

Nourish Scotland, *Report to the UN Committee on Economic, Social, and Cultural Rights*  
(August, 2015) **CESCR 56<sup>th</sup> session; UK 6<sup>th</sup> periodic report.**

This report reviews the obligations of the UK Government, and the Scottish Government where the matter concerned is devolved, under Article 11 of ICESCR, specifically in relation to the right to food.

**Nourish Scotland** is a Non-Governmental Organisation working on a local, national, and international level for a fairer, healthier, and more sustainable food system.

***Main points of concern***

1. Absence of framework legislation and policy cohesion
2. There is no periodic monitoring of the real level of food insecurity
3. The right to food is neither directly applicable nor otherwise enforceable
4. Regression on realising right to food

***Recommendations***

1. Incorporating the right to food, to produce and to access, within a Food Act including;
  - A. *Commitment to a rights-based food system*
  - B. *Improved working conditions in food sector*
  - C. *Commitment to sustainability*
  - D. *Disaggregated monitoring of food insecurity*
  - E. *Enforcement*
2. Recalculation of the National Minimum Wage and social security system so as to reflect the real cost of living, including accessing nutritious and culturally appropriate food.

**Concern 1: Absence of framework legislation and policy cohesion**

Neither the UK nor the Scottish Government have developed framework legislation or strategic policy on food. Food law and policy is confusingly fragmented across a number of statutes and policy-making areas, notably agriculture, land use, environment, and health, with none of these taking control of food on a strategic level.

The majority of the policy areas pertaining to food are devolved to Scotland, however social security policy is predominantly a reserved matter.<sup>1</sup> This means that many of the questions regarding financial accessibility of food are within the remit of the UK Government, discussed further in Concern 4.

The Scottish Government does have a specific, though not strategic, policy on food and drink. The **National Food and Drink Policy** is an important step in the direction of policy cohesion.

The first incarnation of Scotland's National Food and Drink Policy, **Recipe for Success**,<sup>2</sup> had a number of strong overarching visionary threads but was silent on food insecurity. In terms of practical commitment, the policy focused on increasing production for the purpose of increasing exports.

Exports have since grown, as has the interest in reforming and participating in the food system, evident in the consultation responses to the reformulation of the Policy.<sup>3</sup>

The reformulated policy, **Good Food Nation**, was still in development at the time of writing, though the Scottish Government had committed to a number of proposals from the consultation. Of particular relevance were the creation of a Scottish Food Commission and a statement of intention to reverse reliance on charitable food banks by ensuring universal access to good food.

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<sup>1</sup> Scotland Act 1998, Schedule 6, Head F (social security); Scotland Act 1998, Schedule 6, Head H (National Minimum Wage)

<sup>2</sup> *Scotland's National Food and Drink Policy: Recipe For Success* (2009) available here: <http://www.gov.scot/Resource/Doc/277346/0083283.pdf>

<sup>3</sup> *Scotland's National Food and Drink Policy: Becoming a Good Food Nation Discussion Document* (2014) available here: <http://www.gov.scot/Publications/2014/06/1195>;

**Concern 2: There is no periodic monitoring of the real level of food insecurity**

Whilst the UK Government and the Scottish Government respectively monitor to some extent national nutrition levels and purchasing habits, there is no comprehensive measurement of food security. The authors refer here to food security as defined by the UN's Food and Agriculture Organization; **'physical and economic access to sufficient, safe and nutritious food that meets their dietary needs and food preferences'**,<sup>4</sup> and food insecurity encompassing **'uncertainty regarding ability to get food, compromise on food quality and variety, reducing food quantities or skipping meals, and experiencing hunger'**.<sup>5</sup>

Food insecurity has significantly increased in the period between the UK's 5<sup>th</sup> report to CESCR and the present. Looking at just one model of emergency food provision, the Trussell Trust, in **2008-2009 provided 25,899** 3-day crisis food parcels, whereas in **2014-15 it provided 1,084,604**.<sup>6</sup> Relying on food bank data alone as a measurement of national food security is woefully inadequate, with evidence of a high number of people experiencing insecurity not using food banks.<sup>7</sup>

Without understanding the true scale and nature of food insecurity the authors believe that it is extremely unlikely a Government will be able to tailor policies to support people who are food insecure.

