



## **Ending the need for food banks: consultation on a draft national plan**

JustCitizens is a migrant advisory panel hosted by JustRight Scotland and funded by the Paul Hamlyn Foundation, the Joseph Rowntree Charitable Trust, and the Esmee Fairbairn Foundation. We are a collective of migrants living in Scotland from diverse backgrounds, including with experience of the UK asylum system and surviving in the UK with no recourse to public funds (NRPF). Our aim is to build a fairer and more equal vision of citizenship and belonging, for people living in Scotland.

JustRight Scotland is a registered charity (SO305962) established by an experienced group of human rights lawyers. We use the law to defend and extend people's rights, working collaboratively with non-lawyers across Scotland towards the shared aims of increasing access to justice and reducing inequality.

JustCitizens are submitting a response to this consultation in order to highlight gaps they have identified in the Scottish Government's proposals, drawing on our experiences living as, and supporting, migrants in Scotland.

As migration status is linked to entitlements - such as the right to work - to services - such as employability services - and our social security safety net - such as income support and housing benefit – some migrants are particularly vulnerable to destitution and food deprivation. This happens because although migrants may live here lawfully, they may not have the same range of support that others in Scotland enjoy.

The response which follows highlights some of the consequences of this situation for migrants in Scotland today.

We give consent for this response to be published along with other consultation responses. Contact details for further information:

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### **Just Citizens**

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Room 1, 1st Floor, Libertas  
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1. Do you think that the approach outlined is consistent with the vision to end poverty and the need for food banks? Is there anything else you think should be included? [Y/N/Don't Know] [Open comment]

No.

The right to adequate food is one of the basic human rights, together with the right to life and water. The right to food is the right to feed oneself in dignity:

*“The right to adequate food is realized when every man, woman and child, alone or in community with others, has physical and economic access at all times to adequate food or means for its procurement.”*  
– Committee on Economic, Social and Cultural Rights – General Comment no. 12, Right to Food

Given this definition it is possible to derive all the components that comprise the right to adequate food.

The first dimension related to adequacy is food security, meaning that food must be both physically available and financially accessible to all individuals. Another component is the concept of diet and dietary needs, seen as elements necessary for acceptable mental and physical growth. Lastly, the factor of cultural acceptability expresses how food and food consumption are based on other elements other than simple nutrition.

All these components to the right to food are important measuring sticks that must be considered when assessing the relevance of specific legislation or food-related policies, as they represent the degree to which the human right to adequate food is guaranteed.

The right to food is also fundamental to enjoying our other rights. As human rights are interdependent, indivisible, and interrelated, there is a link between the right to food and other human rights, which means that if the right to food is violated other human rights, such

as the right to health, adequate housing and education amongst others, cannot be fully enjoyed. Thus, the right to food must be secured before we can secure other human rights.

As the right to adequate food is inseparable from social justice, new policies and legislation aimed at tackling the existing gaps of that right need to address the broader underlying causes linked to poverty and destitution faced by migrants in Scotland daily.

We although we welcome the vision to end poverty and the need for food banks, as well as some of the progressive proposals, we also see gaps that should not be ignored, nor taken as minor challenges.

First of all, the aims, whilst aspirational, are described using a vague language that only refers to future hopes, without proposing actual steps within a more structured strategy.

We believe that Scottish Government should stop “trying to make the good things better and start with the really bad ones, levelling the playing field”, and it should also stop perpetuating the idea that the only people accessing food banks are poor people.

There is an urgent need to change employment rights; too many jobs require two years of continuous employment in order to have access to full employment rights. That means too many people do not have access to sick pay, maternity leave, holiday pay, or even pension schemes.

We are also concerned that much of the additional support proposed would still be administered within a social security system that intentionally excludes many migrants – even those who have lived here long-term and are in employment or employable. That would mean that people who have no recourse to public funds, those who do not qualify for benefits, even those who are working but part-time, on zero hours contracts or in lower wage jobs, will be automatically

excluded from this additional support – simply because of their migration status.

JustCitizens is not fully convinced that the need for food banks will be completely removed by implementing this plan, nor is convinced that complete removal would be the right answer. Food banks can be community tools, used to access food with no strings attached. They could be further developed and transformed to provide community engagement, opportunities for connection, around people and food. Individuals, families, children could feel empowered by having the option to pick up food or cook food, learning about local produce etc. Food banks possess great community links, and we believe the Scottish Government would do well to use these.

