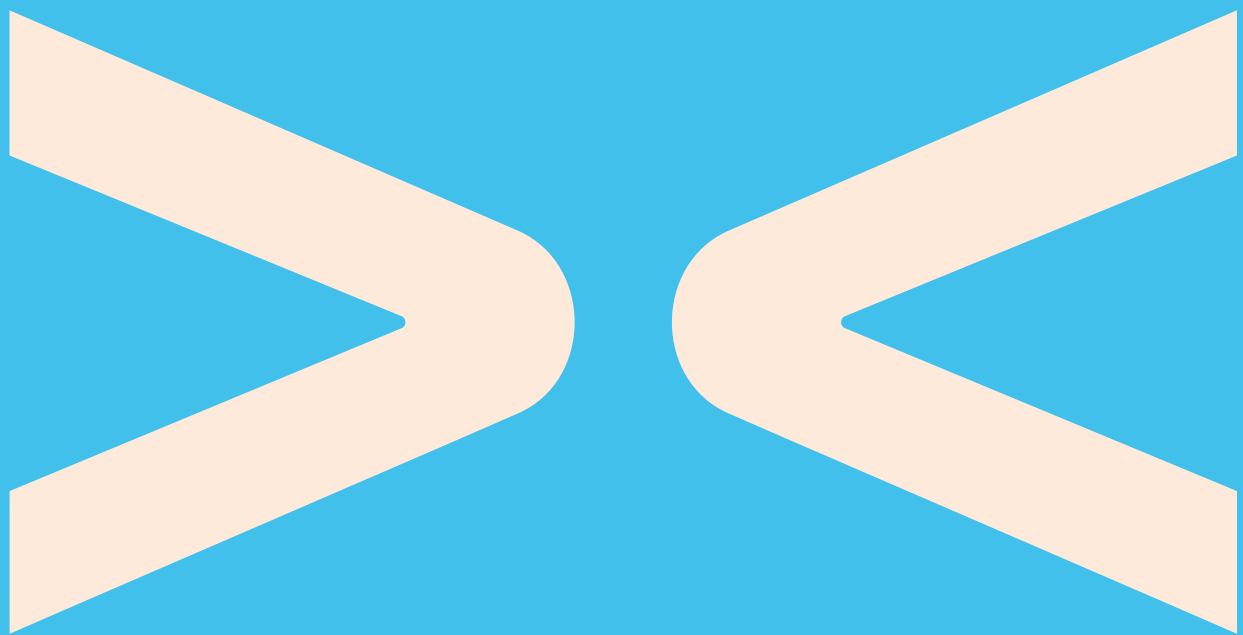


New Scots Refugee Integration Strategy

March 2024





Scottish Afghan Society
shafghansociety.org
society@gmail.com

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Contents

Foreword	4
Vision and Purpose	7
Who are New Scots?	11
Approach and Principles	13
1. Integration from day one of arrival	14
2. A rights based approach	14
3. Restorative and trauma-informed	15
4. Involvement of people with lived experience of forced displacement	16
5. Inclusive, intercultural communities	16
6. Partnership and collaboration	17
Outcomes	18
Defining and Understanding Refugee Integration	20
Defining refugee integration	20
Understanding integration	22
New Scots Governance	25
Resourcing	29
Annex A: Contextual challenges for the New Scots Strategy	32
Annex B: Historical, legal, and policy context for the third New Scots Strategy	35
Annex C: Scottish legislative and strategic context	42

Foreword

More than ten years after the publication of the first New Scots Refugee Integration Strategy in 2013, we are delighted to launch a new, updated Strategy, reflecting the changing shape of communities across Scotland and reaffirming our commitment to support and welcome New Scots.

The expertise of people with experience of settling in Scotland is at the heart of this Strategy. People with lived experience and practitioners contributed their insights during its development. It is also informed by learning from recent academic research and careful evaluation of the success of the Strategy's progress to date.

Led in partnership by the Scottish Government, COSLA and Scottish Refugee Council, the New Scots Strategy is ambitious in its vision for a fair and equal Scotland, where people's rights are respected and protected, and everyone is empowered to reach their full potential. But we know that none of us can achieve this alone. The Strategy is designed with collaboration at its heart, to ensure that we all play our part in meeting our responsibilities and delivering quality support and services for all who need them. Partnership will be needed with stakeholders from all sectors and all parts of the country to make the delivery of this Strategy a success.

As we launch the new Strategy, Scotland reaffirms its commitment to stand in solidarity with people who need refugee protection and a safe place to call home. This Strategy is designed to support all New Scots, whether they arrived via resettlement or relocation programmes, or through the UK's asylum process. Regardless of the route of arrival,

we know that all newcomers bring skills, expertise, and a breadth of personal, cultural and social diversity that enriches Scotland's communities. We recommit to ensuring that all are treated equally and with parity under the full extent of Scotland's devolved powers.

We look forward to working with all of you. We will be publishing a detailed Delivery Plan in summer 2024.



Emma Roddick MSP

Minister for Equalities, Migration and Refugees



Councillor Maureen Chalmers

COSLA Community Wellbeing Spokesperson



Dr Sabir Zazai

Chief Executive, Scottish Refugee Council



Professor Alison Phipps

UNESCO Chair for Refugee Integration through the Languages and the Arts, University of Glasgow

Chair of the New Scots Core Group



Image: Will Tyler-Greig

Vision and Purpose

The New Scots vision is for a welcoming Scotland where refugees and people seeking asylum are able to rebuild their lives from the day they arrive

The purpose of the New Scots Strategy is to coordinate the efforts of organisations and community groups across Scotland involved in working towards better outcomes for forced migrants. It provides a clear framework and governance structure for all those working towards refugee integration and aims to support an effective implementation of the rights and entitlements of New Scots within Scotland's devolved powers.¹ It assists the work of all partners to make the best use of resources and expertise that are available across Scotland. It does this by respecting and reflecting Scotland's geographic complexity and by promoting partnership approaches, joined-up working and early, inclusive and evidence-based intervention as part of a place-based and trauma informed approach.

This Strategy envisions local communities becoming more adaptable and resilient as a result of their welcoming of New Scots and the sharing of culture and skills. In order to support a long-term approach, this Strategy is not time-limited. We will publish a Delivery Plan, which will be developed with partners and stakeholders and refreshed regularly, showing the specific actions we will take, and when they will be undertaken.

1 See p.22

The New Scots Refugee Integration Strategy aims to support refugees and people seeking asylum in Scotland's communities. The Strategy is the result of a long-standing partnership between the Scottish Government, the Convention of Scottish Local Authorities (COSLA) and Scottish Refugee Council.² The Strategy both supports – and is supported through – the many partnerships and initiatives that exist across Scotland to welcome refugees.

From its inception, the New Scots Strategy has acknowledged that integration is different from assimilation; that integration is not just about new arrivals learning the rules of their host society, places of dwelling and communities. Instead, integration is an inclusive approach that takes place through equitable interactions between people from diverse cultures through dialogue and respect. Every refugee brings with them languages, global connections, music, games, stories and many other intangible resources that they contribute as they set up new homes in Scotland. Supporting integration takes place at many levels. It requires partnership working among employers, schools, doctors, and many others including faith and belief groups, and also specialist support from various departments within local authorities. Some refugees are qualified professionals such as doctors or engineers, who need support to have their qualifications and professional skills validated; for others, Scotland may be the first place where they have the chance to learn to read and write.

2 The Scottish Parliament is a devolved legislative assembly, with the Scottish Government as its administration, whose powers are both limited by, and subject to change by, the United Kingdom Government. COSLA acts on behalf of the 32 locally elected councils across Scotland, each of which has its own party political make-up and distinct relationship to the Scottish Government, the UK Government, and other Scottish councils. Scottish Refugee Council is an independent charity led by and for refugees living in Scotland that works with the Scottish Government, COSLA and other partners to uphold the human rights of refugees within Scotland but also reserves the right to speak out on behalf of refugees.

