

Why we should take inequality seriously if we care about human rights

The severity of inequality in the UK

The UK is a profoundly unequal society. This **distribution of income** is more unequal than the average in both the EU and the Euro area (source: [Eurostat](#); data from 2015). The UK's Gini coefficient is 32.4, where 0 means absolute equality and 100 means that all income is concentrated in the hands of one single individual.

Gini coefficient of equivalised disposable income - EU-SILC survey
Number - 2015



Legend
Minimum value:23.6 Maximum value:38.2

The ratio of total income received by the 20% of the population with the highest income is 5.2 times greater than that of the 20% with the lowest income (source: [Eurostat](#); data from 2015).

Real incomes are projected to fall for the poorest 20% between 2017 and 2022, which, [according to the Institute for Fiscal Studies](#), will result in a growing income gap in the coming years.

Although the share of income going to the top 20% has remained approximately stable since the early 1990s, the share of income of the top 1% continually increased during the 2000s.

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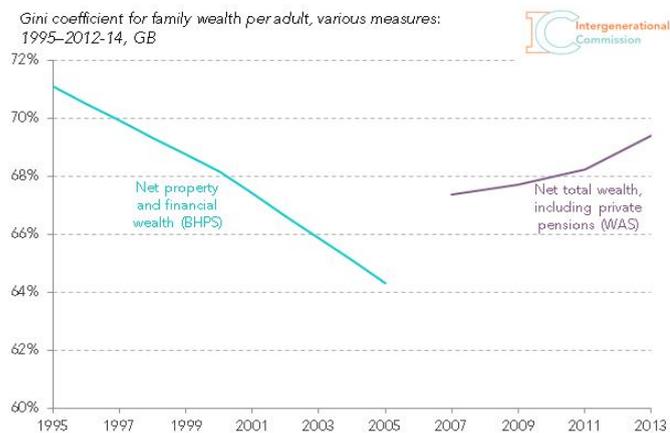
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The top 1% now receives approximately 8% of the UK's total income ([House of Commons Library research on income inequality, 2017](#)).

There are significant gaps between ethnic groups. The median income of a family of Bangladeshi origin for example is 35% lower than the white British median ([Resolution Foundation, 2017](#)).

The gap manifests itself geographically too. The amount of money that households can spend or save after taxes (the gross disposable income) has also become more unequal across UK regions since 2010 ([NIESR, 2017](#)).

The inequality gap has not gone unnoticed: More than 77% of the UK population believe there is a very wide or fairly wide divide between social classes ([2017 British Social Survey](#)).



Inequality is even more marked in the **distribution of wealth**. Together the richest 1,000 people are wealthier than the poorest 40% of households; the wealthiest 1,000 saw their worth grow by £2,615 for every second of 2016 (Equality Trust's [Wealth Tracker 2017](#)).

Wealth inequality fell in the decade prior to the financial crisis as a result of rising home ownership, but it has started to rise again in

recent years ([Resolution Foundation, 2017](#)).

Unfortunately, due to its comparatively low level of investment in education and a regressive tax structure, the UK does not rank highly when it comes to the commitment to reduce inequality ([Oxfam, 2017](#)).

From non-discrimination and equal opportunities

Everybody deserves an equal opportunity to thrive and nobody should be discriminated against because of their sex, religion, nationality, sexual orientation, gender identity, ethnic origin, disability or other grounds.

The right to be free from discrimination renders unlawful unjustified differences in treatment, or situations of inequality, that result from one or more of the prohibited grounds of discrimination.

We live in unequal societies but inequality is not inevitable. It is the product of government decisions, actions and omissions that ignore human rights laws and principles.

For example, a [welfare reform](#) that unintentionally but unreasonably and disproportionately worsens the living conditions of persons with disabilities would constitute a form of indirect discrimination and therefore would be prohibited by law. For the same reason, [pension schemes between spouses](#) cannot discriminate on the grounds of sexual orientation, and the working conditions of part-time and full-time workers [must not be substantially different](#) while women remain overrepresented in part-time jobs.

