Using Community-Based Truth Commissions to address Poverty and related Economic, Social and Cultural Rights Violations: The UK Poverty Truth Commissions as Transformative Justice

*‘Overcoming poverty is not a gesture of charity. It is an act of justice. It is the protection of a fundamental human right, the right to dignity and a decent life’*

*(Nelson Mandela)*

*‘It takes two to speak the truth, - one to speak, and another to hear’*

*(Thoreau 1906, 283)*

# Introduction

Following the financial crisis of 2008, austerity measures imposed across the United Kingdom (UK) and several European states, have resulted in severe negative impacts on the realisation of economic, social and cultural rights (ESCRs) which are still being felt today. Poverty within the UK and across Europe has widened and deepened. State accountability for the consequent human rights violations has been determined under several international human rights law mechanisms. However, whilst commendable, these mechanisms have limited reach, either dealing with these violations on a case-by-case basis or providing recommendations to the State in question which although valuable, do not provide personal remedy for those affected.

Consequently, this paper explores the added-value of addressing poverty and related violations of ESCRs using alternative and additional ‘justice’ mechanisms drawn from the practice of transitional justice, in particular Truth and Reconciliation Commissions (TRCs). Such mechanisms are usually utilised to seek to remedy for human rights violations in societies emerging from armed conflict or repression. However, these mechanisms can be appropriated to tackle both direct and structural violations of human rights outside of an armed conflict context. This paper assesses the effectiveness of using community-based truth and reconciliation commissions (CBTRCs) in realising justice for addressing poverty and poverty-related human rights violations, through analysis of the UK Poverty Truth Commissions (PTCs).

The paper begins by defining poverty as a human rights issue and provides an overview of the negative impacts existing poverty, compounded by austerity policies, has had upon the enjoyment of ESCRs throughout the UK. Secondly, current mechanisms for realising justice for poverty-related ESCRs violations are examined, focussing on how international human rights law has dealt with these violations to date. Noting the limitations of such an approach, the paper subsequently explores alternative and broader ideas of justice, focussing on the adaption of truth and reconciliation commissions, to address human rights violations at a community level.

It should be noted here that the debate around the suitability and indeed desirability of transitional justice mechanisms for dealing with ESCRs violations is well documented (Cahill-Ripley 2014; Waldorf 2012). Given limitations of space and indeed focus, for the purposes of this paper, in discussing the role of TRCs it is taken as both necessary and appropriate for TRCs to address such violations where relevant (Cahill-Ripley 2014).

The paper then examines in detail the experience and practice to date of the UK Poverty Truth Commissions as an example of a CBTRC and explores the transformative potential of utilising such local level, non-state initiatives for addressing poverty and the corresponding violations of economic and social rights in the UK. In evaluating whether the PTCs are effective in realising justice for poverty and related violations of human rights, Lederach’s tripartite model of justice (2001) Is utilised. Thus, the conception of ‘justice’ used refers to a wide conception of justice including and focussed upon social justice rather than limited to criminal justice.

Finally, in conclusion the paper offers some thoughts on the value-added of addressing poverty and ESCRs violations through additional and alternative justice processes and the benefits of using an explicit human rights framework to tackle poverty both in the work of the PTCs and more widely as a tool for transformative change.

The central contention is that to adequately address the widening and deepening poverty and related ESCR violations within the UK, justice must be sought using alternative forms of justice with wider reach and scope, for deeper more transformative change. Poverty Truth Commissions are a form of transformative justice, driving transformative positive change within the local and potentially national sphere. Thus, the PTCs and potentially other CBIs can help to close the ‘justice gap’ (Lederach 2001) and make a valuable contribution to transformative justice, tackling poverty and realising ESCRs within the UK.

# Poverty as a human rights issue

Poverty is a human rights issue as it constitutes a denial of many established and substantive rights including the right to an adequate standard of living (food, water, housing) and the right to health (UN CESCR 2001, para. 1; Osmani 2012, 195 ). Furthermore, whilst there is no explicit *right* to be free from poverty, if the guarantees contained within the normative framework of international human rights law were fulfilled poor people would be lifted out of poverty (Skogly 2002, 73).

Consequently, poverty ‘is both a cause and consequence’ (Van Bueren 2010, 1) of human rights – especially ESCRs - failings (Ratjen and Satija 2014, 124). However, beyond fundamental material deprivations (McFate et al. 1995, 109), poverty is also a denial of ‘capabilities, choices, security and power necessary for the enjoyment’ of all human rights including civil and political rights and consequently the reality of the lived experience of poverty reflects the indivisible and interdependent nature of all human rights (UN Committee on Economic, Social and Cultural Rights, 2001, para.8).

Furthermore, poverty is a form of structural violence and injustice, a result of inequality and discrimination, which in themselves are violations of human rights. Poverty is structural violence because poverty results from ‘social arrangements that put individuals and populations in harm’s way ... The arrangements are structural because they are embedded in the political and economic organisation of our social world; they are violent because they cause injury to people (typically, not those responsible for perpetuating such inequalities)’ (Farmer *et al* 2006, 1686). When these ‘economic and social structures conspire to limit one’s agency to the extent that fundamental human needs cannot be met then structural violence becomes a structural violation of human rights’ (Ho 2007, 15).

Importantly, recognising poverty as a form of structural violence serves to expose the preventable harms of poverty and refute the view that poverty is unavoidable. Alston contends that ‘poverty is a political choice and will be with us until its elimination is reconceived as a matter of social justice’ (UN Human Rights Council 2020, para. 85). Although poverty is clearly visible in society, acknowledging the structural violence of poverty exposes the deliberate acts and omissions by the State which result in, exacerbate or perpetuate poverty. Thus, the causal link between these acts and omissions, and poverty (rather than poverty itself) is rendered visible.

In the UK, current poverty levels must be understood within the context of the financial crisis of 2008 and the consequent austerity measures which negatively impacted upon the already most vulnerable within UK society. Although poverty is not a new phenomenon, both the scale and depth of poverty in the UK has worsened as a consequence of austerity. In the UK context, austerity is most associated with the global financial crisis of the first decade of the 2000s when austerity was the mechanism through which the public deficit was reduced in response to increased public debt. This was achieved through ‘deregulation, privatisation, free trade and investment, and the withdrawal of the state from many areas of social provision’ (Salomon 2015, 541). This withdrawal of the State from social provision included *inter alia* restricting contributory employment and support allowance to one year; replacing the disability living allowance; abolishing council tax benefit; introducing the ‘bedroom tax’; introducing a household benefit cap; limiting the increase of benefits; and the introduction of universal credit (Wilson et al 2013, 10). This means that as compared to before austerity, those in receipt of benefits are worse off (Kennedy et al 2016, 23; Wilson and Foster 2017, 11). Moreover, there has been an increase in the ‘working poor’. For example, public sector pays freezes have resulted in real terms pay cuts for many in the public sector (Strauss 2020).