While refugees bring many strengths, skills and experiences with them, all refugees have a history of loss, with many experiencing violence, oppression, and suffering. Refugees who have been restricted and persecuted can face barriers to participating in society because of a continuing fear of trusting people and not being aware of specialist support services. The engagement feedback, as well as the experience of implementing the Strategy over the past decade, has highlighted the needs of some refugees and people seeking asylum in particular. This includes women, children and young people, and members of the LGBTQI+ community. This does not diminish recognition of the needs of all those who have protected characteristics or specific vulnerabilities. Some children and young people will have had traumatic experiences in their formative years. They may also have missed significant amounts of education, which can be challenging, particularly if they are having to learn a new language. Instances of gender-based violence and violence against refugees who identify as LGBTQI+ are also common; with such instances occurring both in people's country of origin and in their journeys seeking sanctuary. Supporting integration, therefore, has to begin with an awareness of trauma and conflict, and be rooted in a respectful, restorative,³ human-rights based approach to creating healthy and diverse communities.

Many international bodies uphold the New Scots Strategy as an example of best practice worldwide, with the UNHCR commending the Strategy's 'long-standing dedication and serious intention to create a welcoming nation for those forcibly displaced'.⁴

3 See p.15 for more detail and explanation.

4 Examples: Lawrence Bottinick, Senior Legal Officer, UNHCR London, in Phipps, Aldegheri and Fisher (2022) p.111
Danisi, Carmelo, Moira Dustin, Nuno Ferreira, and Nina Held. 2021. 'Queering Asylum in Europe: Legal and Social Experiences of Seeking International Protection on Grounds of Sexual Orientation and Gender Identity'. IMISCOE Research Series. Cham: Springer International Publishing. [Queering Asylum in Europe: Legal and Social Experiences of Seeking International Protection on grounds of Sexual Orientation and Gender Identity | SpringerLink](#). Governments such as Canada, New Zealand, Australia, Ghana and Italy all cite New Scots in their refugee policies.

Following the inception of the second Strategy, supported by over £6 million of EU funding, the New Scots partnership and organisations engaging directly with refugees and people seeking asylum have successfully delivered numerous projects to provide support across Scotland. Despite these achievements, however, those seeking to enact the New Scots Strategy have experienced numerous challenges which have had a significant impact on their ability to effectively meet all of its aims.⁵ There remains commitment for partnership work to try to overcome challenges and continue to pursue the New Scots vision.

5 Details of the achievements and challenges experienced since the inception of the second New Scots Strategy can be found at [New Scots: refugee integration strategy 2018 to 2022 final report - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/new-scots-refugee-integration-strategy-2018-to-2022-final-report/pages/10.aspx)

Who are New Scots?

The UK is a signatory to the 1951 UN Convention relating to the Status of Refugees (Refugee Convention) and the supporting 1967 Protocol. The 1951 Convention is the key legal document defining who a refugee is, establishing the rights of refugees and setting out the responsibilities of signatory states. Article 1(A) of the 1951 Convention defines a refugee as a person who:

‘owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.’

According to international law, everyone who satisfies this definition is a refugee. The 1951 Convention does not prescribe a specific mechanism through which states should determine refugee status. The recognition of refugee status is declaratory, not constitutive. This means that a person does not become a refugee because they are recognised; rather, they are recognised because they are a refugee.

In this Strategy, the term ‘New Scots’ is used to refer to people living in Scotland who have been forcibly displaced or are making a claim that they have a well-founded fear of persecution. The term ‘New Scots’ includes people who have been granted refugee status or another form of humanitarian protection, and their dependents; people seeking asylum and people seeking protection as a result of displacement, exploitation or political persecution; as well as those whose application for asylum has been refused, but who remain in Scotland. It also includes people who are or may become stateless

and in need of international protection. New Scots partners understand that there is not universal consensus around the term New Scots but the consultation has shown that there was agreement on the fact that it conveys a helpful message of inclusion to all who need safety in Scotland for as long as they need it.

While neither international law nor this Strategy distinguish between refugees and people seeking asylum, there is a distinction in UK immigration legislation, which means they have different rights and entitlements under UK law.

Approach and Principles

The approach of the New Scots Strategy builds on the framework set out in the two previous Strategies, drawing from the learning and experience that has been gathered during that time. Since 2014, Scotland has welcomed a significant number of New Scots. Learning from resettlement, asylum dispersal and responses to emergency situations has demonstrated the need for an agreed set of principles.⁶ This experience, alongside the findings from the research projects undertaken as part of the New Scots Refugee Integration Delivery Project,⁷ has helped to shape a refreshed Strategy that builds on existing good practice, rethinks and reshapes the areas that have been shown to need improvement and presents opportunities for innovative approaches to reach our collective goals of supporting New Scots. It reaffirms partners' commitment to learning and evaluation, and points to the areas that, through the engagement undertaken, will require some consideration in the upcoming Delivery Plan.

6 Further contextual information about arrival routes to Scotland can be found in Annex B.

7 [New Scots - Bringing our communities together, today & tomorrow](#)

There are six principles which form the New Scots approach:

1. Integration from day one of arrival⁸

The key principle of the New Scots Strategy is that New Scots should be supported to integrate into communities from the first day of arrival, and not just once leave to remain has been granted.

Integration is a long-term, inclusive, multidirectional process involving people, communities, institutions and structures of governance at all levels.⁹ It enables people to be included in and contribute to society and to their communities. However, it is not only the responsibility of New Scots and the communities where they live.

For separated families and those arriving via resettlement programmes, preparations begin before arrival. Evidence shows that if people are able to integrate early, particularly into education and work and with appropriate housing, they have better health and wellbeing outcomes as well as being more able to make positive contributions in communities and economically.

2. A rights based approach

The New Scots Strategy recognises people's rights and aims to ensure people can access information about their rights and entitlements, understand them and are empowered to exercise them, as well as having access to the services they need in order to participate in society and lead their lives.

8 While the second New Scots Refugee Integration Strategy stated as a key principle the importance of 'integration from day one'; conversations with people who are New Scots indicated that the phrase 'integration from day one' is felt to erase prior experience and history. 'Integration from day one of arrival' honours the provenance and journeys and experience of New Scots. This language also encourages the understanding of integration as a multidirectional process wherein all actors, including New Scots, bring skills and stories.

9 See p.20 for more on multidirectional integration.

We support refugees and people seeking asylum because it is the right thing to do; people should be able to live safely and realise their human rights.

The Strategy takes a holistic, human rights approach to integration that reflects both the formal international obligations the UK has and the long-standing commitment of successive Scottish Governments, and of local government in Scotland, to address the needs of New Scots on the basis of principles of decency, humanity and fairness. A human rights based approach to policy and decision-making empowers people to know and exercise their rights. It raises awareness of what human rights mean; gives people the chance to help shape the decisions that impact them; and improves the accountability of people and institutions who are responsible for respecting, protecting and fulfilling these rights. There are underlying principles in applying a human rights based approach known as the PANEL Principles.¹⁰

3. Restorative and trauma-informed

Successful integration of New Scots involves approaches that are restorative and trauma-informed.

‘Restorative’ is a term used to describe practices and approaches which help to repair harm, build and maintain positive relationships, and resolve difficulties.

Research consistently shows that New Scots experience repeated trauma at many stages of their journeys, with a resulting impact on their mental health and the crucial need to support people through this so they can lead successful lives. Integration approaches and practices should be trauma-informed, and services involving New Scots should be trauma-responsive. This means that services recognise the prevalence of trauma and respond in ways that reduce

10 [Human Rights Based Approach - ENNHRI](#)

the impact of trauma on accessing services and support recovery, so that people can feel safe and have more control of their lives.

