

Visit by the United Nations Special Rapporteur on extreme poverty and human rights to the United Kingdom of Great Britain and Northern Ireland from 5 to 16 November 2018

Written evidence from Dr Elisabeth Garratt, Centre for Social Investigation, Nuffield College, University of Oxford.

As an academic researcher working on issues related to poverty and human rights and on the field of food insecurity more specifically, I am well placed to provide input on the interlinkages between poverty and the realisation of human rights, ahead of the Special Rapporteur's upcoming visit to the UK. Below I draw on my own and others' research on food insecurity to offer relevant insights into the topic and present these under the question topics specified in the call for submissions.

## A. GENERAL

(3) *What are the most significant human rights violations that people living in poverty and extreme poverty in the United Kingdom experience? Please exemplify by referring to specific cases and relevant norms of international human rights law.*

The existence of food insecurity<sup>1</sup> – defined as ‘*the inability to acquire or consume an adequate quality or sufficient quantity of food in socially acceptable ways, or the uncertainty that one will be able to do so*’<sup>2</sup> – engenders a significant human rights violation faced by people living in extreme poverty in the United Kingdom. The topic of food insecurity is not subject to routine monitoring and the government has resisted doing so, a state of affairs described as ‘*a clear dereliction of duty to implement the human right to food*’<sup>3</sup>.

However, recent figures estimated that 21 per cent of people in England experienced food insecurity in 2016<sup>4</sup>. The government holds a legal duty under the International Covenant on Economic, Social and Cultural Rights to provide food of sufficient quantity and quality to meet people's dietary needs<sup>5</sup>. The figures cited above therefore demonstrate that this legal duty is not being met for a considerable minority of people in the UK. Indeed, the state makes no recognition of the human right to food<sup>6</sup>; consequently the ability to obtain sufficient and suitable food is seen as a private responsibility.

The absence of monitoring data on food insecurity mean that it is impossible to identify clear trends, yet combining the available evidence on the topic does suggest that the scale of the problem has risen over recent years<sup>7</sup>. In tandem, provision of charitable emergency food has emerged rapidly. Charitable emergency food primarily takes the form of foodbanks, who supply parcels of non-perishable goods for consumption off-site, and food redistribution organisations, who supply surplus food to local charities, who use this to prepare meals for disadvantaged groups. The national scale of these activities is not reliably known, but best estimates suggest that 850,000 people across Britain received assistance from foodbanks in 2014<sup>8</sup>. While fulfilling a vital need, for several reasons these activities are problematic from a human rights perspective. Fundamentally, charitable assistance is not a right, and provision can be variable and precarious. Below I outline four key limitations of charitable emergency food from a human rights perspective.

---

<sup>1</sup> Also referred to as food poverty. The preferred term ‘food insecurity’ is used here.

<sup>2</sup> Radimer, K.L. et al., 1992. Understanding hunger and developing indicators to assess it in women and children. *Journal of Nutrition Education*, 24(1), p.36S–44S.

<sup>3</sup> Dowler, E. (2014) Food banks and Food Justice in ‘Austerity Britain’, in G. Riches et al. (eds) *First World Hunger Revisited*, page 175

<sup>4</sup> Bates B, Roberts C, Lepps H, Porter L. The Food & you Survey Wave 4 [internet]. London: Food Standards Agency; 2017. Available from: <https://www.food.gov.uk/sites/default/files/food-and-you-w4-combined-report.pdf>

<sup>5</sup> Committee on Economic Social and Cultural Rights, 1999. General Comment 12: The right to adequate food. UN Economic and Social Council.

<sup>6</sup> Dowler, E.A. & O'Connor, D., 2012. Rights-based approaches to addressing food poverty and food insecurity in Ireland and UK. *Social Science and Medicine*, 74(1), pp.44–51.

<sup>7</sup> Garratt, E., (2016) *Food insecurity and foodbank use*, CSI briefing note 28. Oxford: Centre for Social Investigation.

<sup>8</sup> Garratt, E. (2017) Please sir, I want some more: An exploration of repeat foodbank use, *BMC Public Health*, 17(1).