2. Do you think that the actions underway will help to reduce the need for food banks as a primary response to food insecurity? [Y/N/Don't Know]  
No
3. Do you think that the suggestions for what more we plan to do will help to reduce the need for food banks as a primary response to food insecurity? [Y/N/Don't Know]  
No
4. Is there anything else that you think should be done with the powers we have at a national or local level to reduce the need for food banks as a primary response to food insecurity? [Open comment]

We believe that employment rights should be strengthened, starting from the application process, which has to be accessible and fair to all candidates. We believe that discrimination in access to employment continues to be an important factor in vulnerability of migrants to destitution in Scotland.

We also believe that Scottish Government should urgently address the need to provide substantial financial resources to fund equivalent centralised support to people who are in need – and locked out of other social security systems. We believe this fund should be made accessible to individuals and organisations, to be used locally, tailored around the needs of communities.

We also believe Scotland and the Scottish Government should also reflect on why poverty levels are increasing exponentially. We support improvements that benefit all people in Scotland struggling financially – not just those benefitting migrants. For example, we support an increase in the benefits allowance, ensuring people do not have to wait weeks before getting their first payment and that such payment is aligned with the actual, real cost of living.

We believe there should be an increase in wages, one that matches the cost of living, especially in big cities. Too many companies in Scotland are allowed to offer zero-hours contracts, or jobs that pay more than the minimum wage “on paper” without taking into account the time required to travel from one side of the city to the other and the cost of transport.

We also call for affordable, truly affordable, childcare to be implemented. JustCitizens welcomes the new initiatives developed and implemented by the Scottish Government which increases the scope of its childcare commitments, however, they are simply not enough for working parents, for single mothers, for people with no recourse to public funds and for the thousands of people with precarious, low-paid jobs. If the Scottish Government is serious about wanting to create more opportunities for employment, then adequate childcare needs to be in place first.

People on low income to access food, employment, support and advice, should have access to a bus pass, regardless of their immigration status. That would fit well into the environmental strategy and the New Scots strategy.

We welcome a strategy for Universal Basic Income is outlined in the paper; however, it is not as detailed and wide as JustCitizens had hoped, and we would have liked a much deeper analysis of how that strategy would work in practice. However, as the system today is overly bureaucratic and complex to navigate, a universal payment would be welcome, as we recognise that continuously asking for small sums of money to survive is not a dignified approach.

A robust strategy on how to tackle homes affordability needs to be developed (and adhered to by private companies). Having enough social houses that meet the needs of people, lower the use of Airbnb especially in big cities, and strengthen tenants' rights, should all be developed alongside this strategy.

Proposals to criminalise or heavily tax food waste should be discussed, especially as Scotland wishes to be a leading country when it comes to its green strategy.

5. Do you have any views on how we intend to measure impact, and what would give you confidence that we are moving in the right direction? [Open comment]

We believe it is important to start by assessing the real poverty levels in Scotland.

But more importantly, it would be vital to look at people's income vs the cost of living and identify whether there is a fair balance between the two. If the cost of living is too high, people will be forced to make choices on how to cut on their expenses, and because gas, rent, electricity, council tax are expenses that cannot be avoided – if one wants to avoid destitution or homelessness - the only available “choice” left would be food.

6. Is there anything else that you think should be considered in the development of this plan? [Open comment]

**People** for whom this consultation was intended.

JustCitizens found that the consultation was not easy to find, it was not translated into any other language spoken in Scotland, the Easy Version missed some critical points and lastly, people accessing food banks were not aware that such consultation was even taking place. We need to be real when it comes to including people with lived experience if we are serious about reshaping our society. This consultation should have reached communities and grass-root organisations.

Any new mechanism that is put into place should be coming from a Scottish Government fund that is purposefully and transparently accessible and available to everyone – regardless of migration status – with multiple referral points or through a self-referral mechanism, with only reasonable documentation asked.

Additionally, a consultation on food should talk more specifically about what type of food should be available, especially to children in schools. There should be more conversations about food waste and where we get our food from, especially in the UK.

Communities should always be consulted early on when planning new strategies, and JustCitizens would advise the Scottish Government to look at strategies that bring communities and green initiatives together for long-term solutions. Funds for third sector organisations should be in place, so that people with knowledge and expertise can sustainably provide help and support, ensuring people can access support without having to rely solely on agencies.

We would like to end our response, by asking a direct question to the Scottish Government.



*“Many of the actions in your plan are already existing or underway, which means things should already be good, or fair right now. Why is it all going wrong for so many people then?”*

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