4. Involvement of people with lived experience of forced displacement

People with lived experience should be directly involved in decision-making processes regarding the integration of New Scots. There is strong evidence that when this happens, outcomes for people involved are improved.

The New Scots Strategy aims to encourage engagement with and participation by New Scots and refugee-led organisations. Refugees and people seeking asylum engage directly with a range of services and activities run by New Scots partners, helping to build the knowledge and experience that partners bring to the Strategy.

New Scots partners and New Scots themselves have actively worked to grow participation, agency and leadership amongst refugee groups. Opportunities for participation will continue throughout the implementation of the Strategy with a view to sharing good practice. This will support learning from different experiences of resettlement and dispersal across Scotland.

5. Inclusive, intercultural communities

Integration is an intercultural process: it involves dialogue and mutual learning between the many different cultures which make up our society. This can be achieved by ensuring language and cultural learning are well supported, both of home languages and of languages in their new communities. The New Scots Strategy also recognises that successful integration practices foster and depend on inclusive communities. This means that everyone within the community is included in processes of integration.

The New Scots Strategy embraces the principle whereby all communities across Scotland are enriched by practices which support positive intercultural interactions within inclusive communities, where people share and learn from each other's different cultures and nobody is left out. This principle cannot be upheld without a commitment to supporting all people within communities where New Scots live.

6. Partnership and collaboration

The New Scots Refugee Integration Strategy has been developed collaboratively to coordinate the efforts of government, local authorities and the third sector across Scotland involved in supporting refugees and people seeking asylum.

The Strategy has been built on a model of partnership working, led by the Scottish Government, COSLA and Scottish Refugee Council. It is founded on the principle that all the partners work together as equals, collaborating within the devolved powers of the Scottish Parliament, towards a more welcoming Scotland.

The Strategy draws on the support and expertise of many partners across public services, national and local government, the third sector, the private sector and community groups who are all working together to achieve collective goals. It is also informed by international standards of research and evidence. The New Scots Refugee Integration Strategy seeks to acknowledge and draw on the rich knowledge and resources of individuals and communities engaged in integration.

Outcomes

New Scots partners have established six overarching outcomes, which this Strategy will work to achieve.

1. New Scots live in safe, welcoming, inclusive communities, where everyone's dignity is respected and everyone is able to build diverse relationships and healthy intercultural bonds.
2. New Scots are able to access well-coordinated services, which recognise and meet their rights and needs.
3. New Scots understand their rights, responsibilities and entitlements in Scotland and are able to exercise these to pursue full and independent lives. New Scots can pursue their ambitions through education, employment, culture and leisure activities in diverse communities.
4. Communities in Scotland understand integration interculturally and respect the diversity and strengths that New Scots bring.
5. Policy, strategic planning, and legislation, that have an impact on New Scots, are shaped through their participation and informed by their rights, needs and aspirations.
6. The principles of the New Scots Refugee Integration Strategy guide all future responses to crises that bring forced migrants to Scotland and seek to ensure all such migrants will be treated equitably.

The outcomes that the Strategy seeks to deliver are grounded in an approach that places refugees and people seeking asylum at the heart of the communities in which they reside. As such, it recognises that, for approaches to integration to succeed, this must be done in and with local communities, as well as with New Scots.

The New Scots outcomes will be progressed through actions which will be set out in the Delivery Plan, alongside measures to show progress. All of these will be developed together with partners, stakeholders and those with lived experience.

Defining and Understanding Refugee Integration

Defining refugee integration¹¹

- Integration is a **multidirectional** process. This means that expectations of making integration work are not only on New Scots or the communities where New Scots live. Institutions such as schools, healthcare providers and all levels of government must also be actively involved in ongoing dialogue and collaboration. Successful and inclusive approaches to integration are about working with New Scots, the communities where they live, and all other elements of society involved in fostering integration. Such approaches must involve understanding the unique challenges and barriers that New Scots face, as well as willingness to regularly reflect on practices and, where necessary, adapt approaches to match changing needs.
- Integration is a **multilingual** process. This means that the many languages spoken by New Scots are welcomed and included as part of processes of integration. Successful integration includes practices to support multidirectional sharing of culture and language in communities across Scotland as New Scots resettle there.

¹¹ For examples of what integration looks like in practice / on the ground, see research reports such as [The New Scots Refugee Integration Strategy: A report on the local and international dimensions of integrating refugees in Scotland.pdf \(newscots.scot\)](#) (Phipps, Adegheri and Fisher 2022).

- Integration is an **intercultural** process. This means that integration involves dialogue and mutual learning between the many different cultures, beliefs and faiths which make up our society. Integration involves the active interaction between people from diverse cultures, where people share, respect and learn from each other.
- Integration is a **restorative** process. This means that integration seeks to restore the rights and dignity of people who have been forced to flee their country. Integration requires an acknowledgement of the trauma that New Scots have experienced (as part of their well-founded fear of persecution and their journeys to seek sanctuary) and how this has impacted on their mental health; and the need for trauma-informed practices to support people in rebuilding their lives.
- Integration is an **inclusive** process. This means that everyone within the community is included in processes of integration. Integration practices must also recognise and foster the existing skills and knowledge of New Scots and people from receiving communities so that everyone can participate in flourishing Scottish communities.

Understanding integration

The model of integration originally developed by Ager and Strang in 2008 has informed Scotland's New Scots Refugee Integration Strategy for over a decade. Human rights are considered to be the foundation of the model, while language and cultural knowledge, safety and stability are seen as key facilitators of integration. Social connections are understood as being essential in order to access services and feel settled into local communities. Meanwhile, the means of achieving integration – such as employment, housing, education and health – can also be understood as markers of whether or not integration is being achieved.

Drawing on learning from the Covid-19 pandemic and the large-scale relocation and resettlement of people from Syria, Afghanistan and Ukraine, the New Scots Strategy needs to adopt an expanded understanding of integration – as depicted in the diagram below (Fig. 1). This model develops the concept of integration as a multifaceted, growing and evolving process, and is presented through the image of a tree: a growing, dynamic entity.

The model traces the research undertaken in Scotland since 2014. Whilst initiatives have been ongoing in other parts of the UK, which have informed the work, we have not adopted the 2019 Home Office review of the Ager and Strang Indicators of Integration. However, the New Scots model below has evolved from the original Ager and Strang framework to reflect the line established by New Scots, drawn from research with New Scots and in communities. The policy environment is different and whilst there are considerable overlaps, the context for integration in England and from the Home Office Indicators of Integration is not the same as the New Scots approach developed and maturing in Scotland.

Using the image of the tree, we can see that the Ager and Strang model is like the trunk and branches: the more visible aspects and indicators that determine integration. This re-framing develops the roots: those principles, processes and practices which sustain and support the whole tree by showing 'how' the processes of refugee integration can happen without becoming assimilation.

As the diagram below illustrates, the principle of restorative integration is the tap-root on which the whole dynamic process depends. The New Scots Strategy seeks, as far as possible within the limits of devolved powers, to restore the rights and dignity of people who have been forced to flee their country and seek sanctuary, and to acknowledge the impact of trauma on this process.

Approaches which place migration justice and accountability at the centre of integration practices support the visible parts of the tree – these approaches are reflected in the New Scots Strategy (see Approach and Principles section above).

The whole process of integration needs to be trauma-informed, inclusive, intercultural and multidirectional if it is to be sustainable. This process is explained in 'defining refugee integration' above, and represented by a lower level of roots in figure 1.