The first limitation is adequacy of food supply. The majority of food distributed by foodbanks comes from public donations. This mode of operation is highly precarious and the possibility that foodbanks will run out of food is ever-present<sup>9</sup>. This final line of defence against hunger is therefore highly insecure and demonstrates the clear lack of sustainability of the foodbank model.

The second limitation charitable emergency food from a human rights perspective is the rationing of assistance practiced by some providers. The UK's largest foodbank network, the Trussell Trust, distributes food according to a voucher system in which a person is permitted to receive a maximum of three parcels in relation to each 'crisis' situation they face. Trussell Trust food parcels contain sufficient food for three days, thus their provision only extends to nine days of food. It should however be noted that the three-voucher rule is not always adhered to, and foodbank managers are permitted to issue additional vouchers at their discretion. In the only academic research on the topic, I found that repeat visits were becoming more common over time, and suggesting that extreme poverty is becoming entrenched<sup>10</sup>. This observation sits uneasily alongside the absence of ongoing rights to emergency food supplied by foodbanks.

The third limitation relates to suitability: even when quantity can be assured, charitable assistance is inevitably unable to reliably cater for religious, cultural, and – most importantly – health preferences for certain foods. In her 2016 book *Hunger Pains*, Dr Kayleigh Garthwaite described the experience of a woman with several health problems: “*Like I told ya, I was bad over the weekend because of everything that I ate [from the foodbank] that I shouldn't have cos I can't afford to buy fresh vegetables and fruit all the time, and that's what I'm supposed to eat*”<sup>11</sup>. Likewise, an exploration of food aid in an ethnically varied setting found that most faith-based emergency food providers were Christian, and that provision and uptake of food aid among Muslims was scarce, despite the demographic characteristics of the local area<sup>12</sup>. This observation suggests that certain groups may be unintentionally excluded from assistance.

The fourth limitation is the requirement for people to become aware of and seek assistance in meeting their nutritional needs via a charitable exchange. There exists robust evidence that foodbanks are considered a 'last resort', and seeking such assistance is associated with feelings of embarrassment and shame<sup>13</sup>. The extent of this reluctance to seek charitable food assistance is not well established, however recent research in Scotland found that while 17 per cent of people occasionally or frequently have difficulty meeting the cost of food, only 4 per cent had visited a foodbank. From these figures it is clear that foodbanks are not a suitable means of fulfilling the UK population's right to food.

*(7) Which individuals and organizations should the Special Rapporteur meet with during his country visit to the United Kingdom?*

I would recommend the Special Rapporteur meet with the Department for Work and Pensions, the Trussell Trust, and the Independent Food Aid Network.

---

<sup>9</sup> Iafrati S. The sustainability of food bank provision: what happens when demand outstrips supply? *J Poverty Soc Justice*. 2016;24:307–10.

<sup>10</sup> Garratt, E. (2017) Please sir, I want some more: An exploration of repeat foodbank use, *BMC Public Health*, 17(1).

<sup>11</sup> Garthwaite, K., 2016. *Hunger Pains: Life inside foodbank Britain*, Bristol: Policy Press. Page 129

<sup>12</sup> Power M, Doherty B, Small N, Teasdale S, Pickett KE. All in it together? Community food aid in a multi-ethnic context. *J Soc Policy*. 2017.

<sup>13</sup> Garthwaite K. Stigma, shame and 'people like us' an ethnographic study of foodbank use in the UK. *Journal of Poverty and Social Justice*. 2016; 24(3): 277-89; Purdam K, Garratt EA, Esmail A. Hungry? Food insecurity, social stigma and embarrassment in the UK. *Sociology*. 2016; 50:1072–88.

## **B. AUSTERITY**

(9) *Have austerity measures implemented by the government taken adequate account of the impact on vulnerable groups and reflected efforts to minimize negative effects for those groups and individuals?*

(10) *What have the effects of austerity been on poverty (and inequality) levels in the United Kingdom in the last decade?*

(11) *Have the human rights of individuals experiencing poverty been affected by austerity measures?*

