

Freedom of Information (Scotland) Act 2002

DATE RECEIVED	05/01/2022	SUBJECT	Equalities and Jarl Squad		
PASSED TO	Corporate Services	DATE PASSED	05/01/2022	RESPOND BY	26/01/2022
CATEGORY	Private	FoI NUMBER	2022-003		

Question/s to be Answered

I am writing to make an open government request for all the information to which I am entitled under the Freedom of Information (Scotland) Act 2002. I would like the above information to be provided to me as an electronic copy. Please respond within the statutory 20 working days. Please advise if you require this FOISA to be sent as a paper copy.

Public organisations, including NHS Trusts in Scotland, are subject to the general Equalities Duty 2010 and must have due regard in all their actions to the need to:

- eliminate discrimination.
- advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it.

The Lerwick Up Helly Aa Committee and its squads continue to practise gender discrimination in the name of tradition in spite of requests from concerned members of the community to end their discriminatory practices and admit women to all roles in the festival. In spite of this, the Jarl squad, a large group of men, were welcomed into Gilbert Bain Hospital in January 2020, which would have contained a number of vulnerable people, in continuation of an annual visit that has taken place for many years.

The fact is that multiple research reports have established that there is a direct correlation between the level of gender equality in a society and its level of gender based violence. The more gender equal a society, the less gender based violence there is in it. In Shetland, the level of most recent recorded sexual crime statistics by the police is greater per head of our population than in many other areas in Scotland. The visit of the Jarl Squad to NHS provisions, and the acceptance of this, helps to perpetuate gender discrimination in our community and is against the obligations placed on NHS trusts to observe the Equalities Duties, as outlined above.

Under FOISA, please could you give the following information:

1. In 2019/20, were the Jarl squad allowed to access outpatient and inpatient areas of Gilbert Bain Hospital?

Yes.

2. In 2019/20 were patients and staff in wards and NHS provisions given the opportunity to opt out of the visit by the Jarl Squad?

NHS Shetland does not mandate staff to participate in the Up Helly Aa visit. Patients are given the choice should they wish to receive a visit from the squad.

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3. What plans do you have in place to decline any further visits from the Jarl Squad until such time as they respect gender equality? The Equality Duty 2010 applies to all NHS provisions.

Any future visits are not a matter that has been discussed by the Board.