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Sydney Health Law, The University of Sydney
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1-4 November, 2016

#foodgovernance2016

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Food Governance Conference 2016

The role of law, regulation, and policy in meeting
21st century challenges to the food supply.



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The Food Governance Conference 2016

Food is fundamental to human existence, and plays an important role in social, economic, and cultural life. Yet population growth, climate change, and marketization challenge the ability of the global food system to deliver safe, adequate, nutritious, and sustainable food to the world's population.

The 2016 Food Governance Conference explored the role of law, regulation, and policy in promoting food security and safety, improving nutrition, and preventing obesity and non-communicable disease. The conference was convened by Dr Belinda Reeve and Ms Alexandra Jones, and co-hosted by The University of Sydney Law School and the Charles Perkins Centre, with sponsorship from The George Institute for Global Health, and the University's Cancer Research Network.



Gaining global attention

Over 180 participants attended the Food Governance Conference, which attracted 60 speakers from Australia, New Zealand, England, and Canada. Participants ranged from law and policy researchers to representatives of public health and environmental groups, the business sector, and government agencies, including FSANZ, the Australia and New Zealand food regulatory agency.

The conference attracted significant media coverage, including in [MJA Insight](#), [The Conversation](#), and [The Sydney Morning Herald](#). A number of Australian radio stations reported on the conference, and Professor Corinna Hawkes, a keynote speaker, was interviewed by Margaret Throsby for the [ABC Classic FM Midday](#) program. The conference had a strong online presence, and trended on Twitter on its first day.

Left: Corinna Hawkes at the conference cocktail function.

Tuesday 1 November

Opening events

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Public lecture: food and cancer – a game of give and take

Dr Alessandro Demaio

Medical Officer, World Health Organization

- Chair: Dr Belinda Reeve, Lecturer, The University of Sydney Law School
- New Law School Building

At one of the conference's opening events, Dr Alessandro Demaio spoke on the relationships between food and cancer. Dr Demaio described the epidemiological, biological and environmental links between food, nutrition and cancer, and also the 'give and take' opportunities between the cancer and nutrition communities, in the context of the United Nations Decade of Action on Nutrition. Dr Demaio spoke on how food and nutrition offer a powerful, positive narrative for cancer prevention, and on the possibility of using the Decade of Action to bring together actors from various sectors to discuss the cancer prevention agenda.

The conference organisers are grateful to the University of Sydney's Cancer Research Network for sponsoring Dr Demaio's attendance at the conference.



Above: Belinda Reeve and Alessandro Demaio.

University of Sydney



Opening keynote address: what are the three biggest challenges facing the food system – and how do we fix them?

Professor Corinna Hawkes

Director, Centre for Food Policy,
City University London

- Responders: Dr Alessandro Demaio, and Deanne Minniecon, Specialist in Aboriginal and Torres Strait Islander Health Promotion
- Chair: Ms Alexandra Jones, PhD Candidate and Research Associate, The George Institute for Global Health
- Charles Perkins Centre Auditorium

Professor Corinna Hawkes delivered the conference's opening oration to an audience of over 200 people. The opening oration was open to the public and recorded for radio. Professor Hawkes described what she saw as the three biggest challenges facing the food system: a lack of connection and coherence in policy making, the use of confusing and exclusionary language in the food and nutrition 'policy space,' and a lack of curiosity and courage in leadership.

Professor Hawkes stressed the interconnections between the main challenges facing the food system, including climate change, food security, food waste, and exploitation of food system workers. Despite such connections, decisions on these issues are made in different policy spaces, as is the case with initiatives for tackling under- and over-nutrition.

Professor Hawkes emphasized the frequent division between policy decision-making and people's lived experiences of food and nutrition, which undermines the effectiveness of policy solutions. Different expert 'languages' are also used in the various disciplines related to nutrition and diet, meaning that decision-makers often cannot understand each other. 'Expert' language excludes the validity of people's lived experiences and further divorces individuals from policy decision-making processes. Additionally, fixing the food system requires leaders who are willing to tackle the interrelated nature of the issues facing the food system, to call out corporate behavior that threatens public health, and to put people's lived experiences at the centre of policy decision-making.

