

“People experiencing poverty have their rights infringed upon every day”

Barriers to Living with Dignity: Insights from Rights in Action



About us

The Poverty Alliance is Scotland's anti-poverty network. Together with our members, we influence policy and practice, support communities to challenge poverty, provide evidence through research and build public support for the solutions to tackle poverty. Our members include grassroots community groups, academics, large national NGOs, voluntary organisations, statutory organisations, trade unions, and faith groups.

Introduction

Rights in Action is a three-year project working across Scotland to support communities to use human rights as a tool for change. Rights in Action is funded by the Scottish Government's Equality and Human Rights Fund managed and supported by Inspiring Scotland.

The project has three workstreams:

- 'Know Your Rights' workshops to raise awareness of how human rights can be used as a tool in the fight against poverty.
- Action Learning Sets to bring together community organisations and community members to identify actions to support rights realisation and combat poverty.
- Participatory research projects enabling community researchers to generate learning on the overlaps between human rights and intersections of inequality and undertake action

Over the past two years, The Poverty Alliance has delivered 19 Know Your Rights workshops to 230 people. There were representatives from 118 Poverty Alliance member organisations as well as people with lived experience of poverty. People from across Scotland have taken part including from rural, remote rural and island communities. These workshops aimed to introduce economic, social and cultural rights, explore the relationship between poverty and human rights in Scotland and support organisations to take a human rights-based approach to their anti-poverty work. In the five workshops that took place after the publication of the consultation on a Human Rights Bill for Scotland, the workshops also covered Scottish Government proposals and ways organisations could feed into the development of this legislation.

In each workshop participants were asked to explore the challenges people experiencing poverty in Scotland face trying to access the economic, social and cultural rights outlined in the International Covenant of Economic, Social and Cultural Rights.

Our discussions with people working and volunteering in community organisations, civil society organisations and people with experience of poverty have emphasised that people experiencing poverty in Scotland experience human rights infringements regularly and face significant barriers to realising their everyday human rights. The issues identified not only affect individuals' ability to access essential human rights like healthcare, education, and social security but also undermine broader efforts to tackle poverty in Scotland.

This briefing outlines the key themes which emerged from these discussions.

What are economic, social and cultural rights?

Human rights are legally recognised minimum standards for dignity. Human rights outline our relation to the State and our government's responsibilities towards us.

Economic, social, and cultural rights are fundamental human rights that establish the basic standards of material security necessary for a dignified life. These include but are not limited to: the right to an adequate standard of living (including food, clothing and housing), the right to health, the right to work and to just and favorable conditions of work (including fair pay), the right to join and form trade unions, and the right to social security. They also include the rights that support us to fully participate in society, such as the right to education, the right to take part in cultural life, and the right to the protection of family and children.

Economic, social, and cultural rights are recognised under seven international treaties ratified by the UK which the Scottish Parliament has competence to observe and implement. This includes both the United Nations Convention on the Rights of the Child (UNCRC) and the International Covenant on Economic, Social and Cultural Rights (ICESCR).

The state has an obligation to respect, protect and fulfil our human rights. The obligation to respect means that States must not interfere with or restrict the enjoyment of human rights. The obligation to protect means that governments and public bodies must protect individuals and groups against human rights abuses. The obligation to fulfil means that States must take action to make sure everyone is able to enjoy their human rights.¹

For economic, social and cultural rights, the State has some additional responsibilities. There is a significant resource requirement involved in ensuring that everyone can access their economic, social and cultural rights, without discrimination. States have a duty to take concrete and targeted steps (legislative, financial, procedural etc.) towards full rights realisation, using the maximum of their available resources, ensuring that those who are furthest from their rights are prioritised. Whilst they do this, States must protect a minimum essential level of each human rights, known as the minimum core of each right.²³

¹ [International Human Rights Law | OHCHR](#)

² [International Covenant on Economic, Social and Cultural Rights | OHCHR](#)

³ [General Comment No. 3: The Nature of States Parties' Obligations \(Art. 2, Para. 1, of the Covenant\) | Refworld](#)

FIGURE 1: International Covenant on Economic, Social and Cultural Rights



Crosscutting Themes

In each workshop, we discussed the challenges people experiencing poverty in Scotland face trying to access the economic, social and cultural rights.

