

Victoria's Citizens' Jury on Obesity

Response from the Steering Group

4 December 2015

As part of the Leading Thinkers Initiative, VicHealth held a Citizens' Jury in October 2015 with the aim of engaging the community in discussion and debate about the issue of obesity. It was not a jury in the traditional sense; it was a non-legal process designed to empower everyday citizens to identify solutions and initiate change to stem the obesity epidemic. The Jury responded to the question:

We have an obesity problem. How can we make it easier to eat better?

100 Victorians engaged with facilitators and reviewed submissions online in the six week lead up and 78 participated in the 2 day face-to-face event. At the closing session, the Jury put forward 20 'asks' to increase the availability of healthy food, reduce the appeal of junk food and improve understanding around healthy eating.

The resulting report was delivered to a Steering Group, made up of food industry, research, government and not-for-profit representatives who responded to the Jurors' asks. In this document, we present the Steering Group statement and individual member responses to each ask. Please note that the Jury's asks and rationale are worded exactly as received. The asks have been numbered for ease of reference.

Steering Group members

Australian Beverages Council (ABC); Australian Food and Grocery Council (AFGC); Australian Medical Association, Victoria (AMA); City of Melbourne; Centre for Physical Activity and Nutrition Research, Deakin University (CPAN); CHOICE; Coles; Foodbank Victoria; newDemocracy Foundation; Obesity Policy Coalition (OPC); Tennis Australia; Victorian Department of Premier and Cabinet (DPC), and the Victorian Health Promotion Foundation (VicHealth).

Steering Group statement

The Steering Group acknowledges the level of preparation, discussion and consideration given by the Jurors, both via the online process, as well as the commitment the face-to-face deliberations.

Following the face-to-face Jury deliberations on 17 & 18 October 2015, the Steering Group met to formulate a response to the asks. Individual members commenced discussions within their own respective organisations to determine their response. The outcomes of the discussions are represented by commentary on the following pages. In many cases you will see individual member responses as well as collective responses when a consensus was reached.

VicHealth statement

VicHealth thanks the Jury members for their invaluable contribution. We encourage all Jury members, and everyone else reading this document, to continue to champion the fight against obesity in their local community and bring the Jury's asks to life. VicHealth will continue to use the report to work towards initiatives that address healthy eating and physical activity as outlined in our 10 year Action Agenda.

Victoria's Citizens'
Jury on Obesity



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Ask 1.

Provide ongoing funding for community level programs that encourage healthy eating

Rationale:

- There is evidence that programs delivered at the local level, and involving the whole community, have successful healthy weight and healthy eating outcomes.
- State Government will have primary funding responsibility. Other levels of Government (Federal and LGA) and industry should contribute to funding, implementing, and supporting the programs.
- Funding will be prioritised to programs supported by strong evidence, such as *Healthy Together Victoria*, *OPAL/EPODE*, and community garden programs. Build on existing programs, *don't "reinvent the wheel"*.
- The programs need to be targeted to meet community needs, and implementation should initially focus on communities at high risk or with high levels of overweight/obesity. We want to see adoption of programs by every LGA.
- The programs must include monitoring and evaluation components to measure long term effectiveness, allow for improvement and encourage sustainability.

Steering Group response:

1. CPAN endorses a skills-based approach as part of a comprehensive package of initiatives that cover both the food environment/system, as well as individual behaviour change.
2. Foodbank Victoria has introduced 'Pop Up farmers markets' in low income public housing estates providing free fruit, vegetables, dairy and key staple pantry items. This program is designed to ensure financial impediments are removed from accessing healthy food for people on low incomes. A government-funded pilot of this program will be launched in April, 2016. The intention is to demonstrate state-wide scalability.
3. VicHealth trialled this approach in a Seed Challenge (2013) to support innovation in local fresh food production and distribution so that nutritious food is sustainable, available and affordable for all Victorians. The two winning ventures shared \$100,000 of capital investment. They also received 12 months of mentoring and additional support to enhance their business models.
 - Open Food Network is an online marketplace making it easier for farmers, consumers and independent food enterprises to connect, trade and manage their business, resulting in the consumer having easier access to affordable local food.
 - 3000acres has now facilitated the conversion of seven plots of underutilised land into productive community gardens, thereby taking food education to the streets.