Thus, the overall consequence of austerity has been a rise in deprivation (Bell and Cemlyn 2014, 826) and widening and deepening poverty (Scotland’s National Action Plan for Human Rights 2014, 5). Poverty statistics indicate for example, that child poverty rates have increased from 27.1% in 2011-12 to 30.3% (4.1 million) in 2016-17 and are projected to rise to 37% (5.2 million) by 2023-24 (Corlett 2019, 43). Levels of destitution are also on the rise with a recent Joseph Rowntree Foundation Report finding a 54% increase between 2017 and 2019 (JRF 2020, 2). In sum, austerity in the UK has exacerbated existing poverty and served to entrench and compound the non-realisation of human rights.

A range of ESCRs have been negatively impacted by these policies: The health implications of austerity have in their most extreme resulted in increased mortality rates: findings in England link austerity to 120,000 excess deaths between 2010 and 2017 (Watkins et al. 2017, 6). The right to food has also been affected. Notably, for some, a lack of adequate food is the ‘ultimate criterion of poverty’ (Narayan et al. 2000; quoted in Skogly 2002, 66). In the UK foodbank usage has expanded rapidly ‘specifically since the introduction of austerity policies from 2011 onwards’ (Strong 2020, 214) and Lambie-Mumford finds that receiving food aid from emergency food aid providers is not an acceptable process of obtaining food under right to food standards (Lambie-Mumford 2017, 57-74). Further, specific austerity policies have adversely impacted ‘the right to adequate housing’ with there being a ‘significant rise’ in homelessness (UN CESCR 2016, para. 51). The Special Rapporteur on Poverty in his report on the UK highlighted that the UK Secretary of State for Housing has ‘acknowledged that the Government’s policies may have played a role in rising homelessness’ (UN Human Rights Council 2019, para. 15). Given that ‘homelessness often results in the violation of a host of other human rights, from privacy to health, and in the inability to exercise civic human rights such as the right to vote’ (Hohmann 2015, 24), it is clear that such governmental policies can result in the violation of a broad spectrum of human rights, beyond the right to an adequate standard of living.

Most recently, the COVID-19 pandemic has negatively impacted upon those already most vulnerable within UK society. In the UK, the effects of the pandemic have already increased poverty (Butler 2020; Gordon 2020; Legatum Institute 2020). This is due to numerous factors including increased unemployment and increased reliance on a welfare state, which itself has been made inadequate by a decade of austerity driven reform. Even the governmental measures designed to reduce increases in unemployment have undermined peoples’ ability to avoid poverty. For example, the furlough scheme guaranteed only 80% of wages. For some, 80% may be insufficient to avert poverty (McDonald, 2020). Consequently, COVID-19 is projected to lead to ‘catastrophic rises in destitution’ (Trussell Trust 2020, 4). Additionally, the economic cost of the pandemic response may result in further reductions in public expenditure (King 2020; Partington 2020) perhaps resulting in a second period of austerity measures. If the effects of the austerity of the past decade are repeated this may well lead to even further increasing poverty.

Overall, it is clear that the negative impacts of austerity and the impact of the COVID-19 pandemic have compounded existing vulnerabilities and have negatively affected all human rights, inducing wider and deeper poverty within UK society. Thus, the need to tackle poverty is more pressing than ever.

The value-added of tackling poverty from a human rights perspective is severalfold: Significantly, using a human rights framework ‘entails a shift from needs to socially and legally guaranteed entitlements and from charity to duty’ (Donald and Mottershaw 2009, 5). It makes tackling poverty an obligation rather than a policy aim. Moreover, ‘Human rights invite analysis of the structural causes of poverty, rather than only its symptoms, and of the impact of governmental action or inaction on communities experiencing poverty’ (Donald and Mottershaw 2009, 5). Finally using human rights including ESCRs can provide an additional framing for advocacy and mobilisation around poverty. ‘It’s about enabling traditional empowerment but in “human rights framework language” (Scotland’s National Action Plan for Human Rights 2014, 9). While the common theme underlying poor people’s experiences is one of powerlessness, human rights can empower individuals and communities. The challenge is to connect the powerless with the empowering potential of human rights (UN CESCR, 2001, para.6).

# Existing ‘Justice’ for Poverty and Related ESCRs Violations

Lederach conceptualises justice as having three facets: Accountability; Recompense and Equality and Fairness (Lederach 2001, 852). In terms of justice for poverty and austerity related ESCRs violations, the accountability of the State for such individual violations has been determined under several judicial and quasi-judicial international human rights law mechanisms which aim to address all three components of justice, all be it with limitations depending on the enforcement powers of the body in question. Mechanisms which have addressed poverty-related violations include the UN Treaty Monitoring Bodies State Periodic Reporting System, for example the UN CESCR (UN CESCR 2016, para. 18), the UN Committee on the Rights of Persons with Disabilities (UN CRPD 2016, paras 113 (a)-113 (j)) and the UN Committee on the Rights of the Child (UN CRC 2016, para. 13 (d)). Also, the Human Rights Council Universal Periodic Review (UN Human Rights Council 2017, paras 134.163 - 134.168) and Reports of the UN Special Rapporteurs, for example the Special Rapporteur on Poverty (UN Human Rights Council 2019) and Special Rapporteur on Housing (UN Human Rights Council 2013, para. 79). Complaints procedures have also been used, for example the Optional Protocol to the UN CESCR (UN CESCR 2017, para 17.6). Moreover, regional human rights bodies’ have dealt with such violations in their case law, for example, the European Court of Human Rights (*J.D. and A v. The United Kingdom,* nos. 32949/17 and 34614/17(ECtHR, October 2019, paras. 57 and 107) and through collective complaints mechanisms, such as those which have been upheld under the European Social Charter, *inter alia,* European Committee on Social Rights (IKA-ETAM v. Greece, Complaint No. 76/2012, paras. 69, 75, 79-81; POPS v. Greece, Complaint No. 77/2012, paras. 74-78; I.S.A.P. v. Greece, Complaint No. 78/2012, paras. 74-78; POS-DEI v. Greece, Complaint No. 79/2012, paras. 74-78; ATE v. Greece, Complaint No. 80/2012, paras. 74-78).

Whilst commendable, such mechanisms have limited reach, as they either deal with these violations on a case-by-case basis or they provide observations and recommendations to the State, but do not offer personal remedy for those affected. As such dealing with violations in the above ways may not be the most effective way to address widespread violations and deepening poverty. Further, it is also clear that those most affected by poverty are already the most vulnerable or marginalised in society. These people often lack access to justice whilst also experiencing exclusion from participatory networks. Consequently, despite the above positive examples of justice mechanisms, breaches of poverty-related ESCRs are ongoing and very few individuals have access to remedy or have received any personal reparations for violations suffered.

