

Halal Meat Task Group – Final report

Background

In July 2013, Lancashire County Council's Full Council considered a motion that

"This Council confirms that it will not provide meat to any of its kitchens unless the animal was stunned before it was slaughtered."

Following discussion, it was resolved by Full Council

"That consideration of this motion be referred to the Scrutiny Committee with a request that a task and finish group be set up to examine all issues relating to the council's supply of Halal meat"

The proposal was put to the Scrutiny Committee in September 2013, where it was agreed to establish a Task Group to consider the matter.

Membership

CC Bill Winlow (chair)
CC Geoff Driver CBE
CC David O'Toole
CC Sandra Perkins
CC Yousuf Motala
CC Chris Henig
CC Munsif Dad

Scope

At the Scrutiny meeting in September 2013, the scope of the task group was agreed. The key objective was agreed as:

To consider all issues relating to the supply of Halal meat to the County Council in order to recommend to the Cabinet the basis for a policy on the provision of Halal meat.

Initial analysis made it clear that by far the most significant area in which the supply of Halal meat was an issue was in relation to the provision of school meals. It was therefore this area where the Task group concentrated their attention.

Methodology

The Task Group considered a range of evidence, written and oral.

- Roger Eakhurst, Assistant Director (Catering), Lancashire County Commercial Group (LCCG) attended all meetings of the Task Group to advise and support.

The task group spoke to:

- Lancashire Council of Mosques (LCM)
 - Abdul Qureshi, Chairman
 - Imam Yusuf Shabbir
 - Ishmael Nakhuda, General Manager

- Halal Monitoring Committee (HMC)
 - Nadeem Adam, Operations Manager
 - Mohammed Giga

- Halal Food Authority (HFA)
 - Saqib Mohammed, Acting Chief Executive
 - Sardar Qadri, Sharia law expert
 - Munsur Ahmed, Meat and Poultry lead

The Task Group watched a video produced by the English Beef and Lamb industry organisation EBLEX, showing various types of Halal slaughter.

Written evidence was received from:

- RSPCA “Religious Slaughter” February 2013
- Laura Sales, Assistant County Solicitor (Contracts and Procurement), Lancashire County Council
- Association of Public Service Excellence (APSE) “The Halal Dilemma” September 2011
- Lancashire Council of Mosques Halal Sub Group “Criteria and Definition of Halal” April 2007
- EBLEX Halal Survey results November 2013
- Halal Monitoring committee “UK Scholar Halal Survey” August 2009
- 2011 Census Information on Religious Belief
- Briefing Note prepared by Roger Eakhurst outlining the history of the issues from 2001-present

Findings

Lancashire has a significant Muslim population. According to the 2011 census, around 5% of the total population of Lancashire is Muslim, rising in some districts to between 10% and 17%. It is clearly essential that Lancashire County Council properly takes into account the needs of this population when making its decisions. One key area is the provision of food for Muslim children in Lancashire schools, which means making sure that the food offered is Halal.

“Halal” is an Arabic term which means permissible or lawful. In terms of food, it relates to both what food can be eaten, and also how that food must be prepared. In terms of meat, certain animals are completely prohibited or forbidden (haram), such as pork. Other meat – beef, chicken, lamb, for example - can be eaten so long as it is prepared in line with certain rules. A brief summary of some of the key rules is as follows:

- The slaughterman must be a Muslim
- The slaughterman must invoke the name of Allah before every slaughter

- The slaughter must be done with a single stroke of a clean, sharp blade, severing the arteries without damaging the spinal cord
- The animal must be alive prior to slaughter

There are also rules that require each animal to be slaughtered separately without seeing or hearing the slaughter of another animal or seeing its blood.

There is debate amongst Muslims about some aspects of the Halal rules, and there is no single set of national or international standards. In the UK, “Halal” is not defined in law. Instead, there are a range of Halal accreditation agencies who will inspect and accredit firms involved in the production and handling of meat in order for that meat to be described as Halal. The two biggest accreditation agencies in the UK are currently the Halal Food Authority (HFA) and the Halal Monitoring Committee (HMC). Whilst the two organisations agree on many things, there are also differences, perhaps most notably on the issue of stunning animals before slaughter. The HFA allows this in certain conditions, the HMC does not allow it at all.

