



OFFICIAL REPORT
AITHISG OIFIGEIL

Rural Affairs and Islands Committee

Wednesday 17 May 2023

Session 6



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RURAL AFFAIRS AND ISLANDS COMMITTEE

15th Meeting 2023, Session 6

CONVENER

*Finlay Carson (Galloway and West Dumfries) (Con)

DEPUTY CONVENER

*Beatrice Wishart (Shetland Islands) (LD)

COMMITTEE MEMBERS

Karen Adam (Banffshire and Buchan Coast) (SNP)

*Alasdair Allan (Na h-Eileanan an Iar) (SNP)

*Ariane Burgess (Highlands and Islands) (Green)

*Jim Fairlie (Perthshire South and Kinross-shire) (SNP)

*Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP)

*Rhoda Grant (Highlands and Islands) (Lab)

*Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Louise Cameron (Scottish Government)

Emma Harper (South Scotland) (SNP) (Committee Substitute)

Sheila Voas (Chief Veterinary Officer)

CLERK TO THE COMMITTEE

Emma Johnston

LOCATION

The Mary Fairfax Somerville Room (CR2)

Scottish Parliament

Rural Affairs and Islands Committee

Wednesday 17 May 2023

[The Convener opened the meeting at 09:00]

Subordinate Legislation

Tuberculosis (Scotland) Order 2023 (SSI 2023/93)

The Convener (Finlay Carson): Good morning, and welcome to the 15th meeting of the Rural Affairs and Islands Committee in 2023. Before we begin, I remind members who are using mobile devices to turn them to silent. We have received apologies from Karen Adam, and I welcome Emma Harper, who is attending in Karen's place.

Our business today is consideration of the Tuberculosis (Scotland) Order 2023. I remind everybody that we were not supposed to meet today, but we had some questions about the order last week and are fortunate to have officials from the Scottish Government with us at short notice to answer some questions that arose when we briefly looked at it. I welcome Sheila Voas, the chief veterinary officer, and Louise Cameron, the policy officer for the disease control branch.

I will kick off the questions. Can you tell us what the current situation is with TB in Scotland?

Sheila Voas (Chief Veterinary Officer): We recently completed the stats for last year, and the good news is that we will retain our officially TB-free status. There was a particularly nasty breakdown last year in a herd that had sent animals to a number of other herds, which then tested positive. We know where that came from—we traced it—and, fortunately, the position is not as bad as we had feared. That does not mean that we should be complacent, but we will retain our status for another year.

Although we are officially TB-free, that does not mean that we have no cases; rather, it means that the incidence is low and stable. In a normal year, we have between 10 and 15 cases in herds. It does not matter how many animals are affected in the herd; rather, it is the number of herds that counts.

The Convener: How often are herds in Scotland tested?

Sheila Voas: It varies. One of the benefits of being officially TB free is that we are able to exempt some herds from testing, subject to a risk

assessment. The standard is—*[Inaudible.]*—which is the minimum level for countries affected with TB, but our TB-free status means that a lot of herds in particularly remote and rural areas, such as islands, have been exempted because they do not buy in very much, they send a significant proportion to slaughter and they are small, so the risk factors are small.

The Convener: We are disease free. Is that the norm? Can you give us an indication of how many countries in Europe have TB and how many are disease free?

Sheila Voas: It is exceptional that we are disease free. The other three constituent members of the United Kingdom are struggling with pretty serious bovine TB problems. In fact, I heard yesterday that, in Northern Ireland, the herd incidence has gone up to almost 11 per cent, whereas we are talking about that being the number of herds affected in an average year. England has significant problems, which are concentrated in some areas, and the comment from Wales's CVO yesterday was that its TB-free areas are getting worse but its affected areas are getting better. It is therefore a mixed picture.

Across the rest of Europe, some countries—France, Italy and the Republic of Ireland, for example—have serious problems whereas others, particularly the Scandinavian countries, have only a small incidence.

