**Summary: Right to Food Virtual Event with Special Rapporteur Michael Fakhri & Consultation Workshops**

This document summarises discussions at seven virtual events focused on the incorporation of the right to food into Scots Law. The events included one large-scale roundtable with the UN Special Rapporteur on the Right to Food, and six workshops with 10-15 participants. The virtual events took place in Autumn 2020. Participants and speakers at each of the events were supportive of the incorporation of the right to food into Scots law.

Virtual Event: COVID-19 & the Right to Food Gap in Scotland

On Wednesday 29 July, 2020 the Scottish Food Coalition and the Human Rights Consortium co-hosted a virtual event with keynote speaker, Michael Fakhri, the UN Special Rapporteur on the Right to Food.

The event, attended by over 200 people, featured speakers Scottish Labour MSPs - including Chair Elaine Smith MSP, Claudia Beamish MSP, and Colin Smith MSP - who attended and contributed to the discussion. Speakers also included civil society: Evie Murray - CEO from Leith Crops in Pots; Caroline Mockford – Poverty Truth Community; Polly Jones - Head of Scotland, Trussell Trust; Tilly Robertson-Miles – Impact and Policy Officer; Eat Well Age Well.

The speakers reflected that COVID-19 has exposed and exacerbated the vulnerabilities in our food system. The civil society representatives focused on the difference that putting right to food into Scots Law would make to their work and the people who use their services. The speakers advocated taking a rights-based approach to recovery from COVID-19. Each explored right to food in the context of their individual areas of work: environmental conservation, small-scale farming, food insecurity, workers’ rights, mental health and elderly people’s access to food. Each speaker noted the importance of taking a holistic approach, rather than addressing concerns in isolation. The speakers favoured the incorporation of the right to food into Scots Law as part of the Good Food Nation Bill.

Keynote speaker Michael Fakhri outlined the importance of putting right to food into national legislation. He discussed what the right to food means and what separates it from charity or food security when it comes to policy. He said:

"The right to food is different than other approaches of doing food policy - it's different than charity, and it's different than food security. Because at the heart of the right to food is dignity and accountability. So, if it's a charity model, people are at the mercy of the benevolence of others, they're at the mercy of those with power, they're at the mercy of how people are going to dictate whether and when they receive food, and more often than not, the charity model loses the element of dignity.

“Food security only focuses on the issue of access and availability. Food security often becomes an issue of policy technicians and scientists; they decide what the right policy is - what gets lost is accountability. Whereas the right to food means that the government has a duty to ensure people have access to adequate and available food, and people have the power to hold their governments accountable."[[1]](#footnote-1)

The Special Rapporteur commended the vision in the 2014 national food and drink policy [Becoming a Good Food Nation](https://www.gov.scot/publications/recipe-success-scotlands-national-food-drink-policy-becoming-good-food/): that by 2025 Scotland will be “a Good Food Nation, where people from every walk of life take pride and pleasure in, and benefit from, the food they produce, buy, cook, serve, and eat each day.” Professor Fakhri noted how this language resonates with the rights-based approach.

He also conveyed the importance of accountability as central to the right to food:

“At the heart of it, it’s about power – people need the power to hold their governments accountable, and governments need the power to respond. Where there has been failure in the food system, it has been in situations where power has been concentrated in the hands of the few. Whether it is in corporations, whether its supermarkets having too much power, or whether its Governments are not democratic or accountable and therefore not responsive to people’s needs.”

In the weeks following the event, the Special Rapporteur had a meeting with Scottish Government Ministers and senior civil servants. The meeting provided an opportunity to discuss the value of incorporating the right to food into national legislation.

Consultation for the Proposed Right to Food (Scotland) Bill

Elaine Smith MSP, Chair of the aforementioned virtual event, launched a public consultation on a proposed Member’s Bill to put the Right to Food into Scots Law. The consultation ran for three months and closed in mid-September. Consultation responses have not been published at the time of writing, though there was a higher number of responses than a Member’s Bill consultation would typically receive.

Workshops

The Scottish Food Coalition ran six right to food workshops encouraging people to engage with the consultation. 78 individuals[[2]](#footnote-2) took part in the workshops, including people with lived-experience of the issues facing the food system.

The workshops invited participants to consider what the right to food would mean for their lives and livelihoods. In particular, the workshops considered the practical advantages of the proposed bill, and what having the right to food in national legislation would mean for their lives, their work, or for the people they support.

All the participants decided to submit responses to the consultation, either as individuals or as part of a group response.

Those who attended the workshops showed overwhelming support for enshrining the right to food in Scots law. Respondents believed it would bring significant advantages by increasing equity and dignity across the food system, supporting local and sustainable food economies, and empowering people to realise their rights and hold government to account.

A number of themes were common across all six workshops: equity, dignity, sustainability, power redistribution and accountability. Below is a breakdown of these themes with contributions from participants.

1. Equity

Participants discussed the potential of the right to food (RTF) to contribute to a more equitable Scotland. As one participant outlined, the RTF means: “that every person, no matter their circumstances, has an entitlement to nourishing food… [it would lead to] reductions in systemic inequalities which would have such a huge impact on so many aspects of health and wellbeing.”