Professor Hawkes concluded her talk by outlining five simple steps for better decision-making processes to deliver solutions to food system problems. These include: appointing food policy 'connectors' to connect and cohere decision-making; creating spaces of deliberation where policy-makers, civil society, industry, and people affected by problems can discuss and define the problems and priorities for the food system; developing a common language to talk about people's lived experience; listening to people affected in their own language when delivering policies, programmes and research; and finally, embracing people-centred leadership, i.e. humanizing the food system with inclusive leadership, which starts with people's lives.



Right: Corinna Hawkes delivering the opening keynote address.

Wednesday 2 November

First main day of the conference

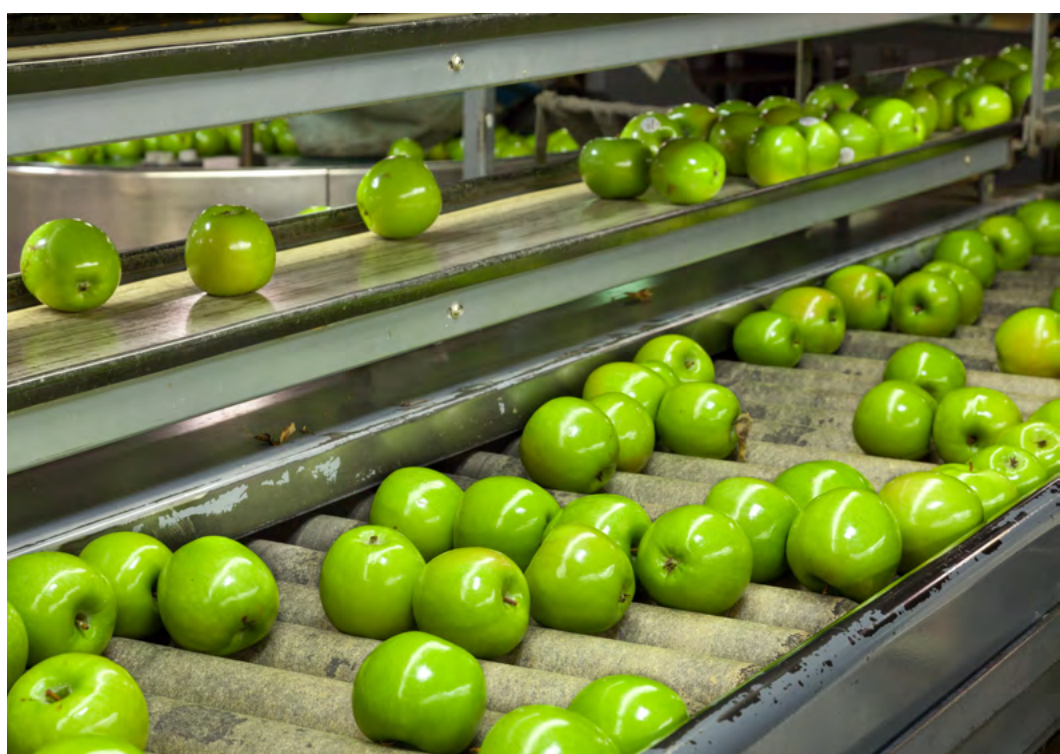
Keynote address: the governance challenges and potential solutions for obesity prevention

Professor Boyd Swinburn

Professor of Population Nutrition and Global Health (University of Auckland) and Alfred Deakin Professor, Global Obesity Centre (GLOBE), Deakin University

- Responder: Professor Roger Magnusson, Professor of Health Law and Governance, The University of Sydney Law School
- Chair: Dr Anne Marie Thow, Lecturer, Health Policy, Menzies Centre for Health Policy
- New Law School Building

Professor Boyd Swinburn opened the first day of the Food Governance Conference with a keynote address on the governance challenges for obesity prevention, and their potential solutions. Professor Swinburn highlighted the significant existing body of research on obesity prevention, but despite this, progress in obesity prevention remains patchy. In explaining why this is the case, Professor Swinburn identified the three biggest challenges facing food governance as power imbalances, accountability, and systems purpose, i.e., the goals and values underpinning systems of governance.