The Convener: We should therefore be proud of our TB-free status and look to protect it.

Sheila Voas: Yes. It is valuable for a variety of reasons; partly for reputation and trade purposes and partly because not having to test every herd every four years saves farmers and the Government a heck of a lot of time and effort.

Alasdair Allan (Na h-Eileanan an Iar) (SNP): Will you say a wee bit more about the reasons for amending the regulations, such as the process that you went through and the reaction of stakeholders?

Sheila Voas: Yes. The legislation had been amended a number of times since it was brought in, so we were advised that it should be consolidated to make it easier for people to read and understand. As we went through that process, we were mindful of things that we had learned from our experiences over the past few years and of changes that had been made in other parts of the UK that strengthened provisions. It seemed anomalous that, with so much more to lose, some of our provisions were not as strong as those in England and Wales, in particular.

We had a full consultation: it was out for 12 weeks and we publicised it widely. We did not get a vast number of responses; I think that there

were 19. That said, that was more than the previous one received and included responses from all the big organisations that cover producers, such as the National Farmers Union Scotland, which covers approximately 60 per cent of cattle holdings but probably nearer 90 per cent of cattle in Scotland, because the big players are members. The Scottish Beef Association and the British Veterinary Association also responded. The number of responses was small but it included responses from quite a large number of member bodies, which was comforting. They were, by and large, supportive of what we are doing. We consulted on a couple of areas that did not get general approval, so we took them back out again in response to consultation responses. People recognise that TB-free status is something that they want to keep. It is very important to them, so they want to do what they can to maintain it.

Alasdair Allan: You mentioned the situation in England. Will you clarify, in general terms, which areas of England we are primarily talking about?

Sheila Voas: In particular, the south-west of England—Gloucester and Devon—but also creeping up the Welsh marches. Cheshire is also something of a hotspot now. There have been clusters in Cumbria previously. There are areas around East Anglia that are not badly affected, but, to an extent, that reflects the lower cattle density there.

Jim Fairlie (Perthshire South and Kinrossshire) (SNP): This is just a wee supplementary. You said that the Welsh CVO stated that their good areas are getting worse and their bad areas are getting better. Do they have movement restrictions between infected and uninfected areas?

Sheila Voas: Not to the extent that we do.

Jim Fairlie: Does that explain the spread?

Sheila Voas: In part, yes. It could also be due to outward creep from infected premises. It is an infectious disease, and, like so many others, the respiratory route is one way of spread. Cattle in the same air space can spread the disease outward. They also have a problem with wildlife. Wildlife do not respect farm boundaries and tend to move out. Unfortunately, they will sometimes take disease with them.

Emma Harper (South Scotland) (SNP): Good morning. As a nurse, I am always interested in infection control and prevention. Obviously, Covid has really educated people about how we transmit infection. You mentioned Cumbria and the movement of cattle from one side of the border to the other. The proposal is to change the validity period of negative results from 60 days to 30 days, as far as movement is concerned. How will farmers in England know that we have changed

processes in Scotland? Is that a concern that we have?

Sheila Voas: They already know that we are consulting on it and that the legislation is likely to come in. We publicise it quite widely through industry bodies such as the National Farmers Union and through vet practices. The Department for Environment, Food and Rural Affairs makes its farmers aware of it. If people do it wrongly, our movement systems will flag that up and we can play catch-up when they get here and retest animals to determine ones that are required to be in isolation.

The system is not perfect, and we need to get the word out. I appreciate anybody's help in doing that, but we are working quite hard to make sure that everybody knows. Markets and places where animals are going through have been specifically targeted for communication.

Emma Harper: The two farmers I spoke to were very well informed about and quite welcoming of the changes in the consolidation of the regulation, so they did not seem concerned. That is quite welcome.

Sheila Voas: Good. Thank you.

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): In the consultation responses, there were mixed views on reducing compensation by 95 per cent. A number of the respondents that you mentioned said that it could be a blunt tool and that they needed clearer guidance on isolation. Can you reassure the farming sector about why you made that decision? It was also noted that the measure could have an impact on small farms and crofters.