Just as human rights are interdependent and interrelated, there were many crosscutting themes that emerged from these discussions.

In all workshop discussions there have been concerns raised about the regression in economic, social and cultural rights happening due to the ongoing cost-of-living crisis. This has been raised passionately by those involved in direct service provision in the third sector and people with experience of poverty. Inadequate transport, in terms of availability (particularly in rural areas) accessibility, quality and cost has been a key theme that has come up in relation to its impact on the right to work and to just and favourable conditions of work, the right to education, the right to take part in cultural life, and the right to health. Issues surrounding digital exclusion emerged in discussions around the right to work, in relation to the lack of digital infrastructure acting as a barrier to employment, particularly in rural areas. They also emerged in discussions around the right to social security due to the barriers to access presented by 'digital by default' and the right to health in terms of accessing health services and information. In rural areas digital exclusion was not just result of poverty, but also of a lack of digital infrastructure.

The impact of low pay and insecure work is a cross-cutting theme in almost every discussion around the right to work and the right to just and favourable conditions of work. Low pay and insecure work were also highlighted as a key barrier to enjoying the right to an adequate standard of living.

The impact of poverty on mental health, and the lack of accessible mental health services, was a crosscutting theme. It emerged in terms of the ways in which this creates barriers to accessing work, social security, as a barrier to ensuring mothers with mental ill health can enjoy their right to protection of children and family, and in the right to health.

The impact of food insecurity and hunger was also seen to have significant, crosscutting impacts on the realisation of other human rights, including the right to education, the right to health, as well as representing a breach of the right to an adequate standard of living.

Poverty related stigma and the discrimination associated with this is also a crosscutting theme with this issue emerging in the right to social security, the right to education, the right to health and the right to participate in cultural life. Lack of accessible information & advocacy emerged as a key crosscutting theme. People spoke about the way in which the lack of accessible information and advocacy acted as a barrier to realising the right to social security, the right to an adequate standard of living and the right to health.

ICESCR Article 6 and 7, The Right to Work and to Just and Favourable Conditions of Work

Discussions highlighted numerous issues that people experiencing poverty face that prevent them from fully enjoying the rights to work and to just and favourable conditions of work. Most pressing were barriers to accessing to employment and barriers to progression. Issues raised included the impact of the poverty related attainment gap on work opportunities; the impact of the lack of affordable childcare on parents ability to work; the ways in which the health impacts of poverty can prevent people seeking work, particularly around mental health and trauma; lack of availability of jobs and the lack of digital infrastructure needed to support employment in rural areas; and people struggling to affording basics like appropriate work and interview attire.

“There are people working for the NHS that are on such low incomes they have to access food banks – the government needs to lead by example”

Low pay is also a key issue that has come up frequently in discussions around Article 6 and 7, with many workshop attendees drawing linkages between in work poverty and food bank use, highlighting the interdependence of human rights. Many also highlighted the human rights impact of a minimum wage that does not reflect the real living wage.

“Need to push back against the normalisation of those both in and out of work needing to use foodbanks as a way to subsidise household income.”

“The minimum wage is too low”

Other key themes that emerged from discussions around the right to work and the right to just and favourable conditions have work have been the impact of insecure work on the ability of people to realise this right, with many attendees highlighting insecure zero hour contracts, exploitation and poor working conditions, and discrimination on the basis of protected characteristics as key barriers people face.

Participants also often spoke about the way in which a lack of availability and the affordability of public transport can act as a barrier to employment.

ICESCR 8 Article, The Right to Form and Join Trade Unions and to Strike.

“If you are an immigrant or refugee, there’s the fear that if you become part of a union that your status will be put into question”

Discussions centred around the fact that although most people are legally able to join trade unions and to strike, there are barriers that prevent people experiencing poverty from doing so.