Thus, there is a need for alternative supplementary approaches for addressing poverty and seeking ‘justice’ for the resulting ESCRs violations. This is especially important given that responses to the recent global financial crisis noted above have ‘exposed a series of black holes when it comes to accountability for the violation of human rights,’ (Salomon 2015, 522). The question then is what alternative or additional approaches can be used to address this justice gap?

# Alternative Approaches to Justice: Community Based Truth and Reconciliation Commissions

When considering justice for human rights violations, the tendency is to conceptualise justice as based predominantly upon the idea of criminal justice as opposed to other forms of justice such as social, restorative or distributive justice. However, there are contexts where a broader approach to justice for human rights violations has been taken, notably in the practice of transitional justice processes, in particular Truth and Reconciliation Commissions (TRCs).

‘Truth and Reconciliation Commissions are global human rights interventions that seek to transform communities affected by oppression and violence through restorative justice principles’ (Androff 2018, 273). Such mechanisms are usually used to seek remedy for civil and political rights violations in societies emerging from armed conflict or repression, although a limited number of TRCs have also addressed ESCRs violations (Cahill-Ripley 2014, 190). The extent to which transitional justice mechanisms including TRCs have been successful in achieving their aims of establishing ‘truth’ and ‘reconciliation’ have been widely debated and the benefits and limitations of TRCs as delivering accountability and justice are well documented (For example see Evans 2019; McAuliffe 2017).

However, despite limitations, the concept of a TRC has proved attractive as a forum for justice in situations where more traditional forms of justice i.e., criminal justice have failed, or had limited effect, or been inaccessible or unavailable. Consequently, recent years have seen TRC’s adapted from the context of transitional justice (where a state transitions from armed conflict and/or repression to peace and democracy) to the context of local transformative justice. Such local TRCs ‘focus on repairing communities affected by *social injustice* and human rights violations’ (Androff 2018, 274 our emphasis added), for example, the direct and structural violence of institutional racism or indigenous discrimination. We conceptualise these TRCs as Community Based Truth and Reconciliation Commissions (CBTRCs) and related alternative projects which are not strictly truth commissions are deemed Community Based Initiatives (CBIs).

In the USA examples of community-based initiatives being used to confront such social and community harms include S.T.A.R. (Southern Truth and Reconciliation) and the Alliance for Truth and Reconciliation (Androff 2018, 284; Magarrell and Gutierrez 2006); The Michigan Roundtable for Diversity and Inclusion, which began as the Metropolitan Detroit TRC on Racial Inequality, and The indigenous Wabanaki people of Maine who established a TRC to address the forced schooling of children through the child welfare system (Androff 2012, 408; 2018, 284).

Significantly, in 2004 in Greensboro, North Carolina, a TRC was established to examine the events around the 1979 ‘Greensboro Massacre’, when a peaceful march for racial and economic justice was attacked by racist groups, leaving ﬁve dead and ten seriously injured (Greensboro Truth and Reconciliation Commission 2006a, 2). Several parties were implicated in the violence including the Ku Klux Klan and the American Nazi Party (non-state actors) but it was also believed that local or federal authorities (i.e., the State) were in some way involved (Hayner 2010, 62). Although several criminal and civil trials were held, these were largely unsuccessful with the ‘acquittal of defendants in both state and federal criminal trials, even though the shootings were videotaped and widely viewed’ (Greensboro Truth and Reconciliation Commission 2006b, 16). Subsequently, in response to grassroots calls for justice, the Greensboro Commission was established with the mandate to examine, ‘the context, causes, sequence and consequence of the events of November 3, 1979.’

The Greensboro TRC was significant for a number of reasons: Firstly, it focussed upon the role of the State as responsible for such human rights violations (whether through overt or tacit support), rather than focussing solely on the non-state actors as key perpetrators. Secondly, it was established and led by grassroots demands for justice. Moreover, its application of an international model to a localised context was seen as innovative and inspired other community-based initiatives to consider adopting a TRC in response to ‘significant racist or other targeted violence [that] remains largely unrecorded’ (Hayner 2010, 62). Hence, the Greensboro model ‘has served as a template for reconciliation processes in several U.S. cities and states’ (Inwood 2016, 57).

One such example is the Mississippi Truth Project, established in 2008. It was the ‘first step towards the establishment of a Mississippi Truth and Reconciliation Commission and highlighted the limits of criminal prosecutions in terms of generating an acknowledgement of institutional (state) responsibility for past violence and present racial inequality’ (Lamont 2010, 184). Thus, this CBTRC aimed to address the direct and personal violence experienced to date, ensure ‘acknowledgement of institutional responsibility for crimes of the past’ but also to emphasise the ‘racial inequalities of the present’ (Lamont 2010, 187). Moreover, ‘The Mississippi Truth Project’s acknowledgement of contemporary socio-economic legacies of “a dominant culture of racism” in terms of “housing, healthcare, education, criminal justice and employment” in its Declaration of Intent is reflective of a concern for social justice’ (Lamont 2010, 188; Ladd 2009).

Lastly, Greensboro inspired CBTRCs outside of the USA including the Poverty Truth Commission Network in the UK (The Poverty Truth Commission 2014, 3). Thus, the impact of the Greensboro TRC should not be underestimated.

CBTRCs have also been used to tackle structural violence of a different nature - economic violence. In the USA several CBIs have used a TRC model to address poverty: The Poor People’s Economic Human Rights Campaign (PPEHRC) have used a CBTRC to ‘share their stories of how their economic human rights have been violated’ (PPEHRC 2020). The first National Truth Commission on Poverty in the USA, was held in Cleveland Ohio in 2006, covered 32 states and received testimony from over 1,000 people (Androff 2018, 284), to an audience of over 600 national and international truth commissioners (PPEHRC 2020). The rationale behind the Commission was to acknowledge the lived experience of those suffering from ESCRs violations including *inter alia* those whose basic human needs were not being met, those without healthcare or homes (PPEHRC 2020). Further aims were to ‘form a foundation for a movement to abolish poverty […] to give poor people a voice instead of just a number’ (PPEHRC 2020).

These examples demonstrate that there is precedent for CBIs/CBTRCs dealing with violations of human rights. Those that have dealt with racial or indigenous discrimination have had an overt human rights basis, advocating for the enjoyment of equality and minority rights. Equally the USA based poverty focused CBIs have explicitly used human rights as a basis for advocacy and policy.

