

Defra

**Review of the Animal Health and Welfare Delivery
Landscape**

A report by David Eves CB, June 2006

Executive Summary

1. I have found widespread agreement among policy makers, delivery partners, stakeholders and customers that the animal health and welfare (AHW) delivery landscape is too complex and fragmented, and in need of reform. It is made up from a multiplicity of partners of various sizes and kinds, with different cultures, powers, and attitudes towards enforcement, under differing political pressures, located separately in numerous geographical locations. It is intended to work within an agreed national strategy for achieving defined policy outcomes, but is not capable in its present form of being managed as an entity, nor is it delivering consistent results efficiently or effectively.

2. My discussions also revealed evidence of a silo mentality in some parts of the landscape. Some delivery partners told me that their part of the system was working to their satisfaction but the rest of the system was dysfunctional. Customers and stakeholders shared the latter part of that view, but had good words to say about individuals and the attempts being made in some parts of the landscape to improve relationships.

3. I found much evidence of enthusiasm and strong professional commitment to their work by individuals, which is a strength that can be built on. Good work was clearly being done in some areas, which is an encouraging sign. But resources, and particularly staff, were under strain across the landscape, both within the Defra “family” and beyond, such as in Local Authority Trading Standards offices. Many managers and others were clearly working under great pressure, typically “fighting fires” while trying to keep up with the routine tasks. Staff wanting to do a good job for animal health and welfare found this stressful and frustrating.

4. Almost without exception, every delivery partner that I encountered seemed to be facing or undergoing an unusually high level of change. Change is certainly going to be necessary if the delivery system is to improve but what I saw in some cases was not primarily focussed on achieving better policy outcomes. Managers were much engrossed in improving business systems, which is necessary but is possibly a distraction from achieving the desired outcomes. There is

also insufficient information about the quality or quantity of activity to enable assurance that these outcomes are actually being delivered.

5. Performance measurement looks generally weak though steps are being taken to improve this, eg in the State Veterinary Service, who are grappling with the introduction of new business management systems that should in future provide better information. But as yet these systems are not fully effective. Defra's Delivery Partners Coordination Unit works hard and well with the SVS and LACORS, but is unable to present a full and reliable picture of what is actually going on.

6. I found that the organisations that I was particularly asked to consider in the delivery landscape, the State Veterinary Service, the Rural Payments Agency (and BCMS), the Meat Hygiene Service and Local Authorities (LAs) were all under considerable pressure to varying degrees, some to the point of crisis, and were struggling to manage change. Moreover, problems with old computer systems, lack of accessibility to databases held by different delivery partners, and problems arising with the proposed introduction of new systems, were causing frustration, absorbing resources and getting in the way of "joined up" working.

7. I also found that communications between organisations tended to be vertical, not lateral, with problems referred upwards for decision and often left unresolved. I was shown some evidence of good collaborative work between agencies. But "joined up" working across the board, which everyone agreed was desirable, seems exceptional. I also saw evidence of good cross border working between LAs that was occurring in spite of, rather than because of, the system, and again was exceptional.

8. Within the delivery landscape the delivery system itself is not robust. There are problems of duplication and inconsistencies in inspection and enforcement that are troubling policy makers, enforcers and duty holders, and irritate duty holders and other customers for the services, none of whom feel empowered to correct the situation. Claims from enforcers that there is a common approach based on risk assessment which targets the worst performers have been made to me but I found no strong evidence to back these claims.

9. For example, the data input to AMES by Local Authorities about their inspection and enforcement activities paints a very mixed picture; the data is often incomplete, requiring considerable effort by the Delivery Partners Coordination Unit in checks and follow up action, particularly in accounting for the funding made available to LAs through the Framework Agreement. This is disappointing, as everyone I met wanted to see improvements in animal health and welfare and strongly supported the aims of the national Strategy. Defra policy makers lack confidence in the accuracy of the data held on AMES. It is hard to tell whether the effort going into this is giving good value for money.

10. Defra certainly needs to secure greater transparency and accountability about performance across the delivery landscape. As the UK Competent Authority for animal health and welfare it is responsible to Parliament and the European Commission for seeing that effective compliance with the law is being achieved. But it lacks the statutory authority wielded by other regulators such as the Food Standards Agency. Systems for performance management, audit and accountability are weak, reporting is variable and there is insufficient transparency to be confident about what is actually being delivered.

11. Unlike some other Departmental regulators, Defra lacks a unified national inspectorate for this function, in contrast say with its Environment Agency and with the Health and Safety Executive, both of whom have to work closely with LAs in delivery. The HSE's approach to risk-based inspection was endorsed by Hampton as a model for one of the seven "thematic" authorities he recommended. Hampton has recommended that one of these should be an animal health thematic body. I agree, as it would enable a number of weaknesses in the delivery system to be addressed.

12. It is desirable and feasible for Defra to consider moving towards greater integration of its own inspectorates involved with animal health and welfare and to create an animal health and welfare authority as Hampton has recommended, with the State Veterinary Service a pivotal component at its centre. In this integrated authority vets would act in a specialised capacity, to which they are properly suited, alongside and supporting the work of trained and competent inspectors and technical staff, and supporting better management of the system of LVIs.

13. The roles and responsibilities of everyone acting in the delivery system were not perfectly clear to their delivery partners and there was evidence of some confusion about what one could expect of another. If better "joined up working" is to be achieved, respective roles and responsibilities need clarification, specification and communication to everyone in the system.

14. I saw that an intricate web of service level agreements and memoranda of understanding seems to be spun in the hope that this will bind the system together. I examined some of these, either in draft or final form, and found them to be complicated, lengthy and rather legalistic in nature. Some formalisation of relationships and expectations between partners is clearly necessary and SLAs are useful tools. Yet simplifying these and pulling them together into common ownership on behalf of Defra seems desirable if they are to be seen and act as positive influences encouraging "joined up" delivery and not simply as "back covering" exercises.

15. I was shown evidence of good work by some LAs, acting alone or in collaboration with other delivery partners. But given the problems of

inconsistency and weaknesses in performance measurement and accountability, I considered the question of whether some AHW enforcement functions should be left with LAs or whether a national authority might take them over. Two main options are considered, radical reform or reinforcement.

16. The more radical option would involve, at a date some time in the future and not before 2008, taking some of these functions back from LAs (much as when the MHS was formed). The other would be to build on the best practice demonstrated by some LAs and bring others up to their standard while reinforcing the relationship between a strengthened Defra AHW thematic body and its delivery partners. Other regulators have attempted this with varying degrees of success. At present Defra lacks the statutory powers to assist in this direction, unlike for example the Food Safety Agency and the Health and Safety Commission.

17. Even so, consideration of the future role and structure of the RPA and its Inspectorate provides an opportunity for Defra to consider the merits of pursuing either option in the wake of the current RPA review.

18. But I am sure that leaving things as they are is not an acceptable option. The economic, social and political risks, whether to the reputation of the Competent Authority, to animal health and welfare or to human health, in the event of another major crisis following BSE and FMD, are simply too great.

19. I conclude that the whole delivery system needs to be strengthened and brought under proper control.

20. Part One of this report describes my approach to this review, and sets out the delivery landscape as I found it working in the first six months of 2006. Part Two discusses my findings, conclusions and recommendations. In Part Three I describe how I believe a more integrated national inspectorate could emerge within the Defra “family”, a change that I strongly believe is necessary if the delivery landscape is to become fit for purpose and more efficient and effective, both in improving animal health and welfare and meeting the principles of Better Regulation.

21. I am indebted to the members of the Project Board for their advice and guidance during the course of this review and to Fareeda Sakhawoth who so willingly and ably assisted me in planning and arranging meetings and provided me with secretarial support on top of her normal duties. I should also like to thank everyone that I met for their unfailing courtesy and co-operation. This has enabled the review to proceed to completion as planned.

22. I hope this report will prove useful to all concerned with advancing the Strategy for Animal Health and Welfare in Great Britain.

Summary of recommendations

1. The report of this review should be published
2. Delivery partners should be consulted about its recommendations (*KEY*)
3. Greater transparency and accountability should be achieved and performance management should be enhanced across the delivery landscape to provide greater assurance about outcomes (*KEY*)
4. Delivery partners should be consulted before the next round of PSA targets for AHW is settled
5. Delivery partners should be involved more closely in the development of policies that they have to implement. Once better systems for performance management, measurement and accountability exist policy makers should allow delivery partners to get on with delivery
6. Feedback loops between policy and delivery should be improved and greater use should be made of AMES by Defra policy makers and others as the quality of data improves
7. The FVO should be made more aware of the strengths of the UK's AHW delivery system and informed about good practice (*KEY*)
8. Defra should aim to put the UK's delivery of AHW at the forefront of European performance and make that known to the FVO
9. Guidance on how to comply with the law should be clear and comprehensible to duty holders (*KEY*)
10. Consideration should be given to producing a single "Essentials of AHW" guide for smaller undertakings
11. Negotiation of new law in Europe should take account of ease of compliance and enforcement
12. Deliverers who implement policy should be involved in policy making (*KEY*)
13. Where opportunities allow, AHW law should become more goal-setting than prescriptive
14. All delivery partners should "sing from the same hymn sheet" and follow Better Regulation principles for inspection and enforcement (*KEY*)
15. Powers of inspectors should be appropriate to the enforcement task
16. Consideration should be given to inspectors having general powers to serve improvement and prohibition notices
17. The roles and responsibilities of inspectors and enforcers should be clarified and communicated to duty holders who do not understand them
18. Defra and LGA/LACORS LAs should be engaging in more peer review of each other's AHW performance; the better performing LAs should help improve performance of others and Defra and LGA/LACORS should facilitate this (*KEY*)

19. Legal obstacles to cross border working between LAs should be removed
20. DVMs of the SVS should be empowered to “knock heads together” under the terms of the Framework Agreement (KEY)
21. Inconsistencies in delivery partners’ performance should be tackled by Defra working with them through the SVS with a view to raising standards across the board to those of the existing “better performers”;
22. LAs should remain responsible for AHW enforcement if standards can be improved across the board to those of the better performers; this should be reviewed periodically by Defra and LGA/LACORS (KEY)
23. A national “inspectorate” should be formed within the “Defra family” with the SVS at its core to create a stronger centre of authority for standards of AHW inspection and enforcement (KEY)
24. Defra should set standards for AHW delivery and seek powers to audit LA performance along lines similar to the FSA’s approach to food safety standards, possibly in combination with the FSA (KEY)
25. Defra should engage more closely in the development of the LBRO
26. Communications with front line staff in the MHS should be improved
27. Defra as a customer for MHS services should work with MHS to ensure that the relationship between the MHS and its contractors and contracted employees is strengthened
28. Professional development of front line MHS staff should be strengthened and greater contact with their counterparts in the delivery landscape should be arranged, led by the SVS/new national inspectorate and MHS
29. Defra should strengthen its position as an intelligent customer for MHS services (KEY)
30. There should be a unified approach within the Defra family to formalising its business relationships with delivery partners beyond the Defra family
31. There should be transparency in the public reporting of the state of AHW in the UK
32. Cattle identification systems should be designed with ease of compliance by duty holders and enforcement by inspectors in mind (KEY)
33. The review of the RPA should be regarded as an opportunity for shaping the future roles of an integrated national inspectorate (KEY)
34. In the meantime ways should be found of the RPA, SVS and LAs to collaborate more closely in planning inspections and sharing information about farm inspections (KEY)
35. Consideration should also be given to whether a single inspectorate should visit farms for cross-compliance purposes including AHW (KEY)

36. The role of vets in the SVS with regard to enforcement and support to other enforcers should be clarified and consideration be given to PACE training for certain front line staff
37. As well as task analysis there should be an analysis of skills and competences required for the future work of the SVS/national AHW inspectorate *(KEY)*
38. Priorities for tasks should be identified, roles and responsibilities of SVS staff should be clarified and communicated *(KEY)*
39. Policy makers should engage SVS experience of delivery of policy outcomes when designing new policies *(KEY)*
40. The relationship between the SVS and its LVIs should be reviewed with the aim of strengthening the bonds and working relationships *(KEY)*
41. Defra should become more pro-active in publicising the results of enforcement activity by its delivery partners
42. Information about the performance of participants in Farm Assurance schemes should be taken into account by regulators in the planning of risk-based inspections programmes *(KEY)*
43. More analysis of available information, intelligence and data about duty holders should be conducted to help target risk-based inspections *(KEY)*
44. Delivery partners should have access to better information systems and databases about livestock, premises and customers
45. Information systems should be improved with the needs of all the delivery partners for inspection and enforcement purposes in mind; operational needs should be taken into account in the design of any new databases *(KEY)*
46. Defra should benchmark its working relationships with delivery partners against other regulators and consider the model of the HSE's strategic partnership with LAs *(KEY)*
47. Close liaison should be maintained by the SVS with authorities responsible for the control of legal and illegal imports.
48. The Contingency Plan should be kept under review in the light of experience of recent outbreaks and regularly exercised *(KEY)*
49. Policy makers should keep in mind that many small undertakings particularly those run by farmers who are not familiar with computers do not have access to on line information and reporting
50. Defra should take the opportunity offered by the Hampton recommendation for a thematic authority for animal health (and welfare) and should form an integrated national AHW "inspectorate" with the SVS at its core *(KEY)*
51. There should be a "chief enforcement officer", reporting to the SVS's Director of Operations and setting standards *(KEY)*

- 52. A “head of profession” role for inspection and enforcement should be established at national level (KEY)**
- 53. The Defra Investigations Service should be combined with the national inspectorate (KEY)**
- 54. The Delivery Partners Coordination Unit and Resource Planning and Performance Division should come together to provide assurance to Defra about use of resources and value for money**
- 55. A unit will be needed to support the chief enforcement officer in the national inspectorate, and should be the focal point for monitoring and accounting to DPCU/RPPD for the inspectorate’s own operational activities and those of other delivery partners.**

Part One

Conduct of the review

Introduction

1. I was invited towards the end of 2005 by Defra's Director of Animal Health to conduct a review of the animal health and welfare delivery landscape.
2. In Part One of this report I describe the context for the review and the main elements of the delivery system for animal health and welfare as I found it working during the first six months of 2006, the period during which the review was undertaken.
3. In Part Two I discuss my findings, draw conclusions and make recommendations.
4. In Part Three I describe how I believe features of the delivery landscape need to change, if it is to move towards the Hampton vision of a thematic authority, become truly fit for purpose in achieving the desired policy outcomes for animal health and welfare and fully embrace the principles of Better Regulation.
5. My recommendations are listed at the end of the Executive summary. Information about the people and organisations with whom I had contact during my gathering of evidence is given at Annex A.
6. I am most grateful to everyone that I have met in the course of this review for their unfailing courtesy and their very considerable help and co-operation. This enabled completion of my task within what was always going to be a tight time frame. I am particularly indebted to members of the Project Board who helped ensure that I covered the necessary ground and acted as a sounding board for ideas, and especially to Fareeda Sakhawoth who so willingly and ably arranged meetings and provided excellent secretarial support.

Terms of reference

7. My terms of reference were given as follows:

"To review the roles, responsibilities and relationships in regulatory and enforcement activities for animal health and welfare in England undertaken by Local Authorities, the Meat Hygiene Service, the Rural Payments Agency and the State

Veterinary Service.

The review should take account of:

The recommendations of the “Hampton Report: Reducing Administrative Burdens - Effective inspection and enforcement” on:

better regulation/reducing the administrative burden

the co-ordination of local authority regulatory services

risk based targeting of inspection and enforcement

the Farm Regulation and Charging Strategy, and

emergency preparedness

and make recommendations to Ministers in respect of improvements in delivery that may:

benefit the customer,

provide better administration,

better achieve policy outcomes, and

inform future discussion of the Government’s programme for better regulation.”

8. I was to submit my final report to the Director of Animal Health by 30 June 2006. I was also told to concern myself only with the delivery system in England. Nevertheless, I took note of the differing arrangements for inspection and enforcement in Scotland, Northern Ireland and the Republic of Ireland as well as in Europe generally during the course of the review, as it seemed they might cast some useful light on the delivery system in England.

9. I reported progress monthly to a Project Board chaired by the Acting Head of the Animal Health and Welfare Strategy and Delivery Division. Discussions at the Project Board and individually with its members proved most useful in ensuring that in the time available I covered the more important ground.