UK law requires that all animals are stunned before slaughter. However, in the regulations that set out what is permissible, the Welfare of Animals (Slaughter or Killing) Regulations 1995 – known as WATOK, there is a specific exemption for religious slaughter, meaning that for Muslims and Jews, slaughter may take place in properly licensed slaughterhouses without stunning.

Stunning is a major area of debate for Muslims and non-Muslims alike. For some, it is an issue of animal welfare. The RSPCA, for example, actively campaign for a change to the law to remove the exemption for religious slaughter. They believe that slaughter without stunning increases the pain and distress felt by the animals, and have produced studies they say proves this.

There is no consensus within the Muslim community itself. Whilst the more Muslims oppose stunning than support it, it is clear that many will accept meat as “Halal” even if it is stunned. The main issue for Muslims is ensuring that the meat is killed by the incision, and whether stunning can be done in a way that is reliably recoverable. In other words, for many Muslims, whilst there remains a risk that the stunning will (inadvertently) kill the animal, the technique cannot be relied upon as Halal. Other Muslims believe that stunning can be done in a way that ensures that the stun doesn’t kill the animal, for example through appropriately low current, or by a “post-cut” stun (where the animal is stunned after its neck is cut).

What Lancashire County Council cannot do is come to any judgement on what is and what isn’t Halal. That is entirely a matter for Muslim scholars and the wider Muslim community. Individual Muslims will make their own choices on what they accept as Halal, based on advice and information. When it comes to school meals, however, the supplies are procured by Lancashire County Commercial Group (LCCG) on behalf of schools, and so there is an imperative to ensure that this food is acceptable to those to whom it is being served.

In Lancashire, Halal meat has been an option on the school menu from at least 1994. In 2007, The Lancashire Council of Mosques (LCM) Halal Sub Group undertook a considerable amount of work on the issue, and, having developed a

criteria and definition, approached the County Council to discuss the issue. The LCM Halal Sub Group aimed at a definition that was as all-inclusive as possible, setting criteria that all Muslims in the county would agree were Halal. One key issue highlighted by the LCM was that whilst some Muslims may accept stunned meat, all Muslims accept non-stunned meat, and so, to ensure as many Muslims as possible could accept the criteria, non-stunning became part of the definition. The LCM expressed a view supportive of the Halal Monitoring Committee's approach and accreditation, which does not allow stunning, and which also required a high level of strict monitoring throughout the production process. The County Council adopted the LCM criteria for its procurement of Halal meat, including the requirement in its tender documentation of "HMC accredited Halal Meat or equivalent"

In 2009, the contract was due for renewal. At this point, the County Council's legal team provided advice that made it clear that the term "HMC accredited Halal Meat of Equivalent" severely restricted competition, in a way that left the county council open to challenge. Approaches had already been received from the HFA expressing concern about companies with their accreditation being excluded. Advice from the County Council's legal department was that the term should be removed, and that Halal meat from any accreditation body should be accepted. This advice was shared with the LCM at the time.

No changes to the supply were made, however, until October 2012, when the County Council's policy was changed to require that all Halal meat supplied to the County Council was stunned before slaughter. The LCM expressed concern at this move, and, following conversations with the County Council, the LCM took the decision to advise that all Muslims boycott school meals. Following discussions, it was agreed that this boycott would be reduced to simply be a boycott of meat meals. The LCM have continued to ask the County Council to reconsider the policy, and in the meantime, to withdraw any meat described as by the County Council as "Halal".