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<sup>4</sup> World Food Summit 1996

<sup>5</sup> UN FAO, *Voices of the Hungry project: Food Insecurity Experience Scale*, see here: <http://www.fao.org/economic/ess/ess-fs/voices/en/>

<sup>6</sup> See Trussell Trust 2014-15 stats here: <http://www.trusselltrust.org/stats>; more generally Trussell Trust et al, *Emergency Use Only: Understanding and Reducing the Use of Food banks in the UK* (Oxfam, 2014) available here: <http://www.trusselltrust.org/resources/documents/Press/Foodbank-Report.pdf>

<sup>7</sup> F Douglas et al, *The Nature and Extend of Food Poverty / Insecurity in Scotland* (2015, NHS Health Scotland) available here: <http://www.healthscotland.com/documents/25717.aspx>

**Concern 3:     The right to food is neither directly applicable nor otherwise enforceable**

As noted by the Committee in their 2009 Concluding Observations, because of the UK's constitutional position of legal dualism, international obligations do not have direct effect unless domestically incorporated. The UK contends that it is not required by the Covenant to give direct effect to its provisions nor to incorporate the Covenant into a self-contained piece of domestic legislation, citing that the relevant actions are being achieved through reform within the existing legal framework.

In practice this means that a UK citizen wishing to complain that their right to food is not being met cannot seek recourse through any international mechanism, nor through the domestic courts.

The position in Scotland is largely similar, however with potential for applicability through the Land Reform Bill and enforceability through the newly established Food Commission. The Land Reform agenda has strong political traction in Scotland, centring on mechanisms for a fairer distribution of land. The Memorandum to the Bill introduced by the Scottish Government this year makes explicit reference to their desire to give effect to the Covenant and the relevance of accessing land to realising the right to food.<sup>8</sup>

The Food Commission, created under the Scottish Food and Drink Policy, has the jurisdiction to develop its own work programme. The Commission's role is advisory rather than executive, but as a nascent mechanism with considerable discretion it could set up a work-stream to enforce politically through reports documenting whether the Scottish Government is meeting its right to food obligations.

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<sup>8</sup> Scottish Government, Land Reform (Scotland) Bill: Policy Memorandum (SP Bill 76, 2015) at para 86

#### **Concern 4: Regression on realising right to food**

This concern focuses on the financial inaccessibility of food. It is however worth noting that there is a marked decline in access to the means of production in the UK. The current Land Reform proposals in Scotland seek to reverse this trend, discussed above.

After housing costs, 21% of the UK population live below the relative poverty line calculated at 60% of the Median UK income.<sup>9</sup> This is up from 15% in 2009.<sup>10</sup> Both the National Minimum Wage and the social security net are inadequate to give UK citizens certainty of access to good quality, culturally appropriate, food. Recent reform to social security payments and the stagnation of wages against the costs of living have resulted in a significant increase in the number of people seeking emergency food provision, detailed above.

The UK Government has failed to create structures to reverse this trend and in its Summer Budget announced inadequate reform to the National Minimum Wage and a commitment to even harsher austerity of the social security net. The UK Government is not progressively realising the right to food, and is de facto regressing to the point of not meeting the aspects of Article 11 that have immediate effect.

It is important to also note here that this regression has not been necessitated by a shortage of resources.<sup>11</sup> In the period from the Committee's 2009 review to the present the UK has re-entered a period of economic growth, and the Government has made numerous policies relieving tax on the most affluent in society.<sup>12</sup> For example, in the Summer Budget the Government announced a further £12 billion of cuts to the social security net, whilst simultaneously cutting corporation tax so as to be the lowest in the G20, and increasing the threshold for the top rate of income tax. The latter two reforms enable large businesses and the highest UK earners respectively to pay less tax, whilst the cuts to social security immediately impact on the financial accessibility of food to the lowest earners, those out of work, and those unable to work. With this in mind the reform of the social security net could be seen as ideologically driven.

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<sup>9</sup> Department for Work and Pensions, *Households Below Average Income* (2014) available here: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/437246/households-below-average-income-1994-95-to-2013-14.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/437246/households-below-average-income-1994-95-to-2013-14.pdf)

<sup>10</sup> Department for Work and Pensions, *Households Below Average Income* (2009) page 59 available at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/211979/full\\_hbai10.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/211979/full_hbai10.pdf)

<sup>11</sup> As per CESCR, *General Comment 12 (The Right to Adequate Food)* E/C.12/1999/5 (1999)

<sup>12</sup> Chancellor of the Exchequer, *Summer Budget 2015*, (2015) available here: <https://www.gov.uk/government/publications/summer-budget-2015/summer-budget-2015#rewarding-work-and-backing-aspiration>

#### A. **National Minimum Wage – is not a Living Wage**

A person working full time on the current national minimum wage of £6.50 an hour does not earn enough to meet the costs of a socially acceptable living standard, the 'Minimum Income Standard'.<sup>13</sup> In these circumstances a person's food budget often becomes part of their financial buffer meaning that many people on the National Minimum Wage are likely to experience some level of food insecurity.