Context of the Review

10. I had conducted a review of Defra’s investigation services in early 2005 so was aware that Defra was undergoing a significant programme of change in the relationship between policy and delivery. Once I had started to review the delivery landscape I soon discovered that a number of other reviews or inquiries impinged upon or covered some of the ground, and had either already reported, or were in progress. Some of these were reporting to a later deadline than mine.

11. I therefore took account of these so far as possible. Some of the more significant inquiries, reports and reviews of which I was already aware were:

- Phillips (BSE)**
- Parliamentary Accounts Committee (FMD)**
- Hampton (“Reducing administrative burdens: effective inspection and enforcement”)**
- Arculus (“Less is More”)**
- Lyons (local government; interim report published May 2006; final report expected end 2006)**
- “Partners for Success: Farm Regulation and Charging Strategy” (Defra)**

12. I was also aware that some Departments were expected after the 2004 Spending Review to cut significant numbers of staff in response to the Gershon Review, “Releasing Resources for the Frontline”.

13. Others that I became aware of included:

- Avian Influenza Quarantine Case 2005 (“The Dimmock Report” late 2005)**
- Independent Review of the livestock movement controls (Bill Madders, completion expected by end June 2006)**
- Rabies Review (Defra)**
- Rural Payments Agency Review (David Hunter, commenced April 2006)**
- A study of farm regulation from the perspective of the regulator” (Alison Blackburn, early 2005)**

- A review of farm enforcement powers (Professor Robert Baldwin, completed May 2006)
- Biosecurity Agency Study (Peter Boyling, completed March 2006)
- State Veterinary Service Capacity Review (Margaret Joyce, completed in May 2006)

14. I also heard much about CAP reform, the Single Payment Scheme, Cross-Compliance and the “Whole Farm Approach”. I followed the progress of the Animal Welfare Bill, which was passing through its Parliamentary stages during the review.

15. I was already aware as a consequence of the review that I had carried out of Defra’s investigations services, of the work done by Robert Humm on introducing a common Enforcement Policy in the Defra family during 2004/05, and of the establishment of a single Defra Investigations Service, housed temporarily with the RPA Inspectorate until decisions are taken on future organisational structures. I mention some of the organisational and structural changes that were in train or envisaged during the review under “The Hampton Report” below.

16. It has been necessary during the review to keep abreast of developments on a number of other fronts of Government. The wider context continued to change rapidly in spite of the “waiting for Lyons” syndrome. During the review decisions were taken by Government which left Hampton’s idea of a Consumer and Trading Standards Agency stillborn and instead gave birth to an embryonic Local Better Regulation Office. At the time of writing this report, the LBRO has yet to emerge in its final form. Its scope is still under discussion though it would appear to embrace animal health and welfare.

17. The Office of the Deputy Prime Minister, responsible inter alia for local government, was dissolved in May and reformed under a Minister. In the reshuffle a new Ministerial team was appointed at Defra who made clear that animal health and welfare was important to them.

18. In the meantime events continued in the world beyond Westminster and Whitehall. Concerns about the spread of Avian Influenza from abroad were mounting in the media. An epidemiology report had been published in late 2005 by Defra following investigation into the H5N1 related deaths of birds at a quarantine facility in Essex. The discovery in Fife of a dead swan infected with H5N1 virus triggered effective action under Defra’s Exotic Animal Disease Generic Contingency Plan (December 2005). There was also a low pathogenic outbreak of AI in Norfolk which was quickly brought under control.

Methodology for the Review

19. I prepared a plan which was approved by Defra and I commenced work as agreed in January 2006. It was agreed that in view of other commitments I would work part-time and submit my report by 30 June.

20. The review was based on interviews and meetings with individuals and groups, and observation of fieldwork. I reported progress to a monthly meeting of a Project Board chaired by the Acting Head of Defra's Animal Health and Welfare Strategy and Delivery Division.

21. The first phase of the review involved discussions with heads of policy in Defra and the Food Standards Agency and senior managers in the State Veterinary Service (SVS), Meat Hygiene Service (MHS), Rural Payments Agency (RPA), British Cattle Movements Service (BCMS) and the Local Authorities Coordinators of Regulatory Services (LACORS). This was to clarify policy aims, desired outcomes and perceptions of obstacles to efficiency and effectiveness in achieving outcomes.

22. The second phase involved meetings with numerous delivery partners, stakeholders and representatives of the principal sectoral interests, and included a number of field visits to see how operational staff did their work. The imperative in this phase was to meet as many stakeholders and see as many aspects of delivery partners' activities as possible in the time available, and seek their views about how the delivery system was working.

23. For example, I visited a Port Health Authority, observed the work of state vets and trading standards officers jointly and separately at farms and markets, witnessed the emergency exercise "Operation Hawthorn" (truncated in the event of the incident in Fife), accompanied trading standards officers and police on a national roadside check, visited a farm with an RPA inspector, met Local Veterinary Inspectors, senior officers in several Local Authorities of various kinds (county, metropolitan, unitary) and observed the work of MHS Official Veterinary Surgeons and Meat Hygiene Inspectors in abattoirs. I spoke to the RSPCA, met officers in the National Farmers Union and various other trade and sector associations, discussed Farm Assurance schemes with their national officers, and took evidence from several individual farmers informally. I presented a progress report to the England Implementation Group and attended one of their public meetings.

24. I decided that it would be helpful to benchmark the AHW delivery system against other delivery systems involving multiple agents, particularly local authorities, and therefore held discussions during the review with the Environment Agency and the Health and Safety Executive. I discuss what emerged from this in Part Two.

25. A list of persons interviewed during the review is at Annex A.
26. The final phase has consisted of writing the report. Responsibility for my findings, conclusions and recommendations is entirely mine.

A brief history of controls

27. There is a long history to the development of controls for animal health and welfare in Britain. A significant new law, “An Act to prevent the cruel and improper treatment of cattle” was introduced in 1822 (“Martin’s Act”). It appears that local involvement in enforcement of animal health and welfare law began at least as early as 1798 with the Diseased Sheep Act, which involved JPs in enforcement.

28. Veterinary education also had its roots in the early Nineteenth Century. A Royal Charter was granted to the veterinary profession in 1844 and the Royal College of Veterinary Surgeons was born.

29. The RSPCA can trace its origin to the establishment of a Society for the Prevention of Cruelty to Animals in 1824 in response to public demand. The Society was made “Royal” in 1840 under the patronage of Queen Victoria, a further indication of the importance long attached to this issue in the public mind.

30. The role of the state in promoting animal health became more prominent after an outbreak of “sheep pox” prompted Parliament to pass legislation in 1847 to prevent the introduction and spread of contagious or infectious disease among sheep, cattle and other animals. In 1865 a veterinary department, to become known as the State Veterinary Service, was located first in the Privy Council Office and then at the Board of Agriculture, forerunner to MAFF and finally Defra. An outbreak of “cattle plague” in 1867 involved the Government in a familiar scenario of taking veterinary advice, slaughtering infected animals and restricting movement.

31. That same year, the Contagious Diseases (Animals) Act was introduced with the aims of promoting animal health and preventing disease, and safeguarding animals in transit. Further legislation followed in 1878, 1893, 1894 and 1910, while welfare law was consolidated in the Protection of Animals Act 1911.

32. In the absence of a national inspectorate for the enforcement of these controls (for the SVS was not conceived as such) Local Authorities gradually became the enforcers of choice for legislators. For example, while the Secretary of State has long had the power to appoint inspectors, the Animal Health Act 1981, which consolidated the requirements of several Acts passed during the Twentieth Century covering diseases of animals, clearly expects local authorities to appoint inspectors for enforcement of some of its provisions.

33. The UK's entry into the European Common Market during the 1970s meant that new controls were increasingly driven by the EU system of Directives and Regulations, replacing or overlaying domestic law. The UK Government has ratified the European Conventions relating to the transport of animals and keeping of animals for farming and scientific purposes. However, domestic initiatives continue. When this review began in January 2006, the Animal Welfare Bill was receiving its second reading in Parliament, hailed as "the most significant animal welfare legislation for nearly a century" (source: Defra website).

34. The point of this brief historical sketch is to emphasise that there is by now a very significant and complex body of law which continues to develop in this area of government. The system of controls and institutional arrangements for their delivery are deep-rooted and have been developed over a long period of time, often in response to public demands or in the light of new scientific, medical and veterinary understanding, punctuated by crises which can have the most severe consequences, including threats to human health. For example, the European ban on the export of British beef has just been lifted, some ten years after its imposition because of concerns over CJD.

35. Proper compliance with these controls, and their effective enforcement by the authorities, are thus very important, socially, economically and politically. The foot and mouth outbreak of 2001 is believed to have cost some £3 billion to the public sector, £5bn to the private sector, and the lives of six million animals (source: NAO report). The outbreak had huge social consequences for life in rural communities, which are still visible, and the political fall-out was amplified by daily reports of the disaster on the news and in the tabloids.

Policy

36. This review is essentially about how well the system of controls over animal health and welfare is working in the early Twenty First Century and might therefore be thought to be confined to operational delivery. However, before examining the "delivery landscape" it is necessary to understand how policy in this area is developed, and what it means for delivery.

37. That there are currently problems with animal health and welfare, in spite of progress since BSE and FMD, is not in dispute. For example, bovine TB cases are known to have doubled between 1998 and 2003. 28% of farms inspected by the SVS in 2003 were deemed to have failed to comply with statutory welfare legislation.

38. The issue continues to attract considerable attention in the media. In February 2006 at around the fifth anniversary of the FMD outbreak "Farming Today" ran a challenging series of interviews about whether lessons had been learnt.

39. Policy for animal health and welfare is “owned” within Whitehall by the Department for Environment, Food and Rural Affairs (Defra), with the consequence that Defra is the UK national Competent Authority for this topic at the European level. Thus the Secretary of State for Defra is ultimately answerable to Parliament and, through the Council of Ministers, to the European institutions for the effectiveness of policy.

40. Within current Whitehall procedures for public expenditure planning and accountability Departments are held accountable by the Treasury for Public Service Agreements (PSAs) which set targets for performance (i.e. delivery of policy outcomes). Performance is audited by the National Audit Office and may be subjected to scrutiny by the appropriate Parliamentary select committees, including the Parliamentary Accounts Committee which will have reports from the NAO. The Department’s Permanent Secretary was interrogated very closely by the PAC in 2005 about the Department’s performance in this policy area after the FMD outbreak.

41. Defra also has a statutory responsibility under Section 80 of the Animal Health Act of 1981 to produce an annual report for Parliament (House of Commons and House of Lords) covering England and Wales. This has to include details of compensation paid for slaughtered animals and details of legal proceedings brought by LAs which have resulted in convictions for animal health and welfare related offences. The report for 2005 was published in March 2006.

42. The Animal Health Directorate, by whom this review was commissioned, is one of three Directorates in Animal Health and Welfare Directorate General charged with overseeing the whole system. After a wide consultation exercise involving many stakeholders Defra launched a Strategy for Animal Health and Welfare in 2004. Linked to Government’s wider strategies for Sustainable Development, it takes forward the strategies for Sustainable Farming and Food which had already been developed separately for England, Wales and Scotland.

43. The Strategy’s vision looks ten years ahead and may be summarised as:

- *Animals kept for whatever purpose are healthy and treated humanely*
- *Britain’s disease status is amongst the highest in the world, enabling us to trade internationally*
- *Costs are balanced between industry and the taxpayer*
- *Disease emergencies are dealt with swiftly and effectively using an agreed approach*

- *Consumers value their confidence in food produced safely from healthy, well cared for animals and accept, with retailers, that these standards are not cost-free*
- *Livestock keeping is part of a competitive British farming industry succeeding in meeting the needs of consumers at home and abroad by producing food safely and to high standards of health and welfare.*

44. It identifies five main strategic outcomes:

- *Working in partnership*
- *Promoting the benefits of animal health and welfare: prevention is better than cure*
- *Ensuring a clearer understanding of the costs and benefits of animal health and welfare practices*
- *Understanding and accepting roles and responsibilities*
- *Delivering and enforcing animal health and welfare standards effectively.*

45. The England Implementation Group (EIG), an advisory body with a wide representative base, was formed by Defra to monitor implementation of the Strategy. Its members, appointed by the Secretary of State, meet six times a year and are expected to exercise a challenge function with regard both to Defra and the industry's performance. I was kindly invited to observe an open meeting of the EIG and on the following day to give the Group a presentation of progress with my review (by then quite well advanced) and an indication of some of the emerging findings, which I did.

46. Policy making, particularly in terms of legislation, is an iterative process. It needs the input of operational and stakeholder experience through consultation if the products of the decision making process are to be relevant, credible, capable of compliance by duty holders, and enforceable by the authorities, so achieving the desired policy outcomes. Good communications, with an effective feedback loop connecting policy with "the frontline", is needed if policy is to be relevant and effective in achieving its purpose. I will return to this theme in Part Two.

47. Within Defra the Directorate General (DG) for Animal Health and Welfare, headed by the Chief Veterinary Officer who is also head of profession for Government vets, has the policy lead and is responsible for advising ministers about their responsibilities. Within the DG there are three Directorates covering a wide range of issues such as international animal health, veterinary exotic diseases, new, endemic

and zoonotic diseases, veterinary research, transmissible spongiform encephalopathy (TSEs such as scrapie and BSE), TB, rabies, exotic disease prevention and control, livestock data and animal health and welfare strategy.

48. Many of these issues are highly specialised and require veterinary and scientific input to policy development as well as operational delivery. In some cases Advisory Committees including independent experts and stakeholders sit to assist Defra in developing policy.

The Defra delivery strategy

49. Defra rose from the ashes of MAFF during the foot and mouth crisis of 2001. It is thus still a relatively new Department. Because it also absorbed the environmental protection functions of the Department of Environment, Transport and the Regions, which was dissolved, its remit is very broad, encompassing hugely political issues such as climate change, waste and pollution.

50. Defra's senior management decided that the way forward was to define more clearly the work to be carried out by its policy "core" as distinct from "delivery", or operational work. The ramifications of this decision are discussed in Part Two of this report. Suffice to say here that the core of the Department is focusing now on policies. Delivery of the policies has been or is still being delegated to a number of agencies for which Defra remains responsible, though at arms length. A feature is the accountability of Chief Executives to Ministers for delivery. The aim is also for partnership working.

51. This is by no means a new idea within central government; for example as long ago as 1974 the Health and Safety Commission and Executive were formed to deliver occupational health and safety. Closer to home, the Environment Agency was formed from the National Rivers Authority and other bodies to deliver environmental controls. Ministers remained responsible to Parliament for sponsoring these bodies and for the policies they are there to pursue.

52. In the examples above, Local Authorities also have responsibilities alongside national authorities such as the Environment Agency and the Health and Safety Executive for enforcement of legislation, and are therefore also to be regarded as "delivery partners".

53. The separation of policy from delivery thus sounds simple enough and should be clear-cut but an issue that arises from this kind of arrangement is how Departments exercise policy control effectively over the work of "delivery partners". I discuss the implications of this for both policy and delivery partners in Part Two and note that Defra's Delivery Strategy Team (DST) is about to embark on a review of how the strategy is going, in particular focusing on effective governance.

54. It is also worth mentioning at this point that in Defra a Delivery Partners Co-ordination Unit (DPCU), part of the Animal Health and Welfare Strategy and Delivery Division, has been established to assist in this process. Its role is to develop the AHW DG's relationship with the State Veterinary Service and Local Authorities in line with Defra's Delivery Strategy, particularly the aim of "delivering and enforcing animal health and welfare standards effectively". (Source: Defra website.)

55. The DPCU prepares the Parliamentary Report mentioned above and is also the holder on behalf of the Department of a Service Level Agreement with the SVS (which had become an executive agency of Defra in April 2005) and a Framework Agreement with Local Authorities via LACORS (Local Authorities Co-ordinators of Regulatory Services, itself part of the Local Government Association). It also prepares quarterly reports based on data provided by Local Authorities on AMES, an enforcement activity database.

56. Facilitated by LACORS/LGA, Defra concluded the Framework Agreement with Local Authorities which enables bids to be made annually against a fund (£10 million in 2005/06) to enable them to perform extra enforcement work deemed necessary in the wake of the foot and mouth crisis of 2001. This is a highly unusual example of hypothecated funding for work by LAs.

