

Everyday human rights - the route to a better UK
8 November 2023
Conference report
Appendix 1: Agenda, speaker biographies, presentations,
Q&A, media coverage

1. Agenda

13:30 Registration

14:00 Introductions and welcome

Jess McQuail, Director, Just Fair

14:10 Everyday rights in the UK today

Session introduced and chaired by Jess McQuail, Director, Just Fair

1. Philip Alston, Professor of Law, New York University
2. Rory Weal, Senior Policy and Public Affairs Manager, the Trussell Trust
3. Helen Flynn, Head of Policy, Research and Campaigns, Just Fair
4. Direct experience testimony: Patricia Leatham

14:45 Q&A

15:15 Break

15:30 Potential solutions

Session introduced and chaired by Shameem Ahmad, CEO, the Public Law Project

1. Olivier De Schutter, UN Special Rapporteur on extreme poverty and human rights
2. Emma Roddick, MSP for Highlands and Islands (Region), Minister for Equalities, Migration and Refugees, Scottish Government
3. Kate Ewing, Researcher, Just Fair

16:15 Q&A

16:45 Closing remarks

1. Ian Byrne, MP for Liverpool, West Derby
2. Jamie Burton KC, Chair, Just Fair
3. Jess McQuail, Director, Just Fair

17:15 - 18:00 Networking

18:00 Close

2. Speaker biographies

Olivier De Schutter, UN Special Rapporteur on extreme poverty and human rights

Olivier De Schutter was appointed the UN Special Rapporteur on extreme poverty and human rights by the Human Rights Council in March 2020.

A Professor of Law at UC Louvain and Sciences Po (Paris), Mr De Schutter was the Special Rapporteur on the right to food from 2008 to 2014, and a member of the Committee on Economic, Social and Cultural Rights between 2015 and 2020. He holds a LLM from Harvard University, a diploma cum laude from the International Institute of Human Rights (Strasbourg) and a PhD in Law from UC Louvain.



Emma Roddick MSP, Minister for Equalities, Migration and Refugees, Scottish Government

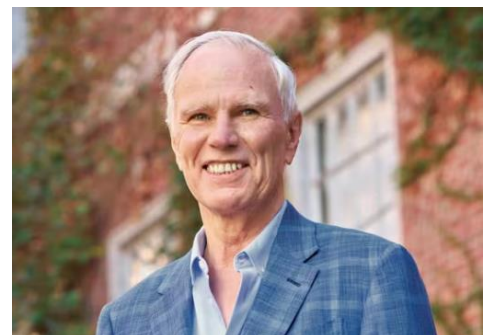
Emma Roddick lived in Ross-shire as a child. In her late teens, she moved to Inverness for a temporary position at the University of the Highlands and Islands (UHI), alongside casual Deliveroo work on her bike.

When she was 19, she accepted a position with the Scottish Ambulance Service. Ms Roddick was a board member of the Merkinch Partnership and, during lockdown, ran a COVID-19 support group in her local area. She was elected as MS for Highlands and Islands in 2021.



Philip Alston, Professor of Law, New York University

Philip Alston teaches international law, human rights law, economic and social rights, and strategic human rights litigation. From 2014 to 2020, he was UN Special Rapporteur on extreme poverty and human rights. Before that, he was UN Special Rapporteur on extrajudicial executions, monitoring unlawful killings around the world (2004 to 2010).



Helen Flynn, Head of Policy, Research and Campaigns, Just Fair

Helen has over ten years' experience researching and campaigning on behalf of NGOs, community groups and grassroots organisations towards the better realisation of human rights. Helen has a particular interest in the domestic implementation of international human rights standards and has worked to find ways to better facilitate access to UN monitoring mechanisms. Helen holds an LLM in Human Rights and Criminal Justice from Queen's University Belfast.



Ian Byrne, MP for Liverpool, West Derby

Ian was elected MP for Liverpool West Derby in 2019. Ian is a passionate campaigner and leads the Right To Food Campaign in Parliament to make access to food a legal right for all. He also currently sits on the Housing, Communities and Local Government Select Committee and the Environment, Food and Rural Affairs Select Committee.



Kate Ewing, Researcher, Just Fair

Kate joined Just Fair in November 2021 as Administrator, adding research to her role in 2022. Alongside her role at Just Fair, Kate is working on a PhD in law at Pompeu Fabra University in Barcelona. The focus of her research is on work time and the minimum wage. Prior to her studies, Kate practised as an employment rights solicitor in the UK until 2018.



Patricia Leatham

Patricia is a former support teacher and a mother of one with direct experience of economic, social and cultural rights violations. Patricia and her son spent nearly two years homeless living in temporary accommodation in London. She is keen to raise awareness of this issue and help others in similar situations.



Rory Weal, Senior Policy and Public Affairs Manager, the Trussell Trust

Rory is the Senior Policy and Public Affairs Manager at the Trussell Trust. He has worked for the last seven years for charities working to tackle poverty and multiple disadvantage. He currently leads the Trussell Trust's policy and public affairs team which works to change policy to end the need for food banks in the UK. He is a Churchill Fellow and Thouron Scholar, having spent time studying and sharing innovative international approaches to tackling homelessness and poverty.



Jamie Burton KC, Chair, Just Fair

Jamie is a public lawyer with expertise in judicial review. His main areas of practise are human rights, social and clinical care, housing, social security, criminal justice and environmental law. For many years Jamie has presented seminars and given lectures on human rights law and judicial review and is an experienced public speaker.



Shameem Ahmad, CEO, the Public Law Project

Shameem began her career as an advisor in government, developing policy and legislation in the wake of the financial crisis. She then went to the City where she became a senior associate and solicitor advocate in a market leading public law team. She has represented individuals, corporates, public bodies and charities.

Prior to becoming its Director of Advocacy, Shameem helped set up the Black Equity Organisation, a racial justice charity.



Jess McQuail, Director, Just Fair

Jess joined Just Fair in April 2020. A passionate advocate for human rights in the pursuit of social justice, Jess has spent over 30 years in the UK and international not-for-profit sector working as a campaigner and senior leader.

Alongside her Just Fair role, Jess is an independent consultant and has held several CEO, Director, and board roles.



3. Presentations

Disclaimer: Just Fair is grateful to all contributors who generously provided their time and expertise (both lived and learned) to contribute to a highly informative conference event. This conference report is intended to reflect those contributions and the themes discussed. It is not, however, intended to be a verbatim transcript of presentations or discussions.

Panel 1: Everyday rights in the UK today

Philip Alston, Professor of Law, New York University

Thank you very much. I want to make a couple of reflections on my visit to the UK five years ago and then offer some thoughts on how we might approach the future.

2018 visit

One of the things that was underscored during my visit is that the role of civil society is crucial. Governments do not listen to the people affected by austerity and other policies; they generally know all too little about the reality on the ground. So for example when the Chancellor, Philip Hammond rejected my report out of hand he tellingly told his interviewer to *'Look around you; that's not what we see in this country.'*

In one way he was telling the truth because the government had convinced itself that a small number of employment-related statistics captured what was really going on in the society. But they apparently had never been out listening to the people who were being dramatically affected by the policies that had been implemented since 2010.

The second issue that is still a very live one is the key role of local councils. I remember very vividly the discussions that I had, particularly with the leaders of the Newcastle City Council, where I learned of the extent to which so many of their activities had simply had to be abandoned.

Today there are one hundred and fourteen councils in England, Scotland and Wales each of which has a budget gap of over ten million pounds. Cumulatively, UK local councils are currently running a deficit of over three point five billion pounds.

Local council cuts impact libraries, community centres, care for the elderly, youth centres, and a whole range of other absolutely central services. Those have been decimated since 2010 and this has helped to destroy the social fabric of those communities.

The third issue is food banks. I remember talking with a government minister who said that he thought food banks were actually a good thing because they enabled community solidarity to be expressed. But in fact, food banks represent desperation and abandonment. I don't know how many of you remember the wonderful film *'I Daniel Blake'* but when one of the main protagonists went to a food bank she was filled with shame and humiliation. The humiliation really should be on any government that permits the abdication of those responsibilities.

The final issue noted in my report to which I would draw attention now relates to the evolution of the legal system within the UK. Between 2010 and 2019 over half of the courts in England and Wales were closed. The Law Society, which is hardly a radical group, has highlighted the negative consequences. In particular, their analysis singles out the impact felt by those from low-income households, those with disabilities or mobility issues, those with children or caring responsibilities, and those from rural areas or who don't have access to a car.

There are eight thousand fewer prison officers than there were in 2010. There has also been a ten per cent drop in prison staff since 2010. And the system of legal aid for civil cases was effectively destroyed overnight. It is astonishing that the UK, which historically is so centrally linked to the notion of the rule of law has witnessed over the past decade a fundamental hollowing out of the overall system of justice in so far as it is accessible to the ordinary person.

Looking ahead

Looking ahead, we need to think about how best to present the agenda that you are discussing today. I have to say that I love the framing of 'everyday rights'. You will of course be well familiar with the ways in which the tabloid press, and some politicians distort the very nature of human rights and present them as rights that end up protecting only drug dealers, refugees, criminals and terrorists rather than being central to the rights of all of us.

Sadly, part of the blame for their ability to distort the picture lies with those of us in the human rights community. We have not focused nearly enough on what the conference organisers are calling 'everyday rights'. That label helps us to recognise the importance of the things that most people value very highly, such as access to decent education, access to food and access to healthcare, all of which are among the most fundamental human rights issues in any society, although you often wouldn't know that based on the advocacy that takes place.

It is always important to frame issues in ways that acknowledge and appeal to local values and perceptions, which in the UK means recognising the pretty significant differences between say Scotland and England or between Wales and Northern Ireland, both in general, and in relation to their views about human rights.

I am not myself convinced that talking about these rights in terms of international law actually resonates much with people in most parts of the UK. I don't think that it will always be helpful to talk in abstract terms about international standards and the like. I think we need to bring home the consequences of the denial of access to decent food, education and healthcare, the dramatic and indefensible neglect of people with disabilities; and, in general, the negative consequences of ignoring social rights, whether for individuals or the country as a whole. And we also need of course to turn that into a positive agenda for the future.

Let me finish just by talking very briefly about the National Health Service. I have spent a lot of time over the last five years studying the processes of privatisation. And never have I seen such a perfect case study of setting up a target to be privatised.

There is a playbook that the private sector and its lobbyists with and in government use and it is being followed perfectly in this case:

- You reduce the money available for key services and you let the staff run down and overwork them.
- You wait for the waiting lists to get ever longer and for people's frustrations to rise.
- Then you do what the Tony Blair's Institute for Global Change did in July of this year. You put out a report that says, "*This is terrible because the NHS is so valuable. But there is a clear solution that brings a win-win outcome - the NHS has to partner with the private sector.*"

Sadly, we saw during COVID-19 what a great outcome was achieved when the Conservative UK Government teamed with its friends in the private sector. It was a disaster. The private sector is in health to make a profit; that is its motivation and that is how it will inevitably be. But if you turn the essential functions of the NHS over to the private sector you will see a perfect replay of what

happened to water utilities and public transport throughout the United Kingdom after Margaret Thatcher privatised them in the 1980s. After that sweeping 'reform', the only system that continued to function very well was in a small town called London where privatisation did not take place.

