

**Scottish Food Coalition Parliamentary Briefing  
Agriculture (Retained EU Law and Data) (Scotland) Bill - Stage 1 Debate  
4 May 2020**

*This briefing is to aid MSPs planning to take part in the Agriculture (Retained EU Law and Data) Bill Stage 1 Debate scheduled for Tuesday 5th May.*

**Summary**

The Scottish Food Coalition (SFC)<sup>1</sup> recommends that the Scottish Parliament agree to the principles of the Agriculture (Retained EU Law and Data) (Scotland) Bill (henceforth, the Bill) at Stage 1. SFC also urges the Parliament to consider that the Bill could be strengthened during Stage 2 by including a statutory commitment to a statement of policy on food (a National Food Plan).

1. COVID-19 pandemic has highlighted the need for a statement of policy on food
2. Inclusion of a statement of policy on food in the Bill will properly link food and farming, building-in resilience and promoting a joined-up approach to recovery
3. The Scottish Government had already committed to a statement of policy on food in the Consultation on Good Food Nation Proposals for Legislation (henceforth, the GFN consultation) but that bill has now been delayed
4. There is strong public support for a statement of policy on food
5. Inclusion of a statement of policy on food would advance Scotland's environmental, health and social justice goals

**Introduction**

The SFC is a cross-sectoral network of organisations calling for fundamental change to secure a socially and environmentally just food system in Scotland. We have, for a long time, believed that this needs to be underpinned by a Good Food Nation Bill - framework legislation to help Scotland achieve a fair, healthy and sustainable food system.

We appreciate the necessity of the Scottish Government's decision to delay the Good Food Nation Bill in response to the COVID-19 pandemic. The pandemic has impacted, and will continue to impact, all aspects of society; priority must be given to protecting lives and navigating the complex challenges facing the nation in this crisis.

However, in the absence of the Good Food Nation Bill, we urge the Scottish Parliament to include a statutory commitment to a statement of policy on food in the Agriculture Bill, taking this urgent opportunity to safeguard the food system against future crises, and shore up Scotland's resilience and future food security. The statement of policy should include a contingency plan for tackling future interruptions to supply. This could be in the form of an emergency food reserve or stockpile that provides food security and disaster risk reduction.

**1. COVID-19 pandemic has highlighted the need for a statement of policy on food**

The pandemic has shown how vulnerable the food system is to shocks and stresses and who is most vulnerable. It has highlighted the need to build-in resilience to safeguard against future crises. The pandemic has exacerbated some of the challenges that have long plagued the food system. Long and complex supply chains have weakened Scotland's resilience, and left the country vulnerable to disruptions in global supply. Scotland is dependent on

---

<sup>1</sup> The Scottish Food Coalition is an alliance of small-scale farmers and growers, academics, workers' unions and charities focused on the environment, health, poverty and animal welfare. The coalition has over 35 members including RSPB Scotland, WWF Scotland, STUC, UNISON Scotland, Unite, Nourish Scotland, Trussell Trust, Health and Social Care Alliance Scotland, Obesity Action Scotland, Scottish Care and Leith Crops in Pots. <http://www.foodcoalition.scot>

imports such as fertiliser and animal feeds. In the meantime, producing food for export has been given precedence over producing food to eat. Local food chains are limited. Jobs in this sector remain amongst the least well paid and the most precarious.

The current crisis has exposed the vulnerability of these individuals - and the families who depend on their wages - with hundreds of thousands facing job losses, low levels of statutory sick pay and unfair compensation. Relatedly, there has been a significant rise in demand for food banks. More than three million people (6%) in Great Britain have gone hungry since lockdown began three weeks ago; 1.5 million (3%) have gone a whole day without eating since the lockdown came into effect, and 7.1 million (14%) say someone in their household has had to reduce or skip meals because they could not access or afford sufficient sustenance.<sup>2</sup>

Despite these significant challenges, we have seen remarkable responses from across the food sector. The disruptions in global supply caused by the pandemic has led to a surge in demand for locally produced food. In a recent UK-wide survey, a third of people are supporting smaller / local food businesses more than ever before. This includes direct sales models of vegetable and fruit boxes, milk deliveries and farm shops - 89% have indicated that they are committed to continuing new behaviour of sourcing locally.<sup>3</sup> A farm in Forres recently reported a huge upsurge in demand, they have adjusted their business model to support local and national deliveries, and are currently completing a months' worth of business in 2 to 3 days.<sup>4</sup>

The growth in demand for local food has shown the creativity and resilience of farmers and small businesses to adapt and rapidly respond. There has been an inspiring show of commitment from key workers in the food industry, including those working in the multiple retailers, to keep providing a service - often at some personal risk.

People across Scotland have shown remarkable ingenuity in response to the crisis, it is important that these good practices are harnessed with a statement of policy which puts in place the provisions for all players in the supply chain to respond quickly to any future shocks or crises, and build consumer confidence.