Sheila Voas: The first thing to say is that it will affect a tiny number of people, and they have control over isolation. Recently, we found from one particular outbreak that the farmer was not isolating cattle, and we believe that that was leading to on-going spread through the herd. We needed to take out a significant number of animals to slaughter, and it takes a week or 10 days to organise that. By not isolating, it took longer to clear the herd at the end.

Secondly, the system is not designed to be punitive. It is much more intended to focus minds and to remind people of the requirement. We have always had the provision that we could prosecute if people did not properly isolate, but that was a very blunt tool and relied on data gathering and the court system, so it did not work terribly well. To be honest, nobody will have their compensation reduced by 95 per cent, because they will get either the compensation that we give them for the value of the animal or the salvage value of the animal, which is what the meat processors pay when it goes to slaughter. Although it says 95 per

cent, the chances are that nobody will end up there. With 11 outbreaks a year, we have probably seen one in the past five years who has not complied, so it is a tiny number that we are talking about. We also make sure that Animal and Plant Health Agency colleagues, who serve the restrictions and require there to be isolation, discuss at the time what appropriate isolation is. Therefore, there is no dubiety. The system is not intended to get people; it is intended to encourage compliance.

Louise Cameron (Scottish Government): As part of these legislative changes, we have introduced a definition of isolation. We did that alongside this policy, and, in the consultation, farmers and other respondents were unanimous that they would like a definition of isolation. We have included that in the legislation to make very clear what the requirements and expectations of farmers are. As Sheila Voas said, the APHA will work closely alongside farmers to help them to fulfil those requirements.

Rachael Hamilton: That is helpful, but I would like to press you on the issue of isolation. It is helpful that there is a definition, but how do you actually prove that a farmer has not isolated? You said that, because of the salvage value and the market value, compensation will not be reduced by 95 per cent. What if we have a significant outbreak? What could happen to these regulations to ensure that farmers are supported rather than penalised for something that is beyond their control?

09:15

Sheila Voas: It should not be beyond their control, because we are not asking farmers to isolate reactors from other reactors; we are asking them to isolate reactors—infected animals—from animals that have tested negative. There are a variety of ways in which that can be done. It could be housing the group of reactors or separating out the clean cattle, depending on the numbers affected, but it will be done in consultation with the farmers. The reactors are detected by a vet on the farm who reads the skin results and will then issue the notice requiring isolation. The vet will talk that through with the farmer and, if necessary, visit different parts of the farm and agree on how it will work best.

Rachael Hamilton: How can it be proved that that individual did not isolate?

Sheila Voas: With difficulty. They would need to be caught not isolating on a subsequent visit. However, anyone who has moved animals around will know that it is not as simple as grabbing a few and bringing them in or putting them out. It is unlikely that people would hugely play the system

and have the animals with the others for most of the time and then bring them back in for an inspection or because someone is coming up the road. It is not perfect, you are absolutely right, but it will err in favour of the farmer rather than in favour of the Government.

Rachael Hamilton: I want to make another point. As you quite rightly said, there were not a huge number of responses to the consultation, but those who contributed were significant in the industry. There was no conclusive support for the proposal: 30 per cent supported it, 30 per cent did not support it and 30 per cent did not respond. From the Government's point of view, this particular part of the order has not been conclusive. It is basically a policy that you have decided on.

Sheila Voas: Well, it is a policy that we consulted on with a lot of others.

Rachael Hamilton: Where are those responses? I have looked for those responses and I cannot find any apart from the ones that were submitted to the formal consultation, and they were difficult enough to find.

Sheila Voas: The formal consultation is only one part of the process. A lot of work was done with farmers' unions, the Scottish Beef Association and the Scottish Dairy Cattle Association in advance of putting the consultation together. The consultation is a process. The final part of it—

Rachael Hamilton: How can the committee understand why the Government is doing something if it does not get full sight and understanding of those particular responses? All that we are seeing are 19 responses in which, on this particular issue, a third of the people disagreed and a third did not respond.