The public transport playbook is now fully being activated in relation to the NHS. The cost of services will go up, every possible corner will be cut so that technology will be the patient's main interface with health care, service for those with any sort of special requirements will be unavailable except at great cost outside the system. And private sector profits will skyrocket as infrastructure deteriorates.

In conclusion, let me say again that I think the framing of 'everyday rights' is perfect. I think we need to go back to the theme that poverty and deprivation are political choices, and not simply a function of economic factors beyond our control. We need to place a right to healthcare at the centre of the debate going forward. Thank you very much Jess and your colleagues in Just Fair and thank you for the great work that you have done.

Rory Weal, Senior Policy and Public Affairs Manager, the Trussell Trust

[Also see PowerPoint presentation at the end of the document]

It is great to follow on from Philip. I think for those of us who have worked in the space, it is hard for the situation not to become normalised, and I think that intervention in 2018 was the jolt that we as a collective society needed to realise just how bad things have got, and action that was needed, and we see that in our work as the Trussell Trust. For those that don't know we support a network of one thousand three hundred foodbank centres along the length and breadth of the United Kingdom.

I will talk about the wider experiences of deprivation and hardship as well that Philip touched on today. In a sense nothing has changed, we have seen deepening poverty. We have seen things like the furlough scheme and Universal Credit uplift which shows what can happen with proactive government policy, but we've also seen those withdrawn as quickly as they arrive. And that is what I'm going to be talking about today.

To start with what is happening on the ground. Today the Trussell Trust released our latest data on food parcels distributed by the food bank network. And it makes for some fairly grim news. Just on the screen behind Philip, we distributed almost one point five million food parcels in the last six months from food banks just in the Trussell Trust network.

There are many other banks in the food network, but as you can see its big increase since that visit in 2018. This is the first-time food banks in the Trussell Trust network have distributed over a half million parcels for children, with record levels of need seen for both children and adults this year. The withdrawal of the Universal Credit uplift and the cost-of-living crisis may have had an effect, but the levels of need seen this year are part of a longer-term trend which pre-dates the cost-of-living crisis, and even the COVID-19 pandemic. Rather, they have exposed and exacerbated a longer-term crisis; that of a weakened social security system that is unable to protect people from the most severe forms of hardship, thereby forcing more people to the doors of food banks.

We are seeing the highest number of food parcels the network has ever distributed at this point in the year - a sixteen percent increase on the same period last year. As an organisation we don't think anyone should ever need to use foodbanks, it is unacceptable, and we are intent on creating conditions to see that line dramatically decrease over the coming years. And I will talk more about the data that we see here.

So in this slide you can see who has needed to use a food bank in the Trussell Trust network in 2022/23.

This data has told us that three hundred and twenty-eight thousand families have been forced to turn to a food bank for the first time, with these families containing over seven hundred and sixty thousand people. This represents a thirty eight percent increase in the number of families using food banks in the network for the first time in comparison to the same period in 2021/22.

In terms of what the food banks are telling us, this is a quote from one of the food banks and the network manager there. People who have been managing are not able to manage. So people coming in for the first time but also the people who were already struggling when Philip's visit occurred, people coming in experiencing a much deeper form of poverty.

It is worth remembering that we are one of the wealthiest countries in the world but one in seven people face hunger. So that experience of food insecurity is extremely high. That fourteen percent translates to roughly eleven point three million people.

In terms of who is at risk and who is more likely to be needing support, there's a lot of different groups that are likely to be referred to the food bank. We see carers, renters, people of colour, people identifying as LGBTQ +, all represented as needing support. There are equality rights associated with this everyday right to food.

But the group that is particularly represented is disability and disabled people. About a quarter of the population in UK are disabled. Really shockingly we see a massive overrepresentation at food banks, seventy five percent of people referred to food banks in the Trussell Trust network are disabled or have a disabled member of their household.

So a really big overrepresentation here and for anyone that has spent any time looking at the disability benefits system in the UK, this won't come as a huge surprise. In terms of how the system treats and engages people with disabilities, an awful lot of improvement is needed. And I will touch on that in a moment.

One other thing I just will come onto in terms of this is the experience of isolation, physical and social isolation, and the impact of having a lack of money, what that does in terms of people's connectivity. And something Philip said in talking about the response from the government, mentioning how food banks translate to solitary. Yes, they do but that's because people have such a lack of resources in their lives and are often so isolated that food banks are a place of support. We see that one in four people have contact with relatives, friends and neighbours less than once a month, and one in six don't have access to the internet.

There's a conversation at the moment about disabled people moving to work and how the government plan to do that and increased remote working. But we know that one in six referred to food banks have no internet access so they will need to think about this problem and the access requirements that people have.

The need for food banks is tied to these other experiences as well, it's not just a lack of food. It's about low savings, adverse events, ill health, unemployment, all these things that spiral and pull some people in and push them through the doors of food banks. That's what we need to focus on and focus on changing.

Let's talk about what is driving this and what is behind it. One thing that I will focus on now is the social security system. Six in ten people who receive Universal Credit have faced hunger in the last year. We know that the vast majority of people at food banks are claiming social security benefits. And the challenge we see with a lot of work and a lot of participatory policy developed with people with lived experience and other research work is that it is a combination of the problems of the system. People will be familiar with these - the lack of access, the kind of hurdles that people kind of have to jump over to make a claim. But is also about the pure insufficiency of the system.

Something we have seen in the last five years is the further erosion in the basic value of benefits in this country. It means that people just don't have enough money to afford the essentials. It is these low level of incomes from the benefit system that is really driving people to seek support.

And just a couple of quotes from people in terms of the experiences they have had of accessing support from the benefit system. It is not just the low income; it's also how people are made to feel. A real lack of humanity, a real lack of dignity and, *"it feels like they want you to disappear and go away."*

At the Trussell Trust and Joseph Rowntree Foundation, we have looked at what it takes just to afford the essentials of life. Not even to fully participate in, but to afford basic things like energy, electric and a roof over their heads. It's about one hundred and twenty pounds per week in the study. Universal Credit allowance is eighty-five pounds per week for a single adult – that's a massive shortfall. So what do we do about this?

Firstly we talk a lot in these spaces about negative attitudes and stigma and there is a lot. But there's also a real grain of public opinion that we can work with. We know that the public are increasingly concerned about these issues. If you look at public concern about poverty compared to five years ago it has quite dramatically increased.

So we can see the majority of the UK public think that food banks shouldn't be needed. This is a good place to start from. We asked whether people should be able to buy enough food for themselves and their families, you are looking at ninety three percent support and that is going across the political divide.

I think a lot of people also recognise that food banks don't solve root causes. It is not a long-term solution. There are real challenges, we have seen some polling show a bit of a dip in the last year, which is quite concerning, but still represents a higher level of support than where we were five years ago.

What do we want to do about it? I think that something that has changed in the last five years, is that as a movement and as a sector we are really trying to get on the front foot and establish what our vision means in practise. To us that means ensuring that we have the basic right to food and that we guarantee the essentials in the social security system, that the social security system ensures that everyone has enough to get by and afford those basic essentials. And things like the benefit cap, like the repayment of the five-week wait advances don't allow support to fall below that level.

I think this is something that has transformed in the last five years. I think that we see a huge movement supporting free school meals and many people here in the room today, like Just Fair, Liberty and others have signed up to this vision and this agenda. It makes me really hopeful about the kinds of things that we can achieve.

Compared to five years ago we were always fighting individual policies but this time we are getting on the front foot and establishing the kind of guarantees needed and what people should be entitled to. And if we keep doing that, I think we will begin to shift the centre of gravity and ensure that there is a future where no one needs to use a food bank to get by. Ending destitution and hunger in the UK should be achievable, it is achievable and events like this help us move towards that goal and to achieve that goal. Thank you very much.

Helen Flynn, Head of Policy, Research and Campaigns, Just Fair

[Also see PowerPoint presentation at the end of the document]

In January 2023 Just Fair submitted an [independent parallel report](#) to the United Nations Committee on Economic, Social and Cultural Rights on behalf of civil society in England and Wales. The report was evidence led and we received over 70 submissions, both written and oral.

Disproportionate impact

The evidence showed that five years on from Philip Alston's report, people in England and Wales enjoy vastly different levels of realisation of rights from each other. It showed that the cost-of-living crisis is a catastrophe for many and poses a real threat to people's lives, and the current crisis has not happened in a vacuum.

As with the COVID-19 pandemic, and the decade of austerity that was thrust upon people in the UK before it, these crises are disproportionately impacting specific groups of people, and it is often the same groups of people each time - that is Black people and people of colour, older and disabled people and their families, Gypsy, Traveller and Roma people, women, our LGBT+ communities, those in poverty, insecure housing or precarious employment and people who have come to the UK to escape difficult circumstances in their home countries. Five years on, these groups are experiencing disproportionate and compounded violations of their economic, social and cultural rights, in stark contrast to the general population.

In addition in-work poverty is on the increase. It is not an exaggeration to say some people are struggling to survive - they simply have no reserves left, and the civil society organisations who are trying to help them have run out of ways to paper over the cracks created by UK Government policies.

Statistics

In our report you will find truly shocking statistics:

- One in four children is growing up in poverty in the UK, if we focus in on Wales, that number rises to thirty four percent.
- In the North East of England, ninety nine percent of households subject to the benefit cap are families with children.
- Six out of ten people with learning disabilities die before the age of sixty-five.
- Gypsy, Roma, and Traveller children have the lowest education attainment at all stages of compulsory education.
- Eighty five percent of minority ethnic pupils participating in workshops facilitated by Show Racism the Red Card in Wales reported experiencing racism in school or the community.
- Unemployment of Black young people was forty one point six percent, three times that of unemployment of white young people at peak of the pandemic.
- Fourteen per cent of Trans respondents to the Trans Lives Survey reported being refused care because they were Trans.

In addition to this it is important to note that when the UK Government does seemingly offer solutions, they are limited solutions which often only further trap people in a cycle of experiencing violations of their rights.

In the State Party Report the UK Government provided to the UN Committee on Economic, Social and Cultural Rights, the UK Government claimed that their focus is on helping people to move into and progress in work based on clear evidence that this is the best way to tackle all forms of poverty. However, our report evidenced that in-work poverty is on the increase, rising from thirteen percent of in-work households being in poverty in 1996-97 to seventeen percent in 2019-20.

Insufficient wages, the prevalence of insecure contracts, exploitation by employers and soaring childcare costs give lie to the idea that work is a universal route out of poverty in the UK. This focus on individual responsibility and attempt to deflect state responsibility is deeply insidious and creates a culture where people blame themselves for the violations of their rights which they experience, rather than placing responsibility on duty bearers to uphold the standards which they voluntarily agreed to be bound by in ratifying the Covenant on Economic, Social and Cultural Rights.

Positive note

But I always like find a positive note – and in this case it wasn't too difficult. Without pre-empting the next panel too much, there is hope that things can be different, and that things can be better. I would urge you all to check out [the recent report from Alma Economics](#).

Their research, using independent HM Treasury guidelines, shows incorporating the right to adequate housing in Wales will save money for current and future generations. Eleven point five billion pounds of benefits will be realised across the public purse and society, against estimated costs of five billion pounds over a thirty-year period. The report evidences that public money could be saved by NHS Wales, homelessness could be ended, and our communities made safer by reduced crime.