Moreover, all the above examples illustrate how previous CBTRCs have been used to drive social, cultural, economic and political change. They have not only addressed personal direct violence that has not been adequately remedied through criminal justice mechanisms but have crucially tackled ongoing structural violence and embraced campaigns for social and economic justice. The question that remains is whether such CBTRCs actually work? What are the outcomes of such initiatives in terms of justice and accountability? Evidence as to the long-term impacts of many CBTRCs is sketchy. In Mississippi, the Truth Project was taken forward through several different initiatives rather than through a CBTRC per se. For example, The William Winter Institute for Racial Reconciliation was established to ‘work[s] in communities, organizations, and classrooms, in Mississippi and beyond, to support a movement of equity and wholeness as a pathway to ending and transcending all division and discrimination based on differences’ (The William Winter Institute for Racial Reconciliation, 2020). Although evolved from a Commission model the ongoing programmes demonstrate an enduring commitment to transformative change.

In analysing whether Greensboro TRC was successful in achieving ‘justice’, in establishing truth and accountability Beitler notes the difficulty of measuring success against abstract objectives: ‘How does one gauge the extent to which the Commission reconciled the community, […] acknowledged people’s feelings, or facilitated changes in social consciousness? […] And what is the extent of the Commission’s impact that would count as success?’ (Beitler 2013, 143). What we can say is that whilst Greensboro TRC ‘encountered resistance and apathy’ (Androff 2018, 282), it also positively engaged a great number of people from across the community, not just in terms of attracting a high number of participants, but also in terms of positive impacts upon those community members (Androff 2018, 283; Magarrell & Wesley 2008). One tangible outcome has been the formation of community groups to take forward recommendations from the commission for example on a minimum wage and anti-racism training (Beitler 2013, 144; Androff 2018, 283; Magarrell & Wesley 2008). Further, Beitler contends that the Greensboro TRC created a space for previously silenced voices to be heard (Beitler 2013, 144), ‘creating a kind of justice that not only publicly exposes truth and vindicates people, but also a kind of justice that is dynamic and ongoing, not perfect of course, but a visible manifestation of an ethical and political commitment that honors truth, individual worth, dignity, and equality’ (Phelps 2004, 72).

# TRCs v CBTRCs: Similarities, Differences and Implications for Practice

Clearly, the establishment of CBTRCs has been heavily influenced by traditional TRCs. However, there are certain differences in the nature of these bodies as institutions. ‘Traditional’ truth commissions ‘are usually temporary bodies, officially sanctioned, authorized or empowered by the state. They are not judicial in nature and operate independently of government’ (Greensboro Truth and Reconciliation Commission 2006b, 10). They usually focus on the past and investigate serious widespread, systematic violations of human rights and are also ‘created through legislation or an executive decree of some kind’ (Greensboro Truth and Reconciliation Commission 2006b, 10). The CBTRCs discussed above are fundamentally different from these traditional TRCs in that they are ‘unofficial truth projects’ (Bickford 2007, 994). That is, they are not state sanctioned or funded, they are not established by statute and do not involve the state as an official party to the proceedings. Rather, ‘they emerge from, and remain located in, civil society’ (Greensboro Truth and Reconciliation Commission 2006b, 10).

Furthermore, despite the wide use of the TRC model there are important differences in the mandates of traditional TRCs and CBTRCs: TRCs are established in transitional or post-conflict states to aid transition from conflict and repression to peace and democracy and focus on grave human rights violations, usually limited to those of a civil and political nature. CBTRCs are established in so-called peaceful states to transform communities; to deal with structural and social injustice at a community and local level. They focus on both civil and political rights and ESCRs but rights may or may not be explicit in their mandate.

The unofficial nature of CBTRCs has advantages and disadvantages. On the one hand, because the State are not involved, victim trust and participation are often enhanced. Frequently those involved in CBTRCs harness a deep mistrust of state institutions due to their experiences (Lamont 2010, 187). Although it is also the case that at times mistrust also acts as an obstacle to participation in unofficial truth projects (Salford Poverty Truth Commission 2017, 12) it is less likely with CBTRCs as they are grassroots established. Further, this unofficial nature ensures that the participants (victims, commissioners, staff) exercise control over the process, setting the agenda and deciding on appropriate recommendations. The evidence from CBTRCs to date demonstrates that participation in a CBTRC is not just about giving testimony and truth telling but also about harnessing power and control of such processes at a community level.

Conversely, because there is no official State input, CBTRCs are powerless to compel someone to testify or to provide ‘evidence’. Further, they have no power to enforce remedy or to ensure obligations on others to implement recommendations. However, as the Greensboro TRC note,

‘Many truth commissions, even officially sanctioned ones, are undertaken without a prior commitment that recommendations will be put into immediate effect. Rather, truth commissions are premised on a belief in the compelling nature of the truth and well-grounded recommendations that help communities deal with that truth and turn in a new and healthier direction’ (Greensboro Truth and Reconciliation Commission 2006b, 15).

As such, this lack of formal enforcement does not negate the value-added of such CBTRCs in making a meaningful contribution to achieving social justice and enhancing the enjoyment of human rights.

Moreover, moral persuasion is often more successful than compulsion in achieving change (Brysk 2013, 35). As such the ‘unofficial’ process may be more effective in persuading those in power of the need for change and in mobilising the community to advocate for such change. Hence, rather than an adversarial culture, CBTRCs aim to foster a culture of both responsibility and cooperation. By sharing experiences with those with power they aim to build first-hand relationships. Thus, they help to build trust within communities and between citizens and the state (Simpson 2017, 392). Although operating at a local or community level (rather than in the context of national political transition as most TRCs do) it is important to remember that change often begins in these local grassroots contexts (Cahill-Ripley 2019a, 1265–68).

Despite these differences, CBTRCs also share particular features with traditional TRCs. For example, both mechanisms use similar working methods. This is evidenced in that at Greensboro,

‘The GTRC’s truth-seeking process involved research and investigation by reviewing evidence from the legal trials, local and federal law enforcement records, and original media coverage. Documentary sources were supplemented with about 200 statements given in personal interviews and public hearings and focus groups with key informants’ (Androff 2018, 280).

In addition, public hearings were held, three in total, each 2 days long and focusing on different themes. During these hearings 55 participants delivered testimonies (Androff 2018, 281; Greensboro Truth and Reconciliation Commission 2006a, 3).

The concept of participation is also common to both official and unofficial mechanisms. ‘All of these truth commissions […] tell a version of history that includes the victims’ experiences and voices’ (Greensboro Truth and Reconciliation Commission 2006b, 11). This illustrates that in terms of participation the *aim* of traditional TRCs and CBTRCs is very similar. However, *in practice* participation within TRCs can be limited by obstacles: It is often contested as to who controls a traditional TRC mechanism and who can participate in a TRC process (Fijalkowski 2017, 98). In this regard the CBTRCs may have an advantage as the process is community controlled.