Sheila Voas: It is impossible to provide written evidence of all the conversations and all the scoping work that took place in advance of writing the consultation. We are somewhat at the mercy of people who choose to respond to the consultation, but I come back to the fact that the people who responded positively covered significantly over half the cattle population in Scotland. The NFUS, for example, covers roughly 60 per cent of cattle keepers, but that equates to approximately 90 per cent of cattle. The fact that it was positive goes a long way to suggesting that the majority of people are positive. No, we cannot say for definite because, short of asking every individual cattle keeper, we have to rely on organisations having done the work with their members.

Rachael Hamilton: I appreciate that. Thank you, convener, for the time.

I still have concerns about small farms and crofters. We will not always be in this fortunate position. I understand the measures that you are taking, and I support the other measures, but, for the reasons that I have stated, I feel uncomfortable about this particular issue.

Sheila Voas: We also consulted on the potential that, if a reactor were not isolated, the compensation would be reduced for anything that subsequently came down with disease. That is one of the provisions that we dropped in response to feedback. What is proposed is much less than it could have been, so it is not that we have not listened.

Rhoda Grant (Highlands and Islands) (Lab): I have a short supplementary question on that. In crofting counties, there are a lot of common grazings, where different crofters use the same area to graze their cattle. Would what is proposed have an impact on that? Obviously, someone will go out and give advice to the crofter or farmer on how to isolate infected cattle. It is unlikely that neighbours would not be aware that something was happening, but, in the strange event that they did not know and their cattle were still moving about with the infected cattle, would they be badly penalised, given that they had not done anything wrong? It was simply that they did not have the information, and somebody else had put them at risk.

Sheila Voas: No. We would look to take action only against people who had physically been told to isolate cattle and had chosen not to.

In crofting communities, TB is exceptionally rare. Most of the outbreaks are in the south-west of Scotland, among dairy farms. That is not exclusively the case, but a large percentage are there. We also get a few in the north-east because of cattle density. There is very good evidence to show that herd size is a significant risk factor. People who keep fewer than 25 cows have a very low risk of getting TB in their herd in the first place. It is a disease that spreads well in enclosed areas with close, nose-to-nose contact. It is a bit like Covid, which has already been mentioned. It is airborne, so lots of animals in the same air space are likely to spread it. It is much less common for it to be spread out at pasture, particularly with the low densities that we are talking about in the crofting communities.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I want to understand the compensation. How much money are we talking about? Is it based on market value at the time? How does it work?

Sheila Voas: It is market value, but there is a cap to it. We still use a system of valuers, so somebody from the local market will go out and

value the cattle on the basis of how they look, their production records, whether they have a calf at foot, whether they are in calf and their breeding. That is the level of compensation that we normally use, up to a cap of £2,500.

Louise Cameron: I believe that it is £5,000 for non-pedigree animals and £7,500 for pedigree animals.

Sheila Voas: Okay—so it has gone up. That is a significant amount of money.

Christine Grahame: Is that the 100 per cent figure?

Sheila Voas: Yes.

Christine Grahame: So, it is 50 per cent if it is unclean. I am trying to understand the money that goes back to the farmer. As I understand it, we are talking about compensation, not a fine.

Sheila Voas: No—

Christine Grahame: The 95 per cent drop is more like a fine. Am I right?

Sheila Voas: When we choose to slaughter an animal, we pay compensation to the farmer for the value of that animal. If it is a £5,000 animal, he or she will get £5,000 for it, provided that it has been isolated and is clean when it goes to slaughter, so he or she should not lose out. If the farmer has chosen not to follow the advice—

Christine Grahame: Right. I follow you.

Sheila Voas: —and has the animal out and about, they will not get the £5,000.

Christine Grahame: They will get £2,500.

