-scotland](http://www.equalityhumanrights.com/about-us/devolved-authorities/commission-scotland/human-rights-scotland/inquiry-human-trafficking-scotland)

<sup>10</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:101:0001:0011:EN:PDF>

<sup>11</sup> For a further discussion see [www.scottish.parliament.uk/S4\\_JusticeCommittee/Inquiries/20150330\\_Lord\\_Advocate.pdf](http://www.scottish.parliament.uk/S4_JusticeCommittee/Inquiries/20150330_Lord_Advocate.pdf)

<sup>12</sup> Mejka, W. 2013 Gender Pay Gaps- the good, the not-so good, and the non-compliant: performance monitoring of Scotland's public sector in meeting the specific equality duty on publishing gender pay gap data in 2013.

[http://scottish.parliament.uk/S4\\_EqualOpportunitiesCommittee/13\\_June\\_papers.pdf](http://scottish.parliament.uk/S4_EqualOpportunitiesCommittee/13_June_papers.pdf)

<sup>13</sup> [http://www.equalityhumanrights.com/sites/default/files/documents/Scotland/Research/part\\_1\\_final\\_report\\_17\\_0713.pdf](http://www.equalityhumanrights.com/sites/default/files/documents/Scotland/Research/part_1_final_report_17_0713.pdf)

<sup>14</sup> The living wage is defined as a wage that gives individuals and families enough income to meaningfully participate in society and that meets socially acceptable standards. Scottish Government, 2010i

<sup>15</sup> Scotland's National Action Plan Consultation Report 2013 (forthcoming)

<sup>16</sup> Informal labour is estimated to be worth 30% of the current GDP at minimum wage levels, Scotland's National Action Plan Consultation Report 2013 (forthcoming)

<sup>17</sup> Council of Europe report on European Judicial Systems 2014

<sup>18</sup> There will be a two-tier fee system, with fees payable by the applicant on the lodging of the claim and for a hearing: Level 1 - straightforward claims (e.g. unlawful deductions, notice pay and redundancy pay) will cost £160 to lodge the claim, with a further £230 hearing fee; and Level 2 - most other claims (e.g. unfair dismissal, discrimination and equal pay) will attract a £250 fee to lodge the claim and an additional £950 hearing fee. There are further fees on appeal (£400 issue fee and £1200 hearing fee).

<sup>19</sup> Following the Scottish Government's Strategic Spending Review, the legal aid fund is facing a cut 7.2% over the years 2012-13 to 2014-15. Scottish Government Spending Review and White Paper on Legal Reform

<sup>20</sup> Christina Beatty and Steve Forthergill, *Hitting the poorest places the hardest, the local and regional impact of welfare reform*, Sheffield Hallam University, Centre for Regional Economic and Social Research, April 2013, [http://www.shu.ac.uk/research/cresr/sites/shu.ac.uk/files/hitting-poorest-places-hardest\\_0.pdf](http://www.shu.ac.uk/research/cresr/sites/shu.ac.uk/files/hitting-poorest-places-hardest_0.pdf)

<sup>21</sup> See for example the written evidence provided to the Joint Committee on Human Rights, Inquiry on the implementation of the right of disabled people to independent living, [http://www.parliament.uk/documents/joint-committees/human-rights/Independent\\_Living\\_Written\\_Evidence\\_4.pdf](http://www.parliament.uk/documents/joint-committees/human-rights/Independent_Living_Written_Evidence_4.pdf)

<sup>22</sup> An important example of the nature of cumulative impacts is given in the report by Mary-Ann Stephenson with James Harrison and Ann Stewart, *Getting Off Lightly or Feeling the Pinch? A Human Rights and Equality Impact Assessment of the Public Spending Cuts on Older Women in Coventry*, A Joint Report by the Centre for Human Rights in Practice, University of Warwick and Coventry Women's Voices, July 2012. That report concluded "In extreme situations, for instance if those receiving care are not able to obtain sufficient food and drink, individuals could even find themselves in situations that constitute inhuman and degrading treatment or threaten to violate their right to life."

<sup>23</sup> (Joint Committee on Human Rights (2011). Legislative Scrutiny: Welfare Reform Bill, summary. London, UK Parliament.

<sup>24</sup> Ibid

<sup>25</sup> Joseph Rowntree Foundation Report 'Monitoring Poverty and Social Exclusion in Scotland 2015: <http://www.jrf.org.uk/publications/monitoring-poverty-and-social-exclusion-scotland-2015>

<sup>26</sup> Scottish Government Quarterly Poverty Briefing <http://www.gov.scot/Resource/0047/00474300.pdf>

<sup>27</sup> Scottish Government Strategy on Child Poverty 2014-17 <http://www.gov.scot/Resource/0044/00445863.pdf>

<sup>28</sup> Welfare Committee Report (Scottish Parliament) on impact of welfare reform on households Scotland: <http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/87136.aspx>

<sup>29</sup> Engender Report on Women and Welfare: <http://www.engender.org.uk/content/publications/engenderwelfarereport.pdf>

<sup>30</sup> See [www.sccypr.org.uk](http://www.sccypr.org.uk)

<sup>31</sup> See <http://www.cpag.org.uk/scotland/child-poverty-facts-and-figures>

<sup>32</sup> CPAG see: <http://www.cpag.org.uk/scotland/child-poverty-facts-and-figures>

<sup>33</sup> 'Gypsy/Travellers and Care' report at [http://www.scottish.parliament.uk/S4\\_EqualOpportunitiesCommittee/Reports/eor-12-03w-rev2.pdf](http://www.scottish.parliament.uk/S4_EqualOpportunitiesCommittee/Reports/eor-12-03w-rev2.pdf) and 'Where Gypsy/Travellers Live' at [http://www.scottish.parliament.uk/S4\\_EqualOpportunitiesCommittee/Reports/eor-13-01w.pdf](http://www.scottish.parliament.uk/S4_EqualOpportunitiesCommittee/Reports/eor-13-01w.pdf)

<sup>34</sup> See Committee's report 'Where Gypsy/Travellers Live' at [http://www.scottish.parliament.uk/S4\\_EqualOpportunitiesCommittee/Reports/eor-13-01w.pdf](http://www.scottish.parliament.uk/S4_EqualOpportunitiesCommittee/Reports/eor-13-01w.pdf)

<sup>35</sup> OECD (2011), *Doing Better for Families*, available at <http://www.oecd.org/social/doingbetterforfamilies.htm>

<sup>36</sup> Daycare Trust and Children in Scotland (2012) The Scottish Childcare Lottery, [http://www.childreninscotland.org.uk/docs/Scottish\\_Childcare\\_Lottery.pdf](http://www.childreninscotland.org.uk/docs/Scottish_Childcare_Lottery.pdf)

<sup>37</sup> Ibid.