Polling

In addition, recent polling carried out by Opinium (kindly financed by Amnesty International UK and Liberty) shows that the general public is way ahead of our politicians at Westminster when it comes to protecting economic, social and cultural rights.

The polling found that economic, social and cultural rights are overwhelmingly popular with the UK public. And when we break down the different elements of rights contained within the International Covenant on Economic, Social and Cultural Rights, there is very little opposition – we are pushing at an open door with the UK public.

When Opinium asked two thousand and five people across the UK, “*Do you think people in the UK should have the right to the following*”, this is what they told us:

- To be able to choose their job or move to a new job – ninety two percent said yes.
- To be and feel safe at work – ninety five percent said yes.
- To be paid a fair wage at work – ninety five percent said yes.
- To be treated equally to others at work – ninety three percent said yes.
- To be able to have rest days and holidays from work - ninety two percent said yes.
- To be able to join a trade union - eighty six percent said yes.
- To be able to strike to fight for fair pay and working conditions – seventy seven percent said yes.

- To be able to receive help from the government if they cannot work because of illness, maternity, or disability – ninety three percent said yes.
- To have financial protection through a social security system – eighty three percent said yes.
- To have adequate food for them and their families – ninety percent said yes.
- To have a comfortable and secure home – eighty eight percent said yes.
- To have adequate clothing for them and their families – eighty eight percent said yes.
- To have access to good quality physical and mental health services and treatment when needed – ninety two percent said yes.
- To be protected from preventable disease and ill health – ninety one percent said yes.
- To have support for the family when needed e.g., social care – eighty nine percent said yes.
- To quality education for themselves and their children – ninety two percent said yes.

My message to decision makers today is that there is nothing to fear in calling loudly and working effectively toward the effective incorporation of economic, social and cultural rights – they are not only the legally and morally right choice, the economically prudent choice, but they are also the popular choice.

Patricia Leatham, direct experience testimony

Could you tell us about what led to you and your son becoming homeless?

My son and I, who were living with my mother at the time, then became homeless when my mum passed away because the council evicted us. We had to go through stages of different, temporary accommodations throughout London.

How did you end up in your current accommodation – could you tell us a bit about that?

Yes, when you become homeless you get given an account reference where you are allowed to bid for properties throughout the borough, so you have the chance to bid for two properties. And throughout the two-year process I started bidding for properties and two years later I got the accommodation where we are now.

And charities helped us to get it painted and refurbished, places like Childhood Trust they helped with the bedroom painting and bedroom set. They really helped us start from scratch from where we were.

You've told me that homelessness impacted you and your son in a really wide range of ways – could you share that today?

I think what people don't realise is when you are homeless it affects pretty much every area of your life. For example schooling was affected, health was affected. My son had gone through the process of a condition where the skin started getting quite red, Seborrheic Dermatitis. But our GP took us off the register because we were now no longer in the catchment area, so we were back to the start on the waiting list as I had to re-register us with another doctor's surgery.

I developed problems with my back in the first temporary homeless accommodation because we were in a one-bedroom accommodation, sharing a house with fourteen people. It was a small room, and the whole house had only one bathroom, one toilet, one kitchen and the bed there was damaged with wires coming through the mattress. Our second temporary homeless accommodation was a one-bedroom flat and my bedding there was, I actually sleeping on the floor or sleeping on the sofa chair. So this damaged the disc in my back which I still have today, having pains and prescribed painkillers.

Homelessness impacts several areas with families, the trauma of the whole experience, two years on we are just beginning to unravel the trauma my son experienced. It effects every area, from work, having a safe place for your mail to come to. Because you are in unsafe circumstances, it affects every area.

I know you've told me things are much better for you now, but you feel that the problems still exist, and the system hasn't changed, would you like to speak a little more about that?

From two years ago I don't think it has changed much, I still see stories in the news. I saw one recently about a man in a wheelchair who lost his home, he became disabled, he was outside the council office in his wheelchair, trying to get housing. Still homeless. I know one family that is in one bedroom and there are five of them in that one bedroom, three children. This news is within the past two or three weeks. So it hasn't changed from what we went through two years ago. It is pretty much still the same to be honest if not worse I think, really.

What would you like people in this room today, including decision makers to hear?

I try not to think that the people that are in charge are evil, I try to think that they do care. I am hoping that they do care. But I think that there needs to be a more joined up approach. For example the experience that I went through with my son, had it not been for me reaching out to charities like The Childhood Trust which is a wonderful charity that helps in particular with children - they help with providing bedding, furniture and things - they help where there are children present.

I think there needs to be more connection between the councils and the charities. I don't think that there is enough care and compassion about housing. I don't think they realise that you do feel socially excluded really. We're not part of the economic activities that is taking place around us, and I think there should be more attention to that.

I think that the stereotype of what homelessness and temporary accommodation are, that it is people you see on the streets, needs to change - all families, all people, like myself are what homelessness can be and has been, we need to be considered more. Those in charge need to consider the children affected by this and the generation coming up behind us.

I don't think there is enough care about what happens in our city to be honest. I hope that if there's anyone in the room who does have control and power that they may start reaching out a bit more and doing concrete things rather than just maybe thinking about it, just do more to help to be honest. I still want to believe that there is hope for those going through this because I have come to the other side so there is hope.

Thank you so much is there anything else you want to add Patricia?

Things haven't changed much from what I can see. As I've said I've heard more stories about homelessness and temporary accommodation more recently and I really would like this to end. I would like to see an end to it in the country in which we live in, which to me is not a poor country, we are quite wealthy, and I think it is not fair.

My young son and I became homeless when my mother died and the council repossessed the property, our home from my childhood. I lived and worked in the borough, as had my parents, my mum worked in the borough, my dad had been a teacher from the 1980s in the borough.

I would really like more people who are in charge to care more and make a difference. At Christmas we see a difference, for example, homeless people are taken off the streets at Christmas so why is it only done at Christmas? Is it because those in charge just want to make us feel better that they in

charge care? Why are those in charge not trying to get people off the streets into homes permanently? That's what I think.

Panel 2 - Potential solutions

Shameem Ahmad, CEO, the Public Law Project

Public law is essentially about the line between what public bodies can and can't do, and we at Public Law Project influence that line. We hold government to account on behalf of the most marginalised in society because the state exists to serve us all. With that in mind, a conversation on economic, social and cultural rights is relevant to our user-groups. Those rights have huge potential to ensure that the state meets people's fundamental needs.

This panel will address potential solutions to the problems outlined by the first panel. The purpose of this session is to pivot this conversation and highlight a pathway forwards.

Before we do so, if I may pay tribute to the work that Just Fair have done. They have pushed the conversation on economic, social and cultural rights from the fringes of civil society to the centre of it. I don't think that there is a civil society organisation that is now not talking about this. And that is in part because of the context of the cost-of-living crisis, but in particular because Just Fair have proven that there are solutions to these problems through their work. What I love about their work is that they don't just get angry and want short-term solutions - they want sustainable solutions that guarantee a fair future for everyone.

I thank Just Fair for pushing against the orthodoxy of what is possible and look forward to partnering with the team and to contribute to their work to deliver those rights.

I also admire this work because I grew up on benefits myself. I grew up on benefits in the nineties and then through the austerity years, and what my experience demonstrated is that there is a sliding scale of dignity. At one point as a family, we had the opportunity to choose between some things that we wanted. And then we had to choose between things that we needed. And I echo the point that Patricia mentioned earlier, I'm worried about people coming up now, because there seems to be no choice whatsoever.

That bleak note is the challenge to our panel: what are the solutions. I will now handover to Olivier De Schutter who is the UN Special Rapporteur on extreme poverty and human rights.

Olivier De Schutter, UN Special Rapporteur on extreme poverty and human rights

Let me perhaps make four remarks in the time I have. The first will be on the Universal Credit scheme that was set up ten years ago.

Universal Credit

Universal Credit presents major deficiencies. First of all, as we know from various studies it is set at too low of a level to protect people from poverty. The Essentials Guarantee campaign from the Joseph Rowntree Foundation and the Trussell Trust proposes that in order for an adult to have an adequate standard of living in the UK today, one hundred and twenty pounds is required per week, or two hundred pounds per couple.

Moreover over half of the beneficiaries of Universal Credit today have their payments reduced, in particular to pay back debts to the Department of Work and Pensions. So the level is too low. The benefits have been kept at the same level since 2016 and that level has been frozen since that year.

One other problem is that of course there is this five weeks delay before you can obtain the first payment from the time of your filing of the claim and although advance payment may be received this is of course deducted from the first payment that you receive.

Moreover, we still have in place this child benefit cap affecting one point five million children. The estimate is that if this cap were to be removed it would cost one point three billion pounds to the treasury. But that would lift two hundred and fifty thousand children out of poverty and support some eight hundred and fifty thousand more children that are today in deep poverty. To return to this point I think the single most important investment a country can make is to [combat child poverty](#).

Now in this broad discussion on Universal Credit one issue I would like to particularly emphasise is the issue of non take-up of Universal Credit. I dedicated [a report](#) to the issue of non take-up of rights in the field of social protection, which I believe is both hugely important and widely underestimated.

The NGO, Citizens Advice, which advises people as to how they can claim their rights, estimated that one in four people that they assist spend more than one week to prepare the claim to obtain the Universal Credit. Most claims are made online, but one in six persons in the UK do not have regular internet access. Moreover, people experience many difficulties in filing a claim because they cannot collect the documentation required to prove a health condition, to prove their housing costs, to prove the childcare arrangements they have to make and as a result many cannot actually file the claim and the right conditions.

Others still may fear to file a claim because they feel that their children may be removed from the family if the child is considered at risk of bad treatment as a result of the family being destitute. We heard the comment from Angela from ATD Fourth World in this regard. So perhaps the first recommendation we may wish to think about is how to improve the Universal Credit scheme? How to increase the level of support invited and how to reduce the significant rate of non-take-up that we still have?

Under human rights law there is a requirement, not only that minimum income schemes and social allowances in general, such as the Universal Credit, allow people to have access to an adequate standard of living. This is also a requirement that the levels are regularly increased and in line with the consumer price index, or other estimates of the cost-of-living. But this is not done automatically in the UK. And we have many families today who fear that in March or April the government will not raise the level of Universal Credit to take into account the very high inflation rates we have been witnessing over the past couple of years.

World of work

The second remark I would like to make relates to the world of work. Indeed my [most recent report](#), presented to the UN General Assembly, was on the issue of the working poor, or in-work poverty.

Although the estimates vary on this front, the most reliable assessment is that we have at least thirteen percent of the working population in the UK that is at risk of poverty, living in households that are affected by poverty. Some estimates are much higher even and of course part-time workers are more affected by this phenomenon than our full-time workers (the risk of being poor is about two times higher for part-time than for full-time workers, in fact), but that is a very significant level.

The minimum wage today is not corresponding to what the living wage under human rights law would require. The minimum living wage is not actually protecting people from destitution, and this

is even less true for the young adults below twenty-three years of age who have the national minimum wage rather than the living wage provided to them, a situation that some people see as discriminatory.

In human rights law, the minimum wage level should be regularly updated to take into account the evolution of the cost-of-living. And we now have more and more studies, including from the IMF (International Monetary Fund), that show the concerns of the price-wage spiral are often exaggerated. In fact this is not happening in countries such as Cyprus, Luxembourg or Belgium where we have a system of automatic indexation of wages to the cost-of-living - which I believe is the best way to secure the purchasing power of the working population in the country.