Sheila Voas: They will get a smaller percentage of the value. Realistically, that will be the amount that they would get for the animal at slaughter, which is likely to be between £1,500 and £2,000.

Christine Grahame: So, what is the 50 per cent figure? That is a 50 per cent reduction, is it?

Sheila Voas: The 50 per cent reduction applies if the farmer sends an unclean animal to slaughter. Food safety legislation states that animals going to slaughter must be clean.

Christine Grahame: I understand that.

Sheila Voas: They should not be caked in shit, basically.

Christine Grahame: Yes.

Sheila Voas: The meat hygiene service already has the powers to discard unclean animals because they are a food safety risk. We are sharing that risk with the farmers. We found that, very occasionally, farmers thought, "Oh well—we'll get the compensation, so we don't need to send them clean." This is an attempt to encourage

people to do what they should do anyway, not only for the sake of human health but for animal welfare purposes. We would not intend to do it regularly, and it is done in the other UK Administrations.

Christine Grahame: Yes, I saw that.

Sheila Voas: We were behind the curve with this one.

Christine Grahame: I was interested in the figures. I did not know how much money you were talking about. Thank you.

The Convener: I am glad that you have clarified the clean animal issue. My first reading was that TB was not necessarily the trigger for that and that it was a reduction that applied anyway. I could not quite understand why there was any compensation for animals that were sent to slaughter unclean. Thank you for clarifying that.

Alasdair Allan: You have touched on this already, but I just want to clarify the situation. In essence, you are saying that the Scottish regulations will now be similar to, or will catch up with, those in England. I presume that they will be broadly similar to those in the European Union as well. Is that the case?

Sheila Voas: Yes. The changes that we are making will bring us back into line with the EU and with the World Organisation for Animal Health code. For a number of years after we got our officially TB-free status, our controls were over and above that. Over time, they have slipped behind. Most of what we are doing is bringing us back up to the same level as everybody else.

Jim Fairlie: I was intrigued by some of the conversation between you and Rachael Hamilton. You talked about the potential for a farmer to choose not to isolate infected cattle. As you know, my background is in livestock. I would never dream of allowing infected animals to go back into a herd or flock. How many incidents have you ever had of farmers not isolating animals that they knew to be infected?

Sheila Voas: There have probably been two in the 12 years that I have been doing this job. It is a tiny number. This is a tool to encourage those who are perhaps not as assiduous as you are, and to ensure that they think a bit more about it.

Jim Fairlie: Okay. Thank you.

The Convener: For the record, I want to be clear about the whole process, as it might be helpful for anybody who is listening to the session. If I were a dairy farmer in the south of Scotland—as I was—and I decided to buy some cattle from Devon, which is an area with a high incidence of TB, what process would I have to go through now,

and what will the process be once the legislation comes into force?

Sheila Voas: If you buy animals from a high-risk area now, their most recent test will be valid for 60 days. Therefore, an animal that is bought in the middle of May could last have been tested in the middle of March. The only change that we are making is to reduce that period, because, first, the position has changed internationally and, secondly, the longer it has been since the last test, the more chance there is that the animal has become infected since it was tested. Shortening the window means that there is less chance of bringing in infected animals.

The Convener: Okay.

Sheila Voas: They will still have to be post-movement tested once they get to Scotland. That is to ensure that any animal that has been infected between the test and the move is caught before it spreads disease around Scotland.

09:30

The Convener: Rachael Hamilton touched on the levels of compensation and the consultation responses. It is not clear to us why some of the people who responded were for some of the proposals and some were against them. Did the people who were against the current policy want it to go further? Should more emphasis be put on the need for individuals to avoid at all costs buying cattle from highly infected areas? If there were no compensation, that would mean that, if I were to go to Devon and bring back an animal, I would be aware that I was taking a risk. Why should I get compensation when I would potentially be putting the health status of the whole Scottish herd at risk? Did any consultation responses suggest that the Scottish Government should go further?

Sheila Voas: I am not sure that there were formal responses.