Ask 2.

Mandate healthy eating and cooking as part of the school curriculum from pre-school to year 10

Rationale:

- It is better to educate children earlier. Children can influence parents.
- Children will benefit from learning where food originates.
- Evidence exists to suggest that school programs are effective.
- There is popular support for these changes.
- It is possible to integrate healthy food messages in other areas of the curriculum.

Steering Group response:

1. VicHealth will have initial discussions with the Department of Education along with partners, such as the Stephanie Alexander Garden Program and others to determine the most appropriate way forward.

Other comments

- AFGC is supportive of the re-introduction of home economics into schools.

Ask 3.

Develop an ongoing “Life Be In It” or “Slip Slop Slap” style campaign for healthy eating across all types of media.

Rationale:

- All inclusive campaign sending messages to all segments of society
- Snappy and shareable campaign that is recognisable easily
- A vehicle for teaching the ‘how’ not just the ‘what’
- For example: Healthy Eating week in January (post Christmas) promoting No Junk Food for January, incorporating a week of Healthy Eating programming to run on all traditional media outlets (TV/Radio/digital/social media)
- Campaign will be politically neutral and non-judgmental - community announcement that is to be run by commercial and non-commercial channels

Steering Group response:

1. VicHealth will look at media opportunities through our existing consumer campaigns to include healthy eating messages.
2. A Salt Reduction Strategic Partnership led by VicHealth commenced in May 2015. Its aim is to help reduce high salt intake by supporting policy and initiatives that ensure a healthier food supply. VicHealth will work with food industry partners to find solutions to lowering salt in foods and meals, and undertake research and monitoring to ensure progress towards the salt reduction targets set by the World Health Organization.

Other comments

- OPC noted the Victorian Government is funding the Live Lighter campaign, which operates across all media and supports community activation and engagement www.livelighter.com.au.
- The Steering Group acknowledged that there is information available from the CSIRO on public education and campaigns.
- It is understood that Coles is supportive of both ask 1 and 3 and see them as linked.

Ask 4.

People on low incomes will have a discount on healthy food when they go to the shops

Rationale:

- Evidence shows that when healthy foods are cheaper, people will buy them
- Lower socioeconomic households are a high risk group
- A concessions program targets people with lower incomes and aims to change shopping decisions and food choices
- Avoid stigmatising disadvantaged households when promoting the program

Steering Group response:

1. The OPC is supportive of the current exemption of fresh fruit and vegetables remaining. If the GST is extended to basic foods, then the OPC has recommended that the Federal Government give consideration to ameliorating the impact of this for disadvantaged groups.
2. CPAN strongly endorses this recommendation based on evidence of effectiveness and on the potential impact for reducing socioeconomic inequities in nutrition and related health outcomes.

Other comments

- Foodbank commented that the mechanism needs to be simple with a more targeted approach to locations, as well as learning from existing joint work between Foodbank, Coles and other supermarkets.
- AFGC suggested using price signals instead.
- Coles did not support this ask as their own in store trial findings suggested the behaviour change of buying healthy foods was not maintained once the financial incentive was removed.

Ask 5.

A government-funded program to teach practical skills such as budgeting, shopping and cooking to at-risk groups.

Rationale:

- At-risk groups include (but are not limited to): people with disability, CALD and low literacy, people who are overweight or obese and low income households
- Evidence shows that skills-based learning leads to behaviour change
- There is an overload of nutrition based learning and information - this program creates everyday skills to make it easier for people to eat better.
- Equitable access to the program across the state is necessary

Steering Group response:

1. CPAN endorses a skills-based approach as part of a comprehensive package of initiatives that cover both the food environment/system, as well as individual behaviour change.
2. The City of Melbourne has previously engaged the Jamie Oliver Ministry of Food Mobile Kitchen in Victoria.

Other comments

- The Steering Group noted that the FOODcents Program (from Western Australia) exists in Victoria and is managed by the Department of Health and Human Services. The program is underway in the Baw Baw region run by the West Gippsland Healthcare Group.

Ask 6.