57. An intricate web of Service Level Agreements and Memoranda of Understanding is being developed with other delivery partners, including Defra's own agencies and with the Meat Hygiene Service, an executive agency of the Food Standards Agency, itself a non-Ministerial Department.

58. I discuss the implications of these complex arrangements for policy and delivery further in Part Two.

The Hampton Review

59. Philip Hampton was asked by the Chancellor of the Exchequer in 2004 to report on what could be done to reduce the administrative burden on business. His report was published with the Budget Statement in 2005, together with a report from the Better Regulation Task Force led by Sir David Arculus called "*Less is More*" about reducing the burden of regulation on business.

60. Hampton's key recommendations were:

- *Use of risk-based inspection*
- *Reform of the penalty regime including tougher penalties*
- *Consolidation of existing inspection and regulatory functions into seven "thematic" regulatory bodies*

- *Creation of the Better Regulation Executive to drive regulatory reform*
- *Setting targets for reductions in information required from business*

61. The Government has accepted Hampton's report in full. Delivery bodies are to be reorganised and consolidated, with a presumption against the formation of new "stand-alone" bodies. The benefits of implementing Hampton are expected to be fewer interfaces with regulators, fewer but better targeted inspections, emphasis on more advice, less red tape, and a transparent penalty system for non-compliance.

62. Hampton recommended that some 31 out of 63 inspectorates should be reformed as seven "thematic" bodies. The Environment Agency, the Food Standards Agency and the Health and Safety Executive were deemed already to comprise three of these. Others were to be focused on issues such as consumer protection and Hampton presumed, apparently without close study, that one of the seven should be an Animal Health thematic body.

63. Defra has recently been developing a business case for implementation of Hampton's recommendations. Current thinking sees the SVS becoming the core of an Animal Health thematic body including the Egg Marketing Inspectorate, Dairy Hygiene Inspectorate, CITES and Wildlife Licensing. However final decisions about some other organisations including Fish Health, National Bee Unit and the Veterinary Medicines Directorate are still to be taken.

A brief outline of the delivery landscape in 2006

64. Animal health and welfare is but one of Defra's wide ranging responsibilities, which include other politically sensitive issues such as climate change and environmental protection. A plethora of different kinds of organisations are identifiable as "delivering" its policies across the board.

65. The "Defra delivery landscape map" (as at January 2006) features in addition to "core" Defra numerous Executive Agencies, executive Non Departmental Public Bodies, advisory NDPBs, Levy Boards, Public Corporations, charities and not for profit companies limited by guarantee, regional and local authorities. I mention these only to illustrate the sheer diversity of this "landscape" and to put the animal health and welfare delivery landscape into a wider Departmental context.

66. Nevertheless, it is worth noting here that part of the Cabinet Office responsible for liaison with Defra on "better regulation" issues informed me that they believed that 60% of Defra's administrative effort was going into animal health and welfare. Rightly or wrongly, that was their perception.

67. In the case of animal health and welfare there are certainly a very considerable number of delivery agents. Significantly, this “landscape” includes far more “partners” than, say, for occupational health and safety or environmental protection, topics which I have used later in this review as benchmarks for animal health and welfare. While I was asked in my terms of reference to consider in particular the work of the State Veterinary Service, Meat Hygiene Service, Rural Payments Agency and the Local Authorities, there are numerous other partners assisting in delivery as well as a wide variety of stakeholder organisations. The interfaces and relationships between these all have to be managed by someone.

68. As well as the SVS, MHS, RPA/BCMS and approaching 200 LAs, viewed from the farmers’ perspective there are a host of other agencies from whom they may attract regulatory contact: e.g., VMD, VLA, RDS, DHI (soon to join the SVS), EMI, police, HSE, EA, not to mention others such as inspectors from Farm Assurance schemes or the RSPCA.

69. I briefly describe below the main components of the delivery system and what I did with them during the review, and will discuss my findings about efficiency and effectiveness in Part Two.

The State Veterinary Service

70. The SVS is a central element in the delivery system and has a long history and tradition. However it has been an Executive Agency of Defra only since April 2005 and is still in the throes of adjusting to the business implications of this change. It has developed a corporate plan for its first three years and annual business plans to which it is currently working. I was made aware that a separate review of SVS capacity was to be undertaken during my review, and I therefore attempted to avoid any unnecessary duplication of effort. The reviewer, Margaret Joyce, and I had a useful opportunity to compare notes, and I have since had the benefit of seeing her report.

71. A number of key targets have been agreed between the SVS and the AHW DG in Defra, covering important issues such as the National Scrapie Plan, BSE and other TSEs, animal by-products, endemic diseases and zoonoses, animal welfare and exports of animals and their products. These are being kept under review. The SVS also makes a major contribution to delivery of disease prevention, including biosecurity, livestock identification, veterinary medicines and surveillance, all additional to its crucial role in controlling any outbreaks of exotic disease.

72. In fact, the SVS has identified several hundred tasks which it has to do for a host of statutory reasons. It has found that it is spending most of its time performing a relatively small number of these tasks, but these are “safety critical” and a high standard of performance is

therefore essential. I learnt that the issue of auditing of SVS performance had been under consideration between Defra and the Agency and is now audited annually by Internal Audit Division (this being the first year). DST commissions the audits. The SVS's Annual Reports and Accounts are signed off by the National Audit Office.

73. It is interesting to note here that only about 17% of SVS staff are vets; the remainder comprise technical and administrative staff. Much of the work of the SVS may be described as "permissioning", i.e. allowing businesses to operate through a system of licences and approvals, many of which require veterinary input or oversight to decision making. It follows that the SVS is also in a position to prevent businesses operating, either by refusing permission or using enforcement powers, eg to restrict animal movements.

74. Surveillance and disease control, both for endemic and exotic diseases, are central to the work of the SVS and in the event of an outbreak the Service is expected to react promptly and decisively to contain and eliminate it.

75. Divisional Veterinary Managers (DVMs) at the SVS's 24 Animal Health Divisional Offices (AHDOS) throughout the country are responsible inter alia for liaison with Local Authorities over the work they do for Defra under the Framework Agreement mentioned above. This includes an annual meeting to discuss inspection programmes, drawn up and prioritised on the basis of local knowledge and risk assessment, with veterinary risk input. Progress is reviewed at quarterly meetings and reassessments may be agreed. The DVM "signs off" on behalf of Defra the funding for those LAs eligible under the Agreement and the SVS is accountable to Defra for their spending on AHW related work.

76. The SVS also supports a system of Local Veterinary Inspectors (LVIs). These are private vets numbering up to 7,000, who are appointed and paid, usually part-time, to carry out certain functions such as the testing of animals for disease. Some LVIs would be expected to make themselves available to help implement controls in the event of an exotic disease outbreak, as was the case with FMD in 2001.

77. I should mention here that the Dairy Hygiene Inspectorate (DHI), currently part of the Rural Development Service, is intended to become part of the SVS later this year. The Egg Marketing Inspectorate (EMI) will also join the SVS, together with certain other small elements of the wider delivery system. I will discuss the implications for enforcement later in this report.

78. I will also discuss the developing role and responsibilities of the SVS as an Executive Agency and its manner of operating with LVIs and other delivery partners, including the MHS, LAs and RPA, in Part Two.

Local Authorities

79. Local authorities are another major component of the delivery landscape and also have a long history of involvement in AHW enforcement. By definition, they are beyond Defra's immediate "family". They provide a significant amount of resource for delivery, some funded from the central block grant as part of their statutory functions, and some supported directly by Defra's Framework Agreement funding.

80. Funding via the Framework Agreement mentioned above currently "buys" 311 "full time equivalent" staff in LAs for AHW work, of whom 103 are inputting data to the AMES database (source: DPCU from LA returns for 2005/06; however, these returns are not complete at the time of writing.) DPCU believe that including AHW staff already in LAs before FMD and thus not funded directly by Defra but supposedly through the block grant means that LAs are deploying about 600 AHW staff in total. At present only 118 LAs out of 171 in England and Wales are inputting data to AMES, but DPCU expect 138 to report this year. 20 other LAs are non-participants in the Framework Agreement and the Corporation of London covers 13.

81. I noted that whereas the Food Standards Authority exercises a rigorous system of audit of LA performance in food safety related enforcement; Defra lacks the statutory powers to do this. Its information about LA enforcement is largely derived from the data returned by LAs on the AMES database, and through the contact between the SVS and LAs, both of which I discuss further in Part Two.

82. LAs are involved in AHW inspection and enforcement activities at different levels including County Councils, Unitary Authorities and District Councils. Following a preliminary discussion with LACORS policy staff about the review, I visited senior Trading Standards Officers in Kent, Cornwall, Buckinghamshire, Lancashire, Cambridgeshire and North Yorkshire and observed some of their work on farms, at markets and in roadside checks. I have met senior Environmental Health Officers in several unitary authorities, and a former Chief Trading Standards Officer and a former Chief Environmental Health Officer who were involved in the response to FMD in 2001.

83. I also took the views of representatives of certain professional institutions (Society of Chief Trading Standards Officers, Trading Standards Institute, Chartered Institute of Environmental Health).

The Meat Hygiene Service

84. Until the BSE crisis during the 1990s abattoirs and slaughterhouses were inspected for food safety and hygiene reasons by environmental health officers of local authorities at the district level.

85. Dissatisfaction with the efficacy of these arrangements led to MAFF establishing the Meat Hygiene Service, which was transferred to the Food Standards Agency and became an Executive Agency of the FSA when that Agency was formed. The FSA itself is, unusually, a non-Ministerial Department. It maintains a close relationship with the Department of Health, because of the human health implications of its work.

86. The relationship between Defra and the FSA also needs to be close, as the MHS is performing certain work related to animal health and welfare on behalf of and funded by Defra.

87. The FSA has an audit programme to monitor the MHS's performance in its food safety related work and the MHS also audits itself. During this review Defra was developing a Service Level Agreement with the MHS. The relationship between Defra and the MHS is obviously less direct than say between Defra and one of its own Executive Agencies, and therefore has to be managed rather differently.

88. I held discussions with both the FSA and the MHS during the review and paid visits to abattoirs to see and talk to MHS vets and meat hygiene inspectors about their work and the role and accountability of contractors in this part of the system. I discuss my findings in Part Two.

The Rural Payments Agency

89. The RPA was formed fairly recently (2001) as an Executive Agency of Defra from the previously existing Intervention Board and was joined by the British Cattle Movement Service (BCMS) which was responsible for the cattle tracing system.

90. The RPA is responsible for final decisions affecting payments to farmers arising from Cross Compliance inspections. It has recently been grappling with problems arising from the new Single Payment scheme and is now the subject of a separate review. I therefore concentrated my attention on the RPA Inspectorate (RPAI) and had the benefit both of discussions with senior staff and accompanying an inspector on a cattle identification inspection.

91. I discuss the RPA's role and its working relationships with other parts of the delivery system in Part Two.

Veterinary Medicines Directorate

92. While I was not directed by my terms of reference specifically to consider the VMD, another Executive Agency of Defra, and did not therefore seek a meeting, I noted that it is part of the delivery landscape with which I am concerned in that its goals are the responsible, safe and effective use of veterinary medicinal products. In achieving those goals

it aims to protect public health, animal health, the environment and promote animal welfare by assuring the safety, quality and efficacy of veterinary medicines. There is a body of relevant law and it is enforced within the AHW delivery system.

Veterinary Laboratories Agency

93. Similarly, while I was not concerned directly with the VLA, yet another Defra Executive Agency, and have not interviewed anyone there, for the sake of completeness it is worth recording that the VLA provides a wide range of applied research and consultancy, diagnosis and surveillance on livestock diseases, such as Avian Influenza, to Government and commercial customers. I was therefore made aware of the active part the Agency played together with the SVS and local authorities during the management of the recent AI incidents in Scotland and Norfolk.

94. The future position of the VLA in the delivery landscape remains under review elsewhere.

Central Science Laboratory

95. Again, although I did not have time to examine this part of the delivery landscape closely I noted that it was CSL who, acting as a contractor for the VLA, analysed the remains of the dead swan found in Fife and determined that it was from a migratory rather than indigenous species, this enabling greater refinement of the emergency response.

The “informal” element of the delivery system

96. Beyond the state regulatory system for AHW there is a less formal, or private, system of regulation and enforcement. My attention was drawn to the existence of several Farm Assurance schemes and their systems of inspection and I held discussions with the senior staff responsible for some of these. I discuss the implications for regulatory inspection and enforcement later. I was already aware of the work of the RSPCA, which is a charitable body with a high public profile, known for its investigations and prosecutions of offenders causing cruelty to animals. I explored with a senior officer the Society’s views about how the delivery system works a whole, and again I discuss this under Findings in Part Two.

Import controls

97. The enforcement of controls over illegal imports has been discussed with Revenue and Customs HQ staff and the policy lead in Defra.

Port Health Authorities

98. I paid a visit to the Port of Felixstowe and had the role of the Port Health Authority and its working relationship with the SVS explained to me, and I was shown the facilities and observed inspections in progress.

Farmers

99. I met a group of Young Farmers informally in Buckinghamshire and have talked with livestock farmers in Devon, Cornwall and Hertfordshire to hear what they had to say about the delivery system.

Markets

100. I visited Lancaster market with a senior officer of Lancashire County Council Trading Standards, and discussed with a Trading Standards Officer the work she was doing there that day, which included inspection of animal transport vehicles and the welfare of sheep.

Transportation of animals

101. I observed the enforcement of the Welfare of Animals in Transport Order (WATO) at roadside checks conducted by Buckinghamshire Trading Standards Office and Thames Valley Police in connection with the national exercise V79 at the end of March.

Contingency Planning

102. I had discussions with HQ SVS staff about the latest contingency plan and with operational SVS and LA staff about the efficiency and effectiveness of current arrangements for responding to a serious outbreak of exotic disease and the part they expect to play in controlling it.

103. The first afternoon of the exercise Operation Hawthorn was witnessed in Page Street. This exercise was fortuitously interrupted by the need to respond rapidly to the discovery of an AI infected swan in Scotland.

FVO

104. A meeting with staff of the European Food and Veterinary Office to discuss the findings of some of their more recent missions to the UK took place in Dublin.

Better regulation

105. I had meetings with DTI, OFT, Cabinet Office and ODPM, as well as Defra's own Better Regulation Directorate. At the time of writing the scope and interest of the still emerging LBRO remained unclear in relation to animal health and welfare and was creating considerable uncertainty. Nevertheless I decided to begin benchmarking against the arrangements of other regulatory agencies (HSE and EA) who currently share responsibilities for enforcement of environmental and occupational health and safety for collaboration with other delivery partners (particularly LAs), and I discuss my findings in Part Two.

The Police

106. The police have a significant role to play in the delivery landscape, particularly in investigating wildlife crime. Their assistance in arranging roadside checks by trading standards officers for the purposes of enforcing the WATO requirements on vehicles transporting animals is invaluable (TSOs having no powers to stop vehicles on the road).

Intelligence, information strategy and systems

107. I was interested in the work done by the police in developing a National Wildlife Crime Intelligence Unit. I had discussions with the Unit (which has now become part of the Serious and Organised Crime Office) to establish the use being made elsewhere of the analysis of information and data to target intelligence-led investigations. I also talked to the Head of Defra's Investigation Service about the potential of this newly integrated Defra-wide service for supporting future AHW inspection and enforcement activities. I discuss this in Part Two.

108. Early in the first phase of the review I met Defra staff who were working with IBM on the establishment of livestock, land and customer databases. This work is vital to the future efficiency and effectiveness of AHW delivery and in the light of what I learnt in subsequent discussions with delivery partners I revisited to review progress.

Stakeholders

109. I met a number of representatives of stakeholders and other interested organisations who were all most helpful and forthcoming. I also met the Chair and other representatives of the Departmental Trade Union Side at the outset of the review and offered the opportunity of input. I was invited to attend a meeting of the Forum planned for 20 June but this was postponed for reasons unconnected with the review.

Part Two

Findings, conclusions and recommendations

General observations

1. Many issues were raised with me during the course of the review. Here in Part Two I discuss those that, in my judgment, seem the more significant affecting efficient and effective delivery and Better Regulation. I summarise the recommendations arising out of this discuss at the end of Part Two.

