

Joint Response from Action on Salt & Action on Sugar to the Proposed Right to Food Bill

Action on Salt

Action on Salt (formerly Consensus Action on Salt & Health, CASH) is an organisation supported by 24 expert members and working to reduce the salt intake of the UK population to prevent deaths, and suffering, from heart disease, stroke, kidney disease, osteoporosis and stomach cancer.

Action on Sugar

Action on Sugar is a group of experts concerned with sugar and obesity and its effects on health. It is working to reach a consensus with the food industry and Government over the harmful effects of a high calorie diet, and bring about a reduction in the amount of sugar and fat in processed foods to prevent obesity, type 2 diabetes and tooth decay.

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We are fully supportive of enshrining the human right to food into Scots law

The government has a duty to make sure everyone can afford and enjoy a healthy and sustainable diet. Poor diet, which includes too much salt, sugar and saturated fat with insufficient wholegrain, fibre, fruit and vegetables leads to ill health and nutritional deficiencies. Excess sugar intake leads to dental decay, with a disproportionate impact on the most disadvantaged and vulnerable children. Excess salt is also ubiquitous in packaged food. Eating too much salt raises blood pressure, increasing the risk of cardiovascular disease, osteoporosis, kidney disease and even stomach cancer.

Poor diet is also the leading cause of obesity. Living with obesity increases the risk of developing type 2 diabetes, cardiovascular disease, non-alcohol-related fatty liver disease and thirteen types of cancer, as well as worsening the outcomes for COVID-19. Treatment costs to the NHS are currently £6.1bn per year, with an estimated cost to the wider economy of £27bn. There is also a huge, often ignored personal cost to individuals; those living with obesity are more likely to live with mental health issues and face stigma, worsening their prospects in all areas of life. This is not a societal cost we need to bear: obesity can be both treated and prevented and families can be healthier as a result.

In 2018, 65% of adults in Scotland were classed as overweight and 28% as having obesity(1). In children aged 2-15 years, 29% were classed as at risk of overweight and 16% at risk of obesity(1), whilst 22% and 10% of Primary 1 children are at risk of overweight and obesity, respectively(2).

Prior to the COVID-19 pandemic, food bank use was rising, increasing by 73.4% in the five years to 2019 and by 18.8% in 2019 alone (3). As a result of the economic impact of the pandemic, five million adults across the UK are facing food insecurity and 4 million households have borrowed money or gone into debt as a result of the crisis (4).

While the Scottish population have a 'right to food' under international law, putting the right to food into Scots law would make it enforceable, ensuring the wellbeing of people and the environment are prioritised, leading to a fair and equitable food system.

1. Cheong C, Dean L, Dougall I, et al (2019) The Scottish Health Survey. 2018 Edition. Volume 1. Main Report. Edinburgh
2. Information Services Division (2019) Body Mass Index of Primary 1 Children in Scotland. School Year 2018/19

3. The Trussell Trust. Record 1.6m food bank parcels given to people in past year as the Trussell Trust calls for end to Universal Credit five week wait. 2019
4. The Food Foundation, 2020 https://foodfoundation.org.uk/vulnerable_groups/new-food-foundation-data-food-insecurity-and-debt-are-the-new-reality-under-lockdown/

We are partially supportive of the creation of an independent statutory body with responsibility for the right to food

The complexity of the food system demands an independent body to recognise that public health, food insecurity, climate change, biodiversity, workers' rights, animal welfare, access to land, and waste impact on health and the environment. A systems-wide approach is essential to protecting everyone's right to food and only an independent body can ensure that the Government keeps its promises.

An independent and transparent statutory body, free from ministerial, industry and other vested-interest influences, should be established. This will enable them to make clear, independent, evidence-based decisions and fully scrutinise Government. This watchdog must put the primary focus on healthy diets, with physical activity encouraged for general health improvement. The watchdog should be well funded, for research and agility to respond to new evidence and provide innovative solutions.

However, we have concerns whether the work of this body would impact the essential and high quality work of Food Standards Scotland, and question whether the function of the proposed statutory body could be absorbed by FSS. In addition, ideally a statutory body would have a UK-wide remit, in recognition of the joined-up nature of the UK food system.

Our views on the main practical advantages and disadvantages of the proposed Bill

It is important to enshrine the right to food into Scots law because everyone has the right to be able to eat well as part of a fair, healthy and sustainable food system.

Advantages

- A well-funded independent statutory body to review and report on the Government's work will ensure that its plans and decisions are scrutinised
- It will ensure that human rights are centered in Government decisions on the food system
- Current procedures do not allow for robust monitoring and evaluation protocols, this bill will ensure the Scottish Government and public bodies to set targets and measure its progress on making sure everyone enjoys their right to food

Disadvantages

We agree that food insecurity is not just an issue around access to food, but access to food that is culturally appropriate, nutritious, affordable and sustainable. It is imperative that equal consideration is given to other important aspects of the right. For example, the fair treatment of people producing the food, maintaining high food standards, fair access to land, and the impact of the food system on animals and the environment.