In sum, as illustrated there are certain common aims and objectives, as well as similar working methods between traditional TRCs and CBTRCs. There are also several differences with implications for practice as highlighted above. The crucial question is, what is the value-added of utilising such a CBTRC model to address poverty and the related ESCRs violations within the UK?

# The UK Experience of a CBTRC: The Poverty Truth Commissions

In the UK, a number of CBTRCs have been established in response to poverty and austerity, known as the Poverty Truth Commissions (PTCs). Originating in Glasgow, Scotland, the first commission was formed in March 2009. They prioritised work on kinship care, overcoming violence and challenging stereotypes. (The Poverty Truth Commission 2016, 3). Since then, there have been 3 more Scottish commissions dealing with issues including *inter alia* welfare cuts, in-work and food poverty and the stigma of poverty (The Poverty Truth Commission 2016, 6; 2). Currently, the fourth commission is focusing on poverty and asylum, mental health, benefit cuts and medical assessments (The Poverty Truth Commission 2018, 17).

Subsequently, the idea of PTCs has expanded nationwide. There are now an additional nine PTCs active in England and a further four in development across the UK (Poverty Truth Network 2020a). In response to this growing interest in CBTRCs as a response to poverty, the Poverty Truth Network has been established to co-ordinate the work of individual commissions in England and to support the establishment of new PTCs (Poverty Truth Network 2020a).

The first PTC was inspired by the South African Truth and Reconciliation Commission (SATRC) and ensuing PTCs have all adopted the SATRC foundational principle as a basis to their work and as central to their inclusive intentions: ‘*Nothing about us, without us, is for us*’ (West Cheshire Poverty Truth Commission 2018a, 3-4). For the PTCs, this underlying principle embodies their primary aim to overcome poverty in their particular locality (and more recently nationally) through ensuring that those affected by poverty, are central to decision-making

The statement of the SATRC reflects this belief that ‘real progress towards overcoming poverty will be made when those who hold experience of poverty are central to the development, delivery and analysis of solutions’ (West Cheshire Poverty Truth Commission 2018a, 3). The inspiration taken from other TRCs such as those in Latin America; Chile, Argentina and Guatemala in particular (West Cheshire Poverty Truth Commission 2018a, 5) is also reflected in the PTCs further aims, including giving ‘voice’ to affect change through truth telling and sharing experiences; building trust and relationships between those with lived experience of poverty and those with power; driving positive change (Goldstraw 2019, 2-3). Thus, the aims of the PTCs echo many of the aims of traditional TRCs: truth; reconciliation and justice.

The PTCs have also been influenced by CBTRCs, including Greensboro and Mississippi (The Poverty Truth Commission 2014, 3). In commonality with these CBTRCs and CBIs, the PTCs also constitute ‘unofficial truth project(s)’ (Bickford 2007, 995). They embody the same elements as CBTRCs noted above: No official state involvement or funding; grassroots established and led; no legal mandate. The UK PTCs may have some local government support, by way of individual councillors and local council representatives who may be members. However, it is important to note that the PTCs are not officially sanctioned or supported by central government. In the same way as other CBTRCs the PTCs have adapted the truth commissions of transitional justice to better suit and reflect local needs and priorities.

In terms of resources the unofficial nature of the PTCs has implications: The UK PTCs receive support from a variety of sources including charities and faith-based organisations and are careful to ensure funding received does not compromise independence (Leeds Poverty Truth 2020; West Cheshire Poverty Truth Commission 2018a, 6). Exceptionally the PTC in Scotland receives some funding from the devolved Scottish Government in addition to charitable sources (The Poverty Truth Commission 2018, 23). However, the Scotland PTC remains an ‘unofficial’ truth project and is not controlled by the devolved or UK government.

At an operational level the PTCs in the UK use comparable methods to those of the USA based CBTRCs: gathering testimonies (written and oral), hosting hearings (open and closed), producing research and reports documenting experiences; and making recommendations for policy change/actions. In terms of participation as noted above, the key underlying principle of the PTCs, ‘*Nothing about us, without us is for us*’ reflects the imperative that victims’ stories are central to the legitimacy of both the process and outcome of their work. In terms of the scope of participation it is varied across practice but must include those who have direct experience of poverty. Other Commissioners are appointed from the local community including those who work to support those in poverty and those who exercise leadership and/or harness power within the local community. In addition to Commissioners, in some cases staff are appointed to facilitate and support the PTC in its work, for example Morecambe Bay PTC has a dedicated community development worker (Cahill-Ripley 2019b).

# The Value-Added of Using a CBTRC model to Address to address Poverty and related ESCRs Violations: Assessing the PTCs Contribution to Justice

Having outlined the aims, underlying principles and nature of the PTCs, this section evaluates their effectiveness in achieving justice and addressing poverty and related ESCRs violations. The work of the PTCs in achieving justice can be evaluated in practice in returning to support, by Lederach’s conception of justice as accountability; recompense, and equality and fairness.

Firstly, accountability: As noted previously accountability for poverty-related ESCRs violations is usually focussed on judicial or quasi-judicial remedies. However, the PTC provide accountability in additional ways: Firstly, they facilitate the exercise of the right to truth. It is important to highlight that the exercise of the right to truth requires acknowledgement: ‘Truth as acknowledgement is whole if it states the action committed openly, creates a clarity of public recognition and establishes that it had detrimental destructive and impact on real people that is not acceptable.’ (Lederach 2001, 849). The PTCs support such truth telling through their participatory nature and through providing an opportunity for those previously silenced to have a voice. The PTC ‘is a process which is framed in the most basic principles of democracy; voice. The right to truth for all citizens is one that is fundamental’ (West Cheshire Poverty Truth Commission 2018b, 19). Further, this participatory nature ‘respects the knowledge of those with lived experiences and recognises the expertise of experience’ (West Cheshire Poverty Truth Commission 2018a, 7). Such commissions allow the reality of the lived experience of those living in poverty to be seen and heard: PTCs thus give a platform and a voice to those who would otherwise be unable to tell their stories. Such voices can act as powerful advocates for change (Cahill-Ripley 2019a, 1266). The benefits of this participatory nature have been described as constituting a ‘slow but successful means of re-enacting democracy’ (West Cheshire Poverty Truth Commission 2018b, 19).

Secondly the PTCs use moral persuasion rather than compulsion to pursue accountability of those in power and to drive change. The PTCs facilitate relationships between those who experience poverty and those who have not encountered such poverty. Such encounters ‘create a deep discomfort in us that things really do need to change’ (Knox 2018, 612). Consequently, the use of PTCs to address poverty may have the potential to induce a desire for change in those not directly affected by poverty and austerity and to engage the wider community.