The deepest roots represent those practices through which integration takes place in our communities. These practices need to be multilingual; supportive of intercultural dialogue, conflict transformation and peace building.¹² They must also be informed by the principles of community learning and development.¹³

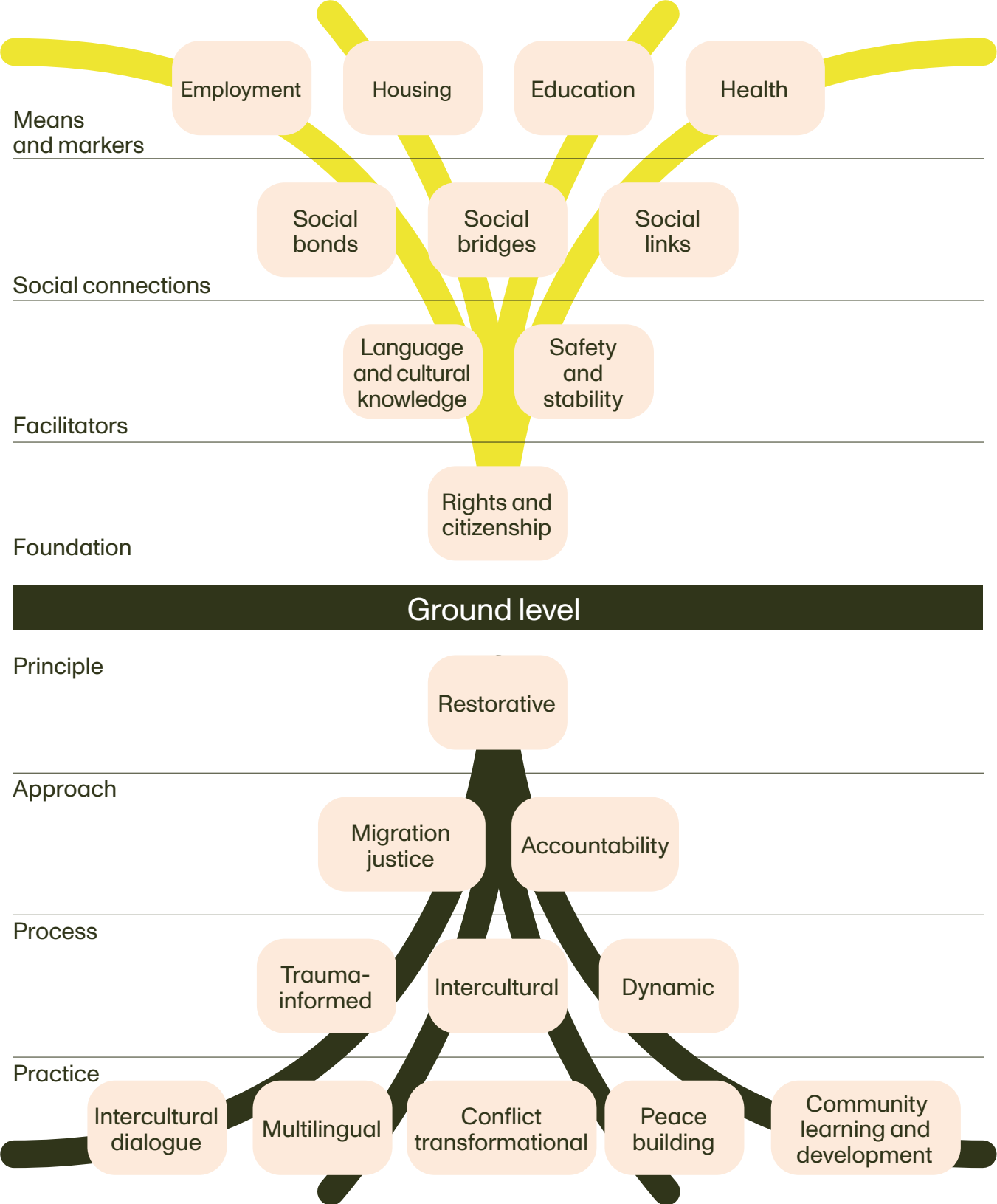
12 Lederach, J.P. 'The Little Book of Conflict Transformation', Good Books, 2003, ISBN 1-56148-390-7

[CJP - STAR - snail model \(emu.edu\)](#)

[CJP - STAR - Cycles of Violence \(emu.edu\)](#)

13 [What is community development? | SCDC - We believe communities matter](#)

Figure 1: Model illustrating an expanded understanding of integration ¹⁴



14 Source: The New Scots Refugee Integration Strategy: A report on the local and international dimensions of integrating refugees in Scotland. (Phipps, Aldegheri and Fisher (2022) p. 109) available at: [The New Scots Refugee Integration Strategy: A report on the local and international dimensions of integrating refugees in Scotland.pdf \(newscots.scot\)](https://www.newscots.scot/publications/the-new-scots-refugee-integration-strategy-a-report-on-the-local-and-international-dimensions-of-integrating-refugees-in-scotland.pdf)

New Scots Governance

The New Scots Refugee Integration Strategy has had an established structure consisting of a Leadership Board, a Core Group, seven theme groups and an Evidence Group. These structures sit alongside various governance arrangements relating to the delivery of humanitarian protection programmes in the UK. The Strategy will guide all future responses to crises that bring forced migrants to Scotland.

Ensuring the voices of refugees, people seeking asylum and wider stakeholders continue to be heard throughout the lifespan of the Strategy is central to the New Scots approach. It is also critical that the work of New Scots uses research to evidence and construct outcomes; inform the implementation of the Strategy; and evaluate the success of Scotland's approach to supporting refugees and people seeking asylum. However, what has become clear over the last few years is the importance of having New Scots structures which are able to adapt and respond to changing needs and circumstances.

As part of the engagement on Delivery Plans, there will be further discussions on what structures are required for this. These will feed into the following overarching structures, which will remain in their existing form:

Leadership Board

The New Scots Strategy is led in partnership by the Scottish Government, COSLA and Scottish Refugee Council. The Leadership Board will continue to bring together the Minister for Equalities, Migration and Refugees, the COSLA Spokesperson for Community Wellbeing and the Chief Executive of Scottish Refugee Council, with the independent Chair of the New Scots Core Group. It will meet at least annually during the Strategy implementation and may choose to meet more frequently. The purpose of the Board will be to oversee the direction of the Strategy and to ensure that a collaborative approach is taken by the Scottish Government, local government and the third sector to tackle issues, which may impact on refugees and people seeking asylum living in Scotland. Part of the role of the Board will be to secure key partners' commitment to New Scots at the highest level and to involve them in the work of the Board as appropriate.

Core Group

The Core Group will monitor and review progress against the overarching outcomes of New Scots Strategy and the associated Delivery Plan and ensure progress reports are published during the Strategy implementation period.

The Group will coordinate the work being done at the delivery level, identifying areas for collaboration and ensuring that work is not overlooked when it could be a focus for multiple groups. As progress is made and some actions are completed, the Core Group will ensure that Delivery Plans are refreshed to reflect the changing context.

New Scots will keep refugees and people seeking asylum at the heart of the Strategy. The Core Group will ensure that steps are taken to enable refugees, people seeking asylum and members of communities to engage with New Scots, so that their lived experience is central to delivery.

The following areas, which are of continued importance to New Scots, will be directly considered as part of the Delivery Plan:

- **Working Groups to progress, review and refresh actions during implementation**

As part of the Delivery Plan, New Scots partners are committed to reviewing the Strategy themes to ensure that actions focus on those areas most relevant to New Scots and that any gaps are addressed. Once the themes and associated actions have been confirmed, we will seek to establish working groups to bring together statutory and non-statutory organisations, including service providers, New Scots, third sector and community-based organisations with an interest in supporting New Scots around particular actions as required.

- **Voices of New Scots**

The development of this Strategy and Delivery Plan has been underpinned by engagement and academic research. The various strands of research carried out under the New Scots Refugee Integration Delivery Project all involved direct engagement with refugees and people seeking asylum, ensuring that those voices helped to shape the refresh of the Strategy from the outset. Initial engagement for the Strategy itself took place at the New Scots National Conference in November 2022 and this included a number of attendees with lived experience. In addition to this, an engagement exercise with over 2000 refugees and people seeking asylum took place between November 2023 and February 2024, through multiple engagement events across Scotland.