2. Some of these issues have already been recognised by Defra and are being addressed (or separately reviewed). The sheer number, particularly of those that might be described as arising from the government's and Defra's management of change programmes (such as Hampton, the Delivery Strategy, Better Regulation, etc) with which many staff are grappling, add up to a particularly demanding set of challenges for Defra management.

3. Everywhere I went in the delivery landscape there seemed to be a collective sense of uncertainty about what the future would look like, arising partly from delays in decision making and lack of clarity about intentions and from a collective sense of a quickening pace of change and the challenges faced by the Defra "family" and the wider system beyond. In some quarters this review was plainly regarded as yet another threat.

4. But having held discussions with some 150 individuals representing policy makers, delivery partners, customers and stakeholder organisations, I find it is impossible to conclude otherwise than that the present delivery system for animal health and welfare, compared with other regulatory issues, is overly complex, highly fragmented and confusing for participants. It is not conducive to better regulation, and the many current uncertainties are militating against close and effective collaboration between delivery partners.

5. In the meantime, Defra is trying to manage across several distinct fault lines and there are risks to its performance and reputation as the UK Competent Authority. The position is not made easier by the interactions and overlaps with food safety and public health, and the different policy and delivery regimes associated with those demanding and sometimes competing issues.

The Strategy

6. I briefly described in Part One the Animal Health and Welfare Strategy for Great Britain and its aims. I found that the AHW Strategy is

well regarded on all sides and participants are proud to be involved in taking it forward. But everyone that I spoke to agreed that inconsistency in delivery was a serious problem. Performance measurement, such as it is, provides Defra with only a partial picture of what is going on, being based on incomplete and often poor quality data provided by some delivery partners through the terms of service level agreements, by some on a voluntary basis and by others not at all. Transparency and accountability are not very evident. Feedback loops are incomplete.

7. It is thus very difficult, both for Defra policy makers and those responsible for delivery, to be sure about what is actually being achieved in terms of animal welfare and disease prevention.

8. During the period of my review Defra's Internal Audit Team carried out an audit of the Strategy, and I saw their draft report (source: Defra Internal Audit Division). Subject to confirmation its thrust, very briefly, was broadly this:

- *“Noting the achievement of “buy in” to the Strategy by stakeholders, which is positive, the informal nature of the structures supporting and coordinating the Strategy presents a risk.....*
- *....the EIG is operating well and is a model of good practice in how to set up an NDPB to coordinate implementation of the Strategy but it has very limited powers short of “naming and shaming” those who fall short, with a clear risk of losing goodwill.”*

PSA targets

9. These days, targets are set for Departments to achieve under Public Service Agreements and performance is measured against them. Defra's include PSA 9, which is:

- *“to improve the health and welfare of kept animals, and protect society from the impact of animal diseases, through sharing the management of risk with industry, including:*
- *a reduction of 40% in the prevalence of scrapie infection (from 0.33% to 0.20%) by 2010;*
- *a reduction in the number of cases of BSE detected by both passive and active surveillance to less than 60 in 2006, with the disease being eradicated by 2010;*
- *a reduction in the spread of Bovine TB to new parishes to below the incremental trend of 17.5 confirmed new incidents per annum by the end of 2008.”*

10. I understand that these targets are under review.

Resources

11. To deliver targets requires resources as well as strategies and planning and before going further a few words are appropriate about the resources likely to be available in future for the delivery of animal health and welfare. The Treasury's Comprehensive Spending Review 2007 will be completed by July 2007, by when Defra will be presented with its budget for the three years from 2008/09 to 2010/11. I am conscious in making recommendations that it is unlikely that it will be easy to squeeze out any additional resources to lubricate the wheels of change; on the contrary, the Gershon review and the signals coming from the Treasury seem to imply quite the opposite. Whatever changes it is decided to make to improve AHW delivery are more likely to be funded from reallocations and redeployments and efficiency savings, wherever these can be made.

The delivery challenge

12. The achievability of the Strategy's aims through its delivery partners has also to be seen in the context of the size of the problems it is addressing. Although the number of farms, farmers, markets and slaughterhouses has been diminishing for some time, there are still around 305,000 registered holdings in Great Britain, of which 150,000 are livestock keepers (source: DPCU 1st quarterly report for 2006).

13. On farms there are some 10 million cattle, 36 million sheep and 116 million broiler chickens. 7.5 million cats, 6.1 million dogs and 5 million snakes and lizards are kept domestically (source: Defra website).

14. Cases of bovine TB have been increasing in recent years (1,610 cases in 2003). In 2004 there were 308 confirmed cases of BSE and 35 confirmed cases of scrapie (source: Defra website). The memory of the Foot and Mouth outbreak in 2001 remains strong (and painful) and there are concerns about outbreaks, real and potential, of Avian Influenza.

15. The Animal Health and Welfare DG's Business Plan for 2006/07 to 2007/08 therefore sets out to deliver results which include the following:

- *The risk of a major animal health crisis is reduced*
- *Bovine TB, TSEs and BSE targets are delivered*
- *Public health is protected, animal health advanced and trade enabled*
- *Animal health and welfare costs are shared fairly*
- *Effective relationships are developed with delivery partners, customers and stakeholders.*

16. The Director General's Foreword emphasises the Department's responsibilities for public health and emergency preparedness, and in

making a reality of the vision in Defra's Five Year Strategy of a future where 'the promotion of animal welfare and protection against animal disease is at the core of the way in which we farm and live'.

17. There are several different programmes, each of which involves one or more partners, including:

- *The National Scrapie Plan*
- *BSE*
- *Animal By Products*
- *Bovine TB*
- *Exotic Disease Policy and Emergency Preparedness*
- *Disease Prevention*
- *Livestock Data*
- *Animal Welfare*
- *Exports of animals and their products*
- *Veterinary research*
- *Surveillance, zoonoses and emerging issues*
- *EU and international co-operation*
- *Imports*
- *Official Food and Feed Controls (OFFC)*

18. Each of these programmes is "owned" by a relatively small team of Defra policy staff. They often look to delivery from more than one of the delivery partners. It was not clear to me that every change of policy took account of knock-on effects elsewhere in the system. I was told that regulations, certainly in the past, had been made to "fix" specific problems and handed on for delivery without too much consideration as to how they would be delivered. Frontline delivery staff told me they had had difficulty making their voice heard. Policy staff told me that there was now greater involvement of delivery staff, but once a policy was being implemented then, from their point of view, attempting to exercise any control over delivery of these programmes could seem quite vague, rather like attempting to drive a car with a rubber gear lever. They found it difficult to feel confident about what was actually being done. Others told me that this in turn seemed to be generating reluctance in some quarters to "let go" and allow the delivery people to get on with their job.

19. It seemed to me judging from numerous conversations that communications between policy and the delivery partners, particularly beyond the Defra "family", can seem remote to all parties. Lines of communication are long and often via an intermediary like the SVS or LACORS. Feedback about performance is variable in quality and quantity, particularly quality.

20. Clearly none of this is easy when there are so many agents in the system. By way of illustration of how just one policy issue – and there are many similar examples – can involve many partners, alongside

the broad review of AHW delivery with which I was concerned, the Rabies Policy Unit was carrying out a separate review specifically to assess current policies for the prevention and control of rabies by delivery agents in the UK. I noted that rabies import controls are operated in the UK by the following delivery agents:

- *The State Veterinary Service* is responsible for the operation of quarantine and pet travel, including *approval* of quarantine premises, quarantine carriers, and holding facilities at rabies ports, *appointment* of Veterinary Superintendents of approved quarantine premises, *agreement* of Required Method of Operation with private transport companies, and *inspection and audit checks* of these arrangements
- *Private vets* administer the Pet Travel Scheme (PETS), *Local Veterinary Inspectors* issue pet passports and may be appointed by the SVS as Veterinary Superintendents of approved quarantine premises
- *Private transport companies* (airlines, ferry companies) transport dogs, cats and ferrets under PETS if they have concluded an agreement for Required Method of Operation with the SVS.
- *Private companies* operate all approved rabies *quarantine premises* including cat and dog kennels, zoos and research establishments, and all *authorised carrying agents*. Some approved quarantine premises are also approved carrying agents
- Certain *ports and airports* are authorised under the Rabies Import Order for landing of animals to which the order applies; facilities for quarantine animals at these sites are approved
- *Local authorities* are responsible for taking action in respect of illegal landings of rabies susceptible mammals and enforcement action under the Rabies Import Order and the Non Commercial Movement of Pet Animals Regulations.

21. The findings of the rabies review were not available to me by the time I completed the AHW review, but it seemed to offer an indication in microcosm of the complexity and diversity of controls for rabies in particular and animal health and welfare more generally.

Inspection and enforcement: the UK approach

22. Parliament has usually put regulation, including arrangements for inspection and enforcement by the state, in place where industry, left to itself, is seen to be unable to self-regulate effectively and abuses would otherwise be left unchecked. Animal health and welfare has thus

been the subject of significant state intervention and regulation since at least the mid-Nineteenth Century.

23. Since the UK's entry to the European Common Market in the 1970s, EU legislation has steadily replaced domestic law. However, the principle of subsidiarity allows Member States to implement European Directives and Regulations in a form compatible with their national legal systems, including enforcement. The European Commission has introduced a system of inspection of how Member States go about this in most areas of competence, and animal health and welfare is no exception.

24. Each Member State's national "Competent Authority", in the UK's case Defra, has certain duties to fulfil in this regard. As well as political damage to its reputation the Member State can suffer a severe economic penalty if the European Commission finds its policies, procedures, processes and outcomes seriously lacking. The performance of the Competent Authority is therefore very important.

The Food and Veterinary Office's perspective on the UK

25. As the UK Competent Authority for animal health and welfare, Defra is responsible for the quantity and quality of the activities of all its delivery partners and both policy and delivery are subject to scrutiny by the European Commission and in particular the Food and Veterinary Office (FVO).

26. I visited the FVO and met senior staff who assured me that there are some 800 different UK authorities at various levels involved in these activities. This at first I found difficult to believe, but that was their perception. They thought our system was very complicated. The FVO also informed me that they had carried out some 90 missions so far to the UK for food safety and animal health and welfare related issues. Preparing for and responding to these missions involves major effort and resources.

27. I was shown reports on some of the latest of these missions, one for example stating that it had "identified certain deficiencies in respect of the operation of EU legislation" relating to ovine and caprine identification systems. This commented that LA inspectors were not provided with instructions concerning the scope (i.e. documentary, database and/or physical checks) and extent (e.g. number of animals) of inspections of markets, slaughterhouses or farm holdings, and that Defra does not audit the work of LAs performed on its behalf. These criticisms by the FVO struck me as being quite significant.

28. During my review there was also an audit of the Official Food and Feed Controls (OFFC) by the Internal Audit Division, and I saw a draft report. Allowing for the fact that the report was not final, it pointed towards some examples of good practice in some policy areas in

monitoring delivery but identified areas of weakness in the reporting systems in other areas, noting significant inconsistencies in reporting, and a general lack of confidence across policy areas as to the accuracy of data reported by LAs (*source: Defra Internal Audit Division*).

29. These findings are consistent with those I also formed from my numerous discussions.

Enforcement statistics

30. I was interested to discover just how much enforcement of AHW requirements there was. I knew from information I had gleaned during the 2005 review of investigations that the number of actual prosecutions directly pursued by Defra “family” members such as the SVS were quite few in number, and that the SVS generally looked to LAs to prosecute. I therefore examined the statistics gathered by the DPCU for the first quarter of 2006 from AMES.

31. These showed 13,288 “activities” (normally involving an inspection) undertaken by LAs at premises where livestock were present (13,229 in the previous quarter). 158 prosecutions were initiated (82 in the previous quarter) of which the majority concerned cattle records (51), welfare of animals on farms (37), animal by-products (18), and welfare of animals in transit (14). This was a comparatively small number compared with the number of “non-compliances” found but 8,823 informal notices or warnings had been issued, 1,255 formal notices or warnings, and 34 formal cautions.

32. This enforcement pattern did not seem too far adrift from the Hampton principles (see below). Not every investigation or inspection will, nor should, lead to a prosecution. The evidential and public interest tests must be applied before resources are committed to what can become a very costly process for the regulator, and should be reserved for only the most serious infringements. But the penalties in such cases seem rather low compared with other kinds of offences. Low penalties are unlikely to gain public confidence or deter deliberate and persistent offenders. I noted that the Animal Welfare Bill would raise the level of penalties that may be imposed in future.

33. According to DPCU figures only 118 LAs are using AMES out of 171 in England and Wales, although these are believed to cover the areas that represent approximately 95% of known livestock movements. (I also noted that according to the Cattle Tracing System there were 2.3 million cattle movements in England and Wales during the quarter.)

The law: compliance and enforceability

34. There is a very large body of law relating to animal health and welfare, much of it highly detailed and specific in its requirements. Fat yellow files of Orders sit on most of the desks in Page Street. Even

experienced vets told me that they found it difficult to keep up with changes in the law, and there was general consensus that the smaller farmers and operators would struggle to do so. Clear advice is therefore essential for businesses to understand properly what they need to do to comply. By aiding effective compliance it reduces the need for enforcement. I saw what seemed to me to be some good examples of advice and guidance, e.g. the Codes of Recommendations for the Welfare of Livestock issued by Defra, and the Cattle Keepers Handbook issued by BCMS seemed a valiant attempt to make a highly bureaucratic system of cattle identification and tracing understandable, but others seemed less helpful.

35. I was also interested to learn that some LAs issue their own guidance to businesses on AHW issues, and that there are numerous other bodies offering guidance. This reminded me of the proliferation of published advice and guidance which developed over the years for health and safety at work, and led the HSE to produce a simple overall guide for smaller businesses called “Essentials of Health and Safety”. I wondered if there were a need for something along these lines for animal health and welfare.

36. There is also an issue to do with the kind of law that can result from our membership of the European legislative regime. Some of this is very detailed and prescriptive. Accepting that once a directive has been negotiated, becomes binding and therefore must be followed, it is essential for policy makers to consider the implications for compliance and enforcement during the negotiation phase.

37. If the desired outcomes are to be achieved efficiently and effectively by both duty holders and enforcers, this points towards a need for much closer involvement at an earlier stage of those who will be “delivering” the policy.

38. Some of the animal health and welfare law that I was shown is prescriptive in setting out how something is to be inspected, how frequently, and to what standard. While this might seem to provide precision, it leaves the enforcing authority much less scope for the exercise of discretionary judgment in deciding how to go about its work. For example, the RPA is obliged to select, both on a risk-based and random basis, a percentage of farms for cattle identification inspections and, I was told, may not give more than 24 hours notice of an inspection.

39. It is worth considering whether it would be possible to move towards a more goal-setting regulatory regime, which would allow operators some freedom to choose methods of compliance – provided they achieved the goals – and enforcing authorities to exercise more discretionary judgment over what to do in the face of non-compliance, accompanied by powers to serve improvement or prohibition notices to require breaches of law to be remedied (which I discuss below under “Powers”).

40. Hampton recommends that regulators should develop risk-based enforcement strategies (RBES). I noted that work had been proceeding along this front in several parts of the Defra family, as reflected in Defra's latest enforcement policy statement, which contains a collection of these strategies produced, for example, by BCMS. I also saw a number of different enforcement policy statements by LAs and these generally included common principles.

41. But it would be a useful development in promoting greater consistency in the approach to enforcement of animal health and welfare law if Defra were able to proceed towards a single, shared policy document for animal health and welfare which combined a common understanding of how risks to AHW should be assessed with the best practice principles to be found for example in the Code for Crown Prosecutors concerning:

- *Proportionality*
- *Consistency*
- *Targeting*
- *Transparency*

and the principles for inspection and enforcement set out by Hampton:

- *Regulators, and the regulatory system as a whole, should use comprehensive risk assessment to concentrate resources on the areas that need them most*
- *Regulators should be accountable for the efficiency and effectiveness of their activities, while remaining independent in the decisions they take*
- *All regulations should be written so that they are easily understood, easily implemented, and easily enforced, and all interested parties should be consulted when they are being drafted*
- *No inspection should take place without a reason*
- *Businesses should not have to give unnecessary information, nor give the same piece of information twice*
- *The few businesses that persistently break regulations should be identified quickly, and face proportionate and meaningful sanctions*
- *Regulators should provide authoritative, accessible advice easily and cheaply*
- *When new policies are being developed, explicit consideration should be given to how they can be enforced using different systems and data to minimise the administrative burden imposed*
- *Regulators should be of the right size and scope, and no new regulator should be created where an existing one can do the work*

- *Regulators should recognise that a key element of their activity will be to allow, or even encourage, economic progress and only to intervene when there is a clear case for protection.*

42. Not only Defra's inspectors but also those beyond the immediate Defra "family" would then be singing from the same hymn sheet. I have to say that this is not yet the case.

