

# **Right to Clothing Campaign: Second Submission to Just Fair Call for Written Evidence**

Luke D. Graham\* on behalf of the Right to Clothing Campaign

## **A. Introduction**

- 1) As part of the original submission of this campaign to the call for evidence we highlighted that the work of the members of our right to clothing network identifies ‘widespread barriers to accessing clothing in the UK’.<sup>1</sup>
- 2) This second follow-up submission is a response to a request for further information as to the nature of these barriers; the extent to which these barriers disproportionately prevent certain groups or communities from accessing clothing (the equality perspective); and the impact of the pandemic and cost of living crises on access to adequate clothing.

## **B. Barriers to Accessing Adequate Clothing in the United Kingdom**

- 3) The Right to Clothing Network forms a part of the broader Right to Clothing Campaign. The network is comprised of a range of civil society organisations who are providing (often used) clothing to the clothing deprived.
- 4) Here we use the data collected by Sharewear as indicative of a broader problem. Sharewear is an organisation based in Nottingham (a city with a population of roughly 330,000 people). Sharewear provides clothing in Nottingham and through a small number of outreach initiatives. Sharewear is the largest organisation of this type in the UK. Since 2014 they have provided clothing to 70,000 people. Over 27,000 of these people (equivalent to 8% of Nottingham’s population)<sup>2</sup> were provided with clothing by Sharewear between October 2021 and October 2022. Through our network we know that similar levels of need exist elsewhere in the Country.<sup>3</sup>
- 5) The mere fact that our network exists and that many individuals are only able to access clothing via the charitable provision provided by this Network is indicative that the right to adequate clothing remains unrealised for many. In support of this, we draw analogously on comments made with respect to food charity.

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<sup>1</sup> Luke D Graham, ‘Right to Clothing Campaign: Submission to Just Fair Call for Written Evidence’ (*Just fair*, 2022) <<https://justfair.org.uk/wp-content/uploads/2022/10/6.-The-Right-to-Clothing-Campaign-Submission.pdf>> accessed 24 October 2022.

<sup>2</sup> Due to outreach activities, it would be inaccurate to suggest 8% of Nottingham’s population has used Sharewear in the past year. This comparison is used only to indicate and suggest the scale of clothing deprivation.

<sup>3</sup> We are in the process of collecting data from the broader network. Future research aims to estimate the scale of clothing deprivation in the UK.

- a) Philip Alston has stated that charitable food aid provision ‘is not an adequate substitute for a Government fulfilling its obligations. Food banks cannot do the Government’s job’.<sup>4</sup>
  - b) Olivier De Schutter has stated that ‘nowhere should governments be allowed to escape their obligations because private charities make up for their failures. When people come to depend on charity for basic foodstuffs, it is a signal that their right to food has not been sufficiently respected, protected and fulfilled’.<sup>5</sup>
- 6) Individuals who access clothing charity through our Network do so because they are deprived of access to adequate clothing. This is generally due to a lack of sufficient income through which to access clothing (and other basic needs) via the market.
- a) Lack of sufficient income relates to both remuneration and social security.
  - b) We remind the CESCR of its comments, in the context of the right to work, that “remuneration” must also provide a “decent living” for workers and their families’ and that remuneration must be sufficient to enable the worker and their family to enjoy other rights in the Covenant including clothing.<sup>6</sup> Remuneration at the lower end of the labour market does not currently provide a decent living in the UK.
  - c) We remind the CESCR of its comments that family and child benefits would ordinarily cover clothing,<sup>7</sup> and its previous concerns that social assistance rates did not ‘provide adequate income to meet basic needs for food, clothing and shelter’.<sup>8</sup> Existing social security structures in the UK do not currently allow for these basic needs to be met.

### **C. The Equality Perspective**

- 7) The demographic of those in receipt of charitable clothing provision through the activities of Right to Clothing Network members makes clear that that certain groups are overly represented in our users. It follows that these groups are disproportionately impacted by barriers to accessing adequate clothing. These groups are outlined here.
- a) ***Universal Credit***: Out of work benefits are ‘typically well below the relative poverty line.’<sup>9</sup> Not only this but, the long wait for the first universal credit payment has been

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<sup>4</sup> Philip Alston, ‘Report of the Special Rapporteur on Extreme Poverty and Human Rights: Visit to the United Kingdom of Great Britain and Northern Ireland’ (2019) UN.Doc.A/HRC/41/39/Add.1 [1].

<sup>5</sup> Olivier De Schutter, ‘Foreword’ in Graham Riches and Tiina Silvasti (eds), *First World Hunger revisited: Food charity or the Right to Food?* (Palgrave Macmillan 2014) x.