Ensuring continual dialogue with, and influence from, people with lived experience will remain a cornerstone of the Strategy. The voices of refugees and people seeking asylum will be engaged in a

variety of ways and these will be explored and developed as part of the Delivery Plan to ensure that they align with actions.

- **Wider Stakeholder Engagement**

The Strategy will seek to ensure that it engages with partners and stakeholders, who are not directly involved in other New Scots groups, but who can provide new perspectives and contribute views on approaches that are being taken through the Strategy.

This includes working with existing local and regional networks and, where necessary, supporting their strengthening and development.

- **Ensuring that New Scots continues to be informed by research and evidence**

Building on work over the last few years, New Scots will continue to seek to firmly root itself in evidence and independent academic research. This will include ensuring that there is effective monitoring and evaluation of work undertaken, as well as engagement with analysts, researchers and policy specialists working in New Scots partner organisations.

Resourcing

As with the previous New Scots Refugee Integration Strategy, implementation of the Strategy through the actions set out in the Delivery Plan will require resourcing. Currently the funding landscape across the public and third sector is extremely challenging, with significant reduction in resources. Much of the resourcing that enabled the delivery of the previous Strategies' outcomes came from resources within frontline service delivery across the sector, remodelling of provision of projects and services or from bespoke funds such as the Asylum, Migration and Integration Fund (AMIF), National Lottery Funding or Scottish Government grants. The Scottish Government has also provided funding to support a route to safety for people displaced from Ukraine through the Scottish Super Sponsor Scheme. Currently some of these funding routes are unavailable to organisations to develop work to deliver on the commitments within the Strategy.

The UK Government has provided funding to local authorities and the NHS to support people who have arrived through specific routes into Scotland; such as Afghan and UK resettlement programmes including community sponsorship, Unaccompanied Asylum Seeking Children, Homes for Ukraine and Hong Kong British Nationals (overseas).

The Strategy and Delivery Plan set out a clear framework to enable services, organisations and partners to utilise existing funding to improve and adapt services and engage with other funders to seek additional resources which would contribute to the delivery of work aligned with New Scots.

Key Achievements from the previous New Scots Strategy

The New Scots Strategy and the partnership have achieved many improvements in ensuring improved services and supporting integration. The achievements of the second New Scots Strategy are detailed in the Final Report.¹⁵

15 [New Scots: refugee integration strategy 2018 to 2022 final report - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/new-scots-refugee-integration-strategy-2018-to-2022-final-report/pages/15.aspx)



Annex A: Contextual challenges for the New Scots Strategy

Global Context

Since the publication of the second New Scots Strategy, new challenges at the global scale have changed the context within which refugees arrive and settle in Scotland. The global COVID-19 pandemic changed the way services are delivered and underlined many pre-existing inequalities and inability to access services equitably.

As the term refugee has a specific meaning in international law, as defined under the 1951 UN Convention on Refugees, the term 'climate refugee' or refugee in the context of environmental change is not yet formally recognised. However, there has been recognition that the effects of climate change and environmental disasters may interact with armed conflict, violence, persecution and displacement. In October 2020, UNHCR published legal considerations regarding claims for international protection made in the context of adverse effects of climate change and disasters. UNHCR has noted that climate change typically creates internal displacement within countries before it reaches a level where people are displaced across borders.¹⁶

For the first time, the number of displaced people worldwide is more than 100 million,¹⁷ and this number is likely to grow. Across the span of the second New Scots Strategy, a global pandemic, the largest European war since the Second World War, and unprecedented rises in the cost of energy and basic goods have all fundamentally

16 [Climate Change, Displacement and Human Rights \(unhcr.org\)](https://www.unhcr.org/press/2020/10/20201020-legal-considerations-claims-international-protection-context-adverse-effects-climate-change-disasters)

17 [Refugee Statistics | USA for UNHCR \(unrefugees.org\)](https://www.unrefugees.org/refugee-statistics-usa/)

affected how, and indeed whether, it is possible to offer support to refugees while, at the same time, increasing the number of forced migrants worldwide. We can expect this pattern of increasingly serious, unanticipated crises to continue for the indefinite future.

Impact on delivery of New Scots Strategy

This context meant that there were challenges in meeting the aims of the second New Scots Strategy. This included the impacts of ongoing international wars and crises, such as the war against Ukraine, the civil wars of Sudan and Ethiopia, the Taliban takeover of Afghanistan and the civil war in Syria. As a result, Scotland has participated in emergency evacuations while welcoming many other refugees seeking sanctuary.¹⁸ In addition, the global COVID-19 pandemic highlighted many of the structural inequalities present in Scotland¹⁹ (as well as worldwide) and the vulnerability of those seeking refuge in Scotland; while the ensuing cost of living and housing crises have significantly stretched resources and capacity to support refugee integration.

A succession of UK legislation has been introduced, including the Nationality and Borders Act 2022 and the Illegal Migration Act 2023. The UK Government has also made significant policy changes in relation to asylum which impacts people and communities in Scotland, including the announcement of a change to full dispersal in April 2022. Changes in UK policy and legislation impact people seeking asylum living in Scotland, as well as devolved services, third sector organisations and communities.

18 [Ukraine: analysis and statistics - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/ukraine-analysis-and-statistics/pages/12.aspx) and [Regional and local authority data on immigration groups - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/collections/regional-and-local-authority-data-on-immigration-groups)

19 [Using intersectionality to understand structural inequality in Scotland: evidence synthesis - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/using-intersectionality-to-understand-structural-inequality-in-scotland/pages/1.aspx)

Concurrently, the publication of the third New Scots Strategy takes place within the context of increased negative discourse towards refugees across media outlets and discussion fora, and the significant strengthening of hostile migration policies put in place by the UK Government. This third iteration of the New Scots Strategy therefore seeks to build on the successes of the first two New Scots Strategies, enact lessons learnt through Scotland's responses to the global crises since the previous Strategy, particularly from the Afghan resettlement and relocation programmes and the Warm Scottish Welcome programme for displaced people from Ukraine, and create opportunities for enacting the principles and vision of the New Scots Strategy.

Annex B: Historical, legal, and policy context for the third New Scots Strategy

Refugees and people seeking asylum in Scotland: background

Scotland has a long history of welcoming refugees and people seeking asylum from all over the world. Refugees settled in Scotland from Europe during the first and second world wars and later from Vietnam, Bosnia, Kosovo and the Democratic Republic of Congo, among other places.

The Immigration and Asylum Act 1999 began a programme of dispersing people, who had made an application for asylum, across the UK. Until 2022, Glasgow was the only asylum dispersal area in Scotland, but dispersal is now taking place across the country. The majority of refugees living in Scotland are likely to have arrived through the asylum system rather than resettlement programmes.

In recent years, Scotland has welcomed refugees to communities across the country through the UK Government's Afghan Relocation and Resettlement Schemes, Syrian Vulnerable Persons Resettlement Scheme and Vulnerable Children's Relocation Scheme, UK Resettlement Scheme and Homes for Ukraine. In 2022, Scotland welcomed displaced people from Ukraine through the Scottish Government's Super Sponsor Scheme. These programmes are led by local authorities, working together with local statutory and third sector partners. Local authorities have also resettled Unaccompanied

Asylum Seeking Children (UASC) through the National Transfer Scheme and continued to support other unaccompanied children who have arrived in Scotland.

International Human Rights Instruments

The human rights of refugees and people seeking asylum are protected by various international human rights instruments. The Universal Declaration of Human Rights (UDHR),²⁰ adopted by the United Nations in 1948, proclaims the fundamental human rights to which all people are entitled. The rights were translated into binding obligations in international law through subsequent human rights treaties, including the International Covenant on Civil and Political Rights²¹ and the International Covenant on Economic, Social and Cultural Rights.²² These three instruments constitute what is known as the International Bill of Human Rights.