The prohibition of discrimination underpins

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the [UK's human rights and equality law](#). The Equality Act 2010 protects [nine characteristics](#): age, disability, gender transitioning, marital status, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

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International human rights law goes further and makes clear that socio-economic status is also a prohibited ground of discrimination. The UK has ratified the [International Covenant on Economic, Social and Cultural Rights](#). States' compliance with the Covenant is monitored by the UN Committee on Economic, Social and Cultural Rights, which has stated:

“Individuals and groups of individuals must not be arbitrarily treated on account of belonging to a certain economic or social group or strata within society. A person's social and economic situation when living in poverty or being homeless may result in pervasive discrimination, stigmatization and negative stereotyping which can lead to the refusal of, or unequal access to, the same quality of education and health care as others [...].” ([General Comment No. 20, 2009](#))

Although socio-economic status is not one of the protected characteristics of the Equality Act 2010, discrimination rarely occurs for one reason only.

On the contrary, it tends to be multiple and combined, and its effects unfold either cumulatively, that is, the totality of effects that result from more than one form of discrimination, for example gender and ethnic origin, or intersectionally, the specific form of discrimination against one individual because of the combination of two or more grounds of discrimination, for example, the [impact](#) that the restriction on migrants' access to healthcare may have on undocumented pregnant women.

Everyone should have an equal opportunity to thrive in life. All forms of direct and indirect discrimination should be eliminated, including that based on socio-economic status.

Being at the lower end of the income or wealth gap is very common among people experiencing discrimination. Groups and individuals that have historically faced and continue to face discrimination because of a shared characteristic, for example gender, race or disability, [are significantly overrepresented among the most socio-economically disadvantaged](#). Therefore discrimination under the Equality Act will often have a socio-economic dimension.

Although economic and social rights (health, housing, education, food, etc.) are largely unprotected by the [Human Rights Act 1998](#), the principle of equality and non-discrimination applies to them as well. This is because non-discrimination is also applicable to “those additional rights [...] for which the State has voluntarily decided to provide”, for example in relation to welfare and social security (European

Court of Human Rights, [Stec and others v. UK](#), Admissibility Decision of 6 July 2005).

To inequality of outcome

There is no human right to material equality. However, rising socio-economic inequality is often the cause and the consequence of worsening human rights conditions. Abundant [empirical research](#) shows that inequality restricts access to the goods and services needed to realise the human rights to health, education or housing, and it has a negative effect on the general sense of trust and on citizens' ability to participate actively in society.

Inequality perpetuates injustice and is often a cause and a consequence of human rights breaches.

Comparative quantitative research has shown that States that fulfil people's economic and social rights also tend to perform better in relation to democracy, political competition, government accountability, rule of law and good governance (Fukuda-Parr et al, [Fulfilling Social and Economic Rights](#), 2015).

The negative impact of income inequality on the fulfillment of economic and social rights is statistically significant across countries (Fukuda-Parr et al, 2015).

Children living in deprived areas are substantially more likely to be obese than other children from wealthier backgrounds ([House of Commons Library obesity statistics](#), 2017).

These children are also more likely to be

exposed to more urban air pollution, and children living in highly polluted areas are four times more likely to have reduced lung function in adulthood ([Royal College of Physicians](#), 2016).

The inequality between the local areas with the highest and lowest newborn life expectancy has increased despite improvements across local areas over the last two decades ([Office for National Statistics](#), 2015).

"If smart poor kids are less likely to graduate from college than dumb rich kids, that's not because of schools, that's because of all the advantages that are available to rich kids." ([Robert Putnam](#), Harvard University).

International human rights law [requires States](#) to make full use of their "maximum available resources" to ensure the progressive fulfilment of economic and social rights. This must be done without discrimination, and ensuring minimum essential levels for everyone. Redistributive welfare and tax policies are some of the tools available to governments in this regard.

In times of significant regression in the enjoyment of economic and social rights, rising inequality suggests that public authorities are not doing everything in their power to ensure that everyone has an adequate standard of living.

A government may be in breach of international human rights obligations when minimum standards of economic and social rights are not being met or there is a significant regression in the enjoyment of these rights. Mounting inequality in the face of such regression

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suggests that public authorities are not doing everything in their power to guarantee an adequate standard of living for all.

As a matter of transparency and evidence-based policy-making, governments bear the burden to prove that their policies are best designed to achieve a higher level of enjoyment of economic and social rights for everyone, especially the most disadvantaged groups.