Thirdly, but importantly, the process of the PTCs also facilitates much wider participation than a legal case could incorporate, hence widening participation and extending the reach of justice. This question of capacity is important when searching for legitimacy within the community and society. The wider scope of CBTRCs ensures more stories and experiences can be heard. As those involved in Greensboro noted, ‘we looked at a much bigger picture than any court has painted or than any one group of people can tell’ (Greensboro Truth and Reconciliation Commission 2006a, 2).

Fourthly, this pursuit of accountability generates data documenting evidence of injustice and violations. In the absence of state recognition of harms, it catalogues their experiences and produces a record of harms that cannot be dismissed or hidden or forgotten (Hayner 2010, 20;84).

It is also important to note that justice for poverty-related human rights violations by the state can be realised through political accountability and elections. The PTC can also contribute to wider political movements for change including a change of government as the ultimate recognition of culpability for detrimental policy choices.

Lastly, at an international level, the PTCs have the potential to contribute to global accountability mechanisms. For example, The PTCs in future could undertake a parallel report for a UN human rights monitoring body thus ‘advancing domestic poverty issues on a global stage’ (Donald and Mottershaw 2009, 6).

In sum the PTC make a valuable contribution to ‘The pursuit of accountability’ at local, regional, national and international levels. Such a contribution can in turn ‘generate data, policy solutions and new understandings of poverty which may, […] open up spaces for engagement with the state and influence official action.’ (Donald and Mottershaw 2009, 6).

Lederach’s second component of justice, recompense (or restitution/reparation) can be understood as ‘seek[ing] to make those responsible for the harms done ‘pay’ for the damage done or restore in some form what has been lost’ (Lederach 2001, 852). Whilst there are no reparations in the classic sense of financial recompense or individual remedy though a judicial mechanism, the process of the PTCs seeks to make those with power (local leaders, businesspersons and local government) ‘take a greater level of responsibility for their actions’ (Lederach, 2001, 852), resulting in tangible outcomes to effect positive change.

Evaluating the PTCs in terms of outcomes is challenging. Just as evaluating the outcome and effectiveness of CBTRCs in the USA is dependent on how one measures success, so too there will be varying views as to how successful the PTCs have been in addressing material poverty. However, it is clear that they have driven change to effect positive changes to the lives of those living in poverty. Change is evident on several levels: personal, cultural and tangible (Goldstraw et al. 2019, 1) each of which can overlap. Goldstraw *et al* note that although most PTCs begin with the aim of tangible change such as policy change, they soon realised that ‘tangible changes were just one side of the triangle. Personal changes for each commissioner and broader cultural changes in the policy environment were outcomes that were very much part of the changes achieved by PTCs’ (Goldstraw et al 2019, 13).

Specific tangible policy changes as a result of PTCs include *inter alia*, a GP Engagement Strategy, a Support Guide for Rough Sleepers, a change of Policy re School Clothing Grant (from a piecemeal approach across authorities to a standardised and sufficient grant for all who required it), a newly created Council website to help local people with debt; access to identity documents for the homeless (removal of the requirement of an address to access a birth certificate) and ‘connecting [the] local to [the] national conversation’ on tackling poverty (Goldstraw et al 2019, 14-15). In Salford the PTC’s work resulted in the redesigning of the council debt recovery process: As a result of joint meetings between the PTC and the City Council, the Council simplified the language used in their letters; recognized that not everyone can use the internet and so established a drop in session where residents attended to discuss their council tax concerns and ‘agreed not to use bailiffs to collect any arrears owed to the Council for people classed as vulnerable in future’ (Salford Poverty Truth Commission 2017, 9). They also document individual tangible outcomes, such as a grassroots commissioner successfully challenging their housing benefit decision due to advice and support from a professional member of the poverty truth commission and a welfare rights worker at the council (Salford Poverty Truth Commission 2017, 7). The work of the Morecambe Bay PTC resulted in United Utilities introducing a 2-month payment deferral for customers having to claim Universal Credit, as well as ‘support for people before they go into debt rather than afterward’ (Morecambe Bay Poverty Truth Commission, 2020b, 6).

What is different about these tangible policy changes is the problems were identified and prioritised by those experiencing poverty themselves and thus were people focussed. They were then driven by those same people working together with other PTC commissioners. Thus, tangible changes were accompanied by cultural and personal change. Empowerment was listed frequently as an outcome of participation in the PTCs (West Cheshire Poverty Truth Commission 2018b, 14 and 19; Salford Poverty Truth Commission 2017, 3). In addition, it is noted that the PTCs have resulted in less conflictual and more peaceful and trusting relationships (Goldstraw *et al* 2019, 16) and in some cases have ‘started a deep personal process of self-understanding, acceptance and healing’ (Salford Poverty Truth Commission 2017, 12). Culture change can also be seen in the working methods of organisations due to their involvement in the Commissions. For example, one civic/business leader stated that their organisation had ‘built into the design of any programmes the need to immerse ourselves into the local community to truly understand the nuances of local need’ (West Cheshire Poverty Truth Commission 2018a, 17)

In sum, the above assessment of existing evidence, illustrates that crucially participation in the process of a PTC or other CBTRC assist in the identification of ways of resistance and the co-design of policy and practical measures that can be taken at community level to improve people’s lives and mitigate some of the impacts of poverty.

Moreover, some of these tangible outcomes could be viewed as reparations in the transformative sense as they may remedy in part at least some of the harms done. It may not be a case of restoring what went before but rather improving on what went before, empowering those participants to drive change. Such outcomes align with the concept of ‘transformative reparations’ (Yepes, 2009). In this context the PTCs fulfil the symbolic dimension of reparations by acknowledging harms and promoting truth recovery (Yepes, 2009, 635), but also undertake concrete actions which aim to change society and transform the circumstances in which participants live (Yepes 2009, 638). Such a transformative approach prioritises and empowers the most vulnerable in society, is designed to reduce inequalities and to overcome poverty because it is unjust (Yepes 2009, 646). Thus, ‘the concept of transformative reparations can be, […] a useful tool in the difficult battle in favour of human dignity’ especially for those living in poverty.