Article 14 of the Universal Declaration on Human Rights states that everybody is entitled to seek and enjoy asylum. International law does not distinguish between refugees and people seeking asylum, although states often do. A person who has not yet received a decision on their application is referred to as an asylum seeker or person seeking asylum.

The United Nations has subsequently adopted further human rights treaties, which address specific human rights challenges, including torture, racial and gender discrimination and the rights of children and disabled people.

20 [Universal Declaration of Human Rights | United Nations](#)

21 [International Covenant on Civil and Political Rights | OHCHR](#)

22 [International Covenant on Economic, Social and Cultural Rights | OHCHR](#)

The UN Convention on the Rights of the Child includes particular focus on child refugees. Article 22 (1) states:

‘State Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by another person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.’

The UK was one of the first states to ratify the European Convention on Human Rights (ECHR)²³ in 1951. The Convention was given direct effect in domestic law through the Scotland Act 1998 and the Human Rights Act 1998. The Human Rights Act requires every public authority to act compatibly with the Convention rights and enables human rights cases to be taken in domestic courts.

Individuals can bring complaints of human rights violations to the European Court of Human Rights, once all domestic possibilities of appeal have been exhausted.

The Refugee Convention

The criteria for protection under the 1951 Convention are strict. States have recognised that a number of people who do not fall within the scope of the 1951 Convention may nevertheless be in need of protection. This kind of protection is known as ‘complementary protection’. People seeking protection in the UK may also require protection to avoid a breach of their rights under Article 3 and

23 [European Convention on Human Rights \(coe.int\)](https://www.coe.int/)

Article 8 of the European Convention on Human Rights and consequently be afforded immigration leave.

While the UK has now left the European Union, this has not changed the UK's obligation to offer protection to refugees as a signatory to the 1951 Refugee Convention.

Developing UK legislation and policies on refugees

The UK Parliament has passed a series of laws since 1993 that divide refugees into 'refugees' and 'asylum seekers', and have increasingly limited the rights of refugees. Due to immigration and nationality, including asylum being reserved to the UK Government under the Scotland Act 1998, these laws establish a framework for how refugees are recognised in the UK and conditions associated with their status, including applying restrictions.

The Immigration and Asylum Act 1999²⁴ sets out the ability for the Home Secretary to widen asylum dispersal beyond port of arrival, this saw larger numbers of refugees arrive in Scotland through the asylum system. Glasgow was the first, and for over 20 years the only, asylum dispersal area in Scotland. Subsequent legislation has included: the Nationality, Immigration and Asylum Act 2002;²⁵ the Immigration, Asylum and Nationality Act 2006;²⁶ the Immigration Acts of 2014²⁷ and 2016,²⁸ and the Nationality and Borders Act 2022²⁹ which established the policy of maximum deterrence.

24 [Immigration and Asylum Act 1999 \(legislation.gov.uk\)](#)

25 [Nationality, Immigration and Asylum Act 2002 \(legislation.gov.uk\)](#)

26 [Immigration, Asylum and Nationality Act 2006 \(legislation.gov.uk\)](#)

27 [Immigration Act 2014 \(legislation.gov.uk\)](#)

28 [Immigration Act 2016 \(legislation.gov.uk\)](#)

29 [Nationality and Borders Act 2022 \(legislation.gov.uk\)](#)

The most recent legislation, the Illegal Migration Act 2023,³⁰ requires the Home Secretary to make arrangements for the removal of a person from the United Kingdom if they entered the UK in breach of immigration control, if they have travelled through a safe third country en route to the UK, and if they require leave to enter or remain, but do not have it, and enables the Home Secretary to detain all persons scheduled for removal. The UNHCR has stated that this Act is at variance with the UK's obligations as a signatory to the Refugee Convention and its obligations under international law.³¹

The programmes through which refugees can legally arrive in Scotland are more fragmented in 2024 than they were when the second New Scots Strategy was published. Programmes for Syrians (the VPRS and VCRS) and the Gateway Protection Programme were discontinued in 2021, and replaced with the UK Resettlement Scheme (UKRS); but in addition to this, two programmes for Afghan refugees (ARAP and ACRS) were established later in 2021. In response to the Russian war against Ukraine, several schemes specifically for Ukrainians were established: the Ukraine Sponsorship Scheme (which includes Homes for Ukraine and Scottish Super Sponsor Scheme), the Ukraine Family Scheme, the Ukraine Extension Scheme and the Ukraine Seasonal Workers Scheme, all of which allow people displaced from Ukraine to live in the UK. Programmes such as the Hong Kong BN(O) Visas schemes have also been introduced to allow people feeling threat of political persecution to settle in the UK, a Welcome Hub³² has been developed with COSLA through DLUHC funding.

Unaccompanied Asylum Seeking children and young people can apply for asylum, the majority of which are dispersed throughout the country through the National Transfer Scheme (NTS).³³ Since November 2021, the NTS has operated as a mandated scheme and requires that all

30 [Illegal Migration Act 2023 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

31 [UK Illegal Migration Bill: UN Refugee Agency and UN Human Rights Office warn of profound impact on human rights and international refugee protection system | UNHCR UK](#)

32 [Hong Kong Welcome Hub - Migration Scotland](#)

33 [National Transfer Scheme \(NTS\) Protocol for unaccompanied asylum seeking children \(UASC\) \(publishing.service.gov.uk\)](#)

local authorities in the UK accept transfers of children and young people into their care.

In 2022, the Home Office announced a policy of 'full dispersal'. Until this point, following initial processing, people seeking asylum, who would otherwise be destitute while awaiting a decision on their asylum application, were, after initial processing, housed in a small number of local authorities around the UK. Asylum accommodation was, and continues to be, provided on a no choice basis. Glasgow was the only asylum dispersal area in Scotland up to 2022. This in part accounts for the expertise and maturity of policy in Scotland around supporting refugees and people seeking asylum. Due to a lack of accommodation in existing dispersal areas, and significant pressure on services, the UK Home Office announced that every local authority across the UK would be expected to accept dispersed asylum applicants with a presumption that dispersal asylum accommodation could be procured in any local authority area. In Scotland, all 32 local authorities agreed to receive asylum applicants in a proportional and planned approach.

Since the pandemic, the use of hotels to house people seeking asylum has been commonplace across the UK and, in November 2020, Scotland saw its first hotels outside of Glasgow used for contingency asylum accommodation. The UK Government continues to consider the use of larger sites, including vessels and large sites such as ex-army barracks, to house those seeking asylum. Local authorities, the Scottish Government, and Scottish Refugee Council are opposed to the use of hotels and vessels to house people seeking asylum. The UK Government has also introduced a policy of room sharing in hotels to 'maximise' the hotel estate. Local authorities, Scottish Government and Scottish Refugee Council have also stated their clear opposition to room sharing in those hotels, as has Public Health Scotland.

Devolved and Reserved Matters – Scotland Act 1998

Under current constitutional arrangements in the UK, certain matters are reserved and are the sole responsibility of the UK Government. The Scottish Government cannot make laws or decisions which relate to those matters, and the New Scots Strategy cannot directly address issues which are outside the scope of the Scottish Government, Scottish local authorities and other Scottish organisations.

Nationality and immigration, including asylum is a matter reserved to the UK Government under Schedule 5 of the Scotland Act 1998.³⁴ This includes policy on asylum; the process of considering applications for asylum; the provision of asylum support and accommodation; and the operation of refugee resettlement programmes. The Home Office considers applications for recognition as a refugee and determines whether the 1951 Refugee Convention definition is satisfied.