Powers of inspectors

43. I was told that Professor Baldwin of the London School of Economics was carrying out a review of farm enforcement powers. During the collection of evidence for Defra's Farm Regulation and Charging Strategy (published in November 2005) it had become apparent that the powers given to farm inspectors were sometimes neither consistent between inspectorates, nor regulation by regulation within inspectorates. A number of inspectorates had said that these variations in powers were disempowering for their inspectors and were leading to a reduction in efficiency and effectiveness.

44. Professor Baldwin was therefore commissioned to investigate whether the current farm enforcement powers are fit for purpose and provide inspectors with the powers to do their jobs effectively, and to make recommendations. He considered the powers available, by topic, to the SVS, the RPA, the Environment Agency (EA), Natural England, the Gangmasters Licensing Authority, the Plant Health and Seed Inspectorate, the Horticultural Marketing Inspectorate, the Egg Marketing Inspectorate and the Dairy Hygiene Inspectorate. Beyond Defra he also considered LAs and the HSE who also inspect farms.

45. I met Professor Baldwin and found that his research had examined more than ninety items of legislation relating to farm enforcement. His remit went wider than animal health and welfare delivery with which I am solely concerned, but his findings and recommendations are clearly important and pertinent to this review. He found inter alia that *"considerable inconsistency of wording is encountered across regulations and that it is common to spread powers across numbers of enforcing institutions"*. His recommendations can be briefly summarised as urging Defra to consider the costs and benefits of rationalising the formulations used to set out farm enforcement powers, including the appropriateness of creating a common template for powers, of standardising appeals and oversight arrangements, and of creating common reporting mechanisms.

46. He recommended further study of the potential gains to be had from rationalising the allocation of enforcement powers across institutions, that the need for highly specific powers be reassessed and consideration be given to use of more generic powers, and that further consideration be given to:

- Providing greater powers to deal with obstructive keepers of cattle
- Introducing more powers to take random samples for non salmonella zoonotic agents
- Providing powers to issue conditional cautions
- Extending the availability of intermediate levels of sanctions such as administrative penalties and new licensing regimes.

47. While it is for others to consider taking forward Professor Baldwin's recommendations I would simply add that I was surprised to find such a plethora of different kinds of regulations concerning animal health and welfare, much of it highly prescriptive in the traditional way rather than goal-setting in the modern fashion. Even without that, the sheer volume would be daunting enough, and it must also be questionable how easy this kind of legislation is for duty holders to understand and comply with.

48. I would strongly endorse Professor Baldwin's recommendation for more generic powers. I was impressed by the template of powers that are set out in the TSE Regulations 2006, which seemed to me to adopt a much more modern approach to regulation, with corresponding benefits for both duty holders and enforcers. I recommend that future revisions of law relating to animal health and welfare should follow this good practice.

49. Moreover, little consideration had been given so far to enabling inspectors with powers to serve improvement or prohibition notices, which inspectors of the Health and Safety Executive and LAs have been using as the enforcement tool of choice for remedying non-compliance with occupational health and safety laws for the last thirty years. Research has shown that these powers are effective in achieving lasting improvements.

Local authorities

50. LAs have long been responsible for enforcement of many aspects of national law, such as for controlling environmental pollution, food hygiene and health and safety at work. They have been responsible for enforcing certain aspects of animal health and welfare legislation since at least the Contagious Diseases (Animals) Act of 1869 gave LAs the power to appoint inspectors, with certain enforcement powers and obligations (and some would argue even earlier). Animal health and welfare legislation is enforced today by local government either through Trading Standards Officers or by Environmental Health Officers (depending on the kind of activities and premises concerned and their locality). Animal Health Officers in LAs will often possess the Trading Standards Diploma or a certificate of competence in animal health and welfare.

51. Typically, County Councils, Unitary Authorities, Metropolitan Borough Councils and London Boroughs will be responsible for performing some if not all of the following AHW functions:

Risk-based inspections of:

- *Farming premises*
- *Livestock markets and shows*
- *Slaughterhouses (some areas)*
- *Vehicles transporting live animals*

Enforcement of laws for:

- *disease control*
- *animal identification*
- *bio-security*
- *animal by-products*
- *animal gatherings*
- *livestock movements*
- *standstill arrangements*
- *animal welfare*

Inspection and licensing of:

- *Pet shops*
- *Animal boarding premises*
- *Riding/livery establishments*

52. LAs will also respond to referrals from other agencies and from members of the public. The above list illustrates just what a significant part of the delivery landscape the LAs presently occupy, and the importance therefore of their enforcement role being properly performed. It is perfectly understandable that there will be some variation of effort between, say, a large shire county with many livestock holdings and an urban authority with relatively few premises needing AHW regulatory attention. The SVS believes it has a good relationship with some LAs and I was made aware of some very good examples of performance. But I was also told about others that fell well short.

53. It would be good to think that it would be possible to bring all authorities up to the standards of the best. LACORS told me about the introduction of peer review for Trading Standards performance. If this were widely embraced it could become a valuable tool for working towards greater consistency in enforcement.

54. However, as I have said elsewhere, Defra has few levers to pull in trying to influence or even simply to monitor the performance of these major delivery partners, other than through the DVMs' friendly oversight

of LAs' inspection programmes under the voluntary Framework Agreement and its associated funding.

55. Could and should this position change? In May 2006 a report "National Prosperity, local choice and civic engagement" by Sir Michael Lyons was published. He criticised the over centralisation of local government and called for new forms of governance in local authorities and for a redefinition of the role of councillors, saying "*The gravitational pull of government grants, targets and performance management has created an unhealthy situation where local councils are too often focused on the wishes of ministers and their departments rather than their own citizens' needs and preferences*". (I understand there is no evidence in the report that he had animal health and welfare in mind in penning this criticism.)

56. The Local Government Association (LGA) welcomed the report, its chair Sir Sandy Bruce Lockhart declaring that "*It presents a clear and evidence-based case for localism and for devolution to local authorities. It argues for local councils to have the powers to make local choices in response to local people's needs and aspirations.*"

57. These remarks are straws in the wind pointing strongly in a desired direction of political travel. Discussions with the Office of the Deputy Prime Minister (since reformed) confirmed this. Their general line, I was told, was that Departments were not to impose new duties on local authorities without finding the resources to perform them, but equally were not to withdraw responsibility for performing functions that best lent themselves to local political direction and delivery. The hypothecation of resources for particular functions is generally frowned upon; local authorities are expected, through local political leadership, to make appropriate choices about priorities and spending of grant and council taxes.

58. However, many people that I met, including in LAs, were genuinely troubled by the issue of inconsistency in enforcement of animal health and welfare. These people recognised the risk to reputation, as well as to animal and public health that might result from poor enforcement.

59. A question that I frequently asked, but found no one could answer, was "Who knocks heads together?" This problem was identified as early as 1985 in the Preston Report concerning hygiene standards in slaughterhouses. In those days enforcement of meat-hygiene legislation at slaughterhouses was carried out by environmental health officers. MAFF knew that standards in slaughterhouses were poor and decided that enforcement by local authorities, as it then existed, could not change the situation. This became the principal justification for the establishment of the Meat Hygiene Service, a national rather than local authority, but formed (at least at first) by the transfer of numerous LA meat inspectors.

60. I therefore considered whether LAs should remain responsible for AHW enforcement. I concluded that they should, at least until the national authority I discuss in Part Three has developed its capacity for inspection and enforcement. Then the question can be revisited, if the improvements I discuss as necessary below prove not to have been achieved.

61. As the web of animal health and welfare legislation has steadily developed over the last century, often in response to crises, the result has been to add more and more to LAs' enforcement burden, usually (until FMD) with no accompanying increase in resources. This meant that the allocation of resources and the prioritisation of work was left very much in the hands of local councils, with predictably variable results given the need for decisions to be taken about competing priorities, steered by the wishes of local democracy rather than Westminster or Whitehall. After FMD the development of the Framework Agreement which provides funding for additional work by LAs was a significant step forward.

62. At my request, DVMs of the SVS willingly made arrangements for me to meet representatives of a number of LAs. I saw evidence of very good collaboration and trust between the SVS and LAs in several regions (SW, NW, Yorkshire, East Anglia) and if this pattern were repeated across the board there would be no reason to lack confidence in the LA sector of the delivery landscape. Unfortunately this is not the general picture. While I was unlikely in the course of this review to be offered a visit to an LA that was failing in its duties, I was given numerous examples of problems that had arisen by the DPCU, the SVS and even by LAs themselves, who were clearly uncomfortable about the situation.

63. LAs make considerable play of their local knowledge and this is a powerful argument in favour of their being involved in delivery. The issue of sufficient "resilience" in the face of a major crisis such as FMD is also very important and LAs played a crucial role in responding to that crisis. Intimate understanding of AHW issues may not necessarily be vital; LAs are expected to participate in emergency planning generally and respond to other emergencies such as terrorist attacks, rail or air catastrophes, matters in which they are not routinely involved in enforcement. In theory at least, an animal health crisis such as a disease outbreak threatening public health could be treated no differently if there were sufficient expertise available within a national inspectorate (see Part Three).

64. I was told that both the Environment Agency and the Health and Safety Commission (for HSE) had thought about whether they should take over full enforcement responsibility for LAs' pollution prevention and health and safety enforcement functions. In both cases LAs are significant enforcers. They will remain so. A consultation exercise by

the Health and Safety Commission (HSC) in 2003 elicited vehement opposition from LAs to the idea of stripping them of their health and safety enforcement role, arguing that a single body with sole responsibility would be unworkable and emphasising the benefits of enforcement at local level.

65. However, they also emphasised their belief in a partnership for delivery of health and safety enforcement, which has led to a stronger relationship developing with the HSC and HSE. A similar belief is reflected in the LAs' signing up to the AHW strategy and the partnership contained in the Framework Agreement.

66. If LAs were to be relieved of their enforcement duties in respect of AHW, it would not result in LAs no longer visiting farms. I was told that the Food Standards Agency (FSA) intends to give LAs more enforcement responsibilities under their comprehensive regulatory regime for food safety. This means that even if LAs ceased to visit farms for AHW enforcement on farms, they would still be visiting farms for the FSA's purposes (and would in any case continue to do so for other trading standards issues).

67. Nevertheless, Defra should be free to draw up plans for an integrated national inspectorate (or a rose by any other name). There are clearly advantages in doing so which I discuss in Part Three. I strongly believe that if LAs are to remain part of the AHW delivery landscape Defra needs to strengthen its partnership with them. A national inspectorate in the Defra "family" would become a stronger centre of authority than exists at present.

68. Defra also needs to improve its capacity for performance measurement of LAs, along similar lines to the FSA, another Defra delivery partner, which for food safety has the statutory powers which Defra lacks to set standards for and audit LAs' performance. Some LAs told me they were accustomed to being audited on a number of fronts and would have nothing to fear from audit of AHW performance provided that a way could be found of avoiding unnecessary duplication of effort, perhaps by piggy-backing on FSA audits.

69. I met the FSA's audit manager. The FSA launched its LA audit scheme in 2001 and believes this allows it to make a qualitative assessment of LAs' performance. Authorities are audited against the Food Law Standard in the Framework Agreement on Local Authority Food Law Enforcement that sets out the full range of their food law enforcement activities and describes the audit scheme in some detail. Audits involve a pre-visit questionnaire prior to on-site audit and officer interviews. Audit reports are published; good practice is identified and shared. The audit programme looks at Home Authority Arrangements, advice to business and food and feeding stuffs safety and standards promotion. It also examines LAs' internal monitoring and peer review, and the quality of statistical returns.

Better regulation and local authorities

70. The future direction of Trading Standards seemed uncertain during the period of my review and was still unclear at its conclusion. The Chancellor of the Exchequer's pre-Budget statement had announced in December that Hampton's proposal for a new "Consumer and Trading Standards Agency" (CTSA), which had been welcomed by the Trading Standards Institute, was not being pursued and that a "Local Better Regulation Office" (LBRO) would be established. This disappointed some Trading Standards Officers but was generally welcomed by local government representatives as having a wider remit.

71. I met officials in DTI, OFT and ODPM (as was) to discover more about their hopes for the LBRO but no one was able yet to tell me clearly what it would mean for the future delivery of enforcement of animal health and welfare law. The general idea seems however to be that the LBRO will see that the "better regulation" principles of enforcement which I mentioned above are being applied by local government across the broad spectrum of LA enforcement responsibilities. Roles envisaged for the LBRO include:

- developing national priorities across trading standards and environmental health services
- building on best practice in risk-based services at the local level, coordinating support and guidance for LAs on regulatory enforcement
- driving a move from inspection to more front-end advice, aiming to reduce burdens on business
- expanding on the success of the Home Authority principle
- driving up performance standards within the wider local government performance framework, helping TSOs and EHOs provide a high quality service in accordance with Hampton principles.

72. During my review the officials concerned with developing the LBRO's position issued a consultation document on enforcement. This offered few clues as to how they would monitor AHW enforcement, if at all, against the guidance. Perhaps this is not altogether surprising and there clearly remains a very great deal to be done that is beyond the scope of this review, and beyond Defra's own authority to direct. I noted however that other regulators such as the Health and Safety Executive are participating closely in a steering group for LBRO. Defra, as one of the largest Departmental regulators, also needs to engage closely with this process and influence it so as to ensure an acceptable outcome for AHW.

Recent lessons from the past

73. FMD 2001 is still recent enough to be remembered all too well by those who were involved at the time and I will not presume to second-guess their experience. But I did feel it was worth revisiting the period when policies over BSE controls and the SBO ban were being developed to see what lessons were then learnt about inspection and enforcement.

74. MAFF (which then included the State Veterinary Service) did not see itself as an enforcement authority, although powers were vested in the Minister to appoint inspectors. Vets in the SVS had a supervisory and advisory role in animal and human health disease control, while both tiers of local government were involved in enforcing the law. MAFF and the SVS had no enforcement powers in slaughterhouses, feed mills or rendering plants. The success or failure of the BSE controls was therefore to a large extent dependent on the effectiveness of self-regulation by the industry in complying with the relevant legislation, and the effectiveness of LAs' enforcement of those controls. However, MAFF had no legal powers to monitor local authority enforcement. (As I have already pointed out, Defra's position remains similarly weak today.)

75. After the establishment of the Meat Hygiene Service in 1995 it remained for a period part of MAFF and there was close working between MHS and vets of the SVS. In Chapter 4 of "The Politics of BSE" Sir Richard Packer (a former Permanent Secretary in MAFF) describes a series of unannounced visits by the SVS to slaughterhouses in May and June of 1995. This blitz followed complaints that SBO was arriving at rendering plants without having been stained with the new dye that had been introduced to identify and separate SBO from other materials. The SVS found that some 65% of slaughterhouses were not complying with the rules.

76. A tougher enforcement regime was then announced, with follow-up actions following the discovery of contraventions, and the threat of prosecution. This required much more rigorous standards of enforcement within the slaughterhouses by the MHS, many of whose inspectors had transferred from local authorities, and the continued involvement of SVS vets. By January 1996 the rate of non-compliance is said to have dropped to 6%.

77. The failures of compliance and enforcement in the 1990s had very serious consequences. EU rules following the identification of BSE were adopted in 1990 to control the export of calves and beef from the UK to the rest of the EU. However, a growing loss of confidence as more evidence of earlier problems emerged meant that by March 1996 UK beef exports had been banned by the EU. The consequences of the ban were huge economic loss and damage to reputation. It was to be another ten years before exports of UK beef to the EU were allowed to resume.

The Meat Hygiene Service

78. The Meat Hygiene Service (MHS) is now an executive agency of the Food Standards Agency, a non-ministerial department (itself an unusual phenomenon). It has its Headquarters at York and a substantial staff that I was told includes some 1100 Meat Hygiene Inspectors and 220 Meat Technicians under the supervision of Official Veterinarians (OVs).