Such reparative actions support the equality and fairness component of justice as conceived of by Lederach. However, the PTCs also realise the equality and fairness component of justice fundamentally through their main remit including tackling inequality, discrimination, stigmatisation and vulnerability. The work of the PTCs is underpinned by a strong commitment to social change (Goldstraw *et al* 2019, 4; 11), social inclusion and equality, with a primary aim of the PTCs being to drive a ‘culture of inclusion and equality of those who suffer poverty with those working to tackle it’ (Salford Poverty Truth Commission 2017, 8). Through their express work to challenge the allocation of resources and their fundamental commitment to participation, the PTCs are contributing to filling what Lederach deems ‘a significant justice gap’ (Lederach 2001, 852). This gap exists when only direct personal violence is addressed within society and adequate access to resources, participation and protection of rights are not (Lederach 2001, 852). However, it is contended that by adopting an explicit rights-based approach, the ability of the PTCs to address this justice gap would be further enhanced. A human rights approach would provide a formalised equality framework for both advocacy and justiciability purposes. It would provide a useful tool to support the PTCs in the protection and promotion of the ESCRs of their participants and for advocating empowering anti-poverty policy and law.

# The Poverty Truth Commissions as Transformative Justice

The above assessment of the work of the PTCs as a CBTRC has illustrated that the change they seek as grassroots bodies and the positive impacts and outcomes they are producing constitute more than minor reforms. Evidence to date shows they seek deep-rooted change. The Scottish PTC for example, affirm that it is not merely interested in the collection of information and the making of recommendations but is instead ‘primarily committed to being that change, seeking to demonstrate the approach and culture shift we advocate’ (The Poverty Truth Commission 2014, 2). This does not relieve the state of responsibility. Rather it illustrates that those involved in the PTCs seek to drive change through active participation: through control and ownership of the process itself, setting their own terms of engagement with those in power. Furthermore, the aim of deeper culture change is significant. Evidently, transitional justice mechanisms have been the inspiration for CBTRCs including the PTCs, but, it is also clear that such transitional justice mechanisms have been adapted to better suit the needs of the communities. They are less legalistic, community driven and acknowledge that transforming society is a long-term goal, indeed it may be that such transformation is an ongoing process (Gready 2019, 23). As such they can be viewed as a form of transformative justice rather than transitional justice. As Gready notes, ‘Transformative justice as an alternative, umbrella approach goes beyond the notion of adaptation and small-bore reforms. It is relevant in transitional settings, but can also be applied anywhere and at any time to address concerns, such as structural and everyday violence’ (Gready 2019, 2).

Consequently, it can be argued that the PTCs can be viewed as a form of transformative justice, aiming to ‘hear’ the truth of the situation and tackling structural violence by seeking to transform the community experience to a more equal, inclusive, and peaceful community. Transformative justice is defined as ‘transformative change that emphasizes local agency and resources, the prioritization of process rather than preconceived outcomes, and the challenging of unequal and intersecting power relationships and structures of exclusion at both local and global levels’ (Gready 2019, 2). Thus clearly, the PTCs fall within the definition of transformative justice embodying change which encompasses all these elements.

The PTCs, rather than offering an instrumental form of participation, have provided ‘transformative spaces’ (Goldstraw *et al* 2019, 9). Participation does not alone bring change; addressing structural violence such as poverty also requires structural change (Vaughan 2014, 191). It requires moving from participatory spaces to ‘engaging with local power structures in order to support “transformative action in context”’ (Vaughan 2014, 185). By providing such transformational spaces the PTCs have driven transformative change.

The evidence from the PTCs to date points to a variety of positive outcomes and transformative positive change. However, there are of course also limitations to that change: Firstly, it is predominantly at a local level. This is both necessary and positive but change is also required at a national level to tackle structural poverty. Moving forwards, West Cheshire PTC state that ‘Taking the learning from the experience of West Cheshire Poverty Truth Commission from the local policy arena to the national policy arena is the next step.’ (West Cheshire Poverty Truth Commission 2018a, 19). Clearly the collective experiences of the PTCs have huge potential to inform practice and build an evidence base for tackling poverty at a national level (West Cheshire Poverty Truth Commission 2018a, 18). The newly established Poverty Truth Network aims to drive this next step forwards (Poverty Truth Network 2020b). Importantly, expanding and also translating from the local context to the national context is key to embedding structural change.

Secondly, evidence as to the full extent and duration of the changes made (and consequently of the effectiveness of the PTCs) is partial and emergent. There has been little systematic evaluation of the outcomes of the PTCs and their impacts as a whole (with the exception of the 2019 report by Goldstraw *et al*) in terms of evaluating wider patterns in outcomes and changes to policy. Most documented evidence to date is from internal self-assessment by individual PTCs (for example see West Cheshire Poverty Truth Commission 2018b; Salford Poverty Truth Commission 2017; The Poverty Truth Commission 2018). Although this is not surprising given they are all independent organisations, the extent to which PTCs provide sustainable lasting transformative justice more widely requires further, independent research.

Lastly, it is important to note that the PTCs should not be seen as a panacea for addressing poverty and there are obviously practical operational limitations that PTCs might face: Having sufficient resources in terms of staffing/participants, time and funding are imperative and it is also imperative to have access to power and voice to influence policy, legislation and practice (West Cheshire Poverty Truth Commission 2018a). It is also necessary to manage expectations in terms of what the PTCs can achieve. Often expectations for CBTRCs (and similarly TRCs) ‘run too high’ (Greensboro Truth and Reconciliation Commission 2006b, 12). No one body can transform society and redress structural injustice by itself. However, ‘they can help identify the reasons structural change is needed’ (Greensboro Truth and Reconciliation Commission 2006b, 12), drive change and make crucial progress in addressing such violence. Hence, whilst the benefits of using CBTRCs are evident they are not meant to replace other forms of justice, rather, CBTRCs ‘might be viewed most realistically as one part of a larger effort to achieve social justice’ (Greensboro Truth and Reconciliation Commission 2006b, 12).

# Moving Forwards - Enhancing Transformative Justice to Address Poverty *and* embrace ESCRs

Moving forwards, although the PTCs have made enormous progress in addressing the negative impacts of poverty and the deepening inequalities caused by poverty within the UK, there are several steps that can be taken to advance the transformative potential of PTCs and to address ESCRs violations more effectively.

The benefits of using a rights-based approach for tackling poverty have been set out above. However, in relation to the specific work of the PTCs it is contended that the use of an explicit human rights framework would further the empowerment of participants as well as providing a working tool for assessing harms (potential and actual), for mobilisation and for advocacy.

Just as using a development approach or policy approach hopes to achieve positive change so does a human rights-based approach – it is not about achieving specific preconceived outcomes but using the framework as an approach to working through the issues faced. The outcome is driven by those participating. Participants decide themselves which rights take priority. As Parlevliet argues, ‘A narrow, legalistic understanding of human rights is insufficient’ (Parlevliet 2009, 8). Rather human rights should be conceived more widely: not just a ‘normative framework of rules, but also as a more dynamic set of processes’ (Simpson 2017, 391; Parlevliet 2009, 8).