<sup>6</sup> CESCR, ‘General Comment No. 23: The Right to Just and Favourable Conditions of Work (Article 7 of the International Covenant on Economic, Social and Cultural Rights)’ (2016) UN.Doc. E/C.12/GC/23 at para. 18.

<sup>7</sup> CESCR, ‘General Comment No. 19: The Right to Social Security (Art. 9)’ (2007) UN.Doc. E/C.12/GC/19 at para. 18.

<sup>8</sup> CESCR, ‘Concluding Observations of the Committee on Economic, Social and Cultural Rights: Canada’ (1998) UN.Doc. E/C.12/1/Add.31 at para. 28; These same concerns were raised again in 2005. See CESCR, ‘Concluding Observations of the Committee on Economic, Social and Cultural Rights: Canada’ (2005) UN.Doc. E/C.12/CAN/CO/4 at para. 21.

<sup>9</sup> Sam Royston, *Broken Benefits* (Policy Press 2017) 28.

highlighted as a feature of universal credit which puts people at ‘risk of destitution.’<sup>10</sup> This has been a common cause in users accessing our network’s services. Those in receipt of out of work benefits do not have a sufficient income to access adequate clothing.

- b) ***Asylum Support***: cash support provided to Asylum seekers is currently set at £40.85 per person per week ‘for food, clothing and toiletries’.<sup>11</sup> In reality, this amount is insufficient to meet the cost of these essentials. As such, Asylum Seekers are one group who disproportionately lack access to adequate clothing and therefore require charitable clothing provision.
- c) ***Elderly***: A group which flies under the radar is the elderly. The low level of state pensions means that this is a group which does experience clothing deprivation. However, social isolation means that clothing deprivation in this group is often hidden until individuals interact with the NHS/social services.
- d) ***Those fleeing domestic violence (predominantly women)***: Due to the nature through which many of these individuals flee their abusers, they have only ‘the clothes on their back’. If these individuals do not access – or are unable to access – formal refuge services, their access to clothing is severely limited.
- e) ***Adult Males***: Our Network members struggle to meet the demand for charitable clothing provision from adult males. This is not necessarily due to their being a higher number of users who are adult males but, rather, having a lower supply of donated clothing which is suitable for adult males. This is indicative of the weaknesses of charitable provision in respect to accessing clothing.

#### **D. Access to Adequate Clothing Following the Pandemic and the Ongoing Cost of Living Crisis**

- 8) Worryingly, we note a clear rise in demand for charitable clothing provision since the pandemic. Since 2014, of the 70,000 of people who have received charitable clothing provision from Sharewear, 38.5% (27,000 / 70,000) of these were in the year between October 2021- 31<sup>st</sup> September 2022.
- 9) This has been exacerbated by the current cost of living crisis.
- 10) Lack of sufficient income links, also, to the cost of clothing relative to income. ‘Womenswear prices have increased 37% over the last five years, while menswear has gone up by 25%’.<sup>12</sup> Low incomes have not matched this rise.

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<sup>10</sup> Katie Schmucker, ‘Universal Credit: A Joseph Rowntree Foundation Briefing’ (Joseph Rowntree Foundation 2017) 23 <<https://www.jrf.org.uk/file/50089/download?token=aby9j4RF&filetype=briefing>> accessed 7 February 2020.

<sup>11</sup> Gov.UK ‘Asylum Support’ (2022) <<https://www.gov.uk/asylum-support/what-youll-get>> accessed 27 October 2022.

<sup>12</sup> Amy Borrett, ‘Cost of Living: The Price of Women’s Clothing Is Increasing Much Faster than Men’s – Here’s Why’ (*Sky News*) <<https://news.sky.com/story/cost-of-living-the-price-of-womens-clothing-is-increasing-much-faster-than-mens-heres-why-12614399>> accessed 27 October 2022.

- 11) Noticeably, since January 2022 Sharewear have faced a huge rise in the number of children requiring clothing charity (from 22% [historically each year since 2014] to 40% of users). Previously, parents have been able to prioritise their resources (at the expense of their own clothing needs) to meet their children's clothing needs so that there was no need for their children to receive clothing charity. However, due to the factors outlined in paragraphs 8-10 existing resources and informal support networks are no longer capable of allowing parents to ensure their children are free from clothing deprivation even when still prioritising their children's needs. People have been on the cusp of clothing deprivation before these shocks to the system. These shocks have taken larger groups of people into clothing deprivation.

#### **E. Recommendation**

- 12) This campaign reiterates the recommendation from our first submission: 'The CESCR should request information from the UK Government as to what measures it is taking toward the realisation of the right to adequate clothing'.<sup>13</sup>

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<sup>13</sup> Graham (n 1).