

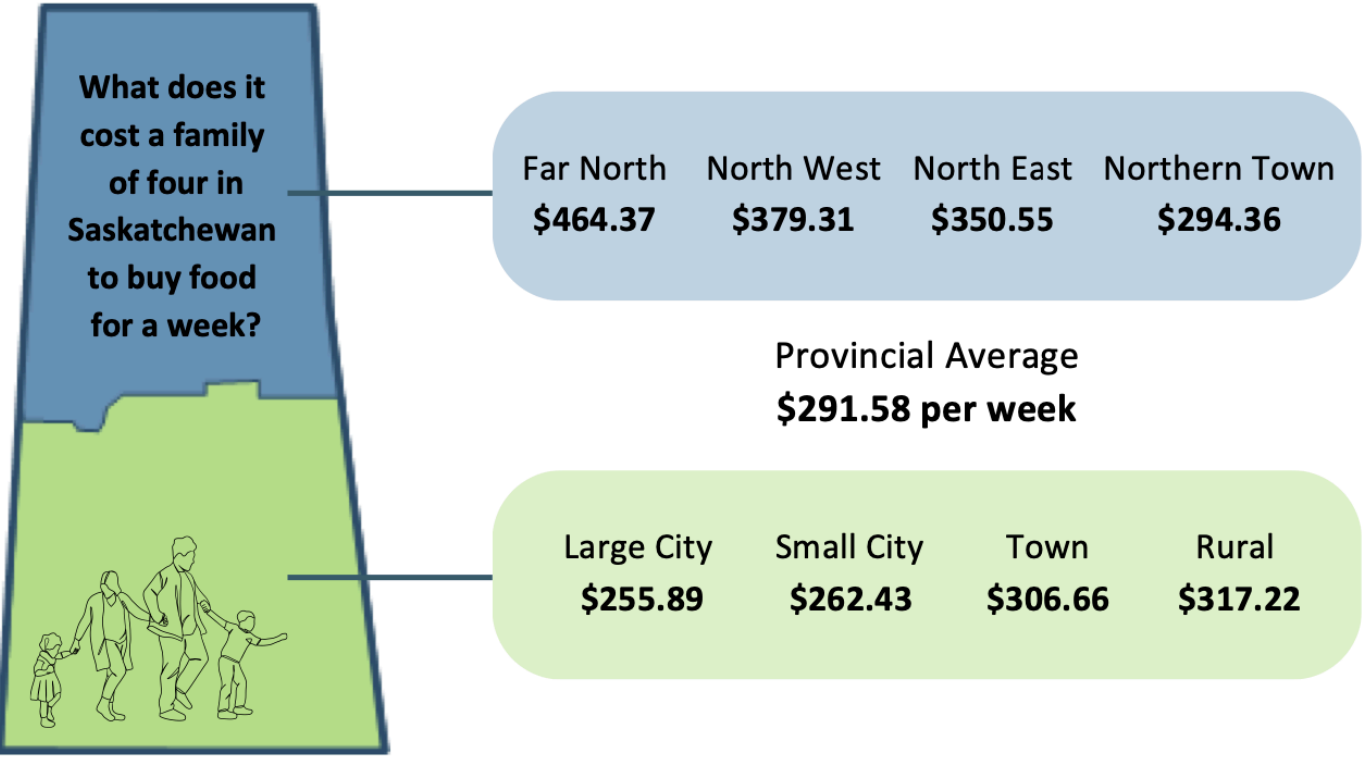
THE TRUE COST OF EATING HEALTHY: FOOD INSECURITY IN NORTHERN SASKATCHEWAN

Alyssa Abrametz
J.D. Candidate 2026
College of Law, University of Saskatchewan



INTRODUCTION:

- While Canada has been a leader in signing international human rights agreements, including those relating to the right to food, domestic action has lagged and food insecurity continues to increase year after year.
- Food insecurity is defined as the inadequate or insecure access to food because of financial constraint.¹
- Food insecurity is a potent social determinant of health, meaning food insecure people are much more likely than others to suffer from chronic physical and mental health problems and infectious and noncommunicable diseases.²
- The prevalence of food insecurity is high Saskatchewan, as we have the third highest rate in Canada.³
- There are three tiers of food insecurity: marginal, moderate, and severe. The severe population would include those who miss meals, reduce food intake and go days without food.⁴
- People living in northern Saskatchewan communities (at least 100km north of Prince Albert) are especially vulnerable to food insecurity because of the increased cost and decreased availability of healthy foods.
- As a result, members of these communities are more likely to experience infectious diseases, poor oral health, injury, chronic conditions, like depression and anxiety disorders, heart disease, hypertension, arthritis, and chronic pain. The negative implications for health are greatest for those living in severely food-insecure households.⁵



The cost of healthy eating in northern Saskatchewan communities compared to the rest of the province:

- A 2022 research study involving 101 grocery stores across Saskatchewan, including urban, rural, and indigenous communities, provided insight into the cost of food faced by those living in remote northern communities.⁶
- The study found that feeding a family of four in a northern community costs on average \$315.60 more per month than it does in a large city such as Saskatoon.