One reason why wages remain low, and why the share of economic growth that goes to workers has been decreasing over the years, is because union rights are not fully respected in this country. Unions find it more and more difficult to operate in the current context. Let me give you three examples.

First, there has been an attempt to lift the ban on hiring agency workers in order to compensate for workers that choose to strike. In July 2023, this has been [declared unlawful](#) by the High Court following a legal challenge brought by a number of UK trade unions. If this legislation had not been quashed, however, its result would have been to significantly weaken the ability of unions to use strikes as a means to obtain better working conditions including better wages.

Secondly the liability of unions when industrial action is started has been increased, which has a chilling effect on the union's ability to resort to strike. Thirdly, the essential services requirements have been used increasingly to restrict the right to strike in the UK, particularly in the transport sector. So for all of these reasons, unions find it more difficult to put pressure on employers to provide decent wages. This is I think the second area in which progress could be made in line with human rights law.

Povertyism

Third is the need to protect people in poverty from being discriminated against. Under the International Covenant on Economic, Social and Cultural Rights there is a duty for governments to protect people from discrimination based on their social and economic condition. The Covenant uses the words of 'property' or 'social origin'. In other words, under article 2(2) of the Covenant, you cannot be discriminated against for the simple reason that you are poor.

Now there are two dimensions to this. The first is that in Scotland, as in Wales, a duty is imposed on public bodies, to assess the impacts on poverty and inequality in strategic decisions that they make. Public bodies must perform impact assessments to ensure that they pay due regard to the impact on people in poverty and on inequalities in the decisions that they intend to make. Such an obligation is not imposed in England. This is a gap that could be filled.

The second dimension is the need to be protected from what we call povertyism, which is in my mind as problematic as our racism, sexism or homophobia. Povertyism is a word that describes people who are living in poverty, and so living with various forms of discrimination - from landlords, employers, from school, school boards or school directors. This is a major obstacle to escaping poverty.

This was shown for example in the study on the 'Hidden dimensions of poverty' that was co-led by ATD Fourth World and Oxford University that covered six countries in the world including the UK. The study showed that people in poverty speak not only about a lack of decent income, the lack of a decent job, about fair wages. They also speak about the humiliation that they face, the

discrimination that they are being subjected to - the abuse from either private actors or from public administrations they face on a daily basis, the stigmatisation that are regularly subjected to.

And quite frankly, as long as politicians will be speaking about people in poverty in ways that stigmatises these people, emphasising 'deserve', 'personal responsibility' or even 'lifestyle choices', povertyism will continue and be encouraged. That is very much what Philip Alston, my esteemed predecessor, was describing when he spoke about the "*harsh and uncaring ethos*" that was currently characteristic of the welfare system in the UK as it has developed over the past few years.

Rights-based approach

My fourth and final remark is about a rights-based approach to reducing poverty. I believe that human rights, economic and social rights in particular, including by allowing a direct enforcement of the International Covenant on Economic, Social and Cultural Rights and the European Social Charter, can play a major role in making the fight against poverty more effective for three reasons.

First because it empowers people in poverty in radically changing how they relate to public service providers. Service providers, traditionally, have been perceived as providing charity, instead they should be seen as duty bearers who owe to people in poverty certain benefits and certain services. Those traditionally benefiting from the goodwill of service providers will become the rights holders, thus reducing shame and stigma which is one major reason for the high rates of non take-up of social benefits. So that is the first reason why relying on human rights is really important.

The second reason is that it improves the effectiveness of social protection because it makes it easier for people to claim their benefits when they are unjustifiably excluded thus ensuring that social protection will be more effective in reaching people that need it the most. If they have access to recourse mechanisms, including independent bodies, including judicial bodies, that will ensure that the system will have much less leakage and that people in poverty will benefit from social protection.

A third and final reason why adopting a rights-based approach is important is because social workers today are torn between the duty to provide support and advice to families on the one hand and the expectation that they will reduce costs and that they will discourage fraud and abuse of the system. Social workers are torn between these conflicting expectations that are imposed on them.

We should dream of a social protection system based on a constant effort to ensure that people can effectively enjoy the rights they are entitled to – with public administrations and social workers putting as much effort into ensuring people exercise these rights, as they have put into ensuring that people get vaccinated against COVID to stem the spread of pandemic.

Indeed, ensuring effective protection of the right to food, health, work and social security is in the public interest. Combating child poverty is an investment that has very high returns. As noted by a recipient of the Nobel Prize in Economics, Professor James Heckman from the University of Chicago, and in [my own contribution to this issue](#), studies show that one pound invested in combating child poverty provides a return of at least seven pounds and improved learning outcomes, longer education and higher productivity as adults.

Moreover preventing people from falling into poverty is much more efficient. It is a better use of public money than trying to rescue them from the institution, once those preventative efforts have failed and once people have to be rescued from poverty, for example, by providing temporary emergency accommodation because an efficient foundation has not been provided.

In closing, I would like to thank you for inviting me to this event and for allowing me to intervene here and to pay tribute the terrific work that Just Fair has done with its partners. Thank you very much indeed.

Emma Roddick MSP, Minister for Equalities, Migration and Refugees, Scottish Government

Thank you it is great to be here to share a Scottish perspective on today's topics and to have the opportunity to share with you the Scottish Government's efforts to introduce a Human Rights Bill for Scotland.

It is an urgent topic which is something that I'm particularly aware of following yourself Olivier, I think that was a very helpful dive into the UK's social security system and to help people out of poverty and the difficulty that people have in navigating it.

I will go on to some reflections on comments on Universal Credit. But I will first explain a little bit more about why I am here.

Poverty, inequality, and economic, social and cultural rights is a great topic for the Scottish Government's Minister for Equalities to discuss right now as the Scottish Government is introducing a bill that will incorporate those very same rights. But as with many others in the Scottish Government at the moment, I am dealing with a few contradictions. We are seeking to incorporate as far as possible within devolved competence our UN human rights treaties. That is exciting and is a great opportunity to further the rights of people, whoever they are, across Scotland.

But it is hard to celebrate with confidence. Recently our attempt to incorporate the UN Convention on the Rights of the Child was taken to the UK Supreme Court. The resulting judgment highlighted the limitations of the scope of protections for human rights that the Scottish Government can introduce. It also highlighted the willingness of the current UK Government to challenge us on any perceived overreach, even if it is simply about protecting children through the incorporation of a treaty that the same government has ratified.

We also cannot ignore the UK Government's increasingly cavalier approach to observing international law. This arguably makes it even more important that we, as the Scottish Government, take steps to protect our citizens and provide access to justice when rights are not being upheld. But it does knock the confidence in our ability to be the global leader that we want to be in the promotion, protection and ultimate realisation of human rights.

But mitigating the impact on Scots Law is not new to the UK's government. To soften the blow of the impact we have invested in our game changing 'Scottish Child Payment' which is a twenty-five pounds per week per child benefit which we know has had an impact lifting an estimated fifty thousand children out of poverty in Scotland.

We have spent seven hundred and thirty-three million pounds in the last six years to directly undo punitive UK Government policies. Including the bedroom tax and offering free school meals to all children in primary five and under. And that has been made necessary by decisions we did not take, and we are very clear that we mitigate because it is the right thing to do. But we could be doing so much more with that money if those policies were undone at source.

You have heard some of the worst impacts of Universal Credit policies and to me that is not just academic, it is personal.

Because I also grew up on benefits. I was homeless when claiming Universal Credit, a few hundred pounds a month, which hardly covered transport and food, never mind trying to convince a landlord that I could keep up a lease or an employer that I was good hire. That is exactly what I faced and what people are facing, and it was a very difficult situation to get out of and there was certainly no easy route, in particular as a disabled woman, to lift myself out of poverty. And you may have seen in my biography, I ended up working a full-time NHS job and then doing Deliveroo on the side. I was a teenager. I could not in good conscience allow other children or teenagers to live that way and to make decisions that I know could keep people in such a situation - like an under twenty-five penalty or a two-child cap on benefits.

Content of the Human Rights (Scotland) Bill

In addition to the deep nature of what we are discussing is also our journey to become a better nation on the world stage, respecting international obligations and aligning with best practise. The consultation on our Human Rights Bill proposals recently closed and we were pleased to have significant engagement from organisations and rights holders across Scotland.

We see the bill as not the be all and end all, but the next step in Scotland's human rights journey. Building on the success of the Human Rights Act of 1998 and ongoing effort to incorporate the CRC (Convention on the Rights of the Child) into Scots Law. And we hope to be an independent nation and to influence these rights more fully and clearly. But with this we intend to have a greater focus on human rights in law, policy, budgets and service delivery, focusing on those who are furthest away from having their rights realised.

We will be introducing for the first time in Scotland, economic, social and cultural rights and specific rights for the protection of women, disabled people and those who experience racism. This means incorporating the following four UN treaties:

- The International Covenant on Economic, Social and Cultural Rights.
- The Convention on the Elimination of all forms of Discrimination Against Women.
- The Convention on the Rights of Persons with Disabilities.
- The International Convention on the Elimination of all forms of Racial Discrimination.

The bill will also recognise the right to a healthy environment. We have designed a proposed model of incorporation to provide a clear, robust, accessible legal framework that ensures all rights holders in Scotland can understand and claim international human rights domestically and that duty bearers in Scotland will better implement rights.

We will require devolved public bodies and private actors carrying out devolved public functions to comply with the economic, social cultural and environmental rights in the bill in a way which ensures equality and non-discrimination for those who need it most. In particular, those protected by the treaties for women, disabled people and those experiencing racism.

Compliance duties will be based on both meeting minimal levels of rights and progressively realising rights over time. We want to establish the content of the minimum standards through a participatory process based on the fundamental principle of human dignity.

We want duties on access to justice to have teeth. We want to improve non-court routes for issues to be resolved as quickly as possible in a way that people understand. We want to promote our multi-institutional approach to ensuring rights are upheld and ensure that members of the judiciary have the tools at their disposal to effectively adjudicate these types of cases where necessary.

The bill will also be a key moment in our wider efforts to build a human rights culture. We want to ensure that rights holders are supported to name and claim their rights. Under our bill successful implementation will be vital to the whole endeavour, including the need to provide resources and guidance for public bodies, increased accountability and transparency of duty bearers, information and awareness raising for everyone. We are alive to the need to get this right at the beginning, and we are already working with partners to do so.

Of course I would emphasise that these are proposals rather than final bill policy. We will continue to assess responses to our recent consultation. We cannot definitively say what the bill will do before Parliament has had a chance to scrutinise its provisions and propose and vote on amendments. However, I hope that this helps to lay out our intentions in the direction that Scotland is heading on our human rights journey.

Wider impacts

Our move could also have ripple effects for the rest of the UK of course. I was recently asked in an interview how could we do this? How could we introduce these human rights for Scotland and not for everyone in the UK? What about the rest of the UK? We would as a country look for human rights to be ensured and realised across the world, but we can only legislate for our own and unfortunately, the UK Government does not think incorporation of international rights into domestic law is necessary.

Our neighbours in the Welsh Government do think differently. They've also committed to incorporating our international human rights treaties into Welsh law. I certainly hope that we can share our experience and support our friends in Wales to take the same or similar steps.