For a participant working in the emergency food sector, the right to food in national legislation would help shift the focus of their role from food provision to: “other aspects, to improve communities and everyone’s health and wellbeing.”

Participants also highlighted how mental well-being could be improved: “people who face food insecurity would be more empowered in all aspects of their life and would have less worries if food was more guaranteed.” It was further noted that improvements in overall mental and physical health would reduce the financial burden on public institutions, such as the National Health Service. National legislation on the right to food could “improve quality of life, creating less expensive healthcare”.

Vulnerable groups were also discussed, with a participant commenting that enshrining the right to food in national legislation would be of benefit to refugees and asylum seekers. They said: “refugees and asylum seekers will not have to fear facing sanctions or a reduction in benefits for receiving help with food”.

1. Dignity

Participants demonstrated strong support of RTF for its potential to ensure that dignified access to food is universal. Participants defined dignity as having autonomy of choice over their own diets.

A community food hub project manager commented that with RTF: “[We] would be able to give our centre users dignity in their access to food, to make choices instead of relying on a pre-determined food parcels. Less reliance on foodbanks would allow them to take responsibility for choosing and accessing food.”

Participants noted that access to culturally appropriate food is one of pillars of the right to food. They reflected on the multi-national, and multi-religious make-up of Scotland’s population, and the importance of accessing food that is appropriate to religious observance or cultural considerations.

Participants believed that a food system founded upon dignity would redress the imbalances of the current system – a system which is increasingly reliant on food banks as the solution to food poverty.

One person with lived experience of food insecurity highlighted that people in food poverty are forced to navigate an environment that is filled with stigma. They reflected that the RTF “would remove the charity element of feeding people and would empower people. It could also stop people being paid too little to feed themselves and their families.”

Other participants agreed that the RTF has the potential to tackle the root causes of food poverty. One noted that RTF could counteract the narrative of “food poverty as a personal failure and instead hold the government accountable”.

1. Sustainability

Many participants saw the RTF as a lever to move to more environmentally sustainable practices. One participant noted that the right to food is a right to sustainably produced food: “today we are more than capable of feeding the world’s population sustainably, it should be a given that access to this need is granted as a right.”

It was recognised that, currently, environmental practices are not widely incentivised by our governance structures: “Farm payments for small scale ecological producers, like me, are needed. Affordable good food for local people - so I don't need to charge so much to make a living from growing!”

Participants mentioned how under the RTF approach, financial incentives and schemes could be introduced to encourage sustainable growing practices.

1. Accountability

The participants unanimously saw the value of incorporating RTF into Scots law as a means of holding the government to account.

The RTF approach could support the reshaping of an education system where people are aware and actively encouraged to realise their rights. Greater awareness of rights would contribute to greater accountability of the government. The participants believed that the food system must be placed higher on the government’s agenda,

Participants outlined the importance of having “a legal framework setting out our government’s obligation to ensure we have secure access to nutritious and culturally appropriate food.”

A participant spoke of their empowerment under the RTF framework. They would have the right to “legally challenge our area's lack of adequate local food provision and high levels of malnutrition and food poverty. Our community’s poor access to good food becomes an explicit area of government duty”.

1. Redistributing Power across the Food System

Participants discussed the practical benefits of a more localised food system with a fairer distribution of power. Participants agreed that the food system should be designed to work in favour of the public as opposed to being primarily profit-driven. They saw the RTF as a useful framework to steer the food system in this direction.

A small-scale producer highlighted:

“If given the right support from government regulation, it would allow for a more equal playing field for food producers of small / medium size. [RTF] could bolster the case for land reform, and expand crofting across Scotland.”

With a redistribution of power creating shorter supply chains, participants emphasised that there would be easier access to healthy and fresh food for people across Scotland. A food producer commented that the RTF would lead to local job opportunities, as it “could encourage local food systems to develop, improving my ability to provide food to our district.”

There was a recognition that many areas in Scotland are ‘food deserts’ and that the RTF could lead to: “better and easier access to locally produced food, leading to improved health for my family.”

It was positively noted that local food could also help to reduce geographical access concerns. Redistribution of food production across Scotland could reduce travel expenses and may encourage use of active transport such as bicycles.

Conclusion

Public engagement through these workshops showed significant support for the incorporation of the right to food into Scots Law. Through the prism of their own experiences with the food system, the participants believed there were many practical benefits to enshrining the right to food. Fundamentally, all participants recognised the right to food as a powerful mechanism for government accountability. The participants universally identified with the current failings in our food policy and they saw the value of the right to food as a vehicle for change. The participants supported reshaping the way we think about our food system, and its governance, with an underlying drive towards creating a food system that works for everyone in it.

1. Overview from UN expert on the right to food, Special Rapporteur Michael Fakhri

   <https://www.youtube.com/watch?v=iaBMwzGdzzc> [↑](#footnote-ref-1)
2. Participants were geographically spread with representation from Glasgow (46%), the Lothians (15%) and Central Scotland East (15%). Participant represented different sectors of the public including Scottish civil society / charity sector(33%), community food groups (21%), members of the public (13%) and Scottish Academia (10%). Organisations represented included the Scottish Independent Advocacy Alliance, Glasgow Community Food Network, City of Edinburgh council, Soul Food Sisters and the Poverty Truth Community. [↑](#footnote-ref-2)