79. During the review I had the benefit of discussions with the Chief Executive of the MHS, saw inspectors and OVs at work in abattoirs, and spoke with a senior vet (POV) about her role. I also had discussions about the MHS with the FSA and learnt about the FSA's approach to audit of the agency's work.

80. MHS staff are largely based at abattoirs throughout the country. Lines of communication are thus very long and the local staff I met regarded MHS HQ as very remote.

81. A number of frontline staff are supplied to the MHS by private contractors. Unlike the early days of the MHS in which a number of inspectors transferred from LAs previously responsible for the work, inspectors and OVs are increasingly being recruited via agencies (contractors) who seek labour from the wider European Union countries. The contractors are seen by these staff as their primary employer. Inspectors and vets told me they felt remote from their HQ and were uncertain about the future direction of the service.

82. I was left wondering about the strength of the relationship between the MHS and its contractors, who was really in the driving seat, and what effects this might be having on vets and meat hygiene inspectors and the accountability of contractors for the service provided. I learnt that following the Wall Report of 2004 MHS began a public consultation in April 2006 about proposed changes to veterinary supervision arrangements, with a view to strengthening these. Defra, as a principal client for MHS' services, needs to keep in close touch with this exercise.

83. I noticed that the meat hygiene inspectors and the vets seemed to work in comparative isolation from the rest of the delivery system. Vets in the SVS seemed to have relatively little professional contact with their colleagues in the MHS, and vice versa. Some have been recruited from abroad, and though well trained by all accounts in their home country, are working far from home, some for the first time in an English-speaking environment.

84. The Meat Hygiene Inspectors seemed even more isolated professionally. The working environment in an abattoir, however high the standards, is difficult to imagine unless you have seen it for yourself. The inspectors' conditions of work are arduous by any

enforcer's standards. Based in a slaughterhouse, to the point of being part of the operation itself, alongside and amongst the operators, they are expected to intervene and if necessary interrupt the working of the line. To this it is necessary to return day after day. The conditions did not seem very conducive to regulatory intervention though I stress that I have no evidence to suggest that MHS staff might shrink from this. But I believe that the inspectors, and the vets, could benefit from closer professional contact with their counterparts in the wider delivery landscape. Recently 10 new posts of Area Official Veterinarians (AOVs) were established alongside the Area Managers and I would expect them to help lead professional development and maintaining standards.

85. While the work of the MHS might seem to be primarily about ensuring food safety in connection with dead meat rather than live animals, it has a wider role including the welfare of live animals arriving at the lairages. Hence it is also expected to report evidence of poor welfare conditions in live animals arriving for slaughter, for follow up by the SVS or trading standards officers. Moreover, it was a vet of the MHS that spotted in an abattoir in Essex the first sign of the foot and mouth outbreak of 2001, which was duly reported to the SVS and thus traced back to a farm in Northumberland. The MHS thus clearly has a very important role to play in the wider system for the identification of disease and therefore the prevention of its spread.

86. Curiously, in spite of the fact that in some respects Defra seems to be paying more for the services of the MHS than the FSA itself, it has little leverage over what the MHS does on its behalf. I wondered why that was, and how Defra assured itself that it was getting value for money. The FSA carry out audits of MHS activity, and MHS also audit themselves. But the point is that Defra are not in the driving seat here. Defra were developing a Service Level Agreement with the MHS during the period of my review with the aim of improving transparency and accountability for the delivery of the work done by the MHS on Defra's behalf, which I thought was only reasonable.

87. I found that from the point of view of others in the delivery system, and customers and stakeholders, there were mixed feelings about the MHS and the transparency of its work. One stakeholder representing the smaller operators told me that he was extremely critical of the cost of the Service to the industry.

88. LAs also have some responsibilities at slaughterhouses. Trading Standards officers told me they sometimes experienced difficulty in getting agreement with the MHS over inspection of certain lairages. The relationship struck me as in need of clarification. The RPA was also developing a Service Level Agreement for its contact with the MHS. A more unified, Defra-led approach to sorting out relationships would seem desirable.

89. Another said that the MHS used to publish a biennial report of the state of animal welfare at slaughterhouses, the last being in 2004. I was told that MHS had advised recipients in 2006 that they no longer intended to publish this report, as Defra was unwilling to continue its funding. Defra were contacted but the stakeholder was told that they were unable to provide the information in another form. The stakeholder was concerned that this, the only source of information accessible to the public about welfare in slaughterhouses, would no longer be available.

Rural Payments Agency/BCMS

90. The Rural Payments Agency (RPA) was formed as an agency of Defra in 2001 for the purpose of CAP payments. Now primarily responsible for delivering CAP Reform through the Single Payments Scheme, it is also the operational delivery body for the Livestock ID programme, the Defra Customer Register and the Land Register, and has taken over the running of several Defra help-lines. During this review the Horticultural Marketing Inspectorate (HMI) became part of the RPA, swelling the size of the RPA's Inspectorate (RPAI).

91. I had discussions with senior staff in the RPA and BCMS. I also accompanied an RPA inspector on a cattle identification inspection (see below).

Cattle tracing and identification

92. In July 1997 it was announced that a GB cattle tracing organisation would be set up at Workington. The cattle tracing scheme was launched in September 1998 and run by the British Cattle Movement Service (BCMS). BCMS was later joined with the RPA. This may have made sense at the time but in the light of recent difficulties surrounding the RPA's work on Single Payments it may now be questionable. David Hunter's ongoing review of the RPA is more relevant here than mine but I will comment later on the implications for the IT systems needed to support inspection and enforcement.

93. It was made clear to me that the rules around cattle tracing and identification are pivotal to the prevention of transmission and control of disease, particularly in the event of an outbreak of exotic disease such as foot and mouth. It follows that it is very important that they are observed by those with duties to comply, and properly enforced by the authorities. Both parties need to be able to understand the rules and believe in their enforceability if they are to be effective. I soon discovered that these rules are complex and accompanied by comprehensive bureaucratic processes, at present largely based upon paper in the absence of joined-up IT systems, which must be followed both by duty holders and enforcers.

94. Faced with a need to discover how well these rules were being followed, I was relieved to learn that Defra had also set in train a review of cattle tracing and identification, to be completed by the end of June 2006. Bill Madders, the reviewer, and I have therefore kept in touch. I will therefore make no specific recommendations myself about this issue other than to comment that whatever new systems are developed to replace the existing systems, it is vital that achieving ease of compliance by duty holders and enforcement by inspectors be kept in mind.

95. Cattle tracing and identification being so crucial to disease prevention and control, the RPA Inspectorate (RPAI) has an important enforcement role to play. Its Inspectorate is required under EU law to carry out on-farm inspections of a specified percentage sample of cattle every year.

96. The RPA is no longer simply a paying agency but has become a multi-faceted delivery body for a variety of purposes. Considerable difficulties had arisen during 2005/06 over delays in making payments to farmers. I met David Hunter, who in April 2006 was charged with conducting a major review of the Rural Payments Agency. His work was likely to continue for many months beyond my timescale. The Hunter review provides Defra with an opportunity for radical thinking about the future role and purposes of the RPA, including whether it needs to retain an inspection body of its own. We exchanged ideas about the possible future role of the expanded RPA Inspectorate (RPAI).

97. I expected to find more evidence of joined up working between RPAI, LA inspectors and state vets also visiting farms and wondered why this was not taking place. I expected at least that the RPAI might be acting as “eyes and ears” for the vets and inspectors. I was told by senior RPA staff that there was a willingness to do this, but the perception of both trading standards officers and vets that I spoke to was quite the reverse. They found it difficult to engage co-operation from the RPA, and gave me instances of where RPA concerns about data protection had been counter-productive. I was also told of difficulties in agreeing to arrange joint inspections where the farmer might need to be put cattle through a crush for inspection of tags.

98. I therefore found it helpful to be able to accompany an RPA inspector on a farm inspection. The inspector told me that if she saw an animal health or welfare problem she would wish to report it to the SVS or Trading Standards, and thought that she could usefully act as “eyes and ears” for others to follow up issues. But she also told me she had referred what seemed to be a serious welfare problem to the SVS and had been disappointed by their response (which possibly points towards the need for a better understanding of roles, how veterinary judgments are applied and the limitations on remedial action). In another instance of non-collaboration she cited a farmer telling her by chance

that he was expecting an inspection by Trading Standards, which could usefully have become a joint inspection.

99. I found that none of these three parties, the SVS, LAs or RPA participate in an organised system of collaboration in planning their inspections or sharing information and intelligence (excepting the Framework Agreement discussions described elsewhere). Clearly that would be desirable, it could considerably relieve farmers of some of the burden of receiving inspections and would improve Defra's regulatory image.

100. Several people, beyond the RPA, had told me that farmers' perception of the RPAI was generally very negative. I would not wish to rush to judgment on the basis of one accompanied inspection but I will say that the inspector's approach to her task (a cattle identification inspection on a small farm) seemed to me to be thoroughly competent, firm and fair, as well as helpful towards the farmer. He was found to be keeping both the paperwork and his animals up to the required standards and he reacted very positively to the inspection.

101. Nevertheless I would also comment that the inspection (both of the paperwork and the animals) was time-consuming and I wondered whether the risk at this farm, given the level of compliance, actually justified the attention. I was told that to meet our European obligations there is little discretion in the matter, the RPA having to inspect a small percentage of livestock holdings every year, and that the inspection programme is selected by computer on the basis of risk and a random selection factor (although some inspections may be chosen locally as "targeted" and these could well be arranged as joint inspections with the SVS or Trading Standards if that seemed appropriate).

102. I was told the statutory requirement on the RPA not to give more than 24 hours notice of an inspection, although for understandable reasons, made it difficult to arrange joint inspections with other delivery partners, but that this would not be impossible, given determination on all sides and goodwill towards collaboration.

Cross compliance

103. I was intrigued to know how the RPA's cross compliance inspections appeared (at least to me) to have implications for the need for separate animal health and welfare inspections by other delivery partners, but found it hard to find a convincing explanation of how these "joined up".

104. Cross compliance under CAP reform began in 2005 and requires farmers claiming subsidy to meet certain conditions for agriculture and environmental protection, meeting various "Good Agricultural and Environmental Condition" standards and complying with certain "Statutory Management Requirements" relating to the environment,

public and plant health, animal health and welfare and livestock identification. Farm inspections of at least 1% of claimants (about 1,200 inspections) are required to be done by the RPA, in conjunction with the Environment Agency. Seven standards, some relating to animal health, applied with effect from 1 January 2006 and three additional standards relating to animal welfare requirements will apply from 1 January 2007.

105. Towards the end of 2005 the RPA had written to LAs explaining all this and asking them, voluntarily, to send the RPA reports of non-compliance since 2005 and in future so that this evidence could be taken into account during the assessment of claims. This was to be in parallel with any reporting to the AMES database.

106. The Cross Compliance regime continues to develop and is but one of a number of issues at present on RPA management's mind, but given the comments I have made above about the lack of a "joined up" approach to animal health and welfare inspections, it adds a further dimension to the argument in favour of greater collaboration between partners and further integration of inspection resources.

The State Veterinary Service (SVS)

107. There is an important question about the SVS which several people raised with me: "*What is the SVS for?*"

108. Under Defra's Delivery Strategy the SVS became an Executive Agency on 1 April 2005. It is thus seen by Defra as essentially operational.

109. The SVS's role is described on the website as "to help deliver a sustainable food and farming sector, protect the health and welfare of farmed animals, and minimise the impact of animal health issues on public health." Their role is very wide and is described as including:

- *Continual improvements in farmed animal's health and welfare;*
- *Eradication of existing disease through the implementation of specific animal and public health policies;*
- *Preparing for, and managing, outbreaks of notifiable animal disease;*
- *Facilitating international movement of animals and animal products, including inspection prior to, and during, transit;*
- *Enforcing animal health and welfare*
- *Recruiting, training and directing the work of approximately 7,000 Local Veterinary Inspectors who work as agents in delivering tasks such as testing cattle for TB, certification of animals and animal products for export, and inspecting animals held in quarantine.*

110. Although this goes on to describe the SVS's enforcement activities as including investigation, inspection and surveillance, licensing, certification, and registration, I did not find what I would normally recognise as a deeply embedded enforcement culture. Indeed, several vets that I spoke to said that they would be uncomfortable if they were required to "enforce" and were perfectly happy with their role of providing expert support to LA enforcers, particularly when it came to prosecution (although I found that there are comparatively few of these cases that come to court: source: DPCU statistics). The front-line veterinary staff is not PACE trained and several vets told me that they thought that the collection of evidence, giving cautions and taking statements for enforcement purposes would get in the way of the positive relationship they needed with farmers and others. However, not everyone that I met shared this view. It was not apparent to me that there was a common understanding of what "enforcement" means, and I felt some concern that this aspect of their role was at risk of not being strongly pursued.

111. It also raised a question in my mind about the training of front-line staff generally, and how they gain and maintain their competences. The vets clearly, and justifiably, take great pride in their being State Veterinary Officers in the great tradition. They also look beyond Defra to the Royal College for their qualifications and professional standing. I was left in no doubt about their enthusiasm for their work and sheer commitment, particularly when there is an animal health crisis to be managed.

112. The vets seemed to me to be more in the position however of the Health and Safety Executive's specialist (and highly qualified) inspectors who perform a "permissioning" role through various licensing regimes, allowing risks to be managed and business to be conducted, and supporting front-line inspectors (also recruited at degree level) in the more routine inspection tasks, including investigations and enforcement.

113. There is no question that the SVS has very important responsibilities and is carrying a very considerable workload, with resources under pressure. A question that I asked several people was therefore "*Are the right people doing the right things?*" I was told that recruitment of vets is difficult and the vets account for only 17% of the staff. The SVS is increasingly recruiting technical staff to perform its functions, and there is also of course the large body of LVIs which it "manages". I wondered about the professional management of non-veterinary staff and how they gained and maintained the competences they require. I spoke to a number of DVMs and visited several Animal Health Divisional Offices (AHDOs), where I was able to talk to some SVS staff.

114. In fulfilling its important responsibilities SVS works closely with key stakeholders across the agricultural sector, including farmers, local

authorities, private veterinary surgeons, market operators, transporters, slaughterhouses and many other groups, as well as the general public. Here, the Divisional Veterinary Managers (DVMs) and their staff are in the front-line. Judging from my discussions with others in the system in regular contact with the SVS, they are clearly held in high regard.

115. However, I do not see the SVS, as presently constituted, quite as an “inspectorate” in the normal regulatory sense. In certain respects it has a uniquely specialised stand-alone role which only its vets can perform, where veterinary judgments about risk have to be brought to bear on decision-making. It also exercises a “permissioning role”, effectively allowing businesses to carry on their undertakings through a system of licensing and approvals. The reverse of this coin is that it can (and does) intervene in the conduct of business, placing restrictions for example on the movement of livestock. This is all professionally demanding, and administratively labour intensive.

116. It also has responsibility for supervising numerous other functions such as testing of animals, which is increasingly carried out by LVIs or non-veterinary technical staff.

117. Inspections and investigations of complaints about welfare are quite another matter, in which vets or technical staff or others such as Trading Standards “enforcers” could all become involved.

118. All this points towards everyone needing to gain a very clear understanding of the essential delivery work that only the SVS can do. This might be done through a zero-based approach, accompanied by a precise analysis of those tasks in terms of the skills and competences, the kinds of staff needed to perform them, and therefore the necessary training and development that those staff will need.

119. The priorities to be given to tasks, and the roles and responsibilities of each group in pursuing them then need clarification, explanation and communication to everyone, including those in the wider delivery system.

120. In saying all this I am conscious that it is still very early days for the SVS as an agency. It is undergoing an exceptional period of change and its managers are under serious pressure. Its focus so far has been on modernising its operational management systems, embedding new management structures, improving performance reporting and developing relationships with stakeholders. It is only midway into its first three year Corporate Plan. Some restructuring has already occurred enabling better alignment with Government Office Regions. This is intended to improve strategic co-ordination with other delivery partners operating within these regions. These things have rightly been identified as necessary. In the meantime, its essential “day job” has to be performed, which frequently involves diverting considerable senior management effort and staff resources to reactive work. I saw that

coping with even minor outbreaks of disease can be very demanding, and a very considerable amount of effort is needed when these are more serious (and highly visible to the media and thus the public).