From left to right: Anne Marie Thow, Alexandra Jones, Boyd Swinburn, Belinda Reeve and Roger Magnusson.

One fundamental problem is the power imbalance between large corporations and citizens, an imbalance entrenched by government policy. There is also a lack of political action on obesity, including an unwillingness to take on the food industry, and a persistent belief in the success of educational approaches to obesity prevention. While the public might support public health policies, it is ‘quiet support’ that does not create political pressure for change. Further, our governance systems do not make nutrition a central concern.

To strengthen obesity prevention policy, Professor Swinburn recommended enlisting enlightened business leadership, and engaging and mobilizing civil society. Policy makers must also embrace ‘double action’ or ‘triple action’ initiatives that address malnutrition in all its forms, as well as the other issues facing the food system, such as climate change. We need stronger governance systems for obesity prevention, including stronger accountability mechanisms for implementing food policy. Professor Swinburn emphasized the social justice dimension to obesity, as did Professor Roger Magnusson in his response to Professor Swinburn’s address, highlighting the ongoing need to address inequalities as the obesity epidemic progresses. Professor Magnusson also discussed obesity as a social rather than individual problem, and the importance of conceptualizing obesity as a failure of political, rather than individual, will.

Parallel paper presentation sessions: day one*

The paper presentation sessions opened with presentations on obesity prevention policy, including successful initiatives from Australia and overseas. For example, Andrea Western described how Chile is leading the way in obesity prevention policy, with warning labels on unhealthy foods, comprehensive legislative restrictions on the marketing of unhealthy foods and beverages to children, and an 18% tax on sugar-sweetened beverages.

Food labelling regimes were the main topic of many presentations on the first day. Rachel Carey discussed the development of a national information standard for free-range egg labelling in Australia. Christine Parker offered a critique of the free-range labelling system: breeding practices and low rates of monitoring make free-range labels virtually meaningless to ensuring the welfare of meat chickens. Alexandra Jones spoke on interpretive nutrition labelling initiatives worldwide, arguing that their relevance and success depends on whether such initiatives operate in the context of a coherent and comprehensive nutrition policy environment.

Many speakers discussed product reformulation initiatives, focusing on salt reduction strategies. Karen Charlton spoke on the introduction of mandatory salt reduction policies in South Africa, the first country to introduce such measures. Jenny Kaldor discussed mandatory nutrient limits for NCD prevention, including the introduction of salt reduction regulation in countries such as Fiji, Hungary, and Portugal. Clare Farrand reported research on the salt content of instant noodle products worldwide, which identified high and variable salt levels in these products.

Another key theme was food system governance, and food law and regulation, including the work of food regulators. Mark Lawrence considered the opportunities for using the food regulatory system to promote public health, noting that nutrition has only recently become part of the regulatory risk analysis framework for food systems. He joined other speakers critiquing the policy and practices of FSANZ, including Jeremy Tager, who argued that the precautionary principle is 'dead, abandoned or never alive' in the regulation of food safety. Speakers also explored industry influence over food and nutrition policy. Katrin Engelhardt identified ways to manage conflicts of interest in food policy making and implementation, including ensuring transparency in any government action involving non-state actors, and conducting independent risk assessments and monitoring.