Research evidence suggests that austerity measures have not minimised negative effects on vulnerable individuals, and that austerity measures have affected the human rights of people experiencing poverty. With respect to food insecurity, the large proportion of people seeking assistance from foodbanks due to various problems with benefits suggest that the welfare system and austerity measures are eroding people's human rights with respect to food. Figures from the Trussell Trust – the only foodbank organisation to routinely monitor receipt of emergency food – demonstrate that 24 per cent of foodbank referrals in 2017/18 were attributed to benefit delay and a further 18 per cent reflected benefit changes<sup>14</sup>; these figures are comparable with those from previous years. Likewise, multivariate models of foodbank use among deprived communities in Glasgow revealed that after accounting for other characteristics, having been impacted by welfare reforms was associated with an increased likelihood of foodbank use<sup>15</sup>. The programme of welfare retrenchment instigated by the coalition government and continued by the subsequent Conservative majority encouraged civil society to fill the resulting gaps in statutory provision under former Prime Minister David Cameron's *Big Society* rhetoric. Attesting to this, food parcel distribution grew in response to central welfare benefit cuts<sup>16</sup>. However, for the reasons noted above, foodbanks are neither an adequate nor suitable response to poverty.

One particularly worrying feature of austerity measures is the shift to greater conditionality of welfare, which has a disproportionate impact on vulnerable groups. Specifically, benefit sanctions – in which payments are stopped when claimants fail to meet benefit conditions – were responsible for over 7 per cent of referrals to West Cheshire Foodbank between 2014 and 2016, although this figure did decline by half over this period<sup>17</sup>, suggesting that the pursuit of benefit sanctions may have abated. Nonetheless, evidence that people with mental health problems appear susceptible to sanctioning<sup>18</sup> suggests that efforts to minimise the negative effects of austerity measures on vulnerable people have not been adequate. Indeed, evidence that 'expectations' to refer claimants to sanction are widespread among JobCentre Plus advisers suggests the exact opposite<sup>19</sup>.

---

<sup>14</sup> Trussell Trust (2018) *Foodbank Stats*. Available at: <https://www.trusselltrust.org/news-and-blog/latest-stats/>

<sup>15</sup> MacLeod, M.A., Curl, A., & Kearns, A. (2018) Understanding the Prevalence and Drivers of Food Bank Use: Evidence from Deprived Communities in Glasgow, *Social Policy & Society*.

<sup>16</sup> Loopstra R, Reeves A, Taylor-Robinson D, Barr B, McKee M, Stuckler D. Austerity, sanctions, and the rise of food banks in the UK. *BMJ*. 2015;350

<sup>17</sup> Garratt, E., Spencer, A. & Ogden, C. (2016) #stillhungry: who is hungry, for how long, and why? Chester: The Trussell Trust

<sup>18</sup> Garthwaite K. Stigma, shame and 'people like us' an ethnographic study of foodbank use in the UK. *Journal of Poverty and Social Justice*. 2016;24(3): 277-89

<sup>19</sup> Supplementary evidence to a House of Commons Select Committee inquiry into benefit sanctions submitted by the Public and Commercial Services Union. Available at: [https://www.parliament.uk/documents/PCS%20\(SAN0161\)%20300115.pdf](https://www.parliament.uk/documents/PCS%20(SAN0161)%20300115.pdf)

## **E. CHILD POVERTY**

(25) What is the extent of child poverty in the United Kingdom, and how has it evolved over the last decade?

(26) What are the implications of child poverty for the rights enumerated in the Convention on the Rights of the Child?

(27) What are the main causes of child poverty in the United Kingdom, what have been the main government responses, and how effective have they been?

The available evidence suggests that children are disproportionate recipients of emergency food. At 2.3 per cent, the estimated proportion of children receiving emergency food from West Cheshire Foodbank in 2014 was over twice the corresponding figure for adults (1.0 per cent). Looking at trends over time, after a period of relative stability, children's receipt of emergency food also more than doubled between 2012/13 and 2013/14<sup>20</sup>, corroborating other evidence that families with children were disproportionately affected by austerity measures.

Schools have also advocated for better nutritional provision for their students: half of school staff surveyed in London in 2012 said children did not eat breakfast because their families could not afford it, and 61 per cent reported giving food to pupils at their own expense<sup>21</sup>.

---

<sup>20</sup> Lambie-Mumford, H. & Green, M.A. (2015) Austerity, welfare reform and the rising use of food banks by children in England and Wales. Area.

<sup>21</sup> Greater London Authority (2012) *A Zero Hunger City – Tackling food poverty in London*. London