Many of the services which are essential to supporting refugees and people seeking asylum to settle into communities are devolved and are the responsibility of the Scottish Government and Scottish local authorities. This includes health, education, care and support of children, social care, legal services (including legal aid) and housing (excluding asylum accommodation). However, there can be restrictions placed on accessing some of these services, because of a person's immigration status.³⁵

34 [Scotland Act 1998 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

35 [Migrants rights and entitlements - Migration Scotland](#)

Annex C: Scottish legislative and strategic context

A number of strategies and policies support different aspects of integration and day-to-day life for refugees and people seeking asylum and complement the work of the New Scots Strategy. While this context is not designed to be exhaustive, it highlights some of the key legislation, provisions and approaches, which will support the Strategy during implementation.

The **National Performance Framework (NPF)**³⁶ is Scotland's wellbeing framework. It sets an overall purpose and vision for Scotland, highlighting the broad National Outcomes that support the purpose. It also measures how well Scotland is progressing towards those outcomes, combining measurement of how well Scotland is doing in economic terms with a broader range of wellbeing measures. The Community Empowerment (Scotland) Act 2015 enshrines the National Outcomes in law and places a duty on public authorities to have regard to them in carrying out their functions. The Act also requires the National Outcomes be reviewed every five years and with the current set published in 2018, a review is currently underway. A revised National Performance Framework will be published in Autumn 2024.

The **Equality Act 2010** prohibits direct and indirect discrimination, harassment and victimisation. It protects people from discrimination on the basis of the protected characteristics of: age; disability; gender reassignment; marriage and civil partnership; pregnancy

36 [National Performance Framework | National Performance Framework](#)

and maternity; race; religion or belief; sex; and sexual orientation. Everyone will have one or more of the protected characteristics, including refugees and people seeking asylum. Therefore, while status as a refugee or a person seeking asylum is not in itself a protected characteristic, both groups will benefit from the protection afforded.

The **Public Sector Equality Duty (PSED)**,³⁷ which is part of the Equality Act, requires the Scottish Government and other listed public authorities to have due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations between people with different protected characteristics. Scottish Ministers have used their powers to support compliance with the PSED by placing detailed requirements on Scottish public authorities through regulations; for example, public authorities across Scotland must set, publish and report on Equality Outcomes. The Scottish Government's Equality and Mainstreaming Report 2023³⁸ outlines how the Scottish Government is working to progress equality as a policy maker and as an employer. There is also an ongoing programme of improvement activity in relation to the effectiveness of the PSED regime in Scotland.

The **Race Equality Framework for Scotland (REF)**³⁹ was published in 2016, setting out a long-term ambition and approach to promoting race equality and tackling racism and inequality between 2016 and 2030. A progress review on anti-racism in Scotland was published in the summer of 2023,⁴⁰ and provides a detailed examination of progress made on commitments contained within the REF and the **Immediate Priorities Plan (IPP) (2021-2023)**.⁴¹ Progress continues to be made across many areas, including education, employment, housing, health and culture and the Scottish Government is determined to embed

37 Established under Chapter 1 of the Equality Act 2010: [Equality Act 2010 \(legislation.gov.uk\)](https://legislation.gov.uk)

38 [Equality outcomes and mainstreaming report 2023 - gov.scot \(www.gov.scot\)](https://www.gov.scot/equality-outcomes-mainstreaming-report-2023)

39 [Race equality framework for Scotland 2016 to 2030 - gov.scot \(www.gov.scot\)](https://www.gov.scot/race-equality-framework-2016-2030)

40 [Anti-racism in Scotland: progress review 2023 - gov.scot \(www.gov.scot\)](https://www.gov.scot/anti-racism-scotland-progress-review-2023)

41 [Race equality: immediate priorities plan - gov.scot \(www.gov.scot\)](https://www.gov.scot/race-equality-immediate-priorities-plan)

anti-racism both internally and across the public sector. Developing internal governance and accountability will be a key piece of this work, and the best way to take forward outstanding commitments following the progress review is being considered. An Anti-Racism Observatory is also being implemented as part of the recommendations from the **Expert Reference Group on COVID-19 and Ethnicity**,⁴² in recognition of the need for a strategic and coherent anti-racism approach to data, strategy and policy in Scotland.

The Scottish Government is working with Disabled People's Organisations to develop and implement a **Disability Equality Immediate Priorities Plan** that delivers actions to help meet the barriers faced by disabled people.⁴³ The plan will focus on finding solutions to address the challenges and obstacles identified by disabled people and is anticipated that it will be published in 2024. This plan will be a step towards developing a Disability Equality Strategy that will be aimed at tackling the systemic barriers that affect the daily lives of disabled people and impact on disability poverty. Twenty per cent of people living in Scotland have a long term limiting health problem or disability. This will include some refugees and asylum seekers. Refugees who have come to Scotland through the UK Government's resettlement programmes are selected based on UNHCR criteria for vulnerable groups. This includes disabled refugees.

Equally Safe is Scotland's Strategy for preventing and eradicating violence against women and girls and addressing the underlying attitudes and systems that perpetuate it. It aims to ensure women and girls live free from violence, abuse and exploitation and covers domestic abuse, rape, sexual assault, forced marriage, female genital mutilation and prostitution. The Equally Safe Strategy was refreshed in

42 [Expert Reference Group on COVID-19 and Ethnicity: recommendations to Scottish Government - gov.scot \(www.gov.scot\)](https://www.gov.scot/resources/documents/2020/09/Expert-Reference-Group-on-COVID-19-and-Ethnicity-recommendations-to-Scottish-Government-2020-2021.pdf)

43 [Disabled people - gov.scot \(www.gov.scot\)](https://www.gov.scot/resources/documents/2020/09/Disability-Equality-Immediate-Priorities-Plan-2020-2024.pdf)

December 2023⁴⁴ and an accompanying Delivery Plan is expected to be published in Spring 2024. Many refugee and asylum seeking women and girls have faced these issues and may require specific support as they settle in Scotland.

Scotland's National Action Plan to Prevent and Eradicate Female Genital Mutilation⁴⁵ (FGM) recognises that FGM is a complex and often hidden form of abuse. It builds on work taking place across Scotland to bring best practice together and take all necessary steps to protect women and girls from harm. Under the Female Genital Mutilation (Scotland) Act 2005,⁴⁶ it is a criminal offence to have FGM carried out in Scotland or abroad. The Female Genital Mutilation (Protection and Guidance) (Scotland) Act 2020⁴⁷ aims to strengthen the existing legislative framework for the protection of women and girls from FGM and includes two provisions for FGM Protection Orders and statutory guidance. Work will continue to ensure effective implementation of the Act and eliminate this harmful practice. FGM does not only impact refugee communities, but it can be a reason why women and families need to seek protection outside their country of origin.

Scotland's **Trafficking and Exploitation Strategy**⁴⁸ was published in 2017 and was a requirement of the Human Trafficking and Exploitation (Scotland) Act 2015,⁴⁹ which introduced a single offence for all kinds of trafficking for the first time and strengthened the existing law. Significant progress has been made across Scotland under the framework provided by the Strategy and this is set out in the published progress reports.⁵⁰ Following an extensive period of engagement, the second review of the Trafficking and Exploitation Strategy was

44 [Equally Safe 2023 - preventing and eradicating violence against women and girls: strategy - gov.scot \(www.gov.scot\)](#)

45 [Scotland's national action plan to prevent and eradicate FGM - gov.scot \(www.gov.scot\)](#)

46 [Prohibition of Female Genital Mutilation \(Scotland\) Act 2005 \(legislation.gov.uk\)](#)

47 [Female Genital Mutilation \(Protection and Guidance\) \(Scotland\) Act 2020 \(legislation.gov.uk\)](#)

48 [Human trafficking and exploitation strategy - gov.scot \(www.gov.scot\)](#)

49 [Human Trafficking and Exploitation \(Scotland\) Act 2015 \(legislation.gov.uk\)](#)

50 [Human trafficking - gov.scot \(www.gov.scot\)](#)

published in September 2023.⁵¹ The review recommended that a refreshed Strategy should be developed, working collaboratively both with survivors and stakeholders across Scotland and beyond. The refresh of the Strategy formally commenced in December 2023. Refugees and people seeking asylum may have been trafficked on their journey to the UK and can be vulnerable to exploitation by traffickers and others as they seek safety.