The bill will be strengthened by increasing the focus on other aspects of the right to food. We need to ensure that we reduce diet-related inequalities, in order to build a more resilient population.

We are fully supportive of enshrining a right to food into Scots law as a priority in advance of any further Scottish Government legislation on wider human rights

There is an urgency to the challenges that face the food system. Covid-19 has brought these challenges into the fore and in some cases worsened them. A third of Scottish adults surveyed in March were concerned about their ability to pay for food and essentials, according to a survey by Citizen's Advice Scotland¹.

A wider commitment to human rights is undoubtedly a good thing, but as we do not have a timeline for this we do not want actions around people's right to food to be delayed. The priority has to be to put the right to food into Scots law, so the Scottish Government puts the wellbeing of people and the planet at the heart of its plans for recovery of the food system.

1. Citizens Advice Scotland (2020) Scotpulse survey results March/April 2020

Our views on the advantages or disadvantages to establishing a statutory body with responsibility for the right to food

Advantages of establishing a statutory body

- A statutory body can monitor and evaluate the Government's actions
- A statutory body can help ensure the Government is held to account
- A statutory body can help to ensure that the Government works across the whole food system and recognises the links between, for example, low wages, access to health food and poor health
- A statutory body can provide guidance and research to ensure the right to food is at the centre of Government decision making

Disadvantages of establishing a statutory body

- It is important that the statutory body free from ministerial, industry and other vested-interest influences, and be clearly independent
- It is unclear how the work of other established organisations would be impacted by a new statutory body
- The statutory body's focus would be Scotland, rather than a necessary UK-wide remit

We are fully supportive of placing responsibility for guaranteeing the right to food on the Scottish Government

Right to food must be the Government's responsibility and will ensure that they move further and faster on addressing known issues in our food system, including the marketing and advertising of unhealthy products to children, price promotions on unhealthy food, and unnecessary levels of added salt and sugar in our food supply.

We believe bringing the right to food into law would have a significant impact on reducing food insecurity

The work of charities has filled the gaps and this is unsustainable. The right to food will ensure the Government recognises its failure in this responsibility and will force them to prioritise putting in place policies that make nutritious food available to all, ensure that everyone has enough money to

afford that nutritious food, through fair wages or adequate benefits. The right to food will also ensure our food system promotes the wellbeing of people, animals and our environment.

We believe bringing the right to food into law would have a significant impact on improving people's health

The burden of diet-related diseases is significant in Scotland, and it is frequently those from lower socio-economic backgrounds that bear the brunt of this. If Government can accept their responsibility and ensure accessibility and affordability of healthy food while addressing issues such as too much salt, sugar and saturated fat in everyday products, marketing of unhealthy products to children, unclear and misleading labels on food and drink products, nutritionally poor quality food for infants and young children, then we have a real chance of improving health in Scotland and reducing the prevalence of diet-related disease such as obesity and cardiovascular disease.

We believe the proposed Bill would have a positive impact on protected characteristics, including age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation

The right to food will improve the food system for the benefit of everyone in Scotland. It is well established that those from socially deprived backgrounds struggle to access healthy food. The Food Foundation's Broken Plate report highlighted that healthy food is up to three times more expensive than unhealthy food, and those living in the poorest households would need to spend 74% of their after-housing disposable income to afford the Eatwell Guide, compared to 6% for the richest households (1). Consequently, diet-related health conditions such as obesity are more prevalent, meaning that the poorest in society are suffering disproportionately from ill health and are more at risk of premature death. Additionally, the COVID-19 pandemic has laid bare the impact of this inequality, with obesity and ethnicity being identified by as independent risk factors for both susceptibility to the virus, and worse outcomes as a result of the virus (2). Improving access to healthy food, in addition to the myriad of additional benefits the right to food will afford society, will have a positive impact on vulnerable people that suffer the most from inequalities.

It is important to ensure that the independent statutory body includes representation from a diverse group of people. Scientists, farmers, food sector workers, charities and those forced to visit food banks must be involved as they would bring a range of experiences and knowledge needed to make the food system fit for everyone. It is important that this representation takes into account protected characteristics such as age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Promoting equality is at the heart of the right to food and so it must be key to any decisions about our food system.

1. The Food Foundation, 2019 <https://foodfoundation.org.uk/wp-content/uploads/2019/02/The-Broken-Plate.pdf>
2. Public Health England, 2020. Disparities in the risk and outcomes of COVID-19 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/908434/Disparities_in_the_risk_and_outcomes_of_COVID_August_2020_update.pdf