Amend State planning regulations to improve access to fresh produce by:

a. - requiring the incorporation of edible, green spaces in new housing and community developments

b. - protecting a proportion of fertile land for agricultural purposes as opposed to housing development, specifically in the 'green belt' surrounding the outer suburbs

Rationale:

- Improving access to fresh produce makes it easier to eat better.
- Communities become better involved in growing their own produce, taking responsibility for their green spaces, and more appreciative of the food they produce. When people become more engaged with their local produce they are more likely to eat healthier.
- Community Gardens allow children to learn more about growing their own healthy food and produce. Children learn more about health and nutrition and are more likely to then eat healthy.
- The most fertile land in proximity to Melbourne is currently being developed into housing developments that prevent the production of food. If this land is lost, we will decrease access to healthy food. We therefore need to protect a proportion of this land for production of fresh produce.

Steering Group response:

1. VicHealth will discuss this matter with the Parliamentary Secretary for Health, the Hon Mary-Anne Thomas MP.
2. The City of Melbourne has a number of community gardens, some of which have a wait list for involvement. They also have a street gardens policy that includes food plants and vegetables.
3. VicHealth supports the Open Food Network, an innovative not-for-profit network that connects local farmers directly with customers and local distribution hubs, making it easy to buy and sell affordable, fresh food straight from the farm.

Other comments

- The Steering Group noted that:
 - (i) The Victorian Government is committed to refreshing 'Plan Melbourne', the plan for the city to 2050. A discussion paper has been developed and comments and submissions on the discussion paper can be made until 18 December 2015. There is a challenge in meeting the needs of all stakeholders in this discussion. See: www.planmelbourne.vic.gov.au.
 - (ii) Foodbank has a partner agency, FoodAid that meets the immediate needs of individuals and families to receive adequate daily nutrition. They provide food, emergency relief and support programs to people in need.

Ask 7.

Make drinking fountains and taps freely available, accessible and visible at public events and places, parks and shopping centres.

Rationale:

- Water is often replaced with unnecessary calories and contributes to obesity. Increased accessibility to water will reduce temptation to purchase unhealthy drinks.
- This should be rolled out in railway stations, food courts, recreation spaces, beach and commercial environments such as shopping centres

Steering Group response:

1. The City of Melbourne has a Heat Wave Strategy in place and is working with VicHealth to install more fountains and to promote them. There is a smart phone app called 'Choose Tap' which maps drinking fountain locations.
2. Tennis Australia is promoting water and water stations across their major events.
3. VicHealth is conducting trials to increase foot traffic to water fountains installed at Etihad Stadium. The fountains were installed as a joint partnership between Yarra Valley Water and VicHealth.

Other comments

- The Steering Group commented that Geelong Council has installed another three fountains in the city, and other councils are taking action in this area.

Ask 8.

Restrict visibility and accessibility of 'Red traffic light' drinks and foods at the point of sale (where you complete the sale).

Rationale:

- The Alfred Health 'A Green Light for Healthy Consumption' program has demonstrated that removing unhealthy and high sugar drinks from visibility at the point of purchase in canteens has led to reduced consumption of these products, with minimal impact on profitability.
- This should be implemented in hospitals, schools and universities, in supermarkets, fast food outlets and cafe drink and food fridges.
- Point of sale = at the checkout.

Steering Group response:

1. VicHealth will be working with the City of Melbourne to restrict visibility and accessibility of 'red light' drinks and food at the point of sale as part of their existing Healthy and Nutritious Food Choices program.
2. OPC is supportive of labelling the kilojoules at point of sale in fast food chain outlets. This, together with an education campaign in NSW, has shown that people order fewer kilojoules when they have access to this information.
3. The City of Melbourne has trialled these restrictions at QV Melbourne as a part of their Green Light Eat Right Program.

Other comments

- The Steering Group noted the following initiatives in this area:
 - (i) The YMCA vending machine program aims to enhance healthy food options for members and users of the facilities it manages: <http://www.ausleisure.com.au/news/ymca-pilots-healthy-choice-vending-machines/>.
 - (ii) The Lara Swimming Pool in Geelong has removed all 'red light' drinks from sale: <http://heas.healthytogether.vic.gov.au/workplaces-and-hospitals/healthy-choices-case-studies/lara-pool-case-study>
 - (iii) The Parents Voice is advocating for junk food free checkouts: www.parentsvoice.org.au.