That is why in 2016 the UN Committee on Economic, Social and Cultural Rights denounced the human rights regression resulting from austerity policies implemented since 2010, and [called on](#) the UK to:

“bring into force the relevant provisions of the Equality Act that refer to the public authorities’ duty with respect to socioeconomic disadvantage [Section 1], as well as with respect to the prohibition of intersectional discrimination [Section 14], in order to enhance and guarantee full and effective protection against discrimination in the enjoyment of economic, social and cultural rights”.

In 2015, world leaders adopted the 2030 Agenda that includes a set of 17 [Sustainable Development Goals](#) (SDGs) in relation to poverty, access to education or healthcare, and gender equality, for example. Like all other countries, the UK is expected to report regularly on the progressive implementation of these Goals at the national level. This includes SDG No. 10, whereby governments have pledged to ensure equal opportunity and reduce inequalities of outcome between and within countries.

In his 2016 [report](#) on the linkages between the SDGs and economic, social and cultural rights,

the UN Secretary General observed:

“Rising inequalities across the world have become the defining challenge of modern times. [...] [The SDG No. 10] is crucial for achieving a whole host of the other goals and targets. For instance, extreme income inequality slows poverty reduction; eradicating extreme poverty (Goal 1) will therefore be impossible without tackling economic inequality. Economic inequality has been shown to have a number of detrimental human rights effects, perpetuating social exclusion and creating stark disparities in access to health, education, housing and other services essential to the enjoyment of economic, social and cultural rights.”

Equality, then, is not only a goal in itself but the path through which all other development targets are to be met.

If we take human rights seriously, both substantive equality of opportunity and equality of outcome should matter. Strong accountability mechanisms must be put in place to monitor the efforts devoted to the progressive realisation of economic and social rights without discrimination and towards greater equality.

Governments bear the burden of proving that their policies are best suited to the fulfilment of all human rights, including economic and social rights.

With [#1forEquality](#), Just Fair, The Equality Trust and allies are campaigning to bring to life the socio-economic equality duty contained in Sec on 1 of the Equality Act 2010. To find out more visit <https://1forequality.com/>

Further resources:

- Center for Economic and Social Rights, [From Disparity to Dignity: Tackling economic inequality through the Sustainable Development Goals](#), 2016.
- Open Global Rights, [Economic Inequality: Can human rights make a difference?](#) Online debate since 2015.
- UN Committee on Economic, Social and Cultural Rights, [General Comment No. 20: Non-discrimination in economic, social and cultural rights](#), 2009, UN doc: E/C.12/GC/20.
- UN Secretary General, [Report on the linkages between economic, social and cultural rights and the Sustainable Development Goals](#), 2016, UN doc: A/HRC/34/25.
- UN Special Rapporteur on extreme poverty and human rights, [Report on extreme poverty and extreme inequality](#), 2015, UN doc: A/HRC/29/31.
- UN Independent Expert on the effects of foreign debt on human rights, [Report on income and wealth inequality and financial crises](#), 2016, UN doc: A/HRC/31/60.

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Just Fair works to realise a fairer and more just society in the UK by monitoring and advocating the protection of economic and social rights.

Just Fair is committed to increasing public awareness of international human rights law and the capability to use it. Just Fair is also devoted to the advancement of high-quality thinking, training and practice to ensure that economic and social rights are respected, protected and fulfilled.

Other publications by Just Fair:

- **Briefings**

- ["Submission to the Scottish Government's consultation on the introduction of the socio-economic duty"](#) (September 2017)
- ["Right to Health for All"](#) (June 2017)
- ["What are economic & social rights and how are they recognised in international law?"](#) (February 2017)
- ["Submission to the 3rd cycle of the UN Universal Periodic Review of the UK"](#) (September 2016)
- ["Submission to the 'Sustainable Development Goals in the UK' inquiry of the House of Commons Environmental Audit Committee"](#) (September 2016)
- ["Submission to the European Commission's consultation on a European Pillar of Social Rights"](#) (September 2016)

- **Reports**

- [Parallel report and Response to the List of Issues of the UN Committee on Economic, Social and Cultural Rights](#) (October 2015 and May 2016)
- [Protecting the Right to Housing in England: A Context of Crisis](#) (April 2015)
- [Dignity and Opportunity for All: Securing the Rights of Disabled People in the Austerity Era](#) (July 2014)
- [Going Hungry? The Human Right to Food in the UK](#) (April 2014)

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