Whilst the County Council has always sought the views of the LCM in developing its policy on Halal, a major issue exists in reconciling that with the legal obligations on the County Council in relation to procurement. The Task Group sought to confirm the legal advice provided in 2009, and the County Council's legal department provided a clear statement (see "Legal Position" below). The advice was also supported by guidance produced by the Association of Public Service Excellence (APSE). The Task Group were clear that, regardless of any other consideration, these rules meant that the Council simply could not either specify a single accreditation agency or set of production processes where these would exclude significant parts of the market. It was made clear that, if the council was to specify non-stunned meat only, that this would be open to challenge, which would very likely lead to the council losing the challenge, at significant expense.

Although the task group considered at some length the issue of whether slaughter without stunning was more painful or distressing for animals, and strong views were expressed on both sides of the argument by task group members, the task group ultimately resolved that the County Council should be recommended to accept both stunned and non-stunned meat. This was reflective of the fact that slaughter without stunning for religious purposes remains legal in this country, and that government

agencies, such as the Food Standards Agency have made it clear that there is no single “correct” definition of Halal.

What was identified by the Task Group, however, was an opportunity to ensure that a choice was available to Muslims at a more local level. This could be achieved by allowing individual schools, if they so chose, to make a judgement for their own pupils on issues connected to accreditation and stunning. Parents would be able to make their views known to the Head Teacher and Governors of an individual school, and the County Council, through LCCG, would be able to meet that requirement.

In the Task Group’s considerations, it was very clear that there was significantly more to the issue than the single point of slaughter. The Task group noted and accepted many of the points made by the LCM and both accreditation agencies spoken to in relation to the integrity of the food served, the importance of understanding the provenance of all our food, and the need to create trust in the food on our plates. The Task Group was cognisant of the significant food security issues in the news earlier this year, and, whilst this was not formally part of the task groups’ remit, it was very clear that the criteria and definition of Halal developed by the LCM, as well as the wider principles of Halal food, had much to say about the provenance of food and respect for animals that could usefully apply to all food supplies to the County Council and elsewhere. It was clear to the task group that there were many lessons that could be learnt from the rules of Halal that applied to all food bought and served by the County Council, and the task group was keen to see that work developed further, in partnership with the LCM as well as other interested bodies.

Partly with these issues in mind, the task group received significant reassurance from LCCG about the inspection regimes in school kitchens. LCCG conforms to ISO9001, which is a raft of requirements set down to ensure that food is prepared in a clean safe environment, that cross contamination of different foods (for example Halal and non-Halal meat) did not occur, and that staff were well trained to understand the issues. The task group noted that some Halal accreditation bodies would willingly accredit schools (the HMC, for example, offer a service involving a termly inspection for a fee of £50 pa with a £100 initial joining fee), which some schools may be interested in, where this would add reassurance to their local communities. It was widely agreed, however, that the ISO9001 standards provided ample reassurance to schools, parents and children that the food they were served was sourced and prepared in line with whatever requirements they might have.

This final point highlights what was universally regarded as the real key issue. The provision of a nutritious meal in the middle of the day to the children of Lancashire is of fundamental importance. This is not just a matter for Muslims or Muslim children. For some children, it may be the only meal they get in a day, and for all children, the importance of good nutrition in the development and achievement is key. The aim of all of the people involved in this debate has been to make sure that Lancashire is offering something to its children that presents them with a genuine choice, that presents them with meat they, and their parents, feel comfortable with as being reflective of their needs and wishes.

To achieve this, the task group heard, requires good information to enable choices to be made. Whilst the task group was clear that the County Council must operate

within procurement law, it was felt that, by providing information to schools and parents, informed choices could be made which would enable children and parents to confidently enjoy school meals in Lancashire schools.

Legal Position

The following advice was provided to the task group by the County Council's lawyers:

"Before specifically advising on the regulations governing procurement some careful research was undertaken in relation to how Halal meat is classified and dealt with by food regulation agencies in the UK.

The classifications "HMC" and "HFA" refer to two out of the many accreditation bodies that accredit Halal meat products. "HMC" is generally considered to be more orthodox although both comply with Sharia law according to the Food Standards Agency. There is no clear cut definition of Halal, and this extends to the belief as to whether stunning the animal prior to slaughter is appropriate otherwise.