Nutrition and diet-related health in Aboriginal and Torres Strait Islander peoples formed a key part of the conference. Amanda Lee spoke on lessons on improving nutrition from Mai Wiru and the Anangu Pitjantjatjara lands, discussing the need for greater Indigenous food sovereignty. Megan Ferguson explained how many remote Indigenous community stores are leading the way with nutrition initiatives. Cara Laws and Melinda Hammond described the use of incentives to promote healthy food purchasing in remote Aboriginal communities, an important initiative given the disproportionately high costs of fresh fruit and vegetables in these communities.

*Please see the conference program for a complete list of speakers, the co-authors of presentations, and speakers' institutional affiliations.

Panel discussion: how to enable healthy food and nutrition futures for Australia's first peoples

- Chair: Nicole Turner, Senior Project Officer, Centre for Rural and Remote Mental Health, The University of Newcastle
- Panel members: Deanne Minniecon, Sharon Thorpe (Research Officer, Charles Perkins Centre), Mark Wenitong (Apunipima Cape York Health Council), Vicki Grieves (ARC Indigenous Research fellow, Faculty of Arts, the University of Sydney)

The discussion of Indigenous health and nutrition continued in the afternoon of the first day of the conference, with a panel discussion on improving health and nutrition among Aboriginal and Torres Strait Islander peoples. Panelists highlighted the need for stronger policy on diet-related health in Aboriginal and Torres Strait Islander communities, and more comprehensive government infrastructure to support such initiatives. Sharon Thorpe noted that the number of Aboriginal nutrition workers has declined since the 2000s. Deanne Minniecon spoke about the need for Aboriginal and Torres Strait Islander people to be represented in government, and the need to document and use positive community stories to influence decision makers. Panelists also said that there was a role for Indigenous-led nutrition initiatives, with Mark Wenitong arguing that there was no reason why Aboriginal people couldn't create their own food markets and co-operatives, similarly to community-controlled health services.

More fundamentally, panelists said that the solutions to poor Indigenous health and nutrition lay outside the food system, and include greater respect for Aboriginal values and lifestyles, as well as acknowledging and addressing the dispossession of Aboriginal and Torres Strait Islander people from their land and culture. Vicki Grieves eloquently made connections between colonization, the destruction of the environment, and Indigenous health, as well as human health more broadly. Greater respect for Aboriginal philosophies and ways of life could 'close the hole in the heart of Australia,' and embracing traditional knowledge could ensure the sustainability and availability of nutritious food in the face of climate change and other challenges to the food system.

Right to food masterclass

Alongside the conference, the Right to Food Coalition held a food policy advocacy masterclass with guest speaker Professor Corinna Hawkes. The master class aimed to encourage debate among academics and civil society about the role of advocacy in food and nutrition policy, and how to use it more effectively for the public interest. With over 80 people in attendance, Professor Hawkes discussed the skills and strategies necessary for food system advocates to navigate a fraught and complex political environment.



From left to right: Josephine Gwynn, Vicki Grieves, Nicole Turner, Deanne Minniecon, Sharon Thorpe, and Mark Wenitong.

Thursday 3 November

Second main day of the conference

Keynote address: why obesity policy needs food system governance

Professor Corinna Hawkes

- Responders: Dr Alana Mann, Senior Lecturer, Department of Media and Communications, Alexandra Iljadica, Co-founding Director, Youth Food Movement
- Chair: Dr Jacqui Webster, Senior Research Fellow, The George Institute for Global Health

Professor Corinna Hawkes opened the second day of the conference with an address focused on what we can learn from policy failure, drawing on two examples of policy development work she has engaged with. These examples included the development of policy on food marketing to children in the UK, and the use of ‘surplus’ or ‘waste’ food for food banking.

The first example illustrated policy success, with the introduction of a relatively strong regulatory system for food marketing to children in the UK. However, according to Professor Hawkes, this has not led to success globally, partly because of a lack of civil society action to support the implementation of the World Health Organization’s Recommendations on The Marketing of Foods and Non-Alcoholic Beverages to Children. While these recommendations were passed successfully in the World Health Assembly, their development involved little discussion of governance or building coalitions around them, and accordingly, implementation at a national level has been fragmented. Professor Hawkes argued that international collaboration will be needed to further strengthen regulation of food marketing to children globally.