## **2. Inclusion of a statement of policy on food in the Bill will properly link food and farming, building-in resilience and promoting a joined-up approach to recovery**

Agriculture and food are intrinsically linked. Food production, consumption and waste are responsible for a large portion of global greenhouse gas emissions (agriculture and related land use account for 1/4 of Scotland's emissions) and food production is one of the key drivers of biodiversity loss. However, historically policy has taken a siloed approach with government departments creating separate strategies according to differing priorities. This has led to farmers producing commodities for export, rather than food for nourishment. We have greater numbers of people unable to afford food and consuming processed food, high in fat, sugar and salt content, resulting in increased incidences of diet-related illness.

A statement of policy takes into consideration not only the production practices but the food produced and consumed; it covers the full spectrum of issues related to food, from farm to fork to waste. It would provide clear leadership that businesses and communities can respond to, and instil national values into decision making for the future of the production and consumption of food. A statement of policy would support a joined-up approach to

<sup>2</sup> <https://foodfoundation.org.uk/new-food-foundation-survey-three-million-britons-are-going-hungry-just-three-weeks-into-lockdown/>

<sup>3</sup> <https://www.hubbub.org.uk/blog/how-has-covid-19-changed-our-eating-habits>

<sup>4</sup> <https://www.nffn.org.uk/wp-content/uploads/2020/04/NFFN-Report-1.pdf>

recovery, for example by promoting the growth in the local food economy by supporting a transition to direct sales models or promoting agrobiodiversity and agroecological farming practices.

It would include indicators, or measures of success to chart and propel progress. These indicators would cover a range of important issues such as: the impact of food production on climate change and biodiversity, the number of new entrants to farming, sustainable production of net human edible food, living wage, secure work and fair work coverage. This would be in line with remarks in the recently published Scottish Government strategy COVID-19 – A Framework for Decision Making: “helping businesses deal with the transition out of this crisis by changing their business models and practices with an eye to the markets that will grow in the future.”<sup>5</sup> A statement of policy that sustains support to the local food economy would promote greater resilience.

### **3. Scottish Government has already committed to a statement of policy on food in the GFN Consultation**

Scottish Government’s commitment to a Statement of Policy on Food (a National Food Plan) was in the GFN Consultation.<sup>6</sup> In light of the delay to the Good Food Nation Bill, SFC urges the Scottish Parliament to consider inclusion of this commitment in the Bill:

- *Requirement for Scottish Ministers to set out a statement of policy on food.*
- *The statement of policy would be required to cover food production and consumption issues relating to, for example and where applicable, the growing, harvesting, processing, marketing, sale, preparation and consumption of food, and disposal of waste arising from this; and access to affordable, local, nutritious and culturally appropriate food, and food in the public sector. Compatibility with relevant EU obligations would be essential. Particular account would need to be taken of the implications of Brexit, not just in relation to anticipated impacts on producers but in relation to the rights, well-being and food security of the general public.*
- *Scottish Ministers would be required, in setting out their statement of policy, to include indicators or measures of success. This could draw on the work of the Scottish Food Commission and Scottish Government.<sup>7</sup> A number of food-related national indicators already form part of the refreshed National Performance Framework and could be further strengthened in this context.*
- *Scottish Ministers would be required, in the exercise of their functions, to have regard to the statement of policy on food.*
- *Scottish Ministers would be required to consult on a draft statement and to have regard to the consultation responses.*
- *Scottish Ministers would be required to publish the statement of policy and to lay it before the Scottish Parliament, for information rather than approval.*
- *Scottish Ministers would be required to review the statement of policy every 5 years and any revision would be subject to the same requirements as the initial statement.*
- *Scottish Ministers would be required to report every two years on implementation of the policy and to set out information on the indicators or measures of success. This would include actions taken to give effect to international obligations and implement good practice, and should address measures of availability; stability (of food supply); accessibility;*

<sup>5</sup> <https://www.gov.scot/publications/coronavirus-covid-19-framework-decision-making/pages/8/>

<sup>6</sup> <https://www.gov.scot/binaries/content/documents/govscot/publications/consultation-paper/2018/12/good-food-nation-proposals-legislation/documents/consultation-good-food-nation-proposals-legislation/consultation-good-food-nation-proposals-legislation/govscot%3Adocument/00544691.pdf>

<sup>7</sup> <https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2016/06/indicators-good-food-nation/documents/13972aef-bfa7-431a-8d7a-c9fe18050b62/13972aef-bfa7-431a-8d7a-c9fe18050b62/govscot%3Adocument>

sustainability; and adequacy.<sup>8</sup> This report would be published and laid before the Scottish Parliament in order to ensure transparency and accountability.

- There would be a statutory requirement to have regard to relevant international obligations and guidance. This should apply when developing the statement of policy, when exercising relevant functions and in reporting on implementation of the policy. Relevant instruments and guidance would be specified in secondary legislation but would include, where appropriate, relevant aspects of the International Covenant on Economic, Social and Cultural Rights (ICESCR).<sup>9</sup>

- It would also be possible to specify guidance such as the Voluntary Guidelines to support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security published by the Food & Agriculture Organization of the United Nations in 2004.

