

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)

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).

The Trussell Trust (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.

Food insecurity is rising across Scotland and will be an increasing issue for more and more people, as the cost-of-living crisis escalates. It is unacceptable that so many people in Scotland are going hungry and

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

facing impossible choices between heating and eating. The Scottish Government has a duty to ensure everyone can afford a healthy and sustainable diet and that no-one goes hungry.

Enshrining the right to food into Scots Law is a powerful and effective way to ensure reducing food insecurity is and remains a priority for the Scottish Government. Tackling food insecurity requires action across all government departments and at all levels of government and enshrining the right to food in Scots law be an incentive to improve the coordination and lines of responsibility for reducing food insecurity.

Workers in the food and agriculture sector are some of the most poorly paid, insecure workers in Scotland – this was evidenced in a recent report by baker's union, BFAWU, which found that 40% of food workers had skipped meals during the pandemic due to a lack of money. Evidence shows insecure work drives people to use food banks and other charitable food aid, because they do not have a dependable source of income from employment. Enshrining the right to food into Scots Law will help support better working conditions and fair wages in the food and agriculture sector, and across the economy.

A human right to food already exists in international human rights law and Scotland should lead the way in the UK in putting this into practice. The Second UN Sustainable Development Goal, 'zero hunger by 2030', applies in the UK and to achieve this we need action by Scottish and UK Governments. Scotland will not be a Good Food Nation unless action is taken to ensure every Scot has the right to food.

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.

Yes, legislation is required.

We support the proposal to incorporate the right to food into Scots law because it will drive change and an increased focus on concerted action at all levels of government to prevent hunger, tackle food insecurity and end poverty.

Over the past five years, we have seen a 63% increase in the number of food parcels distributed in our Scottish network. There is an urgent need to tackle this issue. Delivering a right to food for all will require the Scottish Government to focus on action to put money into people's pockets and to put the wellbeing of people, of workers and of our planet, right at the heart of our food system. It will be key to shaping a Scotland where no one has to worry about where their next meal is coming from and to the successful delivery of the Scottish Government's vision of ending the need for food banks.

Legislation will help establish the core purpose of the food system in law, track progress across the whole food system and hold the Government to account if they are not delivering the right to 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.

An independent statutory body would ensure a holistic approach to the food system, recognising that food insecurity, public health, biodiversity, workers rights, animal welfare, access to land, and waste are all part of the food system, and that a systems-wide approach is essential to protecting everyone's right to food. It would also help ensure a stronger focus on how the Government is delivering on its commitments, in the same way as the Poverty and Inequality Commission supports the delivery of the commitments to tackle child poverty. It would provide scrutiny, reviewing and questioning the Government's plans; providing guidance, gathering evidence, and reporting on how well the Government is delivering on its duties. It would promote and facilitate joined up thinking across Government and public bodies around food policy and ensure they can be held to account, and it would ensure people's lived experience of the food system is heard and linked to policy.

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

A newly created body

Please explain the reasons for your response.

Yes, it is vital that a new independent body be established, with a clear focus on the right to food. This will ensure the Scottish Government and other public bodies can be assessed on delivery and held to account. The challenges facing the food system have not yet been adequately addressed by any existing body, and we have seen many of these issues worsening.

Establishing an independent food commission through the bill would strengthen that. An independent food commission would give an opportunity—as we have seen with the work of the Poverty and Inequality Commission, which is linked to the delivery of the Child Poverty (Scotland) Act 2017— to have commissioners who not only represent direct experience in different ways but can have a timetable for taking evidence and reporting on the delivery of a right to food.

The new independent body could:

1. Undertake research and make recommendations
2. Report on the state of Scotland's food system and progress made on realising the right to food
3. Facilitate and support partnership working to drive food systems change
4. Enable people across Scotland to input into plans that will shape their food system.

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?

Fully supportive

Please explain the reasons for your response.

It is unacceptable that so many people are going hungry in Scotland and we need urgent action to address this. There can be no greater priority than action to end poverty and ensure everyone in Scotland can afford the essentials. In the absence of any clear timescale for Scottish Government legislation on human rights, we need to focus on delivering a right to food for all now, whether that be by enshrining the right to food at the centre of the Good Food Nation Bill or via a separate Right to Food Bill, as proposed in this consultation. There is a real urgency here and people going hungry across Scotland can't afford to wait. We need to see a right to food delivered as swiftly as possible.

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

Fully supportive

Please explain the reasons for your response.