From left to right: Alexandra Iljadica, Corinna Hawkes, Alexandra Jones, Jacqui Webster, and Alana Mann.

The second example used by Professor Hawkes – the use of surplus food for food banking – was one of policy failure, illustrating the difficulties of changing the dialogue on the conventional wisdom of ‘let them eat waste.’ This example illustrated the need to clearly identify policy objectives before embarking on initiatives or discussing policy change. As with other presentations at the conference, Professor Hawkes highlighted the need to address the fundamental determinants of food insecurity, i.e., poverty, rather than focusing only on giving away excess food to the poor.

Professor Hawkes concluded that good governance requires broad collaborations between academics, industry, civil society, and government, as well as listening to and learning from those affected by problems. Responding to Professor Hawkes’ address, Alexandra Ilijadica stressed the need for productive collaborations between those involved in food governance, including food manufacturers and producers. Dr Alana Mann discussed the need to mobilize civil society to support stronger and more equitable governance of the food system. Dr Mann said that when government stops listening, civil society coalitions need to start shouting more loudly to be heard.

Thursday 3 November



Second main day of the conference

Parallel paper presentation sessions: day 2

Food security was a key theme in many paper presentations on the second day of the conference. Bill Pritchard discussed the need to conceptualize food security as a political problem, rather than simply a scientific one. Sue Booth explained that the charitable food sector is failing to meet the needs of recipients as demand for services increases. Liesel Spencer urged caution in adopting US food welfare schemes, focusing on how such schemes can restrict recipients' food choices in a paternalistic fashion. Discussing dietary change in India, Anne Marie Thow used the term "calorie fundamentalism" to describe how economists tend to focus on total number of calories consumed, rather than on food quality. Carol Richards discussed increasing food insecurity under conditions of neo-liberalism, partly because of diminished welfare entitlements and growing living costs.

Many speakers critiqued nutrition policy and governance in Australia. Phil Baker said that the nutrition policy community needs to be more cohesive and united in its framing of key messages if it is to effect change. Echoing a key theme in Professor Hawkes' opening oration, Luke Craven discussed the need to capture lived experience in policy making and to truly listen to the people affected by policy. Bill Bellotti highlighted the importance of considering food system outcomes from a larger number of angles, including health, environment, social welfare, and ethics. Vicki Flood examined the (lack of) provision of healthy foods and beverages for people with intellectual disabilities in group nursing homes.