Ask 9.

Establish more healthy kitchens in schools, universities hospitals and large workplaces.

Rationale:

- These kitchens will provide healthy meals for a reasonable cost-covering price, in a financially sustainable way.
- Currently there is serious limitations on what is available commercially.

Steering Group response:

1. The Steering Group noted the Victorian Government has developed the *Healthy choices: policy and catering guidelines for workplaces* to help workplaces practise a holistic approach to healthy eating.

Other comments

- AFGC noted we should use existing school canteen guidelines such as The National Healthy School Canteens Guidelines (NHSCG) developed by the Federal Department of Health and Ageing, although these guidelines are not mandatory for Victorian Government schools and agencies working with school food service providers.

- The Steering Group noted other activity in this area includes:
 - (i) The Heart Foundation is working with chefs and businesses on initiatives focussed on preparing healthier food options: <https://heartfoundation.org.au/programs/plating-up-healthier-choices-in-pubs-and-clubs>.
 - (ii) The Victorian Government’s Achievement Program helps schools to promote healthy eating and physical activity through meeting benchmarks.

Ask 10.

Ban “junk food” and beverage marketing to children under the age of 16 years.

Rationale:

- Ban junk food and beverage marketing in all current and future media formats, specifically aimed at children under 16 years of age.
- For remaining junk food and beverage marketing, equal media exposure for food education (eg. live lighter campaign) that matches junk food marketing. This is to be measured in terms of volume of advertising (eg. thirty seconds for thirty seconds, two page spread for two page spread, etc.)
- Prohibit junk food and beverage companies from sponsoring children's organisations, such as junior sporting clubs. Also prohibit sponsorship of sports at all levels.
- Implement harsher penalties if breaches occur.
- Start an innovative and engaging advertising/marketing campaign targeted at children and young people.
- Ban the inclusion of non-food incentives such as toys inside unhealthy foods

Steering Group response:

1. The OPC is advocating for policies to be adopted by all levels of government to protect children from unhealthy food marketing. The OPC has produced a document outlining how to define unhealthy food and how to address the different media channels used to target children. See: www.opc.org.au.

Other comments

- Not supported by AFGC and the Australian Beverages Council.
- The OPC noted that the Victorian State government:
 - (i) has power to regulate unhealthy food marketing in, on or through the following; children’s institutions and activities (e.g. schools, kindergartens, childcare centres); children’s sports (including sponsorship); public places; cinemas; the radio; retail outlets; competitions, premiums and give-aways; direct mail; and unsolicited flyers or pamphlets.
 - (ii) may have power to regulate unhealthy food marketing on free to air television, although potential constitutional barriers would need to be explored.
 - (iii) should be encouraged to work with other states and territories to advocate to the Commonwealth Government for a national approach where required, i.e. internet marketing, subscription television and possibly free-to-air television.

Ask 11.

Provide only healthy food and drinks in Victorian schools.

Rationale:

- Food preferences are learned early. Schools can play a vital role in establishing life-long healthy eating and lifestyle preferences.
- School Canteens and Other School Food Services Policy mandatory for all Victorian schools- including private, independent and religious schools

- Support FoodBank’s School Breakfast Program in food-disadvantaged schools
 - Guarantee long-term funding and evaluation- 15+ years
 - Extend the program to lunch and, secondary and more schools
- Funding for healthy food programs in schools to be added and incorporated into permanent and ongoing school funding

Steering Group response:

No direct response available at the time of writing.

Other comments

- The Steering Group noted:
 - (i) The Victorian Government’s *Achievement Program* helps schools to promote healthy eating and physical activity through meeting benchmarks (www.achievementprogram.healthytogether.vic.gov.au/schools).
 - (ii) ‘Amber light’ foods are still allowed in Victorian school canteens although schools are encouraged to limit the availability of these foods.

Ask 12.

Ask that the Victorian government prevent companies from locking farmers into unfair, restrictive contracts. Where a company does not require all the produce it has requested from a farmer the produce does not go to waste. Surplus must be made available for sale in the local/national area and other regions or to donate the surplus to charitable organisations, with farmer’s controlling what is grown on their farm.