For people below the age of 21 and apprentices this situation is made worse by being subject to lower tiers of National Minimum Wage; an apprentice can legally be earning just £2.73 an hour. Young people and apprentices consequently cannot afford to live independently and are at greater risk of food insecurity, especially in light of the Government's proposal to remove under 21's from eligibility for Housing Benefit.

The UK Government in the Summer Budget of July 2015 complicated the issue further by stating their intention to raise the minimum wage to a 'National Living Wage' that does not equate to the real living wage.<sup>14</sup> The National Living Wage from April 2016 will be set at £7.20, which is still significantly below the 2015 *real* living wage of £7.85. The real living wage is based on the Minimum Income Standard and increases annually with inflation. Historically, low wages have been topped up by the social security system, predominantly in the form of tax credits, which has effectively acted as a subsidy for employers who pay low wages. However, the most recent cuts to social security announced in the Summer Budget will remove this safety net from many recipients leaving the lowest paid and economically vulnerable exposed and impacting directly on their food budget.

Whilst the National Minimum Wage is a reserved matter, the minimum wage and conditions for agricultural workers is a devolved matter, determined by the **Scottish Agricultural Wages Board**. Nourish believe that the Board is essential for benchmarking fair practices and monitoring the industry to prevent exploitation of vulnerable workers, especially migrant workers. In light of the regression on working standards following the abolition of the Board in England and Wales, Nourish is concerned that the Scottish Government have included the consideration of constraining or abolishing the Board within the remit of their current

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<sup>13</sup> Joseph Rowntree Foundation, *Minimum Income Standard for the UK in 2014* (2014) <http://www.jrf.org.uk/sites/files/jrf/MIS-2014-Final.pdf>

<sup>14</sup> Chancellor of the Exchequer, *Summer Budget 2015*, (2015) section 3.2 here: <https://www.gov.uk/government/publications/summer-budget-2015/summer-budget-2015>

consultation.<sup>15</sup>

## B. Social Security – Food Insecurity

The current level of financial support for an unemployed individual of working-age without children, known as **Jobseeker’s Allowance**, is £73.10 per week.<sup>16</sup> However, the cost of a socially-acceptable living standard for that same person, the Minimum Income Standard (MIS), has been calculated at £195.29 per week.<sup>17</sup> The Minimum Income Standard Report helpfully includes comparisons of the MIS against social security from 2008 with 2014 demonstrating a clear downward trend in the sufficiency of social security. The report outlines that whilst the goods considered to make up the MIS have remained largely the same, their price has substantially increased in this time period, with food costing 26% more, energy 45% more, and travel 37% more in 2014 than in 2008. Consequently persons in receipt of social security are highly likely to be food insecure.

A person out of work because of illness or disability may be eligible for **Employment Support Allowance**. The process of applying for this is however notoriously confusing with differing types, tiers, components and premiums depending on a combination of National Insurance contributions and an assessment of the person’s ability to work. Similarly to Jobseeker’s Allowance, a person in receipt of the highest level of ESA will still be receiving far below the MIS.<sup>18</sup>

## C. Welfare Reform – Food Banks versus Hunger

The reform of social security under the Welfare Reform Act 2012 and other policy reforms have significantly weakened the already modest social security net. The reforms that have most significantly impacted on people’s financial access to food are described here;

- a. **Benefit Delay;** the delay in processing applications for benefits since the reforms has left many of the most vulnerable people without money for food. In particular the

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<sup>15</sup> Unite the Union Scotland, *Scottish Agricultural Wages Board – Scottish Government Consultation* (2015) available here: [http://www.unitetheunion.org/uploaded/documents/0000046-SAWB%20Consultation%202015%20\(1\)11-23168.pdf](http://www.unitetheunion.org/uploaded/documents/0000046-SAWB%20Consultation%202015%20(1)11-23168.pdf)

<sup>16</sup> More information on Jobseekers Allowance on Government website here: <https://www.gov.uk/jobseekers-allowance>

<sup>17</sup> Joseph Rowntree Foundation, *Minimum Income Standard for the UK in 2014* (2014) <http://www.jrf.org.uk/sites/files/jrf/MIS-2014-Final.pdf>