*Specified public authorities*

- Similar requirements would be placed on specified public authorities with relevant food-related functions, possibly including local authorities and Health Boards.

- Specified public authorities would be required to set out a statement of food policy (including indicators or measures of success); have regard to specified international instruments in doing so; have regard to that statement of policy in the exercise of certain functions; and report on progress to Scottish Ministers. The statement of policy might include the origin and sourcing of food by the public authority; food waste; the emphasis on balanced and healthy food; access to affordable food; training in food preparation and purchase etc.; the specific approach taken in e.g. schools (including food education) and nursery schools, hospitals and public buildings.

*Scottish Ministers and public authorities*

- Scottish Ministers and specified public bodies would be required to collaborate to ensure a joined up approach to delivery of a Good Food Nation in Scotland.

The aim is to ensure an open and, where necessary, joined up approach to delivery of a Good Food Nation in Scotland.

#### **4. There is evidence of strong public support for a statement of policy on food**

We can see from the analysis of the responses to the GFN consultation, there is very strong public support for a statement of policy:

*“The overwhelming majority (88%) of these respondents either agreed or strongly agreed with the framework proposals for Ministers and public authorities to prepare statements of policy, have regard to them in the exercise of relevant functions, and report on implementation, with regard to international obligations and guidance. Only very small numbers (5%) of consultation respondents disagreed or strongly disagreed.”<sup>10</sup>*

The current crisis has exposed public anxiety over the resilience of the food system, from panic buying and disruptions to supply to inaccessibility of food. To alleviate these concerns in the context of this crisis, future crises, and the uncertainty of Brexit – a statement of policy on food is needed to provide stability and reassurance, ultimately strengthening Scotland’s resilience.

#### **5. Inclusion of a statement of policy on food in the Bill would advance the aims of the Scotland’s environmental, health and social justice goals**

<sup>8</sup> Food and Agriculture Organization of the United Nations <http://www.fao.org/3/a-i3448e.pdf>

<sup>9</sup> <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>. The UK, on becoming a Party to the International Covenant on Economic, Social and Cultural Rights in 1976, agreed to recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food.

<sup>10</sup> <https://www.gov.scot/publications/good-food-nation-proposals-legislation-consultation-analysis-report/pages/3/>

If Scotland can produce, process, market, sell and encourage consumption of food in a better way, with minimal waste, therein lies the key to solving many of our society's most complex and pressing issues – and shoring up Scotland's resilience. The Scottish Government has already committed to solving some of these problems.

Including a statement of policy in the Bill could advance the aims of the Scottish Government's commitments to the Sustainable Development Goals<sup>11</sup> and the National Performance Framework, by:

- Tackling the climate emergency and biodiversity crisis: The Scottish Government has committed to net-zero carbon emissions by 2030 and reversing biodiversity loss by 2020.
- Obesity and the non-communicable disease crisis: Scottish Government has committed to halving childhood obesity by 2030, and to investing significant funds in diabetes - "including prevention agenda by promoting good health and raising awareness on how to reduce risks to the whole population".<sup>12</sup>
- Tackling inequality: The Scottish Government has committed to making Scotland "a country where everyone has access to healthy, nutritious food without needing emergency food aid".<sup>13</sup>
- Increasing fair work: Scottish Government has committed to expanding the payment of the real Living Wage, reducing the gender pay gap, and improving job security by reducing precarious work. There is much room for improvement in the food and agriculture sectors.<sup>14</sup>
- Scottish Government is committed to a greener, fairer and more prosperous country – they remain committed to this mission, despite the COVID-19 crisis.<sup>15</sup>

## Conclusion

As noted in the COVID-19 – Framework for Decision Making: "When things come apart, there is always the opportunity to put them back together differently. We can work together to design the Scotland we want to emerge from this crisis." We urge the Scottish Parliament to include a statutory commitment to a statement of policy, so the Bill plays a part in designing the Scotland we want to see emerge from this crisis. This must be a key component of Scotland's green recovery.

### For more information contact:

Stephanie Mander  
stephanie@nourishscotland.org.uk  
07949179754

<sup>11</sup> The UN Sustainable Development Goals, effective as of 1st January 2016, aim to 'End hunger, achieve food security and improve nutrition and promote sustainable agriculture'. *United Nations Sustainable Development Goals (2015)*, available at: <https://sustainabledevelopment.un.org/?menu=1300>

<sup>12</sup> <https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2018/07/healthier-future-framework-prevention-early-detection-early-intervention-type-2/documents/00538389-pdf/00538389-pdf/govscot%3Adocument/00538389.pdf>

<sup>13</sup> <https://www.gov.scot/publications/review-fair-food-transformation-fund/pages/1/>

<sup>14</sup> <https://nationalperformance.gov.scot/measuring-progress/national-indicator-performance>

<sup>15</sup> <https://www.gov.scot/publications/coronavirus-covid-19-framework-decision-making/pages/8/>