

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).

CFINE

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

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.

CFINE's core mission is to alleviate food poverty, and without the support of government and legislation, this core aim would not be possible. Wider than food insecurity, the right to food legislation is also deeply needed to ensure the action taking place across the food system is recognised. Legislation is also needed to ensure high-level accountability for the delivery of key targets where food insecurity and the equity of our food system is concerned.

In sum, legislation should become a mechanism to enshrine the right to food fully and ensure that there are sufficient systems in place to support the equity of the food system for all, and which endures change in government, administration or circumstance.

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.

As expressed in CFINE's previous responses towards previous government consultations, the "local food for everyone," "good food nation," and "ending the need for foodbanks" consultations (and in direct alignment with the recommendations of the Scottish Food Coalition), CFINE is fully supportive of an independent statutory body to oversee the right to food, in the shape of an independent commission on food. This commission should have a remit which ensures the sufficient coverage of good food nation plans, as well as administering and ensuring a right to food, as well as tracking and overseeing the implementation of the right to food and holding relevant areas of government to account over it.

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.

The body created to have oversight of the right to food should be a new body, but should be an independent commission on food aligned across the scope of governmental action and policy on food- the good food nation, ending the need for foodbanks etc.

Rather than expanding the competence of an existing body, only a new body can take on the scale of requirements to address the worsening picture of food security across Scotland's communities. In 2020, CFINE delivered over 67,000 food parcels- exemplifying the increase in scale of the fragility of food security. As one key pillar of the right to food, ensuring is something that can only be delivered by the scale of a new body.

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.

With direct experience of supporting widely varied households and communities, including those across the SIMD, the respecting of rights and integration of food-based rights with wider rights commitments is of critical importance, and must become standard practice across the food system. As CFINE has previously commented, the right to food must be brought forward as soon as possible to ensure this and, where this is compatible with other food-systems consultations, alignment between them must be ensured. As a

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?

rights-based piece of legislation, and one key element of longer-term governmental rights-based commitments, it is essential that this is prioritised.

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.

The right to food should form the basis for policy development and implementation within the context of the overall food system in Scotland. Enshrining food as a right in Scots law will not only symbolise Scotland's commitment as a good food nation, but create accountability and responsibility in ensuring food, which is essential for all, is accessible to all. Furthermore, a right to food will play a critical role in alleviating and eradicating poverty.

Over a number of years, the charitable sector has been responding to food insecurity/poverty and although in many cases this has been effective, has been patchy in some areas; a 'post-code lottery' – and as stated in CFINE's response to 'Ending the need for food banks' consultation, no one organisation can do it all. A right to food, underpinned by a new statutory body, should provide a strategic, system-wide approach. The approach should aim to be transformative, mirroring the aspirations of the UNCRC. A key consideration must be that if a statutory burden is to be placed on local authorities in order to, at least in part, implement the right to food, that this is fully funded, and consideration given to how local priorities will sit with the new obligations. The worst outcome would be one of applying the right to food in a piece-meal way, open to wide interpretation, and thus diluting the overall impact.

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 pandemic shone a light on food insecurity, and the pandemic compounded what was already a dire situation for so many in society. The challenges posed by Covid-19 emphasised the fragility of food access, including for those not having faced food insecurity in the past, and our experience is that there is a greater understanding of this amongst the general public. CFINE responded to the pandemic by providing 67,000 emergency food parcels to people facing food insecurity, and >1,300 tonnes of food via FareShare to charities and community organisations, along with key wrap-around services including welfare/benefits advice.

CFINE, which operates FareShare Grampian, Highlands & Islands worked closely in partnership with the Scottish Government, local authorities and third sector organisations during the pandemic, ensuring food was made available to struggling communities from Laurencekirk to Lerwick. This example of strong cross-sector partnership working will be key in implementing a right to food, including by working constructively with the private sector food industry.

More recently, as Covid recovery hopefully continues, challenges which were around pre-pandemic, and new problems, combine to pose a threat to this recovery. Examples of this include the current cost-of-living crisis, with rising inflation, the hike in energy bills, and the continued effects of Welfare Reform and austerity. By enshrining a right to food in Scots law, our view is that this places Scotland at the forefront in efforts to tackle these challenges head-on.

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 the Bill could be delivered more cost-effectively.

Where costs are concerned, this will inevitably lead to costs and budgetary commitments from government level. This may also result in additional costs to the wider public sector, businesses and third sector, however it is critical that this is not detrimental, and is supported through the process of government support.

On individuals, it is critical that this minimises the cost increase for the consumer. Given the issues being faced including the cost-of-living crisis, it is critical that consumers, particularly those on low incomes, are protected against any cost implications.

Nutritional, healthy food should be accessible and affordability and cost is one vital component of this. It must be ensured that there is no increase in costs at the individual level, where this is a risk which can be minimised.

A key consideration is, of course, how the implementation of the Bill will be supported at various levels with access to funding. As stated in our response to 'ending the need for food banks', it will, in our view be necessary to open up dialogue across society in regard to how the substantial issues of food poverty/insecurity are overcome, and this may require difficult conversations about taxation.

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.

CFINE's experience is that food insecurity can affect anyone, however this can be more acutely felt by those with protected characteristics. The right to food should be system-wide and should improve the food system for all communities, at all levels.

The impact of a right to food has the potential to have a significant, positive impact on these communities, and should act to further remove the stigma of food support. In 2020, Food Poverty Action Aberdeen, implemented a COVID Food Fund for groups delivering food support in the pandemic. The fund of £62,000 supported 14 groups, many of whom were from groups whose main beneficiaries were protected characteristic communities, and who had been accessing food support for the first time. It is clear, from this example and other anecdotal evidence, that the right to food could further improve the picture of food support, and the food system more generally for these communities.

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.

Sustainability is one vital element of a transformative right to food, especially where the links between sustainable systems change and food are so intricately linked.

Of foremost focus around this agenda, CFINE is host partner of Granite City Good Food, Aberdeen City's Sustainable Food Places Partnership. Sustainable Food Places is a national framework, across all 4 nations of the UK, advocating for systems change to create sustainable food systems. The interconnectedness of food access (tackling food poverty and increasing access to affordable healthy food) and key structures within our system- such as climate and biodiversity, and the good food economy, are particularly visible and of active priority to member partnerships. The Sustainable Food Places network is rapidly growing across Scotland, and it is key that the work of these partnerships is appropriately recognised and used as best practice in terms of ensuring sustainability at the heart of solutions to the key issues within our system.

Additionally, CFINE has multiple other projects which clearly display commitment to sustainable development. CFINE is a regional leader in delivering the pantry model of food support and, through close alignment with the principles of FareShare, supports the reduction of food surplus in the system, preventing food waste and empowering communities.

In ensuring that a participative food system becomes apparent, community food growing initiatives have become a significant element of ensuring alternative routes to food are created, whilst strengthening community ties and cutting across various social issues. Keep Growing Aberdeen, a project delivered in partnership, worked with over 670 households (264 in 2020 and 415 in 2021) in priority neighbourhoods (those identified as priorities through SIMD, as well as service delivery, locally) to ensure growing was accessible to all as a way of supporting food access and community strengthening.

A right to food must maximise the opportunity for food access but must also engage with communities to ensure holistic assurance of the right to food across a wide variety of topic areas which ensure sustainable development.

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)?

No Response