On that note I would also like to say thank you to Scotland civil society organisations -many of who I know are in the room today - and the Scottish Human Rights Commission for their support, and frank challenge, as we continue to develop the bill for introduction in the current Parliamentary year.

I know that we all want the same thing, and the challenge is how we get there and to strike the balance exactly right between going as far as we can on human rights without stepping over the devolution line.

I'm sure that you are looking forward to hearing Kate Ewing's contribution and I look forward to your questions. Thank you for listening and enjoy the rest of your evening.

Kate Ewing, Researcher, Just Fair

[Also see PowerPoint presentation at the end of the document]

I am going to talk about the next phase in our incorporation campaign.

As we have heard, the state of economic, social, and cultural rights is very challenging for too many people in the UK. The difficulties and hardship that people are experiencing are the result of political choices. So, while Just Fair believes that it is vital that the government and decision makers are held to account on their existing international obligations, we also need to go further to protect everyday rights.

To meet the challenge of setting out a UK-wide approach to economic, social and cultural justice, groundwork is needed across the whole of the UK to incorporate the rights into domestic law. There is much to be learnt from recent developments in Scotland and also from experiences in Wales and Northern Ireland. In this sense, for some, a UK-wide approach will mean building on work already

being done. For others it may require a shift in thinking around human rights and how they are discussed.

Just Fair has identified five principles for rights incorporation which we think can serve as a basis for further discussions to help to imagine and build the practical measures and policies required for incorporation of these important rights.

I'll explain briefly what I mean by each of these.

1. Rights knowledge

Rights knowledge and education are of core importance in protecting rights. People must know that the rights exist, and these are their rights. Decision makers must know how to address and guarantee the rights in the work they do. People responsible for administering rights (civil servants for example) need to understand the rights and the role they play in their activities.

In addition to knowledge about the rights themselves, it is also important that the structures and processes which relate to them are well understood. So, if people experience a failure to protect or respect their rights, they must know what they can do, where they can turn to for help and support and how to seek changes.

2. Rights frameworks

Economic, social, and cultural rights require frameworks to implement them into domestic law and incorporate them into day-to-day life across the UK. There are many ways to do this. Countries adopt different approaches according to their specific constitutional set up.

Ensuring the right frameworks are in place will involve developing many measures to make them work, for instance, this means thinking about:

- the duties to be placed on decision makers – what they are and what is required.
- the legal standards and tests to be applied.
- how proactive rights protection can be in-built.
- the provision of routes to remedy which are accessible and not overly burdensome so that barriers to justice are minimised.
- provision for access to advice and advocacy for all, and in a timely manner.
- protection for people against victimisation if they do raise complaints.

3. Rights Resourcing

Rights must be substantively and proactively resourced. And this should be subject to ongoing, progressive review so that improvements can be proactively made. It should not be necessary to have to wait for things to go wrong, or decision makers to fall short to seek improvement of people's day-to-day lives and rights protections.

But where protections and guarantees do fall short, it is important that complaints and monitoring mechanisms are properly resourced so that people can seek redress and changes.

And when we talk about resourcing we should use a broad definition which includes not only the financial and legal costs but also recognises the emotional burden and cost for those who experience rights violations and undertake the arduous job of raising complaints.

4. Rights accountability

It should not be necessary to say it, but I think it does need to be said explicitly - there must be accountability in any system of rights protection. Routes to remedy form an integral part of

accountability mechanisms. It is important that these work well in practice and are effective. They have to exist more than just on paper.

Remedies ought to include reparations and steps for change. There should be participation by both those who experience rights violations in the remedy to their own complaints and also by decision makers. This is so that there is scope for reflection and dialogue on what ought to be, and what can be, achieved in terms of real and sustainable change.

An inherent part of any effective remedy and process of reparation and change is that lessons are learned. The goal must be systemic change and non-repetition of rights violations in addition to addressing the specific experience complained about by individuals or groups.

5. Rights enjoyment

The protection and enjoyment of economic, social, and cultural rights will be a process of learning, evaluation, reflection, and progressive change. It requires ongoing assessment and revision of systems so that there is compliance with international frameworks on the maximum use of resources and rights obligations.

The participation of rights holders in an evaluation process will be fundamental to determining how rights are actually being experienced day-to-day across the UK.

It can also serve to highlight where further work in guaranteeing protections can and should be done.

Next steps

Having identified these five principles, what do we do next? What we would like to do is warmly encourage the participation of all of you in the upcoming year. We will be hosting discussions throughout 2024 on the five principles throughout the UK so that we can start to build out the practical measures and policies for economic, social and cultural rights incorporation for us all.

You can see more details on our website about the [UK Economic and Social and Cultural Rights Network](#) that we hope that you will join. Thank you very much.

Closing remarks

Ian Byrne, MP for Liverpool, West Derby

Greetings of solidarity, thank you to Just Fair for the opportunity to speak today. Genuinely it's been an absolute pleasure to listen to the contributions and to questions from so many great people in the room, I don't think I have been in a room with some great people since I sat in the Kop (in Anfield) last week.

For those of you who don't know me, I am the Member of Parliament for Liverpool West Derby. I was elected in 2019 when I proudly stood on a transformative socialist manifesto which pledged to introduce a right to food and end the need for foodbanks in the UK. Since then I have led the 'Right To Food' campaign in Parliament with the aim of having the basic human right of access to food enshrined in UK law.

We are here today, five years since the then UN Special Rapporteur on Extreme Poverty, Philip Alston, issued his powerful report on the UK, describing the removal of our social safety net. His report powerfully pointed out that, *"poverty is a political choice,"* and that, *"Resources were available to the Treasury...that could have transformed the situation of millions of people living in poverty, but the political choice was made to fund tax cuts for the wealthy instead."* It is horrifying

that these political choices have continued over the last five years - relentlessly - since and have led us to this dire situation of hunger and poverty on a scale not seen in many of our lifetimes.

If you needed any more powerful indication of this, last month, one hundred years on since the original Hunger March from Liverpool to London in 1922, three 'Hunger Marches' were held in Liverpool, Belfast and London. The three cities united to deliver a single message: 'demand the right to food'. And there are more planned in November, including Wales.

This crisis of food poverty in one of the wealthiest places on the planet means that millions of people will skip at least one meal today to ensure that their children are fed. In my great city of Liverpool one in three are now food insecure and this is replicated across the UK. A stark half a million more children have dropped below the poverty line in the last year. If the government continues to make the same political choices and fails to act, and I don't think it will act, we will see this continued hardship manifested in rising foodbank use, homelessness and poor health.

Knock-on effects such as huge pressure on public services, already decimated by thirteen years of austerity, and longer-term impacts on children and communities also store up further problems for the future. Professor Ian Sinha is a Consultant Paediatrician at Alder Hey Children's Hospital in my West Derby constituency. Tragically many of the children he is seeing in clinic are showing early signs of adult diseases linked to poor nutrition, hunger and housing. A truly shameful fact in let's not forget the sixth richest country in the world.

There was absolutely nothing in the King's Speech yesterday from the government that will address this crisis which we have talked about all afternoon. So I have put down an amendment to the King's Speech calling for a right to food enshrined in UK law. This is needed so that everyone, including all children, are legally protected from hunger.

The founder of the NHS Nye Bevan said that, and I quote, "*Private charity can never be a substitute for organised justice*". If reliance on charity alone were considered a sufficient guarantee for basic human needs in the UK, previous generations would not have legislated for universal state schooling and the Labour government would not have created the National Health Service in 1948 after the horrors and sacrifices of World War II.

We need politicians to have that radicalism and ambition to tackle this humanitarian scourge of hunger and poverty. We need domestic legislation to make such rights real and enforceable. Food needs to be practically in reach for everyone by way of wage and benefits levels, pricing, direct provision, or a combination of all three. The discussions today have highlighted that this is currently far from the case.

The time for sticking plasters - such as reliance on thousands of foodbank and pantry volunteers and donors - is over. We need systemic change so that all our people might live with the opportunity of health, happiness and dignity.

Enough is Enough

This is why we started a campaign for the 'Right To Food' - both as a grassroots national movement, and in Parliament - to make access to food a legal right for all - building on the work in Labour's 2019 manifesto.

Through collaboration with people in poverty, councils, trade unions, football clubs, faith leaders, community groups, health workers, local businesses, politicians, and many more, the campaign has grown and placed pressure on the government through a range of collective actions and solidarity.

Twenty-seven places across the UK have joined our campaign and declared themselves 'Right To Food' towns or cities, with Belfast signing up last month.

In Parliament, through the Environment, Food and Rural Affairs Select Committee, we have called on the government to invite Olivier's colleague, Michael Fakhri, to the UK to report on what the right to food looks like in the UK. We're still waiting for this - so we will see if it is done tomorrow when the response from the government to the committee is due.

In a just society, a right to food should not just be a safety net but a rope ladder to ever-higher standards of provision. I am proposing the following five measures as an extremely modest and deliverable beginning to realising our right to food in law. These were drawn up in collaboration with Baroness Shami Chakrabarti and many other people, and these measures are:

- Universal free school meals for every single child in this country, it is investment.
- For the government of the day to factor in the cost of good, nutritious food when setting minimum/living wages and benefits.
- Independent enforcement of legislation.
- 'Community kitchens' and utilisation of school kitchens and other kitchens for dining clubs, 'meals-on-wheels' services for the elderly and vulnerable, school holiday meals for those most in need, and cookery clubs for the wider community.
- And ensured food security. Government must ensure food security and take this into account when setting competition, planning, transport, local government and all other policy.

It must break everyone's heart in this room to see baby formula milk locked away in security boxes on supermarket shelves. But change is achievable, we have councils now like Cumberland embedding the right to food into their Public Health Framework. And I am working with Liverpool Council and many other councils who have signed up to the 'Right To Food' campaign.

We need to be able to do it at a local level, grassroots up if the government of the day aren't listening. I often hear that horrible phrase, "*hard choices in politics*", well for me a hard choice is doing nothing when millions are suffering, and you turn away in their hour of need.

Our fight will continue for as long as it is needed because the people suffering deserve nothing less than systemic change. We have to empower those who feel they haven't a voice to raise up and shout out about the injustice of hunger which is a political choice.

In the words of the great Nelson Mandela: "*Like slavery and apartheid, poverty is not natural. It is man-made and it can be overcome and eradicated by the actions of human beings.*"

Jamie Burton, Chair, Just Fair

I have been charged with a brief summing up of what we have heard this afternoon, but I want to express gratitude for two things before I do that.

First because I know that she won't do it herself and I know the team won't do it themselves, can I have a hand from everyone for the staff team of Just Fair, all who are here in the room. Thank you to Jess McQuail and everyone in the room, for putting on such a brilliant event, we were completely oversubscribed and completely packed out.

The second thing I wanted to just to express gratitude for and I know you will be feeling the same, is we can all sleep well tonight because we know our tents are safe. Yes, unbelievably it is true.

Ridiculous as it sounds, we are on the cusp of that actually being in the King's Speech - a ban on tents being given to people sleeping on our streets. It is of course both utterly ridiculous and the logical consequence of a series of policies over more than a decade now from the government with absolutely no tangible reduction to the poverty that unfortunately we have all become used to.

It is the logical consequence, because as Helen pointed out, we have had this insidious approach that is to blame individuals for structural unfairness that exists in society because of political choices.