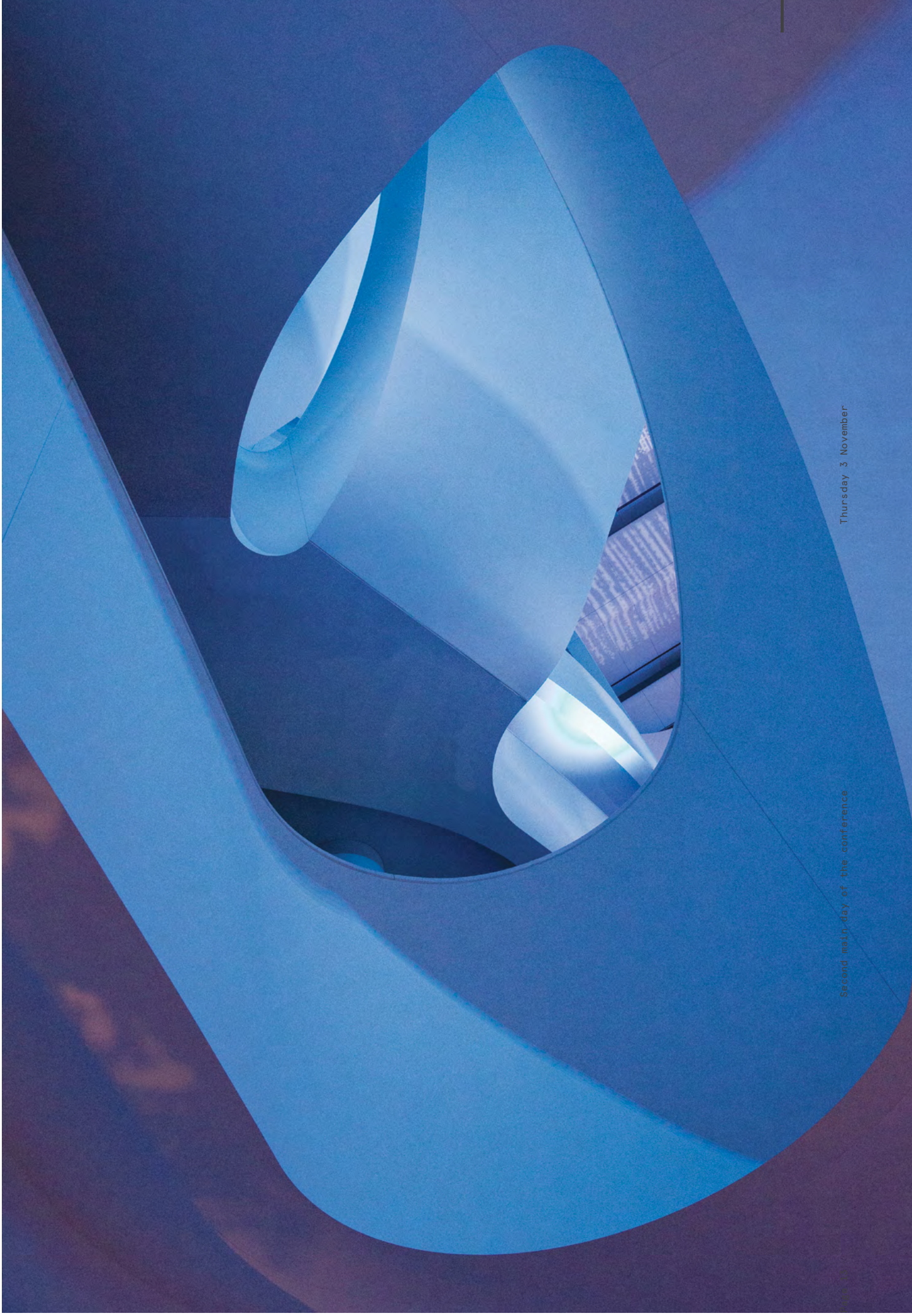
Speakers presented research on changing dietary patterns, and on initiatives to address such changes. Cathy Sherry examined how law can help with the loss of garden space that accompanies high density housing. Jessica Bogard described how the decline in non-farmed fish and rapid growth in aquaculture is shifting diets in Bangladesh. Amanda Lee presented the results of the Healthy Diet ASAP Study, which found that Australians spend 58% of their food budgets on unhealthy foods and beverages. Lennert Veerman outlined how taxing sugary drinks in the East Asia Pacific Region could raise US\$30 million in funding.

While food-specific law and regulation were a key focus of the conference, speakers considered how other legal and policy regimes impede access to a nutritious, equitable, and sustainable food supply. Sharon Friel described research showing how trade liberalization and foreign investment increased the sale of sugary drinks in Vietnam. In her discussion of nutrition labelling as a trade policy issue, Anne Marie Thow spoke of the contrast between strong global policy norms on trade, and weak global policy norms on nutrition, and how this impacts on countries implementing regulations to improve nutrition.