<sup>18</sup> More information on Employment Support Allowance on Government website here: <https://www.gov.uk/employment-support-allowance/what-youll-get>

reform of **Disability Living Allowance**, now **Personal Independence Payments**, which support people who are in and out of work with the costs caused by long-term illness or disability, have resulted in delays of over a year.<sup>19</sup>

- b. Bedroom Tax;** This has impacted on people who are eligible for **Housing Benefit**; the payment of part or whole of their rent because of low-income or no income. From April 2013 people in receipt of Housing Benefit who live in homes deemed ‘under-occupied’ have had a deduction in their Housing Benefit.<sup>20</sup> The UK Government described this as an incentive for people on low or no incomes to move to smaller homes, however, in the absence of availability of smaller homes many people have found themselves making up the deficit from their already limited food budget. For example, a person unemployed receiving Jobseeker’s Allowance and Housing Benefit deemed to have a spare bedroom will have to make up the difference from their £73.10 per week.

The Scottish Government has mitigated the impact of this tax through the payment of Discretionary Housing Payments to cover the shortfall of persons affected.<sup>21</sup>

- c. Benefit Conditionality and Sanctions;** One of the most significant reforms in the approach to social security has been the shift from entitlement to conditionality for out of work benefits. Recipients of **Jobseeker’s Allowance** or **Employment Support Allowance** can have their payments stopped for a period of 4 weeks up to 3 years. Sanctions can be applied for a range of reasons including where a recipient is late for an appointment, has not applied for enough jobs, or has not accepted a job.<sup>22</sup> A benefit sanction leaves a person without any money. Whilst there are some hardship payments available they only cover a percentage of the person’s JSA or ESA claim. The sanctions regime has been criticised for being too harsh and inflexible in not considering the particular needs of an individual for example child caring requirements and medical appointments. This is reflected in the fact that 50% of all

<sup>19</sup> For a full discussion see *R (on the application of Ms C and Mr W) v Secretary of State for Work and Pensions and Others* [2015] EWHC 1607 available here: <https://www.judiciary.gov.uk/wp-content/uploads/2015/06/r-v-sswp.pdf>

<sup>20</sup> For a practical guide see Citizen’s Advice Bureau, here: <https://www.citizensadvice.org.uk/benefits/housing-benefit-restrictions-for-social-housing-tenants/housing-benefit-size-restrictions-in-social-housing/>

<sup>21</sup> For a full briefing see Scottish Parliament Information Centre, *SPICe Briefing: Discretionary Housing Payments* (2014) available here: [http://www.scottish.parliament.uk/ResearchBriefingsAndFactsheets/S4/SB\\_14-17.pdf](http://www.scottish.parliament.uk/ResearchBriefingsAndFactsheets/S4/SB_14-17.pdf)

<sup>22</sup> Department for Work and Pensions, *JSA and ESA Sanctions Guidance* (2014) see here: <https://www.gov.uk/government/collections/jobseekers-allowance-sanctions>



benefit sanctions appealed have been successfully overturned.<sup>23</sup>

- d. **Benefit Cap;** This was introduced to limit the total amount of social security payments that a person or couple can claim at the level of the median weekly earnings of a working household.<sup>24</sup> The cap has been set at £350 for an individual, and £500 for a couple per week, inclusive of rent. When calculating whether a person's benefits exceed that of the cap a number of benefits are counted, including **Jobseeker's Allowance, Employment Support Allowance, Child Benefit, Child Tax Credit, and Housing Benefit.**<sup>25</sup>

The benefit cap is problematic for a number of reasons. When setting the cap the Government did not factor in that a person earning the median income is generally also receiving many of the in-work benefits included in the cap. This is especially true of Child Benefit and Child Tax Credit, which together were anticipated to make up 80-90% of the money saved by the cap.<sup>26</sup> The cap therefore does not truly represent the take home pay of a person in work and disproportionately penalises persons with children; 95% of capped households have dependent children.<sup>27</sup> Similarly, the cap does not take in to consideration the average rents in the area where the person is living. This has put a significant number of low income or no income people in the position of choosing between severe food insecurity to cover the costs of their rent, or moving to a place with lower rent. As discussed above re the Bedroom Tax, there is a severe shortage of affordable housing in the UK, resulting in the perceived gentrification or 'social cleansing' of entire areas of the UK.