ESCRs based work should be co-designed and training could be facilitated for members of PTCs and other CBIs to encourage and assist them in the inclusion of a rights-based element in their work. Although communities can be ‘wary of “rights talk”, seeing it as inaccessible or overly adversarial and not necessarily pro-poor’ (Donald and Mottershaw 2009, 5), rights can be reframed for particular audiences so that they resonate better (Donald and Mottershaw 2009, 6). Consequently, rights can be adopted and adapted to suit the local priorities and context of PTC participants (Cahill-Ripley 2019a, 1250).

However, to implement such an approach it is imperative that further empirical research and knowledge exchange is undertaken with existing PTCs (and other CBIs) to examine attitudes, knowledge and understanding of ESCRs and to assess participants views of their use as a tool for justice and advocacy. Further, it is necessary to investigate and record any informal or undocumented community use of ESCRs. At present there is little evidence of the PTCs using such an approach. As such, the extent to which an explicit rights framing would be beneficial is unknown (hence the need for further research). However, we can draw upon evidence from other contexts and practice of using human rights to tackle poverty outside of the PTCs practice. For example, the work of the Belfast based grassroots organisation Participation and the Practice of Rights and their joint work with the Scottish Human Rights Commission on the Housing Rights in Practice Project (Scottish Human Rights Commission 2020) are successful examples of using ESCRs and a wider human rights framework as a powerful tool for addressing poverty and inducing and making positive change.

Strengthening advocacy for ESCRs within communities is also imperative if poverty is to be viewed as a rights issue. This advocacy can be part of the specific PTC work, for example, the PTCs could appoint a community commissioner to gather testimonies utilising a human rights framework or could hold human rights-based hearings.

Additionally, the work of the PTCs needs to be accompanied by other CBIs to create a wider movement for advocacy for rights-based legal and policy frameworks to address poverty at a national level and to protect against non-reoccurrence of violations (a fundamental principle of reparations). Examples of such advocacy include *inter alia* a Bill of Rights that includes justiciable ESCRs; The Social Rights Alliance England, a movement which aims to bring together communities with lived experience of poverty to tackle injustices through the exercise of social rights (Social Rights Alliance, 2021) and The Equality Trust / Just Fair Campaign to enforce Section 1 of the Equality Act 2010, the Public Sector Socio-Economic Duty, through two UK Parliament House of Commons Early Day Motions (EDMs), EDM 591 (UK Parliament 2017) and EDM 2249 (UK Parliament 2019). EDMs are ‘submitted to debate a particular issue in the [UK] House of Commons’ and open for signatures by MPs, to garner parliamentary support for a specific cause (UK Parliament, 2021). EDM 2249 noted ‘the high levels of income and wealth inequality in the UK’ and called on the Government to bring into effect this section of the Act to tackle such inequality, ‘including listening to and drawing on the experience of those who have lived in poverty’ (UK Parliament, 2019).

Other local community-based initiatives with an ESCR focus include Brighton and Hove Housing Coalition’s Homeless Bill of Rights (Brighton and Hove Housing Coalition 2018) and the Making Rights Real initiative in Scotland (Scottish Community Alliance, 2020).

The common aspect to all these initiatives is the mandate to utilise ESCRs to tackle poverty and inequality through advocacy for political and legal change, through building power at a grassroots level to realise change. Thus, the PTCs could collaborate with NGOs and other civil society projects, launching joint community level campaigns or collaborating with national level initiatives.

Specifically, by embedding ESCRs within domestic law, people will have some legal protections from the worst impacts of poverty in the future. Although ESCRs are not currently justiciable within the law of England or Northern Ireland there are some positive changes within the rest of the UK, illustrating that change is possible, for example in Scotland where the ‘Fairer Scotland Duty, Part 1 of the Equality Act 2010’ in now in force and Wales where the ‘Socio-economic Duty’ will come into effect on 31 March 2021.

Further, ESCRs are internationally recognised legal rights. Thus, recognising such harms as breaches of the UKs international obligations highlights the remedy available to participants/victims under international and regional human rights mechanisms. As noted previously the PTCs can strengthen international accountability for poverty-related ESCRs violations by contributing to such global justice mechanisms for the protection and promotion of ESCRs. For example, the recent UN Special Rapporteur on Poverty visit to the UK constituted a strong mechanism at international level to tackle the poverty-related human rights violations within the UK, especially violations of ESCRs. The impact of such global mechanisms should not be underestimated: The report succeeded in the Government admitting responsibility for increased reliance on foodbanks and rising homelessness in addition to driving some policy changes such as delaying the rollout of universal credit. (UN Human Rights Council. 2019, para.15). As such the PTCs could benefit from engaging in such processes in terms of achieving their aims.

In sum, it is contended that the use of ESCRs within the work of the PTCs will enhance the existing transformative potential of their work. Equally, it is also the case that the work of the PTCs as an alternative means of justice has already enhanced the accountability, recompense and equality and fairness opportunities available for poverty-related violations of ESCRs.

# Conclusion – Working towards Closing the Justice Gap

In conclusion it is clear there is an urgent need to address widening and deepening poverty across the UK. The value of addressing poverty through a human rights lens has been recognised previously. However, to date poverty-related human rights violations have predominantly been addressed by judicial or quasi-judicial remedies. This paper has demonstrated, that that due to limitations of scope and reach, alternative and additional mechanisms encompassing broader forms of justice are required to effectively address poverty and related violations of human rights. Inspiration has been taken from transitional justice mechanisms and their adaption into CBTRCs in order to evaluate the value-added of utilising the CBTRC model to address poverty and the related ESCRs violations within the UK. Consequently, a detailed examination of the PTCs has illustrated how they clearly embody Lederach’s necessary elements of justice: Accountability; Recompense; and Equality and Fairness, hence contributing to filling the ‘justice gap’ that exists for transforming structural violence and injustice (Simpson, 2017, 390).

Further, the PTCs (and other CBTRCs noted) help to ‘shift the justice discourse from an important normative premise to a potentially transformative set of social, political and economic [and cultural] engagements’ (Simpson 2017, 388). The result is a form of transformative justice, the added value of which has been demonstrated.

Finally, and importantly, although the PTCs in the UK do not currently explicitly address poverty from a human rights-based perspective, we contend that there is significant added-value in adopting an explicit ESCRs agenda, addressing these issues as violations of ESCRs and working for the adoption of ESCRs as justiciable rights within the UK. Significantly, the combination of ESCRs and the transformative justice of the PTCs has further potential to empower the most vulnerable and marginalised in our communities, to tackle the structural violence of poverty and to create an enabling local transformative space where the PTCs can ‘speak truth to power’ but also ‘speak rights’ to power’ (Brysk 2013; see also Cahill-Ripley 2019a).

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