121. During the AHW review a separate “capacity review” of the SVS was conducted by Margaret Joyce and I have therefore tried to avoid duplicating her work. We took opportunities to compare notes. From my own observations I can endorse her findings, recognising the considerable amount of work in progress and the magnitude of the task of managing change that is still to come.

122. Questions of devising an appropriate workload formula, leading to adequate resourcing, appropriate skills and competences, and a structure and organization that are fit for purpose, must continue to receive attention if the SVS is to be able to match the exacting demands of the pivotal role it is required to perform in a larger integrated body and in the wider regulatory system.

123. I discuss in Part Three the implications for the SVS of absorbing the Egg Marketing Inspectorate and Dairy Hygiene Inspectorate. I learnt that the future location of the Plant Health and Seed Inspectorate was under separate review by Janet Purnell. Her findings were not available to me at the time of writing this report. I would simply comment that any Defra inspectorates remaining outside the AHW thematic body that I discuss in Part Three need to be embraced by the same Defra-wide professional culture and enforcement culture that needs to be fostered.

124. Defra has its own vets working on policy in the AHW DG. Even so, the SVS needs to contribute to evidence-based policy development and is well placed to give valuable advice based on operational experience on the deliverability, implementation and effectiveness of existing policies and new proposals. I found that the SVS felt that its relationship with policy makers was more remote than it had been since they became an Agency and that they had to work harder to make their voice heard. Some policy makers told me they felt much the same way!

Local Veterinary Inspectors (LVIs)

125. One vet that I met likened the LVIs to a “territorial army”. Around 7,000 vets are appointed through a panel system by the SVS to perform certain regulatory functions on behalf of the SVS, for which Defra pays. In some cases this work accounts for a substantial proportion of their income. Some LVIs have also agreed to be available in the event of an emergency, though this is not compulsory, and some prefer not to. Indeed there appear to be no enforceable contracts with individuals, though the SVS relies greatly on the goodwill of this “TA” to help in times of need.

126. The LVIs thus represent a very important resource in the delivery system. However the relationship that individual vets have with

the SVS as a part-time employer struck me as being weak and less formal than it needs to be, given the importance of their tasks. I recommend that it be reviewed with the aim of strengthening the bonds and the working relationships that exist between the AHDOs and the LVIs.

RSPCA (and other charities)

127. There are a number of active interested charities. The Royal Society for the Prevention of Cruelty to Animals has carried out countless investigations of abuse over the years and has brought many successful prosecutions (being authorised under the Protection of Animals Act 2000). The Society's enforcement activities are often more visible than the regulators'. The general public will often choose the Society as its first port of call before approaching an LA or Defra with a complaint about animal abuse.

128. This seems likely to be because the ordinary citizen lacks understanding of the "delivery landscape" for animal health and welfare, in spite of the publicity that has accompanied the more recent serious outbreaks of disease, and prefers not to approach officialdom. The RSPCA is well known, thanks to a successful publicity machine, its enforcement track record and its resultant high profile. Most people I have asked who are not involved in agriculture, and many who are, could not explain to me the difference between the State Veterinary Service, private vets or LA inspectors nor what they do about animal welfare, let alone animal health.

129. There is a lesson here. The RSPCA's publicity is, by and large, positive. They are on the side of the angels. By contrast, the publicity surrounding "Defra's" efforts (ie the efforts of the whole delivery system for which Defra is the Competent Authority) is frequently negative, and when a crisis occurs the media prefers to suggest incompetence or failure without too much close examination of the facts and political realities.

130. Other charities are also active. I visited the Wood Green animal refuge facility (now based at Godmanchester) with a Trading Standards Officer and was impressed with their work and the standard of compliance.

Farm assurance schemes

131. The Action Plan published in November 2005 for putting the *Farm Regulation and Charging Strategy* into practice states that Defra is:

"working with assurance schemes to:

- *Improve co-operation to reduce burdens on farmers*

- *Explore how we can share information and data we currently hold. This should cut the number of requests to farmers for such data. Sharing of such data should only be with the consent of the individual farmer*
- *Identify the scope for inspections and information exchange in the dairy sector; and*
- *Consider electronic sharing of data with government regulators and farmers, using the Whole Farm Approach for individual farmers who agree to their data being shared.*

We are also working towards a system where farms demonstrating high standards and good management practices in animal health and welfare, worker health and safety, food safety and environmental protection are rewarded by fewer government inspections.”

132. Some members of the England Implementation Group (see above) made it clear to me that they were averse to farm assurance schemes supplanting the state system of inspection. Clearly, they are not the same thing. However, it seems to me that as these schemes continue to develop there is scope, as the Farm Regulation and Charging Strategy suggests, for sharing of information about performance and risk which could lead to reductions in the frequency and volume of state inspections at holdings where the risk assessment could with confidence be moderated. This would be very much in line with thinking elsewhere about the future development of regulatory regimes where effective, voluntary, parallel arrangements for inspection and self regulation coexist.

133. I met several people, not simply those with commercial interests in the schemes, who were in favour of some convergence of state inspections and inspections for farm assurance, along the above lines. Indeed, some farmers who were in the National Dairy Farm Assurance Scheme doubted whether the DHI would continue to be needed. They perceived DHI inspections as having no additional effect on their compliance with standards over inspections by farm assurance inspectors (for whose inspections they paid) and regarded it as dual enforcement with no added value for animal health and welfare.

134. Whether or not everyone would agree with that, this is a steadily maturing area of self-regulation and could become more imaginatively connected with a shared assessment of risks, with some prospect that recognised better performers would receive less unnecessary regulatory attention in future.

Intelligence, information strategy and systems

135. I was surprised to find that comparatively little use was being made of the analysis of information and data to target investigations and inspections for AHW. (Recommendation) In Part One I mentioned the

discussions I had with the National Wildlife Crime Intelligence Unit which I think offers Defra a valuable model.

136. Early on in this review I met Defra staff working with IBM on the establishment of the livestock, land and customer databases. This work is considered vital to the future efficiency and effectiveness of AHW delivery. In the light of discussions I then held with delivery partners I decided towards the end of my evidence gathering to review progress. It was disappointing to learn that these projects are now subject to a pause whilst undergoing a review of affordability and feasibility, and it is to be hoped that a way will be found to proceed.

137. Existing databases do not support delivery well. As well as using and inputting to AMES, LAs invest considerable effort for their operational purposes into analysing data from and inputting data onto AMLS. LAs have operational databases of their own, of course, including FLARE. The SVS is hoping to replace its ageing VETNET. However, none of these existing separately owned databases can effectively “talk to each other”.

138. Whilst AMES is potentially a useful tool it is not being used by policy makers who lack confidence in the accuracy of its data, which is disappointing. AMES is very accessible but access to other partners’ databases can be problematic, for a variety of reasons. Partners will have to make the best of the current systems, accepting their limitations for the time being, while the above-mentioned review of the land, livestock and customer systems takes place. In the meantime it is important that during that review the designers and suppliers of new systems bear in mind the operational needs of Defra’s delivery partners, who need to be consulted.

Benchmarking

139. I have made references from time to time in this report to the way in which other regulatory authorities operate in partnership as enforcers. Here I should say more about the recent change in approach by the Health and Safety Executive (HSE) to working with LA enforcement authorities, as I believe it casts useful light on the way in which Defra could reinforce the relationship between its own enforcers and LAs, should it be decided to continue along the present path set by the Framework Agreement.

140. Under health and safety law both the HSE, as the “national inspectorate”, and LAs share responsibility for enforcement. The HSE has generally looked after manufacturing, construction, mining, nuclear, offshore and other high hazard industries while LAs have had local responsibility for retail and commercial premises and the like. Both are accountable for enforcement of health and safety law to the Health and Safety Commission (HSC), an NDPB whose members are appointed by the Secretary of State and nominated by groups representing

employers, workers, LAs and others representing the public interest. In that sense the HSC is not unlike the EIG, but unlike the EIG it has statutory power to issue guidance to the enforcing authorities which they are bound to follow. It cannot however direct LAs, although it retains a power (never exercised yet) to intervene in the event of serious failings.

141. HSE, in close collaboration with LACORS, is now working with LAs to change attitudes and culture in health and safety enforcement through the *“Local Authorities and HSE Working Together Strategic Programme”*. This programme is one of five that have been established to help deliver the Health and Safety Commission’s *“Strategy for Workplace Health and Safety in Great Britain to 2010 and beyond”*. There is a Steering Group which includes elected Councillors.

142. HSE has appointed Partnership Managers who lead regionally based teams including its own and seconded LA staff to pursue the strategy with LA enforcers. Partnership Managers work with elected members, Chief Executive Officers and other key staff to develop, implement and facilitate effective partnership working for health and safety. This new approach to collaborative working has been well received by LAs and I was told was going very well.

143. Should Defra decide to maintain and strengthen the involvement of LAs as deliverers of AHW, this could be a useful model for Defra to consider, possibly pursued under the umbrella and guidance of the EIG.

Import controls

144. The enforcement of controls over legal and illegal imports has been discussed with International Policy staff, a Port Health Authority and HM Revenue and Customs HQ staff. Clearly, there is a serious potential risk from imported foodstuffs and animals that has to be controlled. It is hard to see this being done more efficiently than at the point of entry by competent, empowered staff of authorities already based in the ports and familiar with their operation. I have no special comments to make other than to reinforce the need for maintaining close liaison with the SVS.

Contingency Planning

145. An animal health crisis remains one of Defra’s “Top Threats”. I had discussions with Defra policy staff responsible for contingency planning generally, with HQ SVS staff about the latest Contingency Plan, and with operational SVS and LA staff about the efficiency and effectiveness of current arrangements for responding to a serious outbreak of exotic disease and the parts they are expected to play. It seemed to me from observation of Operation Hawthorn (interrupted by the SVS’s need to respond rapidly to the discovery of an infected swan

in Fife) that the importance of good contingency planning is being taken very seriously by the delivery partners.

146. The response to the low pathogenic outbreak of AI in Norfolk during this review also showed the system working pretty well. There are of course always lessons to be learnt from these experiences, which tend to be one-off in nature.

147. I therefore make only the most obvious recommendations, that the plan needs to be kept under continuous review in the light of lessons learnt from experience, and a programme of regular exercises must be maintained. When a real emergency occurs it naturally tests the system but many staff could go some years before facing an actual event. Any other reasons for postponing or cancelling exercises must be resisted if everyone responsible for participating in a response to an emergency is to be kept thoroughly aware of their role and what they need to know and do.

The delivery landscape from the farmers' perspective

148. During the review I met a number of farmers in the beef, dairy, arable and other industry sectors of the agricultural industry, including some Young Farmers who took a refreshingly positive and businesslike view of their future in the industry. But they all generally regarded officialdom with some bewilderment or even contempt. Most were unable to distinguish clearly between the roles and responsibilities of the various inspectors, national and local, that had rights to come onto their farms, and tended to describe all officialdom as "Defra". Some farmers seemed genuinely puzzled that all these people, apparently from Government, could have different reasons for visiting. They found it difficult to name officials and identify their organisations, but their perception was that they were being visited frequently, sometimes by different people who repeated what others had already done. Some visits were very time consuming for farmers: one told me that a team of three had spent the best part of a week on his farm, which had tied him up for many hours.

149. In spite of that, few seemed to know the names of their visiting inspectors or state vets (the latter, they said, having relatively little contact with them). Even the private inspectors of Farm Assurance schemes were regarded as somehow "from the Ministry". Farmers' relationships with inspectors of all kinds seemed remote, a little fearful, and occasionally hostile. (The RPA's difficulties in making the new Single Payment scheme work, ongoing during this review, plainly exacerbated this state of affairs.)

150. Those that were part of the "establishment", i.e. involved closely with the NFU or their trade associations and committee work, and therefore used to dealing with officials, particularly officials of central departments, often as part of consultation procedures, usually took a

different and rather more understanding view of “Defra”. Even they however felt that the delivery system was in need of an overhaul.

151. From those that were not so close to the establishment, I gained the strong impression that it was farmers’ lack of understanding about why apparently similar inspections, whether for environmental, grant payment, health and safety, farm assurance or animal health and welfare reasons, to name but some, were carried out by so many different bodies that they found most frustrating.

152. On the other hand the farmers I met all accepted that laws to protect animal health and welfare were necessary and were as affronted as anyone when serious abuses come to light. This all seems to point to a need for more clarity about roles and responsibilities and better communications with “the regulated”.

153. It is perhaps worth noting here that the average age of farmers in the UK is 55. About 25% are over age 65 compared with 3% for the whole UK labour force (source: “Landscape” briefing 16). Many of this generation who have not become familiar with electronic data processing find it difficult to cope with the frequent changes in regulatory requirements where familiarity with IT could make life easier for them. It is something for policy makers to keep in mind. Representatives of the younger generation that I met were more comfortable with the idea of obtaining information and reporting on line.

Summary of recommendations in Part Two

1. The report of this review should be published (*KEY*)
2. Delivery partners should be consulted about its recommendations (*KEY*)
3. Greater transparency and accountability should be achieved and performance management should be enhanced across the delivery landscape to provide greater assurance about outcomes (*KEY*)
4. Delivery partners should be consulted before the next round of PSA targets for AHW is settled
5. Delivery partners should be involved more closely in the development of policies that they have to implement. Once better systems for performance management, measurement and accountability exist policy makers should allow delivery partners to get on with delivery
6. Feedback loops between policy and delivery should be improved and greater use should be made of AMES by Defra policy makers and others as the quality of data improves
7. The FVO should be made more aware of the strengths of the UK’s AHW delivery system and informed about good practice (*KEY*)

8. Defra should aim to put the UK's delivery of AHW at the forefront of European performance and make that known to the FVO
9. Guidance on how to comply with the law should be clear and comprehensible to duty holders (*KEY*)
10. Consideration should be given to producing a single "Essentials of AHW" guide for smaller undertakings
11. Negotiation of new law in Europe should take account of ease of compliance and enforcement
12. Deliverers who implement policy should be involved in policy making (*KEY*)
13. Where opportunities allow, AHW law should become more goal-setting than prescriptive
14. All delivery partners should "sing from the same hymn sheet" and follow Better Regulation principles for inspection and enforcement (*KEY*)
15. Powers of inspectors should be appropriate to the enforcement task
16. Consideration should be given to inspectors having general powers to serve improvement and prohibition notices
17. The roles and responsibilities of inspectors and enforcers should be clarified and communicated to duty holders who do not understand them
18. Defra and LGA/LACORS LAs should be engaging in more peer review of each other's AHW performance; the better performing LAs should help improve performance of others and Defra and LGA/LACORS should facilitate this (*KEY*)
19. Legal obstacles to cross border working between LAs should be removed
20. DVMs of the SVS should be empowered to "knock heads together" under the terms of the Framework Agreement (*KEY*)
21. Inconsistencies in delivery partners' performance should be tackled by Defra working with them through the SVS with a view to raising standards across the board to those of the existing "better performers" ;
22. LAs should remain responsible for AHW enforcement if standards can be improved across the board to those of the better performers; this should be reviewed periodically by Defra and LGA/LACORS (*KEY*)
23. A national "inspectorate" should be formed within the "Defra family" with the SVS at its core to create a stronger centre of authority for standards of AHW inspection and enforcement (*KEY*)
24. Defra should set standards for AHW delivery and seek powers to audit LA performance along lines similar to the FSA's approach to food safety standards, possibly in combination with the FSA (*KEY*)
25. Defra should engage more closely in the development of the LBRO

26. **Communications with front line staff in the MHS should be improved**
27. **Defra as a customer for MHS services should work with MHS to ensure that the relationship between the MHS and its contractors and contracted employees is strengthened**
28. **Professional development of front line MHS staff should be strengthened and greater contact with their counterparts in the delivery landscape should be arranged, led by the SVS/new national inspectorate and MHS**
29. **Defra should strengthen its position as an intelligent customer for MHS services (KEY)**
30. **There should be a unified approach within the Defra family to formalising its business relationships with delivery partners beyond the Defra family**
31. **There should be transparency in the public reporting of the state of AHW in the UK**
32. **Cattle identification systems should be designed with ease of compliance by duty holders and enforcement by inspectors in mind (KEY)**
33. **The review of the RPA should be regarded as an opportunity for shaping the future roles of an integrated national inspectorate (KEY)**
34. **In the meantime ways should be found of the RPA, SVS and LAs to collaborate more closely in planning inspections and sharing information about farm inspections (KEY)**
35. **Consideration should also be given to whether a single inspectorate should visit farms for cross-compliance purposes including AHW (KEY)**
36. **The role of vets in the SVS with regard to enforcement and support to other enforcers should be clarified and consideration be given to PACE training for certain front line staff**
37. **As well as task analysis there should be an analysis of skills and competences required for the future work of the SVS/national AHW inspectorate (KEY)**
38. **Priorities for tasks should be identified, roles and responsibilities of SVS staff should be clarified and communicated (KEY)**
39. **Policy makers should engage SVS experience of delivery of policy outcomes when designing new policies (KEY)**
40. **The relationship between the SVS and its LVIs should be reviewed with the aim of strengthening the bonds and working relationships (KEY)**
41. **Defra should become more pro-active in publicising the results of enforcement activity by its delivery partners**
42. **Information about the performance of participants in Farm Assurance schemes should be taken into account by regulators in the planning of risk-based inspections programmes (KEY)**

43. **More analysis of available information, intelligence and data about duty holders should be conducted to help target risk-based inspections (KEY)**
44. **Delivery partners should have access to better information systems and databases about livestock, premises and customers**
45. **Information systems should be improved with the needs of all the delivery partners for inspection and enforcement purposes in mind; operational needs should be taken into account in the design of any new databases (KEY)**
46. **Defra should benchmark its working relationships with delivery partners against other regulators and consider the model of the HSE's strategic partnership with LAs (KEY)**
47. **Close liaison should be maintained by the SVS with authorities responsible for the control of legal and illegal imports.**
48. **The Contingency Plan should be kept under review in the light of experience of recent outbreaks and regularly exercised (KEY)**
49. **Policy makers should keep in mind that many small undertakings particularly those run by farmers who are not familiar with computers do not have access to on line information and reporting.**

Part Three

Towards a national AHW inspectorate

1. As I explained in Part Two, I see the development of a strong and professionally competent national inspectorate for animal health and welfare as fundamental to the general strengthening of the delivery arrangements for animal health and welfare. Consideration was already being given by Defra when I began this review to how its different inspectorates would best fit the Hampton model and some changes had already occurred since I reviewed Defra's investigation services in 2005. During that review I had found it impossible not to notice the wider enforcement problems faced by the several inspectorates who were operating separately. The recommendations I made then took account of what might best serve the investigative needs of the Defra of the future.