Barriers discussed fell into five key themes: job insecurity preventing union organising; lack of awareness, or inaccessibility, of information about unions; migration status and perceptions of the impact of this and language barriers; financial barriers to striking; and wider perceptions of trade unions.

“If you are in insecure work, zero-hour contract, this isn’t available for you”

ICESCR Article 9, Right to Social Security

Much of the discussion about the right to social security in Scotland centred around the barriers people experiencing poverty face when trying to access social security. In the first instance application processes were seen as inaccessible, due to the complexity of the social security system and the use of inaccessible language. Digital by default was also frequently highlighted as a barrier to access, as was people not being fully aware of what they are entitled to. Further issues that were seen to compound difficulties in accessing social security were language barriers and lack of accommodations for disability or mental health issues were also identified as barriers to full rights realisation.

“Lack of money security leads to lack of hope for the future and the present”

The level of support provided by social security was seen as inadequate and an insufficient amount to allow people to have an adequate standard of living.

“You are stuck on inadequate income”

“There’s not enough money to buy school uniforms”

Young people were highlighted as a group particularly affected by the inadequacy of social security. Another key theme which emerged from discussions was the impact of unjust UK social security policy on people living in poverty in Scotland. Key policies discussed include the two-child limit, the benefit cap, the 5-week wait for universal credit.

Social security sanctions were also discussed as a key issue that prevents rights realisation for people in Scotland.

Issues around stigma and the need for a cash first approach were highlighted by numerous workshop attendees, and although less frequently discussed as were issues around people with no recourse to public funds.

“Stigma, discrimination, attitudes and the way you are treated”

ICESCR Article 10, The Right to Protection of the Family and Children

The most commonly discussed barriers to realising this right in Scotland was the inaccessibility of services to support mothers, particularly mental health services and services for young people with additional support needs.

“Right to family life eroded by lack of health and social care for families with additional support needs”

Participants also highlighted the barriers people face to enjoying the rights in that currently law, including lack of knowledge of the law and lack of access to legal advice.

People also discussed the fears parents feel about not being able to adequately provide for their children; the prohibitive financial barriers often faced by women trying to leave abusive relationships; and the impact of having no recourse to public funds and being on a family reunification visa.

ICESCR Article 11, The Right to an Adequate Standard of Living

“Poverty impacts food, shelter, heating, hot water ”

The majority of workshop discussions centred around housing. The barriers identified that prevent people realising their right to live in adequate housing fell into four key themes: the lack of available housing trapping people in inadequate housing; the poor quality of the housing stock; the unaffordability of housing particularly in the private rental sector and exploitation by landlords.

“if your housing is tied to your job, you can’t challenge your working conditions”

“High housing costs perpetuate poverty”

The next most frequently discussed issue was food. Discussions about the right to food generally centered on the level of food insecurity that exists in Scotland today and the two-tier food system that exists as a result, with people forced to access food banks to ensure they do not go hungry. In one workshop, a participant had to leave to unlock the freezers of the food bank she ran because another food bank had run out of food.

Lack of access to information and advocacy was seen as a key barrier preventing people with experience of poverty from realising their right to an adequate standard of living, as was low pay and insecure work and stigma.

“Some people are just being paid enough to pay the bills”

“The cost of food is prohibitive”

Government funding decisions and outsourcing services to the private sector, and reliance on the third sector to deliver public services are also seen as barriers to rights realisation for people experiencing poverty in Scotland.

ICESCR Article 12, Right to the Highest Attainable Standard of Physical and Mental Health

“There is a permanent crisis in mental health”

A key theme emerging from discussions on the right to health was the lack of access to acceptable healthcare for many people across Scotland. Within this overarching issue, workshop attendees discussed: issues with accessing mental health care; the lack of availability of quality healthcare services, including issues around the transitions from youth to adult services or specialist and generalist services; the way in which poverty and disability act as a barrier to accessing appropriate care, meaning those most in need of care are unable to access care; gendered dimensions of the right to health not being met in regard to the lack of access to reproductive healthcare and family planning; waiting lists, particularly for CAMHS; the lack of NHS dental care.

