

# Scotland's Good Food Nation Bill

Notes from Pete Ritchie, Nourish Scotland

## Current state of play

Wider constitutional issue: Scotland is as likely to vote to leave the UK as to vote to stay.

Meanwhile, it will resist repatriation of powers from Brussels to Westminster rather than Holyrood, especially with regards to farming and fishing. GM is one obvious flashpoint, but there's a broader resistance to a UK food and farming policy. The frustration of not having a direct voice in Brussels would be amplified if agriculture went back to Westminster while other powers are coming the other way.

(Note on agriculture: Scotland's red meat sector particularly vulnerable to hard Brexit. Beef accounts for 27% of Scotland's farm output, with another 13% from sheep and pigs. By comparison red meat accounts for around 20% of the UK farm output.)

The Good Food Nation bill emerged as a manifesto commitment in May 2016 with support from Greens and Labour as well as SNP, and was included in September 2016 programme for government.

Current likely timetable: 'consultation' in autumn 2017, Bill goes to Stage 1 September 2018, passes early 2019. Not yet clear how extensive the consultation will be. No bill team in place yet, cross-cutting civil servants group meets regularly to track food issues across departments. Lead portfolio – Rural Economy and Connectivity.

The Scottish Food Coalition – which includes a core group of RSPB, Unite, Unison, Soil Association, Obesity Action Scotland, Scottish Crofting Federation and a much wider reference group – is organising a number of parliamentary events to encourage MSPs and others to be ambitious.

## Scope of Bill

Cabinet Secretary for Rural Economy Fergus Ewing has confirmed that the bill will be cross-cutting:

“Work in shaping the course of the bill will involve colleagues and stakeholders in a number of areas across Government, including health, food standards, waste, social justice, agriculture, education and procurement.”

Since then, various statements by Ministers have confirmed that the Bill will be aligned with:

- A 'Right to Food' approach, perhaps through referencing the UN Convention on Social Economic and Cultural Rights in the Bill's preamble (as with the Children and Young People 2014 Act) In the longer term, Government may look at incorporating the Convention into Scots law. A working group is meeting to look at the practical and legal consequences.
- Public health, and in particular the forthcoming Diet and Obesity strategy
- Food waste – Scotland's set a target of 33% reduction by 2025

It is not yet clear if the Bill will include wider measures on agricultural policy: Nourish and others want to see a commitment to agroecology in the Bill and there have been discussions in Parliament about the French agroecology law.

The Bill will sit in the wider context of current Scottish policy:

- Pro-Europe and pro-migration (population of Scotland at 5.2m barely above 1939 level, while the population of England has grown by almost 5m since 2005).
- Renewed focus on reducing child poverty and inequalities – mildly progressive rather than radical but still progressive.
- Genuine commitment to ambitious climate change goals (though real implementation challenges): some measures such as nitrogen budget may go into current plan, other food and farming measures may go into new Climate Bill later this year.
- Land reform: the draft statement of land rights and responsibilities (broadly a public good/common interest framework, see annex).
- Social security and the principle of dignity: may be scope to link future payments to Minimum Income Standard, some prospect of UBI.
- UN Sustainable Development Goals – not clear yet how commitment will be taken forward, but will be used as a reference point.
- Gender equality.
- Public participation in policy-making – co-production.

### The shape of the Bill

We hope to see three main elements:

1 A preamble which includes a statement of ‘food rights and responsibilities’ analogous to the statement of ‘Land Rights and Responsibilities currently out for consultation (see annex), and within this a reference to the Covenant.

2 Sector-specific provisions (though some of these may go into other legislation/regulation). These are examples, more will emerge from consultation.

- Diet/health: we’d like to see something like the multiple retailer and caterer levy, going beyond sugar tax. Public procurement standards could also be ratcheted up. Food Standards Scotland’s remit could be extended to include guidance on sustainable diets.
- Food waste: A deposit-return scheme is back on the cards, and could be shoehorned in here if legislation needed. May be more duties on public procurement, supermarkets and caterers to waste-proof their supply chains, publish waste levels etc.
- Agriculture/environment: this may need a standalone act setting out new basis for farm support, ‘new social contract’. But may be possible to get some clear principles in here, establishing agroecology as core to how we do farming (and fishing?), and linking land reform principles to farm support principles. Maybe some organic targets.
- Social justice: extension of healthy start scheme/other consumer subsidies (argument for shifting some producer support to consumer support). Local authority/health board duties to tackle food insecurity (monitoring starting this year, rolling out in 2018). Right to grow. Continued support for community food hubs etc as alternative to food banks.
- Public procurement: regional co-operation across public bodies, national support for change; living wage requirement

### Monitoring/post-legislative scrutiny

Some form of independent commission with a mechanism for engaging civil society and a responsibility to monitor progress, report to Parliament and generally chase implementation

### **Annex**

Draft statement of land rights and responsibilities; core principles

1. The overall framework of land rights, responsibilities and associated public policies governing the ownership, management and use of land, should contribute to building a fairer society in Scotland and promote environmental sustainability, economic prosperity and social justice.
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2. There should be an increasingly diverse and widely dispersed pattern of land ownership and tenure, which properly reflects national and local aspirations and needs.
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3. More local communities should be given the opportunity to own buildings and land which contribute to their community's wellbeing and future development.
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4. The holders of land rights should recognise their responsibilities to meet high standards of land ownership, management and use, acting as the stewards of Scotland's land resource for future generations.
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5. Information on land should be publicly available, clear and detailed.
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6. There should be wide community engagement in decisions about land.
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