2. Changes already made have thus included integrating the previously separate investigations units as a Defra Investigations Service, to provide a Defra-wide service available for the more complex and demanding cases. It has been located with the RPA Inspectorate until final decisions can be taken about its location within Defra's future structure. The Sea Fisheries Inspectorate has become part of the Marine Fisheries Executive Agency, the Horticultural Marketing Inspectorate has been brigaded with the RPA Inspectorate and a decision has been taken to include the Dairy Hygiene Inspectorate and the Egg Marketing Inspectorate with the SVS, now itself an Executive Agency. Other elements are being absorbed into new agencies such as Natural England.

3. Philip Hampton's report about reducing administrative burdens on business by promoting more efficient approaches to regulatory inspection and enforcement, without reducing regulatory outcomes, has been accepted by the Government and includes a recommendation for a thematic authority for animal health. I have endorsed that recommendation elsewhere in this report and offer here some thoughts as to how it might best be achieved, and over what timescale.

4. First, I would emphasise that making the organisational changes needed to achieve this is a significant task that should not be rushed. Defra has had negative experience elsewhere of the consequences of haste. Moreover, the SVS is heavily stretched at the moment, being only halfway through its three year programme to establish itself in its role as an Executive Agency, with new and better business management systems. These are still in the throes

of development. In the meantime it is necessary for it to retain enough capacity to respond to any kind of animal health or welfare problems, including the possibility of serious outbreaks. The SVS needs to get through this period well if it is to provide the bedrock for a wider, enlarged authority with a stronger inspection and enforcement capability.

5. In the meantime the review of the RPA could provide an opportunity for radical change. That review needs to work its way towards identifying and then focusing on the future role of that Agency and is some months away from completion. I can make no assumptions about its outcome. But I would hope that it becomes possible in future to enable inspection resources currently deployed by the RPA on farm inspections to include AHW inspection and enforcement issues, serving the needs of the cross compliance regime and AHW.

6. In any event, the imminent planned absorption of the DHI and EMI into the SVS presents a much earlier opportunity to meld those resources with the inspection, technical and enforcement resources already available to the SVS in the form of vets and technical officers. There will be a need, as stated elsewhere in this report, to think hard about defining essential tasks, roles and responsibilities, analyse the skills and competences available to perform them, and take any necessary reinforcing actions. These will be essential first steps towards forming the national authority.

7. That will require leadership from the top, and enhanced senior management capacity within the authority. At present, the SVS lacks what I would describe as a “Chief Inspector” or “Chief Enforcement Officer” who could support the Director of Operations in delivery of inspection (and technical) services, manage the development of those services and provide other senior management capabilities that are needed. For example, there will need to be professional leadership of inspection and enforcement, visible not simply within the Agency but to others in the delivery system, and so becoming seen as the focal point for discussion of professional issues relating to AHW enforcement across the delivery landscape.

8. The post holder would also be responsible for developing a “head of profession” role for inspectors and investigators. This does not at present exist in the Defra family but is needed to provide a focal point for the Agency to ensure that it is taking care of the professional development needs of investigators and inspectors, including setting and maintaining appropriate standards for recruitment, and systems for training and development.

9. I see this “chief enforcement officer” post as reporting to The SVS Director of Operations. The post of Director of Operations already seems very heavily loaded, particularly during the current period of change as the new agency works through its business improvement programme. It needs support if the absorption and integration of inspectorates at present rather different in kind are to be well managed and a new culture fostered within the enlarged agency.

10. The shape of the future inspectorate is likely to include veterinary and technical specialised resources as well as front line inspectors with a general capability, competent to perform most inspection and enforcement tasks but able when necessary to call on help and cooperation from the specialists, whose own tasks will also include the more demanding “permissioning” work of the agency. I believe the Defra Investigations Service should also become part of it, once formed.

11. The detailed organisation and structure of the national authority of the future will need to be worked out by a small group of people, led by the post holder described above and responsible to SVS top management.

12. This group would preferably be made up of people who bring a broad spectrum of operational delivery experience and competences. Ideally it would include other delivery partners, particularly LAs, with whom the new authority will need to work very closely in future. Once its task of planning organisational change has been completed this group might be invited to transform itself into a project board to launch and facilitate the induction of the integrated service, responsible again to SVS top management but retaining a sense of ownership beyond the agency.

13. Cultural differences will present a challenge in the management of change at first but should not be seen as an impediment to merging the resources into an integrated delivery service which includes inspection and enforcement functions. The staff will be found to share some common skills and experience. Any missing competences can be identified through an analysis of training needs.

14. As well as the above the post holder would also be responsible for continuing liaison with opposite numbers in other regulatory agencies, eg the Environment Agency and the Health and Safety Executive, to keep up with developments in best enforcement practice and share experience. This would enable the post holder to ensure that the AHW authority sets the proper standards for enforcement practice in AHW. He or she would be responsible not

only for setting those standards within the agency but also for working with others in the delivery system, including LGA/LACORS, to encourage best enforcement/Better Regulation practices across the delivery landscape.

15. Responsibility for the work currently being done by DPCU in relation to the performance of delivery partners should also be overseen by the Chief Enforcement Officer. I see this delivery related work as needing to be located within the operational rather than policy side of Defra's delivery strategy. The agency would need to establish a small unit for this purpose (much along the lines say of the Health and Safety Executive's Local Authority Unit, who might usefully advise about it) and would assist SVS senior management in accounting to Defra for the work not only of the national authority but all AHW delivery partners.

16. Policy needs to retain a capacity to receive reports enabling it to make judgments about accountability and value for money and that part of the present DPCU's work should therefore be combined with RPPD.

17. Until the 2004 enforcement workshop organised by Legal B brought together the heads of the separate inspectorates that existed at that time, there had been little or no exchange of views in Defra about enforcement policy and practice. A further workshop held in March 2005 gave valuable reinforcement to the then "new" Defra enforcement policy but this impetus now needs to be maintained. The head of enforcement in the enlarged agency should therefore work closely with the Defra policy directorate now responsible for the oversight of Defra's enforcement policy.

18. All this points towards the post of chief enforcement officer needing to be at SCS level.

19. I will conclude by remarking that the work of the national authority that I have described above is professionally demanding and requires people to do it who are committed to improving AHW and have a special understanding of its problems. Many of the people that I have met during this review, working in other parts of the delivery landscape, are very committed to AHW and keen to have the chance to apply their skills more widely and enrich their jobs. It is likely that some of these people with limited opportunities to progress their careers in smaller units would be attracted by the work of the national authority and, over time, would migrate towards it.

20. I believe such an authority if created will stand every chance of meeting the expectations of Hampton and Better Regulation and of

prospering in a way that will put the UK's reputation for AHW standards at the forefront of Europe.

Summary of recommendations arising from the above discussion

1. Defra should take the opportunity offered by the Hampton recommendation for a thematic authority for animal health and create should form an integrated national AHW "inspectorate" around the SVS at its core.
2. There should be a "chief enforcement officer", reporting to the SVS's Director of Operations and setting standards
3. A "head of profession role" for inspection and enforcement should be established within the agency
4. The Defra Investigations Service should be combined with the national AHW inspectorate
5. The Delivery Partners Coordination Unit and Resource Planning and Performance Division should come together to provide assurance to Defra about use of resources and value for money
6. A unit will be needed to support the chief enforcement officer in the national inspectorate, and should be the focal point for monitoring and accounting to DPCU/RPPD for the inspectorate's own operational activities and those of other delivery partners.

Annex A

Persons and organisations seen or interviewed during the review, as met in chronological order

David Dawson	Director, Animal Health
Eddie Routledge	Acting Head, AHWSDD Division
John Bourne	Head of Animal Welfare Division
Francis Marlow	Head of Sheep TSE Division
Sue Goligher	Head of Sheep TSE Division Branch B
Malcolm Hunt	Head of Livestock Data Division
Mark Jones	Programme Assurance and Project Manager SWLP
Diana Linskey	Head, AHWSDD
Peter Nash	TSE and Zoonoses Director
Nick Coulson	Head of International Animal Health Division
Gabrielle Edwards	Head of TB Division
Julie Braithwaite	Assistant Director, DTI
Richard Drummond	Head, Veterinary Exotic Diseases Division
Nigel Gibbens	Head of BSE and Animal By-Products Division
David Pritchard	Senior Consultant, Animal Welfare
Wendy Martin	Assistant Director, LGA/LACORS
Gwynneth Beddoe	Policy Officer, LGA/LACORS
Mark Bethell	Defra Legal
Iain Bailey	AHWSDD, Delivery Partners Coordination Unit
Ann Waters	Contingency Planning Director, SVS
John Mills	Director of Rural Policy
Catherine Harrold	Head of Farm Health Planning and Disease Prevention Unit
Jean Kennedy	AHWSDD, DPCU
Fred Landeg	Deputy Chief Veterinary Officer
Fiona Jayatilaka	Rural Payments Agency – BCMS
Mike Weiler and colleagues	Departmental Trade Union Side
David Robson	Finance Director, SVS Worcester
Tony Edwards	Strategy Director, SVS Worcester
Mark Addison	Special Projects/Acting Chief Executive, RPA
Teresa Mills	Illegal Imports Team
Alick Simmons	Food Standards Agency, Meat Hygiene and Veterinary Division
Bill Scriven	Food Chain Competitiveness and Organic Division
Debbie Reynolds	Chief Veterinary Officer and DG, AHW Directorate General
Mark Fuchter	Head of Restrictions and Sanctions Team, HM Revenue and Customs
Alexia Davison	Effective Regulation and Compliance

Darius Campbell	Effective Regulation and Compliance
Sabine Mosner	Head of Environment Agency and British Waterways Division
Graham Jukes and colleagues	Chief Executive, CIEH
Alan Dearman	RPP Division
Robin Bell	Senior Veterinary Consultant
Chris Lawson	Chief Executive, Meat Hygiene Service
Niq Pietrzyk	Head, Official Feed and Food Controls Implementation Unit
Jan Kelly and colleagues	Divisional Veterinary Manager, SVS Truro
Wayne Pearson and colleagues	CTSO, Cornwall CC
John Head	LVI
Neil Leach	Animal-By-Products, BSE Ban, National Fallen Stock Scheme
Nigel Durnford	Gloucestershire CC and EIG Member
Bill Madders	farmer, Defra review of animal movements and ID policy
Richard David	National Dairy Farm Assured Schemes
Ruth Lysons	Head of Division, Veterinary Surveillance Programme
Ian Pearson	RPA Operations Director
Ian Rogers	RPA Inspectorate
Richard Gregg	Head of Defra Investigations Service
Robert Humm	Director, Defra Legal B
Mike Piggott	Legal B
Glenys Stacey	Chief Executive, SVS
Peter Morris	National Sheep Association
Clive Bainbridge and colleagues,	CTSO, Kent CC, Maidstone
Peter Dawson	Dairy Industry Federation Commercial Manager
Peter Bradnock	British Poultry Council
Linda Smith	DVM, SVS Reading
Ann Tarran	Head, Hampton Review Implementation Team
Jim Smyllie	Head of Delivery Strategy Team
Phil Gore and colleagues	Association of Port Health Authorities, Felixstowe PHA
Professor Robert Baldwin	London School of Economics and Political Science
Andrew Clark	Head of Policy Services, NFU
Simon Hewitt	Divisional Manager, EDPC
Chris Kerr	National Wildlife Crime Intelligence Unit
Rob Paul	Director of Operations, SVS
Phil Scott	Director, LA Strategic Programme, HSE
Derek McIntosh	SVS (Scotland)
Stewart Houston	National Pig Breeders Association and EIG member
Peter Thomas	DVM SVS, Chelmsford
Ian Russell and Young Farmers	Winslow, Bucks
John Pollitt	DVM, SVS, Reigate
Jim Scudamore	former CVO

Margaret Joyce	Hampton Review Implementation Team
Robert Houston	CVO Northern Ireland
Tom Baldwin and TSO colleagues	Trading Standards, Buckinghamshire CC (V 79, Thame) (V79, Thame)
Thames Valley Police Officers	Office of Fair Trading
Christine Wade and colleagues	Area Manager, MHS SW, Devon
Bob Gillespie	Enhanced Senior Meat Hygiene Inspector, MHS SW
Darren Whitby	OVS, MHS SW, Devon
Esther Rivas	Enhanced Senior Meat Hygiene Inspector, MHS SW, Cornwall
Richard Turner	OVS, MHS, Cornwall
Jill Nute	Farmer (retired), Cornwall
Harold Goodman	Farmer, Devon
Richard Goodman	DVM, SVS, Preston
David Wild, colleagues	Lancs CC, Cheshire CC, Stockport, St Helens, Blackpool, Manchester, Oldham
LA representatives	Head of LAU, HSE
Allan Davies, former Chief EHO	TSO, Cambridgeshire CC and TSI
Jeremy Adams and colleagues	RDS Business Planning and Development
Simon Baker	Manager DHI
Rob Jeffreys	FVO Dublin
Des Maguire and colleagues	Chairman, EIG
Helen Browning and colleagues	ODPM
Tony Hatch	CPSD
Bob Farmer	CPSD
Zonia Brown	Reviewer of RPA
David Hunter	Acting Chief Executive Environment Agency
Paul Leinster	Better Regulation Executive, Cabinet Office
Jeannie Cruickshank	British Egg Industry Council
Mark Williams	DVM, SVS Leeds
Kate Sharpe and colleagues	North Yorks CC
Kate Sharpe and colleagues	North Yorks CC
Graham Venn	Leeds City Council
Andy Robson	Association of Independent Meat Suppliers
Ian Mallison	RSPCA
Norman Bagley	Food Hygiene, FSA
Julia Wrathall	Audit Manager, FSA
Julia Wrathall	RPAI,
Catriona Stewart	Farmers, Bishops Stortford
John Questier	Senior Investigations Officer, DIS
Rebecca Goodwin	Director of Better Regulation
Peter and Mrs Cavill,	
Alan Timms	
Martin Hurst	