Rationale:

- We want the right to purchase produce direct from local farmers
- We want changes to be made immediately
- We would like to see over production be donated into the charitable services rather than disposed of to best serve the local community.
- Small scale agriculture options must be introduced in existing and new communities
- We believe the farmers need to be protected with a minimum farm gate price
- We believe the overall health and wellness of the community will benefit from the natural effects of more edible resources.

Steering Group response:

1. Foodbank Victoria has launched the ‘Farms to Families program’. This program is designed to ensure farmers receive payment for produce that has been rejected and ensures landfill of fresh produce is minimised.

Other comments

- The Steering Group noted that:
 - (i) The Australian Competition and Consumer Commission (ACCC) regulate the Food and Grocery Code of Conduct, which is a voluntary code prescribed under the *Competition and Consumer Act 2010*. <https://www.accc.gov.au/business/industry-codes/food-and-grocery-code-of-conduct>.
 - (ii) The ACCC is the responsible agency and not the Victorian Government.

Ask 13.

Increase level of taxation by imposing an additional tax at point of purchase on sugar-sweetened beverages to raise prices and disincentivise consumption - Tax of at least 20%

- a) These additional taxes imposed on food and beverages must be earmarked (hypothecated) to fund new health promotion initiatives
- b) Ban use of discounts applied for bundling and multiple purchases designed to increase consumption of junk food and soft drink (i.e. discounting for bulk purchase)
- c) Regulate beverage sizes, imposing a maximum size that can be sold through restaurants and retail outlets (soft drinks and other calorie-dense beverages)
- d) Introduce legislation requiring all venues at all times serving food to offer at least one healthy meal option.

Steering Group response:

1. The OPC is supportive of this policy and has put a submission to the Federal Government tax review recommending this with the addition inclusion that the funds raised may be used for obesity prevention activities.

Other comments

- There was general acknowledgement from the Steering Group that there is an opportunity to link into the Federal Government tax review.
- It was agreed there is an industry view that market forces will help to drive pack/beverage container size changes.
- A tax increase is not supported by the ABC. However they did comment on the voluntary reductions in beverage sizes being offered in the industry.

Ask 14.

Government mandated health star labelling. No self regulation of labelling in the food and beverage industry.

Rationale:

- Front of package labelling must be mandatory, under a single scheme, such as the health star system or the hybrid traffic light system (traffic lights on the table of nutritional information)
- Commit to an ongoing evaluation and refinement of the labelling system in influencing consumer purchase behaviours.
- All nutritional information be required to be publicly available in a central and universally accessible database.
- Any intake advice account for differences in age and gender.

Steering Group response:

1. The OPC supports a mandatory approach as this labelling would be most effective if its adoption was widespread.
2. Coles indicated their commitment to the roll out of the star rating on their branded products.
3. CHOICE is calling on major food manufacturers to roll out health stars on their food products. CHOICE stated: "We have congratulated the food manufacturers who have already implemented health stars. But there are six major food manufacturers who are yet to get on-board the new system. Consumers can call on these remaining food manufacturers by writing to them via our campaign: <https://www.choice.com.au/consumer-advocacy/campaigns/health-star-ratings>"

Other comments

- The Steering Group noted Woolworths have indicated their commitment to the roll out of the star rating on their branded products.

Ask 15.

Give local government the final say in deciding whether a fast food outlet is developed within their municipality.

Ask 16.

Exclusion zones of unhealthy fast food chains/franchises outlets around schools, sporting clubs, youth and community centres where children <18 years spend time.

Rationale:

- To prevent the oversupply of unhealthy fast food outlet options
- To allow local government to tailor food outlet planning to their community's interests
- Reduce childhood exposure to fast food
- Preventing the dominance of unhealthy food options in local communities.

Steering Group response:

1. CPAN endorses these approaches based on collaborative work with local governments where this need has been expressed.
2. OPC supports amendments to the Planning and Environment Act and/or state level policy documents, such as the Victorian Planning Provisions, to give state and local governments a say in the placement of fast food outlets.

Other comments

- The Steering Group raised a suggestion that local councils could explore the feasibility of putting an overlay onto their planning regulations. Further assessment would be required to determine whether this would achieve the desired outcomes.