We heard from Philip Alston who's [report in 2019](#) followed on from the Committee on Economic, Social and Cultural Rights, of which Olivier was a member at the time, which demonstrated that the whole post financial crash system of austerity measures was completely unfair and utterly counterproductive. And their good work helped demonstrate that when the UK Government said we are all in it together, it was a complete and utter fallacy.

A lot of us knew that and felt that was going to be the case and of course it was in that context that Just Fair was set up. But at the UN level we had to prove that evidentially. It was a case of bringing evidence to an independent body and saying please expose this for what it is. And this is the most important message I would like to convey about the benefit of enforceable rights. At the very least, if nothing else, we get to rely on the evidence.

As Helen also pointed out in her talk, matters have got worse since the financial crisis in 2008 and the austerity programme that started in 2010. We know that since then we have had two more crises, we had COVID which exposed and deep pre-existing inequalities in our society as you all know. And similarly, we've had the cost-of-living crisis which again as you all know has just worsened circumstances, a lot of the time for the very same people. The same people were affected three times in a row. The same people failed three times in a row.

One very small example which I just feel compelled to give. Just Fair as I said set itself up in the midst of the austerity programme being devised, but before we really knew just how pernicious it would be. By 2013 we already had food banks as a phenomenon in our society, and we invited a certain UN Rapporteur, Olivier, to come over to London and gave a talk about the problems with food banks and the problems of trying to use charity to tackle endemic poverty. And he said in our event in 2013, *"but what we must avoid is food banks become a permanent feature of the landscape of this country as they have become in America and Canada."*

We also had a speaker from the Trussell Trust, not many people had heard of the Trussell Trust then believe it or not. But they have now thanks to the great work that they have done. Not just the great work and ensuring that people who are food insecure get the food that they need, but in trying to abolish their own existence.

But the Trussell Trust that came to that event in 2013 decried the fact there had been two hundred and fifteen thousand individuals in 2013 that had to rely on food banks. Keeping in mind what Rory said today, you heard the statistics. In the first six-months of 2023, ten years later, seven hundred and fifty thousand people relying on food banks. Over a threefold increase.

So, you can see from that statistic alone how much worse things have got. There are multiple other ways of proving the same point, the evidence is clear. So why are we in this situation? Well of course there are multiple different reasons.

But one of them is what Patricia said – *"I had no rights"*. She had no rights that she could enforce to avoid the destitution that was inflicted upon her through no fault of her own. Nothing to do with

personal choices, nothing to do with her behaviour, but because of the society that she lived in. And the problem goes deeper than that.

My day job as a barrister is trying to argue cases in the courts, particularly around pernicious policies that are not based on evidence and actually just make poverty worse. Olivier spoke about them; the two-child rule is known to put at least two hundred and fifty thousand children directly into poverty. It restricts families on benefits to maximum of two or three in the family, it is a deliberate infliction of poverty on people. A challenge to poverty was brought to the courts. It was rejected. Lord Reed, presiding judge said, and I am quoting, *"there is no legal standard by which a court can decide whether the balance of probably been struck between interest of children and interest of community as a whole."*

And he was right, frankly. There was no substantive standard that the court could refer to. There was no standard that they could seek to determine whether it had been enforced or not. There was no standard to measure the evidence against. Individual judges may have been as appalled by the policy as we were, but they were absolutely toothless to prevent it. So there's another example of what Patricia was saying, there were no rights to protect those children.

We then had the second panel moving on to solutions. As we have heard, the framing of everyday rights has become the rallying call of the conference. What is the alternative to everyday rights? We can't rely on our politicians clearly - three times failed. The current politicians are banning charity, never mind installing 'structural forms of fairness'. So we will have to do this ourselves. And whether we call them essential guarantees or we call them rights, let's not deal in semantics.

What we desperately need is the power that is represented by enforceable standards that if we have to, as a last resort, we can go to court and say our rights are being denied to us.

And why not do this? We know that they are popular. We know that they are effective. We even know that they save money over time. As Olivier explained so eloquently, it is always cheaper to try to avoid the problem than to try and solve it later on.

Olivier give further examples of the sort of practical changes we might see if we had enforceable rights and had Universal Credit set at a level that allowed people to actually afford the things they needed to have a basic standard of living. He also explained the important impact it would have on 'povertyism' (discrimination on the grounds of socio-economic status) - that the current protections don't offer us. And also stressed the value of prevention over remediation and the positive cost implications of doing that. That is also just about trying to improve some of the things that are already there.

As Olivier and others also said, and it has been stressed multiple times in this room, what we need here is imagination. And we need to involve people affected by these things...But we don't need quite as much imagination as we thought we did. Because our colleagues in Scotland are doing it for us. They are doing it now in front of our very eyes, it is not a mirage, it is true. Of course, everything they're doing may not translate perfectly across the country. But for once in this setting, I felt a sense of hope. I mean there was an actual politician on the stage talking about human rights in the way that we talk about human rights. This is close to being unheard of in the current environment is it not? So I don't want to overstate this, but we need to wish our Scottish colleagues all the best and support them in every way that we can. Because they might just be setting the path for all of us.

The final comment that I want to make is to reference a quote and also to reference the very good question that came from our colleague at the front here. It isn't just about us and isn't just about

poverty and rights deprivation within our own borders. If there was ever time to know that, now is the time.

There is something about incorporating international law into our law that reinforces international law elsewhere. The best way to protect other people's rights is to demonstrate the value of protecting our own. Hypocrisy does not work very well on the international stage. And therefore I just want to finish with one quote from a Moroccan poet and author, some of you may know, Tahar Ben Jelloun, who is an activist. His will is this, *"our steps invent the path as we proceed, behind us they leave no trace, only the void. So we shall always look ahead and trust our feet. They will take us as far as our minds and hearts will go."*

Thank you

Jess McQuail, Director, Just Fair

Thank you very much Jamie.

Thank you to all our speakers and all of you for participating and being involved in this work every day. What we have heard is five years on from Philip Alston's report on the UK, poverty and inequality remain persistent and for some it really has got much worse.

For us at Just Fair, we hope that today marks a turning point in the campaign to recognise everyday rights as the permanent, lasting solutions to poverty and inequality. It is time for the UK Government and public authorities to not only uphold existing human rights obligations but also incorporate everyday human rights, like housing, healthcare, education into our domestic laws across the UK.

Now you might be thinking what should I do now?

We at Just Fair invite you to [join us](#) in the fight. Please do [sign up to be part of our network](#), because in the next few months we will start to build the case that Kate has so eloquently set out for incorporation, and we need to do that with you.

Finally, I want to say a big thank you to everyone in the Just Fair team, and the venue, tech and catering staff, without who this event could not happen, and to our many funders and supporters.

4. Questions and Answers (Q&A)

Panel 1 Q&A

Question 1

Good afternoon my name is Nesar, I'm with the Employment Advocacy Project. Until recently I used to think, as someone who has come from Pakistan – fourth generation here, that my human rights were protected. I don't feel that in the last few weeks. In the last eighteen months especially when the Ukraine war happened and the schools joined and things, what I've seen recently is a child five-years old sent home from school for drawing a Palestinian flag.

I tell you what, I think we have been so good in the UK at doing the propaganda to the human rights, we are nowhere near where it should be. This automatic assumption that everyone else is wrong and we are right. And I'm sad to say if I could reverse back I wish my family would not get involved in the UK. Because where we were, we were living happily. And I'm sad to say that but I like being here but is a great psychological expense.

So I think people are moving on, impacts like health, COVID has shown us there are the challenges to the everyday rates in the UK. Thank you.

Question 2

My is Ruth Morton and I am from Harringay Food Rights among others. I was wondering about housing. We heard about the effects of homelessness and the severe lack of council and social housing. But it was interesting Philip Alston that you talked about two areas of privatisation and a third area that happened under Thatcher's rule which was privatised housing. She managed that whole system of the selloff of social housing, combined with preventing local authorities from using the money from the selloff to reinvest in social housing.

In my view this has led now to the fact that many people who are renting or even pay mortgages were having to spend more than one third of their income on housing expenses. And the poorer you are the greater that percentage and this means you have less and less money for essentials like food. I would like to hear people's views on that and how we can add that into our campaigning? Thank you.

Answer - Philip Alston

Yes, thank you. The issue raised by the gentleman who was speaking was very troubling. I think it is an absolute starting point to recognise that in relation to conflicts such as that occurring in Gaza today, it is imperative for people to be able to speak their minds, to be able to openly debate the issues, and to acknowledge the violations of human rights and of human international humanitarian law that are happening. And to the extent that either governments or ordinary people shut down those debates, it is unacceptable.

In terms of the fate of social housing under Margaret Thatcher, I agree entirely with the comments made by the speaker, and I see that policy largely as the equivalent of an act of vandalism. There was a very effective social housing system, and it was simply abandoned. The result was to give a windfall profit to a small number of people, while ensuring that councils and others would be forced to rely on the private sector to make any essential housing interventions. So is again the classic privatisation playbook. And the private sector continues to rake in large amounts of money for providing emergency housing, often of very low quality.

In most cases, these transformations don't result in an actual reduction of the amount of money that governments have to spend but the attraction for a government that is working in the interests of the private sector is that the relevant funding goes to their friends in the industry rather than into building up a government housing stock. As a result, the benefits available to ordinary rights holders are hugely reduced. So I agree with the thrust of the questioner's comment.

Answer - Patricia Leatham

In terms of my experience being homeless and going through temporary accommodation, the process you go through when you are trying to get into permanent accommodation is a bidding process. So you are competing with hundreds and thousands of other people for one or two properties, so definitely has gotten worse.

I found that for myself and my son we actually had no legal rights when you're counted as temporary accommodation or homeless. In a way you have got to be counted as homeless if you can't have a safe place to live. The thing about children, my son didn't know from one day to the next where we would be. Every six weeks we had to move to another place. I think what you are saying about where you don't feel comfortable being in the UK, I certainly felt like an alien in the country I was born in. I could not think of a different word. You know this country, my parents came to from the Caribbean,

how many decades ago. So you feel a bit that you don't belong, really. I can understand the point you're trying to make.

Question 3

Hello, my name is Joanne Welch, I am the founder CEDAWinLAW.com and we submitted our evidence to the UN Committee as part of the process which we commend wholeheartedly. Just now we are mounting a legal action against the Secretary of State for Pensions in the name of fifties women whose rights have been breached and those rights are enforceable.

My question is, please, will everyone here think about pensions as well as every other topic that is being raised, which we wholeheartedly support? Because women in particular are not able to build pensions, not even a state pension, because they look after children, have caring roles, they do parttime jobs.

The state pension is half of the national living wage. Women are living in poverty, even without the referrals without the pension. To commend Philip Alston, we met with him five years ago and he included what I'm describing in his report for which we were most grateful. Since which we have been pushed from pillar to post by those who should be addressing those laws. So it is a plea and a question, to please put pensions in the spotlight? Thank you.

Question 4

Hello, I am Helen Rowlands, I am one of the co-leads with Dan Wright, of the Disability Rights UK disability poverty campaign group which is convened by DRUK and Inclusion London. Just to follow on from Philip Alston's important points about the NHS and increased risk to universal provision, can I make a plea for a focus on the crisis of social care.

Myself and my colleague John Abrams of Inclusion London brought together data which identified tens of thousands of cases of disabled people who have a statutory social care need being in debt to their local authority and surcharges that they can't pay. Those charges are increasing, and people's needs are not being met, and they are being increasingly made to pay those charges and experiencing considerable debt and distress due to the tactics that are being used by local authorities - the use of debt recovery agents for example.