In every community, in every part of Scotland, a growing number of people are being forced to access charitable food aid because the safety net to protect them has failed. In 2020-21, the Trussell Trust distributed 220,000 food parcels, 77,000 of these were to children, and we know this is just the tip of the iceberg, with many more people also receiving support for other charitable food aid providers. If the Scottish Government is to realise its ambition of ending the need for food banks in Scotland, then we need urgent action to increase the income in people's pockets, from both work and social security. While all levels of Government – UK, Scottish and local, have a role to play, placing responsibility for guaranteeing the right to food on the Scottish Government will increase the focus on the scaled up and concerted action it must take to reduce food insecurity and improve the wider food system in Scotland.

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.

Covid-19 exposed the vulnerability of the UK's food system to shocks and worsened many existing challenges. We have seen increased levels of food insecurity as a result and growing inequality of access to food. The pandemic has exposed the vulnerability of many working in the food sector and of the direct impact living in poverty has on people's health. 94% of people referred to a food bank in our Scottish network in late 2018 or early 2020 (the two points at which data for our State of Hunger reports was collected) were experiencing destitution, meaning they are unable to afford the essentials like heating and food. The Covid-19 pandemic has changed the profile of people being supported by food banks, with people using food banks in our network now more likely to have no recourse to public funds (11% compared to 2% pre-2020), be a couple with children (24% compared to 19% pre-2020) and to report mental health problems (72% compared to 54% in early 2020). However, single adults have always been a significant group turning to food banks for help. In late 2019 and early 2020, 56% of households referred to food banks in the Trussell Trust network in Scotland were single adults, mainly single men. The pandemic has highlighted the importance of putting the wellbeing of people and the planet at the heart of our food system; enshrining the right to food into Scots law will help drive this change. It will make clear that the Government has a responsibility to ensure that everyone can access food that is of good quality, nutritious, safe to eat and available with dignity.

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:

no overall change 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 the Bill could be delivered more cost-effectively.

While there will be additional costs to the Scottish Government and to businesses, in respect of increasing the social security safety net and delivering improved employment terms and conditions, these extra costs will be balanced by fewer costs for other part so the public sector, for example, improved nutrition will reduce NHS costs and improved pay and conditions, will improve employee productivity and wellbeing. It is simply not right that anyone turns to a food bank to get by. We would argue any additional upfront costs are necessary to build the fairer Scotland we all want to see and live in, where we all look after each other and every can afford the essentials.

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?

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.

The Trussell Trust has gathered significant data from our network of food banks in Scotland and across

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the UK. It is very clear that food insecurity affects particularly groups of people more severely than others and therefore action to enshrine a right to food for all would have a positive impact on equality. Our most recent State of Hunger (April 2021) data for Scotland found that:

- Single parents were overrepresented at food banks (17%), along with families with three or more children (15%). Households composed of a couple with no children had the lowest prevalence (6%)
- Over three quarters (77%) of working-age people referred to a food bank in Scotland were disabled (as defined by the Equality Act 2010), over two times the rate in the general Scottish working age population, where 30% of working-age adults were disabled in 2019.
- Over half of households (54%) experienced poor mental health.
- A clear link between housing tenure, with 82% of people living in rented social housing.
- Food insecurity is related to age, with 35-44 year olds making up 1 in 3 food bank referrals, compared to just 1% amongst people over the age of 65.

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

Please explain the reasons for your response.

We believe access to healthy, local sourced food will lead to a more sustainable food system for Scotland and to a healthier population. It will also help improve Scotland's environment (and achievement of our climate change targets), reduce food waste, and reduce the distance food travels, from farm to fork. In addition, the Bill's proposal to establish a body to oversee the food system will enable people across Scotland to input into plans that will shape their food system and ensure that policy is developed on the basis of evidence.

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)?

Access to food is a universal human right. It is unacceptable that so many Scots are going hungry when Scotland is one of the richest nations in the world. We want to see a Scotland where no one needs to access charitable food aid and where everyone has enough money to afford the essentials. Enshrining a right to food into Scots law will help drive real and transformative change for people in every community of Scotland who currently need to access charitable food or face food insecurity. It will help deliver the ambitions set out by the Scottish Government in its draft action plan to end the need for food banks in Scotland. We have the power to shape a fairer, brighter future for Scotland, where no one goes hungry. The

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)?

Scottish Government must use every policy lever at its disposal to ensure everyone has enough money to afford the essentials, that no one goes hungry and we end hunger in Scotland once and for all.