“I am being moved from my homelessness GP to a normal GP. It’s an hour away – it’s too far to travel”

Transport was another key issue which was identified by workshop participants as something vital to enabling people on a low income to access services and access mental health improving activities.

“Transport makes healthcare possible”

“If you can’t go places due to expensive transport, you can’t do things to improve your mental health”

Workshop attendees also discussed the impact of poverty and not being able to access other economic, social and cultural rights on physical health, noting that access to affordable, good food can be particularly challenging in rural areas.

“We need to address the causes of poor mental health: inequality, housing, making sure we have enough to get by”

Other key issues identified by workshop attendees included the barriers to accessing health improving services, like gyms and other activities; the mental health impacts of the cost of living crisis, trauma and the stress of poverty; the health impacts of the social isolation which is experienced by many people living in poverty; a lack of accessible information about what services are available and what people may be entitled to; the impact of having no recourse to public funds on health outcomes; lack of health and wellbeing at work; digital exclusion and issues around reduced access to greenspace for people living in deprived communities.

The impact of these factors was understood to be a lower quality of life, and earlier death.

“Increased stressors on day-to-day basis lead to decrease in mental health and wellbeing”

ICESCR Article 13 and 14, Right to Education

Workshop attendees often felt like that although education is provided by the state and they were pleased that there is free university tuition in Scotland, people experiencing poverty can face additional barriers that prevent them from fully realising this right.

“Low income is a barrier due to lack of access to technology”

The barriers that were highlighted when discussing the right to education broadly fell into 10 key themes. These were: financial barriers to higher education, for example not being able to afford the additional things required for a course like books or materials; the impact of poverty on educational engagement and attainment; inadequate support for young people with additional support needs; lack of awareness around support available for higher education; digital exclusion; the impact of poverty related stigma; the impact of affordability and availability of transport on whether young people are able to access higher education; and the pressure to work due to insufficient income.

“There should be greater access to free school meals”

“Having to work full or part time to be able to afford your education means stress and exhaustion”

ICESCR Article 15, Right to Participate in Cultural Life

A key theme which emerged from discussions around barriers people experiencing poverty face when trying to enjoy their right to participate in cultural life were the financial barriers to accessing cultural events. The majority of the conversations around this issue focused on transport which was seen as a key issue, both in terms of cost and availability.

“Free bus travel for children reduces cost of accessing free cultural activities for families, however the application process for this is very hard and some families are still missing out”

“I can't afford to travel to social activities”

Other key themes that emerged from discussions were the impact of poverty related stigma and the wider forms of discrimination like ablism and racism; the lack of support from public bodies for creative industries and cultural activities; the lack of availability of cultural activities in some areas; wider perceptions of culture; and specific barriers that may exist for minority communities in Scotland around language barriers, and cultural events being unavailable.

Free bus travel for children was frequently discussed as a measure that has reduced the cost of accessing free cultural activities for families, however the application process for this is very hard and some families are still missing out.

Conclusion

Our discussions with people working and volunteering in community organisations, civil society organisations and people with experience of poverty have emphasised that people experiencing poverty in Scotland face significant barriers to realising their everyday human rights.

At The Poverty Alliance we will continue to work with our members, and others, to raise awareness of the barriers to living with dignity that have been highlighted through this work, and work to address them. We will continue to our work with Living Wage Scotland to increase the number of employers in Scotland who pay and are recognised for paying their staff the real Living Wage and continue working to increase the number of employers who provide their staff with Living Hours. Through our work on the Minimum Income Guarantee we advocate for the simple yet transformative idea of setting an income floor below which no one can fall through a combination of fair work, public services that work for everyone and adequate social security. Through our Rights in Action project, we will continue to support organisations to take a human rights based approach in their antipoverty work and will support calls for strong human rights legislation in Scotland. By taking a human rights based approach to poverty, Scotland can take meaningful steps toward ensuring that everyone, regardless of their circumstances, can live with dignity.

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