And we wonder how on earth that behaviour can be in line with the well-being principle in the Care Act. We believe that there are human rights applications there.

The second thing that I want to say is that our campaign group are drafting a call for a Parliamentary Inquiry into disability and poverty, and we will obviously be drawing upon Phillip's great work and report, and we will be very grateful for the support of all colleagues to get that happening, thank you.

Answer - Philip Alston

Yes I think the point that Joanne makes is one that we really need to take into account; the overall system is still very biased. Pensions are calculated on the basis of formal participation in the workforce and since women are often out of the paid workforce performing essential caring services, much of their labour is not reflected in the pension benefits that they eventually receive. This means that they are systematically less well off than their male counterparts. So there is a real need to remake the whole system so that it more closely reflects current understandings of what substantive equality demands.

The second issue I want to take up, and agreeing with what Helen Rowlands said, is, as I think Rory mentioned, relates to the important statistic he cited according to which one in six people don't have access to the internet.

Let me give you a brief quote from the Tony Blair Institute report about how the private sector can transform the NHS. He says people today operate digitally and they make choices continually and they want to control their own lives rather than have others do it for them. In other words - we can provide a lot of NHS assistance online. It is Universal Credit all over again. It will result in significant exclusions in practice, whatever the theory is.

Those in most need will struggle with the internet and the digital interfaces, while the better off will be able to benefit in many respects. This increased reliance on the remote provision of services is one of the two major thrusts of the pitch that the Blair Institute is putting forward on behalf of the private sector. So I think that we need to be very alert to the implications of these sorts of reform proposals.

Answer - Rory Weal

I think the point about pensions is really important and one thing I did not have a chance to cover.

What we've seen at the food banks in the Trussell Trust network is a surprising rise in the proportion of people above pension age being referred to food banks and we need to look at what is going on there.

I think some of the points I think Joanne was touching on would definitely be relevant to consider and we are seeing, not just in the last year, a bit of a shift. Something that has to have more research done into it. And on the disability side, completely agree and an inquiry into the links between poverty and disability is really important. I think others are really concerned about some of the current proposals that have come out of government for a form of work ability assessment which have made it harder for people to access more support from of the system. I think this will be an increasing issue in the next few months. So the more that we are focusing on and talking about that the better.

Answer - Helen Flynn

I was going to say you are all raising incredibly important points. The bottom line for me in this is that we have the right to an adequate living and those rights are not being fulfilled. Whether you are talking about all those forms of poverty Rory shared in his spiral, they are all forms of poverty and all rights that are being violated. In the next panel I know that we will talk about ways to challenge that because as Rory was saying things have gotten worse, and we need to move the dial, and hopefully we can be part of that move today. Because things are getting worse, all of you have the evidence.

Question 5

Hello, I'm Angela, I'm a lived experience activist with ATD Fourth World. Poverty in the UK makes families vulnerable to harsh investigations by children's social care. In 2021, the government's Chief Social Worker for Children and Families admitted that, "*too many children are wrongly being taken into care*". On top of that, the UK is unusual, compared to the rest of Europe, because of the high number of forced closed adoptions that permanently break their ties with their entire extended families and communities. Do you see these as human rights issues?

Question 6

Jocelynn Scutt, human rights lawyer, Birmingham. I have three points, but I will be super short.

The issue about being removed from the house because it was your mother's right, effectively, we need to do something about that. We understand it can't belong to families, but your situation was one of dire need and it was stupid to put you out. That is one.

Number 2two to Philip Alston he did say we should withdraw from using international covenants and conventions, but they are useful. Australia has just been told by the Human Rights Committee that it has breached the rights of the Torres Strait Islanders under this particular covenant because it has not taken proper action on climate change. They are losing their land, they are losing their cultural rights, they are losing their food, and the health rights are being impinged.

The last one is the local government grant. The budget of 2010 started removing the local government grant from local government and it was entirely removed by 2020. What do we do about getting the local government grant back? So that local government can do its job? I was at the County Council for eight years, city counsellor for two, and I know that local government is struggling. We all know that within this room, thank you.

Answer - Philip Alston

First of all, I should have said earlier in response to Rory's presentation that the Trussell Trust was a fantastic supporter of my work when I was there, and I think they do terrific work.

I also want to say, in response to Jocelyne's comment, that I entirely support the work that Helen and Just Fair are doing in terms of using international standards and taking these issues to the UN and other bodies.

I think these procedures and institutions can provide very valuable opportunities. The climate change case in Australia, which was brought not under the ESCR Covenant but under the Covenant on Civil and Political Rights, has certainly had an important impact. But the point I was trying to make is that for some audiences referring to international law and citing legalistic standards, may not be the best strategy. We should always try to tailor our analyses to the audiences and while legal speak will resonate with some, it will be alien and difficult to comprehend for others. But, I am not for a moment saying that international standards or international institutions should not be an important part of the overall approach.

And finally, just in terms of the splitting up of families and so on, there is especially under the European Convention on Human Rights a very clearly recognised right to family life. And interventions of that type are deeply problematic in terms of their impact on the human rights of affected individuals and of families.

Answer - Helen Flynn

I just like to jump in and say to the audience in general if you have not read ATD Fourth World's report on the UN Committee on Economic, Social and Cultural Rights, on the issue of families splitting up because of poverty, then please do. It is an incredibly powerful testimony.

In addition, the Growing Rights Instead of Poverty Partnership (GRIPP) is working to ensure people with direct experience of violations of their rights are talking directly to the United Nations. So Angela, I agree completely with you, and I just really encourage everyone in this room to check about that absolutely incredible work that ATD and GRIPP and the group have been doing.

Answer - Rory Weal

On the local government point, it's really crucial and I think I touched a lot more on the national social security system than at a local level. There used to be a mechanism by which people were

provided cash grants in crisis and while food banks have risen to respond to immediate financial hardship they've now become a normalised response.

The government should be doing this work when it is immediate cash grant and that's why the investment is important and a national social security system to make sure that people can afford the essentials.

I agree with what Helen said around, we are different groups with different expertise, but there are basic fundamentals here we can kind of hang our hat on and lots of things we can draw on together. If we establish that kind of core minimum and those core rights then we will start to see lots of these issues addressed in tandem.

Answer - Patricia Leatham

It was someone who said that they were a lawyer I think. I found that when I was going to that process I actually had no rights, I was not able to challenge anything. I was not able to challenge anything actually. So even when I was trying to appeal it I had no rights to appeal for the decisions that were made to shift us from point A to point B. Because actually you don't have rights I was told as a temporary accommodation homeless person in the UK.

Panel 2 Q&A

Question 1

Hello everyone, I'm Hannah. I am the Campaigns and Systems Manager at Citizens Advice Newcastle.

I think is brilliant in terms of what you have said about those solutions and things happening, it is music to my ears in terms of the concrete solutions. I did want to clarify one thing. Citizens Advice nationally isn't a government organisation. We are formed of independent charities up-and-down the country, all with different resources and capacity.

My question to the speaker, is that if you had the opportunity, wave a magic wand, to have Rishi Sunak in front of you now, and you had the opportunity to ask for one or two key things, what would you want to change right now?

Answer - Emma Roddick

Can I change the Prime Minister?

I would ask for Scotland to be an independent country and I would hope that the UK moves to incorporate human rights itself.

Answer - Olivier De Schutter

There is a range of things that could be asked for, but to me the crucial question is to invest more in people and to see social investment as what it is - an investment allowing people to study longer, have better nutrition, health and housing, in order to allow children to escape the curse of poverty and to cut the transmission of poverty from one generation to the next.

Universal credit has a number of flaws. Ten years after it has been introduced perhaps it is time to take stock of that and improve it and of course increase it. I expressed my concerns about the removal in September 2021 of the twenty pounds per week increase in Universal Credit, initially introduced in March 2020 to protect people from the COVID 19 pandemic, based on the realisation that existing levels were insufficient. Unfortunately that call was not heeded.

Now with the inflation rates we have seen the impact of this; increased cost-of-living, very high inflation on food items and the cost of energy. So that is one indication I would make to the Prime Minister.

Answer - Emma Roddick

I very much agree that we need to see a much more people-centred approach so that not only can these rights be realised but people can enjoy them. That is what I would be wanting to change.

Question 2

Hello, my name is Hinda Mohamed I'm from GRIPP, my question to the panel is; GRIPP submitted to the ICESCR review.

We questioned the value of the review, but we do want it to have value. So my question to the panel is: How are you going to actively cooperate with lived experience voices to ensure the international law, the structures and the mechanisms which exist, leads to a change that we all want to see?

Answer - Kate Ewing

Thank you very much that is a really important question and really great question. I think as you know, the role of lived experience is really important to the work of Just Fair and is something that we try to incorporate as much as we can in our work and in our work with you at GRIPP. We also advocate for the inclusion and role of lived experience and for example like you say in the ICESCR process and that's what we will be continuing to do and be really keen to continue with those networks and continue with those bonds between us.

Answer - Emma Roddick

Working together with those who have lived experience is something that the Scottish Government is really keen to have as central to policymaking. In organising the Human Rights Bill engagements we brought together stakeholders that included duty bearers and rights holders.

The human rights culture that I talked about us trying to create, that certainly goes a lot further than this bill on its own. We are working with people who experience racism, with disabled people, with women, with other groups experiencing disadvantage, to make sure that the policies that we are bringing in across government are taken forward with their input and made for them and with them. So it is certainly something that is really, really important to Scotland.

Answer - Olivier De Schutter

I think it is a crucial question. Very often governments believe they know better. Of course is time-consuming and intensive to consult people actually in poverty but it is a way to really make sure that you make the right choices that will truly benefit those really in need. It is a way to ensure the resources really go to the people who need it the most. For this reason, involving people in the design, implementation and assessment of the schemes that they are intended to benefit from is really key.

In some countries including in Belgium, people in poverty with lived experience of being homeless or destitute are recruited in public services in order to provide advice when new schemes are designed to make sure that the obstacles people in poverty face are well identified taken into account.

The expertise that they give about how to use resources in a way that is tailored to their needs in order ultimately to make sure that no one is missing out from support. Otherwise what we have is what we call the 'Matthew effect', well-intended schemes are rolled out, even well-financed, but do not reach those at the very lowest end of the social ladder. Because they don't have access to the

information, they cannot go online, they fear contact with social services, etc. And the real needs are not understood by policymakers. So is not just a matter of principle. It is also a matter of delivering more efficient public services.

Question 3

Hello, I am Lindesay Mace. I work for an antipoverty and social justice organisation called Quaker Social Action, where I co-manage a funeral poverty project.

Just picking up on some of the things that have been talked about. Emma Roddick you talked about poverty, preventing poverty and falling into a crisis and like those on the first panel that a life event can really be the point that pushes people over the edge.

I'm interested to hear people's thoughts on how we ensure that the less 'everyday benefits' like the funeral payments - which is a government benefit (slightly different in Scotland) across the UK - how they are not forgotten when talking about everyday rights and the benefits that need to be increased and need to provide adequate support.

Because across the UK unfortunately, also in Scotland, the funeral benefits don't pay enough to cover the cost of a simple funeral. Which does then impact on people's ability to have an adequate standard of living, because they are pouring their Universal Credit into funeral costs.