A number of presentations considered industry-based initiatives that aim to improve nutrition. Wendy Watson highlighted the shortfalls of self-regulation of food marketing to children in Australia. Jacob Shelley described food marketing regulation in Canada, and Belinda Reeve stressed that good governance is an important value in its own right, irrespective of how effective regulation is in protecting children from marketing for unhealthy foods and beverages. Jennifer Lacy-Nichols questioned whether product reformulation efforts are a "win-win" for industry and public health, or just a "double win" for industry. Clare Pulker described parents' confusion in choosing healthy foods, and their lack of trust in nutrition messaging from food manufacturers.



Top: Luke Craven presenting.
Bottom: Anne Marie Thow presenting.



Thursday 3 November

Second main day of the conference

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Debate on the role of business in nutrition and health

- Chair: Professor Bruce Neal, Senior Director of the Food Policy Division, The George Institute for Global Health
- Panel members: Monique Cashion (Senior Nutritionist, Woolworths), Ben Miles (Public Relations and Communications Manager, Subway Australia), Boyd Swinburn, Rosemary Stanton (Nutritionist and Visiting Fellow, University of New South Wales), Catherine Mah (Assistant Professor, Health Policy, Memorial University, and leader of the Food Policy Lab)

Day two of the conference concluded with a debate on whether, and how, business can play a role in improving nutrition and changing the food system, generating a diverse range of views. As a light-hearted example of ‘academic theatre,’ panel members began by arguing the opposite of their usual position, with public health academics adopting the personas of individuals in the business sector, and vice versa. From there the panel took a more serious turn. Catherine Mah discussed the importance of engaging with a diversity of businesses, including food retailers and small businesses. She also discussed how some of the most important work in food governance is being done at the local level, including through food policy councils.

Boyd Swinburn argued for the importance of managing conflicts of interest in nutrition research – at a very minimum, conflicts of interest should be clearly declared. Rosemary Stanton described the influence of the food industry on government policy, with governments being responsive to lobbying, and the industry having significant lobbying power. Our business representatives, Monique Cashion and Ben Miles, discussed how promoting health and nutrition forms part of the business strategy of their respective companies, with Subway, for example, positioning itself as a healthy fast-food option.



From left to right: Bruce Neal, Rosemary Stanton, Monique Cashion, Catherine Mah, and Ben Miles.



Above: Rosemary Stanton and Boyd Swinburn.

Cocktail function to close

Participants enjoyed drinks and canapés on the top floor of the Law School to close the conference.

Walking the talk

Catering for the conference was provided by Core Catering, a Sydney business that creates meals using healthy, free-range, and organic produce, sourced locally where possible.



Friday 4 November

Official launch of the Food Governance node

On Friday morning conference participants met to officially launch the Food Governance Node at the Charles Perkins Centre. Co-founded by Alexandra Jones and Belinda Reeve, the node aims to provide a cross-disciplinary platform for the development, application, and evaluation of novel legal, regulatory and policy strategies for improving diet and nutrition. At this half-day workshop, participants discussed the direction of the node going forward, and decided on the events to be run by the node in 2017. The Food Governance Conference will be run again in 2018, with the node planning a program of smaller events for 2017. Those interested in joining the node should contact Belinda Reeve: Belinda.reeve@sydney.edu.au



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- Death Law
- Dispute Resolution in Australia
- Expert Evidence Law and Class Action Procedure
- Forensic Psychology
- Fundamentals of Regulation
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- Mediation - Skills and Theory
- Mental Illness: Law and Policy
- Neurolaw: Mind, Brain and Law
- Policing Bodies: Crime, Sexuality and Reproduction
- Trade Regulation, Health and the Environment

Admission Requirements

While an undergraduate degree is required, admission in the program is open to both lawyers, health professionals working in their respective professions, and other approved applicants.

Further information

- sydney.edu.au/law/fstudent/coursework/healthlaw.shtml

Enquiries

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The Centre for Health Governance, Law & Ethics has a blog: for comment, analysis and recent developments, see:

- sydneyhealthlaw.com

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