The **Ending Destitution Together Strategy**⁵² was published jointly by the Scottish Government and COSLA in March 2021, and is a Strategy to improve support for people subject to No Recourse to Public Funds (NRPF). People who are subject to NRPF are not permitted under UK immigration rules to access most mainstream benefits, local authority housing or homelessness services. This includes people who have applied for asylum. The Strategy is the first of its kind in the UK and sets out the ambition of the Scottish Government and COSLA to ensure the people living in communities across Scotland do not experience destitution because of their immigration status. Actions within the Strategy aim to: create a humane environment for people with NRPF who are restricted from accessing certain types of public support on the basis of their immigration status; access practical things people need, particularly at a point of crisis (including access to food, shelter and healthcare); increase access to specialist advice and supporting advocacy needed to navigate asylum and immigration systems and secure rights (including specialist legal advice); and promoting fair access and participation for everyone (including people with lived experience informing service design, involvement in communities, and employment).

51 [Trafficking and exploitation strategy: review - gov.scot \(www.gov.scot\)](https://www.gov.scot/resources/consultations/consultations/trafficking-and-exploitation-strategy-review/)

52 [Ending destitution together: strategy - gov.scot \(www.gov.scot\)](https://www.gov.scot/resources/consultations/consultations/ending-destitution-together-strategy/)

The **Hate Crime Strategy for Scotland**,⁵³ published in March 2023, sets out the Scottish Government's vision for a Scotland where everyone lives free from hatred and prejudice. The Hate Crime Strategy Delivery Plan⁵⁴ was published in November 2023 and sets out a range of activity that the Scottish Government will take forward with partners over the next two years to tackle hate crime. The Scottish Government recognises that some refugees and people seeking asylum experience hate crime and will work to ensure they are protected from such behaviours and help them to feel safer and less isolated within their communities.

The **Children and Young People (Scotland) Act 2014**⁵⁵ placed in statute key elements of **Getting It Right For Every Child (GIRFEC)**.⁵⁶ GIRFEC is Scotland's national approach to improving the wellbeing of children and supports children, young people and their parents to work in partnership with the services that can help them. This includes refugee and asylum seeking children and their families and ensures that they are able to access the services they require to settle in Scotland. The 2014 Act also provides access to services for Unaccompanied Asylum Seeking Children (UASC) as care leavers. Local authorities provide accommodation and support through and beyond their asylum application, including access to education, English for Speakers of Other Languages (ESOL) and other services, which support integration into their local communities.

The **Children (Scotland) Act 1995**⁵⁷ requires local authorities and other public bodies to become corporate parents for unaccompanied children and young people, with statutory duties to safeguard them and support them towards positive destinations and independence under Section 25 of the 1995 Act. This includes UASC, who are cared for by the local authority in which they are found.

53 [Hate crime strategy - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/hate-crime-strategy-2023/pages/introduction.aspx)

54 [Hate crime strategy: delivery plan - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/hate-crime-strategy-delivery-plan-2023/pages/introduction.aspx)

55 [Children and Young People \(Scotland\) Act 2014 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2014/12/section/1)

56 [Getting it right for every child \(GIRFEC\) - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/getting-it-right-for-every-child-2018/pages/introduction.aspx)

57 [Children \(Scotland\) Act 1995 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1995/12)

The **Human Trafficking and Exploitation (Scotland) Act 2015**⁵⁸ places a duty on Scottish Ministers to make arrangements for an Independent Child Trafficking Guardian (ICTG) to be appointed for unaccompanied asylum-seeking and trafficked children in Scotland. The ICTG service ‘Guardianship Scotland’ was introduced in April 2023 and is funded by the Scottish Government. Its main aim is to provide advice and support to the unaccompanied child and the local authority, as the child navigates the asylum and trafficking processes.

Unaccompanied asylum seeking children are treated as ‘looked after’ children. Their rights must be upheld and they must have access to all that would be expected for any other child or young person, including health care and education. **The Promise**⁵⁹ sets out the ambition for Scotland’s care experienced children and young people, including UASC.

The **Verity House Agreement (2023)**⁶⁰ commits Scottish local authorities and the Scottish Government to ‘consult and collaborate as early as possible in all policy areas’ and, in particular, to adopt a joint approach of ‘local by default, national by agreement’. For the New Scots Strategy, this will mean recognising the lead role local authorities take in developing programmes to support multi-way integration that suit the needs of specific localities and communities, while seeking to create the strongest possible alliance at the national level that protects that capacity.

Community Learning and Development (CLD) is a professional practice within education with delivery stretching across all stages of lifelong learning. The purpose of CLD is to provide early intervention and prevention to those experiencing, or at risk of experiencing, inequality of opportunity within the education and skills system. CLD is

58 [Human Trafficking and Exploitation \(Scotland\) Act 2015 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2015/12/section/1)

59 [The Promise](#)

60 [New Deal with Local Government – Verity House Agreement - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/new-deal-with-local-government-verity-house-agreement/pages/10/)

very broad, encompassing a wide range of activities, which can include adult learning, youth work, and ESOL. Councils have a statutory responsibility to make CLD available locally, playing an important role in the system. However there is a wide range of partners involved in the delivery of CLD activity.

The **Community Learning and Development independent review**⁶¹ was commissioned by the Minister for Higher and Further Education; and Veterans and started in December 2023. Led by an Independent Reviewer, the review will offer independent advice and recommendations on the delivery of CLD services in the context of a reformed education and skills system. A final report outlining findings and recommendations is expected to be published in June 2024.

The Scottish Government has committed to introducing a new **Human Rights Bill**⁶² within the 2023-24 parliamentary year. The Bill will incorporate international human rights standards into domestic law within the limits of devolved competence. It will bring an enhanced focus to the implementation of economic, social, cultural and environmental rights by creating duties on those delivering public functions to give effect to and realise these rights for the people of Scotland. Specific rights for women, disabled people and people experiencing racism will also feature in the Bill.

Scotland's **Mental Health and Wellbeing Strategy**⁶³ was published jointly by Scottish Government and COSLA in June 2023 and lays out a long-term vision and approach to improving the mental health and wellbeing of everyone in Scotland. The associated Delivery Plan⁶⁴ was published in November 2023 and sets out the actions that will be taken to improve mental health for everyone in Scotland covering the period 2023 to 2025. Many refugees and people seeking asylum arrive in

61 [Community learning and development \(CLD\): independent review - gov.scot \(www.gov.scot\)](https://www.gov.scot/resources/consultations-petitions/ip/Community-learning-and-development-CLD-independent-review-2023-24/)

62 [Human rights - gov.scot \(www.gov.scot\)](https://www.gov.scot/resources/consultations-petitions/ip/human-rights-bill-2023-24/)

63 [Mental health and wellbeing strategy - gov.scot \(www.gov.scot\)](https://www.gov.scot/resources/consultations-petitions/ip/mental-health-and-wellbeing-strategy-2023-24/)

64 [Mental health and wellbeing strategy: delivery plan 2023-2025 - gov.scot \(www.gov.scot\)](https://www.gov.scot/resources/consultations-petitions/ip/mental-health-and-wellbeing-strategy-delivery-plan-2023-25/)

Scotland with mental health problems associated with the reason they have had to seek asylum. This includes gender-based violence, sexual violence, torture, experience of war and other degrading treatment. The experience of seeking asylum, incidents of racism or prejudice and the challenge of understanding and exercising rights can exacerbate these existing problems or create new ones.





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