

Right to Food (Scotland) Bill

Introduction

A proposal for a Bill to incorporate the right to food into Scots law.

The consultation runs from 25 November 2021 to 16 February 2022.

All those wishing to respond to the consultation are strongly encouraged to enter their responses electronically through this survey. This makes collation of responses much simpler and quicker. However, the option also exists of sending in a separate response (in hard copy or by other electronic means such as e-mail), and details of how to do so are included in the member's consultation document.

Questions marked with an asterisk (*) require an answer.

All responses must include a name and contact details. Names will only be published if you give us permission, and contact details are never published – but we may use them to contact you if there is a query about your response. If you do not include a name and/or contact details, we may have to disregard your response.

Please note that you must complete the survey in order for your response to be accepted. If you don't wish to complete the survey in a single session, you can choose "Save and Continue later" at any point. Whilst you have the option to skip particular questions, you must continue to the end of the survey and press "Submit" to have your response fully recorded.

Please ensure you have read the consultation document before responding to any of the questions that follow. In particular, you should read the information contained in the document about how your response will be handled. The consultation document is available here:

[Consultation Document](#)

[Privacy Notice](#)

I confirm that I have read and understood the Privacy Notice which explains how my personal data will be used.

On the previous page we asked you if you are UNDER 12 YEARS old, and you responded Yes to this question.

If this is the case, we will have to contact your parent or guardian for consent.

If you are under 12 years of age, please put your contact details into the textbox. This can be your email address or phone number. We will then contact you and your parents to receive consent.

Otherwise please confirm that you are or are not under 12 years old.

No Response

About you

Please choose whether you are responding as an individual or on behalf of an organisation.
Note: If you choose "individual" and consent to have the response published, it will appear under your own name. If you choose "on behalf of an organisation" and consent to have the response published, it will be published under the organisation's name.

on behalf of an organisation

Which of the following best describes you? (If you are a professional or academic, but not in a subject relevant to the consultation, please choose "Member of the public".)

No Response

Please select the category which best describes your organisation

Third sector (charitable, campaigning, social enterprise, voluntary, non-profit)

Optional: You may wish to explain briefly what the organisation does, its experience and expertise in the subject-matter of the consultation, and how the view expressed in the response was arrived at (e.g. whether it is the view of particular office-holders or has been approved by the membership as a whole).

The Religious Society of Friends, or Quakers, are a faith group committed to working for peace; equality; truth and integrity; and simplicity and sustainability. Quakers promote these values across Scotland through practical action and advocacy. As Quakers we are called to "understand the causes of injustice, social unrest and fear", and work "to bring about a just and compassionate society which allows everyone to develop their capacities and fosters the desire to serve" (Advices and Queries 33). Guided by our values we support national policy which aims to reduce poverty and marginalisation in society when allocating public funds across the full range of public services. We have previously spoken positively about the right to food when responding to the National Human Rights Taskforce's consultation "All Our Rights in Law" .

Please choose one of the following:

I am content for this response to be published and attributed to me or my organisation

Please provide your Full Name or the name of your organisation. (Note: the name will not be published if you have asked for the response to be anonymous or "not for publication". Otherwise this is the name that will be published with your response).

Quakers in Scotland

Please provide details of a way in which we can contact you if there are queries regarding your response. Email is preferred but you can also provide a postal address or phone number.

We will not publish these details.

Aim and Approach - Note: All answers to the questions in this section may be published (unless your response is "not for publication").

Q1. Which of the following best expresses your view of the proposal to incorporate the right to food into Scots law?

Fully supportive

Please explain the reasons for your response.

As Quakers we are called to work to bring about a just and compassionate society. Food is essential to human survival and without access to adequate, nutritious food it is hard for individuals and communities to flourish. In Scotland too many people currently do not have adequate access to healthy nutritious food, or have to access that food through foodbanks. Our hope would be that a stronger statutory basis for the Right to Food would help to prevent the scenario we currently face in Scotland, ensuring that no one goes without food and that the dignity of all is respected.

Q2. Do you think legislation is required, or are there other ways in which the proposed Bill's aims could be achieved more effectively? Please explain the reasons for your response.

As the 2016 Independent Working Group on Food Poverty rightly noted, food poverty in Scotland is not the result of a lack of food, but a lack of financial resource. Scotland has an abundance of food, but poverty means that for many it is inaccessible. We have, therefore, welcomed measures, outlined in the Scottish government's draft strategy for ending the need for foodbanks, to focus on strengthening incomes, social security and reducing the cost of living. We believe these measures would go some way to addressing some of the economic underpinning to food poverty. Nonetheless, we would still welcome legislation. Taking a rights-based approach embeds dignity into decision making, affirming that food is not a question of charity or kindness but of justice. The UK has already ratified the right to food as part of the right to adequate standard of living within the International Covenant on Economic, Social and Cultural Rights and the incorporation of international human rights into domestic law is a repeated and strong recommendation of UN rights reviews. Significantly, the Bill's provisions would also apply to all, having the practical advantage of stating that if you are resident in Scotland you have the right to adequate and accessible food.

Q3. Which of the following best expresses your view on an independent statutory body being given responsibility for overseeing and reporting on progress towards realising the right to food?

Fully supportive

Please explain the reasons for your response.