These reforms have contributed to the sharp increase in reliance on charitable food banks. The majority of food banks operate on a referral scheme, with jobcentres, citizen's advice bureaux, and care professionals able to make referrals. A referral will generally guarantee a

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<sup>23</sup> Department for Work and Pensions, *JSA and ESA Sanctions: Decisions Made to March 2015* (2015) available here: <https://www.gov.uk/government/statistics/jobseekers-allowance-and-employment-and-support-allowance-sanctions-decisions-made-to-march-2015>; for a more detailed critique of the sanctioning regime see Dr D Webster, *Briefing: The DWP's JSA/ESA Sanctions Statistics Release* (University of Glasgow, 2015) available here: <http://www.welfareweekly.com/wp-content/uploads/2015/03/Dr-Weston-Benefit-Sanctions-Analysis.pdf?9d99d7>

<sup>24</sup> Welfare Reform Act 2012 s96

<sup>25</sup> Benefit Cap (Housing Benefit) Regulations 2012 (SI 2012/2994)

<sup>26</sup> Hansard (HC Debates), 28 November 2011 col 763W

<sup>27</sup> Department for Work and Pensions, *GB Households Capped to May 2015* (2015) page 9 [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/452971/benefit-cap-statistics-to-may-2015.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/452971/benefit-cap-statistics-to-may-2015.pdf)

three-day supply of non-perishable food, though this is often insufficient in quantity and for meeting a person's nutritional needs. Meeting dietary needs through charitable food and food waste is problematic; in addition to the shame and stigma associated with reliance on food banks the person has very little choice in accessing food which suits their preference, dietary and cultural needs. People who do not have a referral, or feel unable to use a food bank are vulnerable to exploitation from loan sharks, may resort to stealing food, or experiencing prolonged hunger.

The denial of the financial means to access food has created the foundations for increased criminal activity. Since the introduction of compulsory court fines in May 2015 there have been a number of cases reported of people being caught stealing small sums of food after having their benefits sanctioned and facing huge court fines.<sup>28</sup> Non-payment of these fines results in imprisonment. There is no information presently available on how many people impacted by welfare reform have gone to prison as a result of stealing food.

The true strain of welfare reform on the lives of people with low income or no income has been somewhat shadowed by a concerning lack of transparency from the Department of Work and Pensions on the number of related deaths. Whilst there has been some reporting in newspapers campaigners fear that the real figures are much higher. The Department has recently issued Guidance to people working in Jobcentres on how to respond to a person who threatens to harm or kill themselves in response to the imposition of the reforms.<sup>29</sup> This suggests an acknowledgment on some level of the desperation which some claimants are in, though the Guidance has been criticised for not creating an effective support system.

#### **D. Breaching the Immediate Requirement within Article 11 – Hunger**

At the sharp end of food insecurity, the evidence suggests that there has been a significant increase in the number of people experiencing hunger in the UK from the previous reporting period to the present. In this respect the UK is in breach of the immediate aspect of the Covenant; to ensure citizens are free from hunger.

Rather than prioritising the removal of causes of food insecurity and the creation of

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<sup>28</sup> C Mortimer, 'Famished woman fined £330 for stealing 75p pack of Mars Bars after benefits stopped' (Independent, Friday 14 August); C Mortimer, 'Man fined nearly £300 for stealing three bottles of baby milk' (Independent, 18 August)

<sup>29</sup> P Swindon, 'Suicide Guidance' given to benefits staff preparing for desperate calls on welfare reform' (Herald Scotland, 23 August)

structures to support dignified access to food, the report of the All-Parliamentary Inquiry into Hunger recommended that a stronger network of food banks be established.<sup>30</sup> This is of particular concern as it poses the real possibility of food banks becoming an entrenched feature of the UK social security system. Using Canada as a reference, this approach has alleviated the pressure off of Government to address food insecurity.<sup>31</sup>

#### **E. Disproportionate Impact on Disabled People, Women, and Children**

Regression on financial accessibility of food is disproportionately affecting disabled people, women, and children in a way prohibited under the Covenant.<sup>32</sup> This section is by no means exhaustive but seeks to highlight some of the most indicative examples.