Even teenagers unfortunately, across the UK, who are full-time students, are unable to get any support for funeral costs when they are left potentially providing the funeral for a single parent, a solo parent who has died. So yes, just thoughts on how we ensure that those less everyday benefits are not forgotten and incorporated what we are talking about human rights? Thank you.

Answer - Emma Roddick

I think it really gets down to the basics of what we mean by social security, a minimum income guarantee and the basics of life that no one should fall below.

We are calling on the UK Government to provide an 'Essentials Guarantee' which was mentioned earlier and is about that overall view that people should be able to live no matter what situation they end up in. Whether it is something that they can control or not, they should not be forced into poverty or destitution.

I think funeral support is a great example because these are the kind of situations that can happen to anyone at any age and it falls to us as a government that no matter what situation you are faced with, you are not forced into poverty. So that's the situation we are looking at and how we can model it right now is a minimum income guarantee. That would be possible with the current powers.

But also looking at if we were an independent country, what will we do with a better designed welfare system? Because I think the idea behind Universal Credit is pretty solid. It is bringing together everything that people might need, to have all the benefits together. But the way that it has been implemented makes it punitive and makes it something that keeps people in poverty. So that's what we are looking at is that whole systems change and what the benefits system that provides a baseline support for everyone would look like.

Answer - Kate Ewing

I think when talking about the five principles that Just Fair has developed, of key importance is the participation of a wide range of people and the point that you were making, Hinda, about the role of lived experience.

What we say we think is needed, and what we want for a better UK so that everyone is enjoying the rights, is a richly designed vision that includes all of the aspects of an adequate standard of living, for example. All of the aspects of all of these rights. And that can only really be achieved by a participatory process, where we need to come together with all the ideas that we have, all the experiences that we have, to try to plan that out. So, I think funeral poverty is a really great example along with the point that Hinda was raising that ties that together.

Question 4

Hi, I am Mhairi Snowden from the Human Rights Consortium Scotland and just like question around lived experiences, one of the things that we hear consistently is that access to justice is just incredibly difficult.

It is very difficult to navigate the system to get remedy on rights infringement. I'm wondering if there are any comments around access to justice when we are thinking about economic, social and cultural rights? But also particularly for the Minister around the extent which the Scottish Government will commit to change the system to improve access justice? Both in the Human Rights Bill but also around things like the legal rights reform. Legal Aid in Scotland is commenting that the number of cases that they are taking is going down and down. It is really something that is urgent.

Answer - Emma Roddick

Yes, I think if we want human rights to mean something and to have those rights realised it has to mean something.

So that is with us of course, but we are also working with the judiciary and legal profession to make sure that everything is in place, all the resources and all the guidance is very clear, what human rights are in Scotland, what people are entitled to and what they have a right to. So I'm sure we'll be having more conversations with yourself and others as the bill progresses.

What we are absolutely very keen to make sure of is that this bill means something, and it has an actual impact on the people that we are trying to support. So access to justice will be a key part of that.

Answer - Kate Ewing

Access to justice is essential to rights realisation. When we were developing the five principles, you will notice that there are no express words 'access to justice' in any of the five. That is quite a deliberate decision.

We think access to justice is a broad thing and it is important that we have a very broad understanding and definition of access to justice.

So, thanks to the great work of Katie Boyle who is really leading our thinking on this, the fact is that in each of the principles there is an access to justice element.

So knowing about your rights, being able to access to justice is more than just being able to go to the court. It's about not having to complain to fifty different people about the same thing, it is about the same complaint not having to be raised again and again by different people, so that if many people are complaining about the same thing it will lead to systemic changes.

That is one thing that is an inherent part of our principles and is spread across the five principles. Because we think it is so integral to rights realisation that it is infused rather than one distinct label in one section.

Answer - Olivier De Schutter

Access to justice should be put in the human rights perspective. We will not realise human rights by simply seeing them in legislation and then allowing people to go to courts if the rights are violated.

There are huge obstacles, people have to be protected, they can't wait for justice to be delivered. And of course there are costs to justice. For people in poverty, the judicial arena is also very intimidating; the complexity of the thing, the vocabulary, the customs associated with the world of lawyers.

I think this is why the five principles that Kate has exposed are so important. They should ideally make it unnecessary to go to justice. And that one's rights are well understood when people, social workers also, not just beneficiaries, are informed about the requirements of rights. That is when the rights can be upheld. In our terms, we should certainly adopt a human rights approach to combating poverty, not reduce our view of rights to a normative judicial approach and I think that is really key.

Question 5

I am Amanda from ATD Fourth World. Most displaced people in the UK are banned from working, which pushes them into deep poverty and takes a toll on their mental health and wellbeing. Are there other countries with better policies concerning displaced people that the UK could learn from?

Also, we believe that solutions are best and can be developed by participation by people living in poverty themselves. In my experience, this requires lots of time in preparation and this includes building a peer group with others who experience similar situations. This gets us ready to engage in spaces like this dialogue today, which are very intimidating to those of us who are not used to it. Could you give examples of when you've participated in with people in poverty as well please?

Answer - Olivier De Schutter

Thank you so much Amanda, I remember seeing you in March 2020. What Amanda is referring to is the methodology developed by ATD Fourth World – the 'merging of knowledge' approach. Which is important because it considers that effective participation of people in poverty in the policies that affect them should first include one stage during which people in poverty work together, to build a collective voice rather than their voices being immediately confronted with the voices of either academic experts or the organisations working with them.

That is really key. The merging knowledge methodology consists of forming three groups:

- People in poverty.
- Technocrats and experts.
- People who are the human rights defenders from NGOs working with people in poverty.

Each of these voices matter to building solutions that are well-informed. But those voices need to be strengthened first before they are then merged into proposing concrete solutions. Together with ATD Fourth World we are now working on the new participatory method (the Instrument for the Deliberative Elaboration and Evaluation of Policies (IDEEP)) to ensure effective participation of people in poverty in the policies that affect them inspired by the merging knowledge approach.

People in poverty don't just have the right to be heard; nor should it be right for individuals only to be consulted. It should be right for people in poverty to have access to building a collective voice that can be strengthened and therefore be shared with policymakers and organisations working with them so that the experiences are actually valued.

One of the things that people in poverty regularly complain of is that their experiences are undervalued despite the important knowledge that they have about the obstacles people in poverty face and their intimate understanding of what it is being poor. Policymakers are good at 'policymaking' advice but not at 'policy-taking' – at looking for advice and at building on people's lived experiences. I think that should change.

Question 6

Hello, it is Nesar, I'm with an employment advocacy project based in Wakefield, West Yorkshire. A point to make first: I think the Scottish Government should be the opposition in England, because the people of Gaza and I would like to thank you, your government and your First Minister because it takes courage to set an example to this Parliament. So I would like to say thank you. And really I think I'm moving to Scotland!

Okay this panel says the route of human rights is a route to a better UK. I say we introduce the living minimum wage. But companies completely straightaway took work abroad, saying they can't pay the workers and it's cheaper abroad. It is not just about our rights; we need to respect other people's rights. I will tell you something that would cause problems with a company called (*inaudible*). We got someone from the UK wants to go work abroad and takes works abroad at the same rate of pay, unfortunately, some back deals are done. Pakistan, my country, is in poverty, ninety percent. We all need to unite. So how as a country, can we grant other people's human rights because we are taking other people's human rights away and causing half the world's problems. That's my question and solutions.

Answer - Emma Roddick

There are a couple things there and I will absolutely send your best wishes to the First Minister. It is a good example of how lived experience can impact on people's understanding of not just domestic policy but obligations to others.

Another thing that the First Minister did was that he changed the title for the 'Cabinet Secretary for Economy', to the Cabinet Secretary for Wellbeing Economy'. That is a signal of the Scottish Government moving towards not economic growth for growth's sake, but growth in a way that protects people and ensures fair work practices and social security.

So, as an example that the Scottish Government don't give public grants to organisations, unless they pay the real living wage which is now twelve pounds an hour. I think that indicates the wider culture that we are trying to create here. So hopefully that helps with a wide-ranging question. But thank you very much for how you framed it.

Question 7

Thank you I'm Sophie and I'm Head of Policy at the Child Poverty Action Group (CPAG). A few questions came up for me. In two weeks' time we will see the Autumn Statement, that is the big fiscal event in the UK political calendar. At CPAG we are preparing for the fact that we think the government won't operate benefits in the way that you talked about. We think that we will see increasing conditionality, increasing sanctions, and more stringent rules on disability benefits which will limit support to that group, and a focus on benefit fraud - so this idea that people who claim benefits are somehow kind of cheating the system.

I think that these are all policy levers which relate to what you were saying about discrimination against people who are living in poverty, and these are the way that the government can facilitate that. I just wondered from your experience of going to different countries, I'm sure that the UK is not alone in having some of these kind of negative rhetoric about people who live in poverty, but I just wondered what your advice would be to us as civil society organisations trained to counteract some of that? How we can do that, most effectively?

Answer - Olivier De Schutter

Quite frankly I am not fond of being put in the position of an expert advising civil society of what it must do. You know this context far better than I. Moreover it is of course difficult for me to participate in a decision that has not been made yet and to react that hypothetical scenario.

I think what is important to realise is that in this area of social protection we should move away from a purely accounting perspective in which fiscal sustainability and budget balancing are taking priority. That unfortunately has been the dominant attitude for many governments and particularly since the financial crisis of 2008-2009.

We should insist on social security, the right to human dignity and access to an adequate standard of living. These are linked to the international obligations of the UK and should be seen as the best investment the country could make. A country that seeks to maintain its competitiveness in global competition at the price of keeping its workers in poverty, and that seeks to maintain its reputation with financial markets at the price of keeping its population poor – such a country has no future.

5. Related media coverage

[UN poverty expert: 'UK policies continue to inflict misery' \(bigissue.com\)](#)

[The Guardian: UK 'in violation of international law' over poverty levels, says UN envoy \(and Monday briefing\)](#)

[Yahoo News: UK 'violating international law' with poverty levels, top UN official says](#)

[The National: Top UN official says UK 'violating international law' with poverty levels](#)

[Voice of Europe: UN poverty envoy accuses UK of violating international law over rising poverty levels](#)

[O Globo: No país de Charles III, governo 'viola lei internacional' sobre a pobreza, diz relator da ONU](#)

[Jurist: UN expert claims UK poverty levels violate international law](#)

[Human Rights Watch: Homelessness, Destitution, and Hunger Soar in the UK](#)

[UK: The Public and Poverty: Daily Brief \(hrw.org\)](#)

[Daily Mail: UN rapporteur clashes with No10 after slamming UK benefits handouts as 'grossly insufficient' and saying poverty is 'getting worse'](#)

[The Independent: Number 10 rejects UN envoy criticisms of UK welfare spending](#)

[Daily Mail: If the UN can't stop delivering ludicrous reports on sexism and poverty in Britain, we should stop handing it £1.7 billion every year](#)

[The Conversation: How much income is needed to live well in the UK in 2023? At least £29,500 – much more than many households bring in](#)

[The National: Suella Braverman's comments on homelessness shame the UK](#)

[Ouest France : « Un choix de vie » : au Royaume-Uni, le gouvernement conservateur accable les sans-abri](#)

<https://www.bmj.com/content/383/bmj.p2638>