For this Right to be fully realised, it is vital that there is adequate resource and accessible accountability mechanisms. These will rely upon some sort of observer body where stakeholders can assess the state of the right to food in Scotland and identify shortcomings and required action. We believe examples of such bodies already exist such as the Latin America and the Caribbean Right to Food Observatory.

Q4. Should an independent body be given responsibility for overseeing and reporting on the right to food, do you think it should be:

Either option

Q5. Which of the following best expresses your view of enshrining a right to food into Scots law as a priority in advance of, and in a manner which is compatible with, any further Scottish Government legislation on wider human rights?

Partially supportive

Please explain the reasons for your response.

Quakers in Scotland have previously responded to the National Taskforce for Human Rights consultation on wider Human Rights legislation for Scotland, and are supportive of the concept. We recognise however, that such legislation will be complex and the timescale for its development is likely to be long as a result. There is therefore an argument for bringing forward this legislation at an earlier stage, and the UNCRC (incorporation) (Scotland) Bill gives precedent for this. It would, however, be essential for any legislation to work coherently with the developing human rights statutory framework, and therefore would require early discussions with the Scottish government's human rights team.

Q6. Which of the following best expresses your view of placing responsibility for guaranteeing the right to food on the Scottish Government?

Partially supportive

Please explain the reasons for your response.

Given the extent to which the right to food touches on many different areas of policy and requires coherence across different levels of government it may be worth considering widening the duties to all public bodies. Under the Human Rights Act 1998 are all public bodies, including the Scottish Government but also local authorities, and the wide range of other public bodies. In addition, those who carry out the functions of a public body under contracts are also included as having duties.

Covid-19 Pandemic

Q7. What impact do you consider the effects of, and response to, the Covid-19 pandemic has had on the need for a right to food to be incorporated into Scots law?

Increased the need for the Bill

Please explain the reasons for your response.

The Covid19 pandemic has not only exacerbated existing inequalities within the Scottish society, but for many the various lockdowns made it harder to access emergency food relief.

Financial Implications

Q8. Taking into account all those likely to be affected (including public sector bodies, businesses and individuals etc), is the proposed Bill likely to lead to:

some increase in costs

Please indicate where you would expect the impact identified to fall (including public sector bodies, businesses and individuals etc). You may also wish to suggest ways in which the aims of

Q8. Taking into account all those likely to be affected (including public sector bodies, businesses and individuals etc), is the proposed Bill likely to lead to:

the Bill could be delivered more cost-effectively.

We have not undertaken an analysis of the cost of incorporating the right to food into domestic law. However, our sense is that doing so is in line with actions that Scotland is already undertaking. There are a number of ways in which the right to food could be delivered within Scotland. The "delivering a right to food" campaign and other bodies recommend a range of actions such as

- Providing universal free school meals
- Establishing community kitchens using existing infrastructure, such as school kitchens, and making use of food waste
- Ensuring that social security payments and wages keep pace with the cost of living. (This is similar to the Scottish Government proposals for a Minimum Income Guarantee)
- Placing a duty on government to ensure food security and to take this duty into account when setting other policy areas.
- Creating independent oversight and enforcement mechanisms.

Much of this isn't very far from what is already under consideration in Scotland where the expansion of free school meals is already under way. The Scottish government is exploring a Minimum Income guarantee, and many foodbanks have begun the journey to becoming community kitchens. What would be expected would be additional resource to ensure the independent oversight, assessment, and enforcement of these measures, alongside resources to ensure the necessary scale of delivery was achieved.

Equalities

Q9. What overall impact is the proposed Bill likely to have on equality, taking account of the following protected characteristics (under the Equality Act 2010): age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation?

Slightly positive

Please explain the reasons for your response. Where any negative impacts are identified, you may also wish to suggest ways in which these could be minimised or avoided.

Many groups with protected characteristics face food insecurity and there is a lack of concerted, coherent government action to address this. By enshrining the requirement to progressively realise the right to food for all and non-discrimination, steps can be taken to address the food gaps experienced for particular groups.

Sustainability

Q10. In terms of assessing the proposed Bill's potential impact on sustainable development, you may wish to consider how it relates to the following principles:

- living within environmental limits
- ensuring a strong, healthy and just society
- achieving a sustainable economy
- promoting effective, participative systems of governance
- ensuring policy is developed on the basis of strong scientific evidence.

With these principles in mind, do you consider that the Bill can be delivered sustainably?

Yes

General

Q11. Do you have any other additional comments or suggestions on the proposed Bill (which have not already been covered in any of your responses to earlier questions)?

Enshrining the Right to Food in law does not of itself guarantee that all those who do not have access to adequate food now will do so in the future. To achieve that goal will be a complex process involving all who currently work to alleviate poverty and those who suffer from it. Scotland has the resources to achieve the goal; it is the distribution of resources (monetary and food) which will have to change.

At a Government level the Right to Food would enshrine a requirement on Government and Public Bodies to make sure all citizens have access to adequate food. We support this as a powerful "statement of intent" for Scottish society. Stemming from this, serious questions need to be raised and answered about how the "theoretical" rights are to be fulfilled in practice. Difficult funding and policy decisions will have to be taken. A good current example is the recent increase of the Child Payment to £20 per week and yet there has been a call for the payment to be doubled to £40 per week if child poverty targets are to be met. If that demand were met, which Government service or function would be the loser to pay for it? We hope the Right would strengthen the direction of long term policy. A lot will ride on the powers, influence and openness/approachability of the statutory body charged with monitoring progress and the adequate funding of that body.