The combination of the bedroom tax and benefit cap has resulted in a significant number of severely disabled people moving from homes that have been adjusted to meet their specific accessibility needs to unsuitable homes. In addition a disproportionate number of disabled people have experienced lengthy delays in the reassessment of their benefits leaving many without benefits at all, recently declared unlawful in the High Court.<sup>33</sup>

The benefit cap has also had a disproportionate impact on single parent households, overwhelmingly women, for whom it is more difficult to balance work with child caring requirements. The Supreme Court recently acknowledge the discriminatory effect of the policy on women and children, though disagreed on whether the Convention cited had legal effect or could be considered when determining the legality of the policy.<sup>34</sup>

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<sup>30</sup> All-Parliamentary Inquiry into Hunger, *Feeding Britain* (2014) 46, available here:

<https://foodpovertyinquiry.files.wordpress.com/2014/12/food-poverty-feeding-britain-final.pdf>

<sup>31</sup> G Riches and T Silvasti, *First World Hunger Revisited* (Palgrave Macmillan, 2014)

<sup>32</sup> CESCR, *General Comment 20 (Non-Discrimination in ICESCR Art 2 (2))* E/C.12/GC/20 (2009) para 20 and 28

<sup>33</sup> *R (on the application of Ms C and Mr W) v Secretary of State for Work and Pensions and Others* [2015] EWHC 1607

<sup>34</sup> *R (on the application of SG and others (previously JS and others)) v Secretary of State for Work and Pensions* [2015] UKSC 16

### **Recommendation 1:**

Incorporating the right to food, to produce and to access, within a Food Act including;

- A. **Commitment to a rights-based food system** in which domestically produced food is supported so as to be:
  - a. **available** through access to land, skills, processing, distribution, and retail,
  - b. **accessible** geographically and financially without stigma, and
  - c. **adequate** to meet people's nutritional and cultural needs.
  
- B. **Improved working conditions** and support for people working in the food industry,<sup>35</sup>
  
- C. **Commitment to sustainability** of food system through strict environmental impact and animal welfare targets,<sup>36</sup>
  
- D. **Disaggregated monitoring of food insecurity** using the Food Insecurity Experience Scale,<sup>37</sup> and
  
- E. **Enforcement** through an independent Food Commission as a statutory consultee with jurisdiction to hear concerns from the public, issue recommendations, and report annually to Parliament on whether UK meeting right to food obligations.

### **Recommendation 2:**

Recalculation of the national minimum wage and social security system so as to reflect the real cost of living, including accessing nutritious and culturally appropriate food.

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<sup>35</sup> Whilst not discussed in this document we are concerned that whilst a large number of people are employed in the food and drink industry through agriculture, manufacturing, retail, and services, they work some of the longest and toughest hours and yet still earn below the average UK income – see New Economics Foundation, *Urgent Recall: Our Food System Under Review* (2014) 45 available here:

[http://b.3cdn.net/nefoundation/1bfd1f66401d3b5f4b\\_fsm6vjoti.pdf](http://b.3cdn.net/nefoundation/1bfd1f66401d3b5f4b_fsm6vjoti.pdf)

<sup>36</sup> As above, whilst not discussed in this document, our current system of food production has a significant impact on the local and global environment. We would like for this to be addressed in a Food Act.

<sup>37</sup> UN FAO, Voices of the Hungry project: Food Insecurity Experience Scale, see here:  
<http://www.fao.org/economic/ess/ess-fs/voices/en/>

*Both the National Minimum Wage and matters of social security are Reserved Matters under the current devolution agreement; this Recommendation therefore applies to the UK Government until such time as these matters are devolved.*

**A. National Minimum Wage: A Real Living Wage**

Nourish Scotland recommend that the UK Government legislate to set the National Minimum Wage targets at the level of the Real Living Wage irrespective of age or occupation. This will make sure that all people living in the UK have the means to access food and exercise that aspect of their Article 11 right.

**B. Social Security: Food Security**

Nourish Scotland believe that the social security net should meet people's needs, and not trap them in poverty. We believe that people should be supported to find meaningful and suitable work that is properly remunerated. We feel that the current social security system and the recent reforms to it are unfair and expose many of the most vulnerable in our society to hunger.

**Nourish Scotland** would like to thank the UN Committee on Economic, Social and Cultural Rights in advance for their time in reading our report.

For any further information please contact:

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We gratefully accept the following endorsement of this report from **Peter Kelly**, Director of The Poverty Alliance:

"We commend Nourish Scotland's response to the UN Committee on Social, Economic and Cultural Rights. We share the concerns highlighted in the report with regard to the links between welfare changes, in-work poverty and food poverty. The evidence is clear: welfare cuts are causing people to survive on less than an adequate incomes and as a result leading to an increase in food poverty. This must be seen not simply as an unfortunate side effect of welfare reform, but as a breach of individual social and economic rights. We hope that the UN Committee will recognise and act on the evidence presented by Nourish Scotland and make recommendations to the UK Government to reverse this unacceptable position."