

PE1521/H

Petitioner Email of 4 November 2014

Dear David

In advance of the Public Petitions Committee discussing our petition for No More Page 3 in the Scottish Parliament (PE1521), next Tuesday 11 November we wanted to write and provide comment on the responses you have received from the Parliament and Political Groups.

Firstly, we welcome the strong support from the Labour, Liberal Democrat and Green/Independent groups for our proposal and also the balanced response from the Conservative group which whilst not supporting the proposal itself did address the recognition of the need for action on these issues. We await a response from the SNP group, before making our final comment. On that basis we have copied this letter to their Business convenor Derek MacKay MSP and the First Minister Alex Salmond MSP for awareness.

On the subject of the letter from the Scottish Parliament Chief Executive which we received a copy of this week we are disappointed with the Parliament's interpretation of their duties under the Equality Act 2010. We welcome the provision of information on the number and location of the copies of the Sun within the Holyrood building but are saddened that it would seemingly need to take someone to complain on the grounds of sexual harassment to consider removing them. We are interested to know having read the list of publications on what grounds are copies of the Daily Star and Daily Sport not stocked within the Parliament given the rationale that they did not want to limit personal choice of staff members or MSPs?

Our understanding from the Technical Guidance published by the Equality and Human Rights Commission on the Public Sector Equality Duty in Scotland was that the advance of equality should be part of day-to-day decision making and not solely reactive in the event of a complaint.

http://www.equalityhumanrights.com/sites/default/files/uploads/documents/Old_Guidance/PDFS/Technical_Guidance/technical_guidance_on_the_public_sector_equality_duty_scotland.pdf

The Act recognises that not everyone's needs or experiences are the same and that equality does not mean always treating everybody in exactly the same way. For everyone to have an equal opportunity to achieve their full potential, they need to be free from any artificial barriers, such as prejudice or a failure to respond to the specific needs of people with different protected characteristics.

The second need of the duty in particular reflects this by requiring relevant bodies to have due regard to the need to minimise or remove disadvantages; to take steps to meet the different needs of people with different protected characteristics; and by encouraging participation in activities by those whose participation is disproportionately low.

The Act makes it clear that in some circumstances compliance with the general equality duty may involve treating some persons more favourably than others,

On the issue of case law, we are aware of local authorities such as South Lanarkshire, South Ayrshire, East Ayrshire and Glasgow where the Sun is no longer stocked for reference within libraries or offices. Indeed, East Ayrshire highlighted the link between the sale of the Sun newspaper and its status as a White Ribbon Campaign supporting organisation and local action on reducing domestic violence.

Finally, I'd just like to draw to the committee's attention that today the Advertising Standards Authority has ruled against the Sun in relation to it offering as a prize a date with a page 3 model as an incentive to take part in a licenced and regulated gambling activity. The ASA upheld my complaint on a number of breaches of the CAP code.

http://www.asa.org.uk/Rulings/Adjudications/2014/11/News-UK-and-Ireland-Ltd/SHP_ADJ_276702.aspx#.VFm1tlrXCQ

I trust this is useful, as i remember the committee wanting to know what other lobbying had been undertaken or action to address the objectification of women in the Sun newspaper.

We look forward to the outcome of your deliberations next Tuesday.

Best Wishes,

Jane O'Donnell and George Eckton