Ask 17.

All projects that are implemented as a result of these asks to be monitored and evaluated to determine long term outcomes.

Rationale:

- There must be dedicated funding enshrined in legislation for monitoring and evaluation.
- Evaluation should cover:
 - *Reach
 - *sustainability
 - *cost effectiveness
 - *impact
- Be funded for the requisite period to ensure success or otherwise.

Steering Group response:

1. In principle support from the Steering Group on this ask.
2. CPAN endorses this recommendation, which is critical in order to build the evidence base on effective approaches.

Ask 18.

Government funding for easy and regular access to health services which enable individuals to better their eating behaviour.

Rationale:

- Expand subsidised access to experts including nutritionists, dieticians, psychologists and exercise physiologists (including at the preventive stage).
- Available to all people at any stage of life in all areas, especially rural.
- Allowing focus on prevention rather than treatment.

Steering Group response:

The Steering Group noted:

- (i) There is already existing Federal Government funding for subsidised access via Medicare.
- (ii) There is a role for health insurers in this area.

Ask 19.

All donations to political parties, decision makers and regulatory organisations from food and beverage interest groups must be publically declared.

Rationale:

- As our food choices are strongly influenced by regulatory bodies, their decisions must not be disproportionately influenced by interest groups.
- To ensure transparency and to avoid conflicts of interest.
- Declarations must be published within 60 days of receipt and readily available to the public.
- Both monetary and non-monetary donations of greater than \$1,000 must be included.
- Political parties to declare this to the AEC (Australian Electoral Commission)

Steering Group response:

The Steering Group understand this is the role of the Australian Electoral Commission (AEC).

Other comments

- The AEC threshold for gifts and donations was changed to \$10,000 in 2005 and is indexed. Currently it is \$13,000.¹ Donors are required to declare only their donations. Political Parties and Associated Entities must report all donations and give all receipts above the threshold to the AEC.

Ask 20.

Limit the ability of food and beverage producers to market unhealthy products by advertising a healthy component of an unhealthy product

Rationale:

- Currently food and beverage producers have too much flexibility to circumvent existing guidelines and regulations by highlighting specific healthy ingredients without the entire product being healthy.
- This 'ask' is to be informed by and reflect understanding within the current regulations and guidelines.

¹ Australian Electoral Commission *Disclosure Threshold*. Updated, 16 June 2015. Retrieved, 30 November 2015. http://www.aec.gov.au/Parties_and_Representatives/public_funding/threshold.htm

- Refer to the Food Standards Australia and New Zealand (FSAANZ) for clarification of healthy and unhealthy foods.
- Current regulations and guidelines are too vague and ambiguous without any enforcement. This must change.
- Current guidelines still enable food & beverage producers to market unhealthy products by misleading consumers by advertising a healthy component, not a healthy product.
- Marketing Guidelines should encourage manufactures to produce health food.
- We have bought age in as a factor because children live in the same world as adults.
- Fresh produce and unprocessed foods need to be exempt
- People need food, so we are simply helping informing decisions

Steering Group response:

1. OPC would like to see the use of fruit and vegetable claims, and nutrient content claims restricted on foods that are profiled as unhealthy overall. Currently foods that meet these criteria are not able to carry any health claims, this should be expanded to these other claims.
2. CHOICE stated that it “is always on the look-out for ‘health halos’ on food products. In May this year, we found a number of food products advertising themselves as healthy but performing poorly in the health star rating system: <https://www.choice.com.au/food-and-drink/nutrition/food-labelling/articles/health-claim-halos>”.
3. CHOICE is also campaigning for the removal of self-made school canteen certification logos. These logos predominantly appear on discretionary foods such as Paddle Pops and Shapes and reference the school canteen guidelines. CHOICE surveyed consumers and found that consumers believe products with these logos are a healthier option. They also thought the logos were audited and/or regulated by the government. Consumers can call on food manufacturers to remove these logos from their products via CHOICE’s campaign page: choice.com.au/dodgylogos.

General comment: The AMA representative has presented to the AMA Board about the Citizens’ Jury on Obesity report. AMA is broadly supportive of the asks particularly those in line with their submission and they will continue to encourage meaningful action to help prevent overweight and obesity.