CONCLUSION:

- Canada's failure to uphold its international human rights obligations to respect and fulfill the right to food is evident by the rising rates of food insecurity across the country.
- The increasing issue of food insecurity in northern Saskatchewan communities might constitute the "special circumstance" justifying a positive interpretation of section 7 referred to by the Supreme Court of Canada in *Gosselin*.
- Food insecurity will be addressed "... when all people, at all times, have physical, social and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life".¹⁴

RESOURCES:

- The Cost of Healthy Eating in Saskatchewan 2022, 2022 [Internet]. Saskatchewan Health Authority. [cited 2025 Mar]. Available from: <https://www.saskhealthauthority.ca/sites/default/files/2024-09/Report-NFS-Cost-of-Healthy-Eating-in-SK-2022.pdf>
- What are the implications of food insecurity for health and health care?, 2022 [Internet]. PROOF. [cited 2025 Mar]. Available from: <https://proof.utoronto.ca/food-insecurity/what-are-the-implications-of-food-insecurity-for-health-and-health-care/>
- New data on household food insecurity in 2023, 2023 [Internet]. PROOF. [cited 2025 Mar]. Available from: <https://proof.utoronto.ca/2024/new-data-on-household-food-insecurity-in-2023/>
- Ibid.*
- Supra* note 2.
- The Cost of Healthy Eating in Saskatchewan 2022, 2022 [Internet]. Saskatchewan Health Authority. [cited 2025 Mar]. Available from: <https://www.saskhealthauthority.ca/sites/default/files/2024-09/Report-NFS-Cost-of-Healthy-Eating-in-SK-2022.pdf>
- Gosselin v. Québec (Attorney General)*, 2002 SCC 84 (CanLII), [2002] 4 SCR 429 at para 83.
- R. v. Sharma*, 2022 SCC 39 (CanLII) at para 63.
- Supra* note 4 at para 17.
- Hungry for Justice: Advancing a Right to Food for Children in BC, 2016 CanLII Docs 223 at page 61.
- Supra* note 8 at p 72.
- Supra* note 7 at para 82.
- Supra* note 3.
- First Nations households living on-reserve experience food insecurity: prevalence and predictors among ninety-two First Nations communities across Canada, 2021 [Internet]. PubMed. Available from: <https://pmc.ncbi.nlm.nih.gov/articles/PMC8239078/#Abs1>

Is the right to food a legally enforceable right in Canada, protected by the Canadian Charter of Rights and Freedoms?

- While food and other economic and social rights are not specifically referred to in the *Charter*, sections 7 and 15(1) are relevant to the right to food and economic and social rights more generally.

Section 7 of the Canadian Charter of Rights and Freedoms:

- Section 7 of the *Charter* states that "everyone has the right to life, liberty and security of the person" and "the right not to be deprived" of these "except in accordance with the principles of fundamental justice".
- The Supreme Court of Canada in *Gosselin v. Quebec (Attorney General)* set out that while section 7 only protects negative rights, the Court left open the possibility that a positive obligation to sustain life, liberty, or security of the person may be made out in special circumstances.⁷
- The liberty interest protected by section 7 of the *Charter* is concerned with protecting the right and ability to make fundamental personal choices, and to "engage in those activities that are inherent to the individual." A person's dignity, liberty and autonomy are fundamentally constrained by lack of access to adequate food.
- Currently, the right to food under section 7 has never been upheld or given significant weight by the Courts.

Section 15(1) of the Canadian Charter of Rights and Freedoms:

- Section 15(1) protects the right to equality before and under the law, and to equal protection and benefit of the law, without discrimination on the basis of personal characteristics such as sex, race, age, disability, or sexual orientation.
- The Supreme Court in *R. v. Sharma* confirmed that "s. 15(1) does not impose the general, positive obligation on the state to remedy social inequalities or enact remedial legislation".⁸
- Gosselin* set out that if a harm is visited uniquely upon members of an analogous or enumerated group and is severe enough to give rise to a s. 7 claim, then there will be prima facie grounds for a s. 15 claim.⁹

Are international human right laws an effective tool for addressing the right to food in Canada?

- To date, international human right laws have not been an effective tool in addressing the rise of food insecurity.
- Despite Canada ratifying a number of international agreements protecting the right to food and other economic and social rights, including the *International Covenant on Economic, Social and Cultural Rights*, and the *UN Convention on the Rights of the Child*, millions of Canadians continue to experience food insecurity.¹⁰
- To be effective, the right to food, which Canada is bound by international law to uphold, must be grounded in our domestic constitutional framework, specifically, in the interpretation and application of the *Charter*, which binds Canadian courts and which can be used to compel governments to reform laws and policies.¹¹

Does the positive obligation left open by the Supreme Court in Gosselin apply to the issue of food insecurity in northern Saskatchewan?

- The Supreme Court in *Gosselin* noted that the full scope of section 7 will "remain difficult to foresee and assess for a long while yet" but "may one day be interpreted to include positive obligations".¹²
- In the 23 years since *Gosselin*, the world has changed in unprecedented ways due to our growing population, the looming threat of climate change, and the rising cost of nutritious food. A result of these changes has been food insecurity. Between 2022 and 2023, the percentage of people living in food-insecure households rose 7.7% in Saskatchewan, and every province established new record highs.¹³
- Our northern Saskatchewan communities have been especially vulnerable to these changes due to the lack of availability and affordability of nutritious foods that are easily found elsewhere in the province.
- Considering the fact that the health and overall well-being of members of northern Saskatchewan communities is being severely affected, section 7 should be interpreted to include a positive obligation to address food insecurity.