The County Council is obliged to procure in accordance with the Public Contract Regulations 2006 (the "Regulations") which prohibit any form of tender process which effectively restricts or distorts competition. Accreditation (or any aspect of the accreditation including for example a restriction on stunning prior to slaughter) of meat as Halal is classed under the Regulations as a "technical specification". Regulation 9(4) states that we must :

".....ensure that technical specifications afford equal access to [bidders] and do not have the effect of creating unjustified obstaclestocompetition".

To stipulate one sole accreditation body, or a specific slaughter process, for Halal meat in Lancashire would breach Regulation 9(4). It would unnecessarily limit competition which would enable dissatisfied suppliers to challenge the decision and if successful to claim substantial compensation from the Authority".

Note that this advice applies only to Halal meat supplies. It was made clear to the Task Group that meat supplied to Lancashire schools is not Halal unless it is clearly labelled as such. No children in Lancashire schools would eat Halal meat unknowingly. Even in schools where the majority of meat meals may be Halal, a non-Halal equivalent alternative will always be provided for those children for whom there is no requirement or wish to eat Halal food.

Conclusions

Clearly the County Council cannot and should not make a judgement of any time on what is or is not Halal.

It is also clear that the law allows for religious slaughter. This is specifically included in the WATOK regulations. It is the view of the task group that, whilst individuals may

hold views on that for moral, ethical or religious reasons, the county council should focus on the practical matter of procurement and contracting.

The task group does note that the aim of all bodies involved is honourable in intent, and all agree on certain key issues, such as the need to increase our knowledge on where our food comes from and our trust in the products being provided. Recent scandals in Lancashire and across the country have highlighted the wider issue of contaminated food. This is not just a matter for Muslims and Halal, but a crucial lesson from the evidence supplied is that the Halal meat issue is about much more than the moment of slaughter; It is about respect for the animals we eat and a desire to properly understand its provenance.

Recommendations

The Task Group recommends that Lancashire County Council should:

1. recognise the importance of providing meat for Muslim children in Lancashire schools that is:
 - a. Produced and prepared in line with Halal requirements
 - b. Accredited by a recognised Halal accreditation body
 - c. From a trusted source and traceable
2. recognise the value of the work of the Lancashire Council of Mosques (LCM) in this area; acknowledge that LCM is a representative body which speaks for the vast majority of Muslims in Lancashire; and understand and respect the principles behind the LCM statement on Halal, but recognise that legal constraints prevent the council from specifying the procurement of only non-stunned meat.
3. recognise and accept the current legislation that allows for religious slaughter without stunning.
4. recognise that the production of meat in accordance with Halal principles is not simply about the actual moment of slaughter, but a question of all aspects of the welfare of animals and the provenance of the food on people's plates.
5. recognise it is not in a position to make a judgement itself on what constitutes Halal meat. It should procure from suppliers accredited as Halal, and should work with suppliers and schools to provide accurate information about the production methods used.
6. should take steps through its procurement process to ensure that schools are able to make a choice which allows them to meet local needs.
7. make clear its belief that the current inspection regime to ISO9001 standard provide ample assurance for schools, parents and children that food is prepared and served in line with Halal requirements. It should also note that some accreditation agencies offer accreditation to schools as food preparers, and that individual schools may wish to consider this.

8. continue to work with the Lancashire Council of Mosques and others to promote school meals, provide information to schools, parents and children, and work to ensure that the food provided by Lancashire County Council meets the needs of individual schools
9. take steps to provide the information to schools, parents and children to enable them to make an informed choice about the meat they eat, and the reassurance to enable them to be certain that Halal meat is provided to those children who want it, and non-Halal meat to those who don't
10. recognise that the provenance of food served to our children is a vitally important issue, not just for Muslim children, and so would support any initiatives which increase reassurance about the provenance and integrity of all food.
11. support efforts nationally and internationally to agree universal standards for Halal food.