

Parliamentary Bureau – Designation of Bill at Stage 1

Disability Commissioner (Scotland) Bill

Introduction

1. The Disability Commissioner (Scotland) Bill was introduced in the Parliament on Thursday 8 February 2024 by Jeremy Balfour MSP.
2. The Bill proposes to establish a Disability Commissioner for Scotland (“the Commissioner”), whose primary purpose would be to promote and safeguard the rights of disabled people. The Commissioner would also have the power to undertake investigations into service providers to disabled people at a general level or within the circumstances of an individual disabled person.

Discussion

3. The Bill appears to engage the remits of the Equalities, Human Rights and Civil Justice Committee (EHRCJ), the Social Security and Social Justice Committee (SJSS) and the Health, Social Care and Sport Committee (HSCS).
4. Part of the remit of the EHRCJ Committee is to consider and report on matters relating to equal opportunities, which includes the prevention, elimination or regulation of discrimination on the ground of disability. Therefore, the remit of the EHRCJ Committee is engaged.
5. The remit of the SJSS Committee is to consider and report on matters falling within the responsibility of the Cabinet Secretary for Social Justice (excluding matters relating to housing and tenants’ rights). The responsibilities of the Cabinet Secretary include social justice, tackling poverty and inequalities. As such, the remit of the SJSS Committee is also considered to be engaged.
6. The remit of the HSCS Committee is to consider and report on matters falling within the responsibility of the Cabinet Secretary for NHS Recovery, Health and Social Care. The definition of “disability” in the Equality Act 2010 includes a physical or mental impairment. As such, it is considered that the remit of the HSCS Committee is also engaged.
7. It would appear that the EHRCJ Committee has the primary interest in the Bill. Designation of one committee as lead committee does not preclude any other committee whose remit is engaged from considering the Bill if it wishes to do so.

Recommendation

8. The Bureau is invited to consider recommending to the Parliament by motion that it agrees, under Rule 9.6.1, to designate the Equalities, Human Rights and Civil Justice Committee as lead committee for consideration of the Disability Commissioner (Scotland) Bill at Stage 1.

9. A draft motion can be found below.

Draft Parliamentary Bureau motion on the Disability Commissioner (Scotland) Bill:

Designation of Lead Committee – That the Parliament agrees that the Equalities, Human Rights and Civil Justice Committee be designated as the lead committee in consideration of the Disability Commissioner (Scotland) Bill at Stage 1.

Parliamentary Business Team

February 2024