Louise Cameron: We often get feedback from some individuals and organisations to say that we should go further, but we need to take into consideration what is fair and what other countries do and ensure that we do not take things too far. As you can appreciate, we are trying to make some changes to compensation today. We receive challenge on the back of that because, for a lot of people, it is an emotive subject. We need to take that into consideration; we need to consider how far is too far.

However, you are absolutely right to say that purchasing cattle from high-risk areas presents a higher risk. At the heart of all the changes is our officially TB-free status, which means that, in considering all these policies, we think about how we can protect that status and what action is in the

best interests of farmers in the country to stop any kind of disease coming in. We take that very seriously.

Sheila Voas: We have made it as easy as we can for people to understand the status of cattle that they buy. They can go on to websites and check the status of a herd. Obviously, if the herd is under restriction, they cannot buy the animals, but if it was released from restriction last week, they can find that out fairly easily and decide for themselves whether that is a risk that they want to take. In doing so, they should recognise that the herd will have to have been tested, which may add to the cost, and that, when it gets to Scotland, it will have to be tested again at their expense.

The Convener: I suppose that the nature of the secondary legislation is such that, if things were to ramp up in other nations, you could come back with further restrictions or reductions in compensation or penalties if you thought that that would help to preserve our status.

Sheila Voas: Yes. It is a fluid situation. We do not want to be disproportionate in the action that we take, but, equally, we do not want to encourage people to do things that risk something that is very valuable.

Emma Harper: To go back to what the convener said earlier, we should be proud that Scotland has TB-free status. Biosecurity is about being aware of how diseases spread and what practical measures can be implemented to reduce spread. I am also thinking about other bovine diseases such as Johne's disease. TB is not the only one.

My perception is that farmers are very aware of how diseases are transmitted and what they need to do to prevent that from happening, and that isolation is part of that. What do you perceive the attitudes of farmers to be? I think that they are doing a great job and that we should be—to go back to the word that the convener used—proud of our producers in Scotland. How do you feel about that?

Sheila Voas: Absolutely. The vast majority are doing the right thing. A small number do not take the issue seriously, either because they do not have the information or because they have inherited a system from a father or a grandfather and have never felt the need to do it, but we are getting the information out that biosecurity is not about single diseases. What farmers do to prevent TB will help against bovine viral diarrhoea; what they do about Johne's will help against other diseases; and what they do about control of parasites will have knock-on consequences. We are therefore promoting biosecurity generally, not just for one disease.

Beatrice Wishart (Shetland Islands) (LD): Good morning. [*Interruption.*] Sorry—I have a frog in my throat.

You touched on the percentage reductions in compensation and explained the matter well. Can you explain how the Government decided on the levels of compensation?

Sheila Voas: Do you mean the levels of reduction?

Beatrice Wishart: Yes.

Sheila Voas: The levels for unclean cattle are similar to what is happening elsewhere. The figure of 95 per cent came up in discussion with farmers' unions and others prior to the consultation. We regularly get calls from people to do more to protect the status. It was not a random number; it was drawn in consideration with them, recognising that it is unlikely that anybody would ever have that level of reduction, because the salvage value will almost always be greater.

Beatrice Wishart: That is helpful. On the issue of animal cleanliness, the Scottish Beef Association and the Institute of Auctioneers and Appraisers in Scotland noted that it should be assessed on the farm and not in the abattoir, because once animals are loaded, the farmer or keeper loses control of the cleanliness. Can you respond to that?

Sheila Voas: The sort of problems that we are talking about are not some wet dung from a lorry. We are talking about animals that have clarts—that is the word that I would use: tags to their skin that have been there for months and months. There is a small element of that, but, generally, animals that get dirty in transport stand in lairage for 12 hours when they arrive and they are clean enough again by the time they go for slaughter. When animals have been dirty on farms for weeks or months, nothing can be done to change that.

Beatrice Wishart: It is a different thing.

Sheila Voas: Yes.

Beatrice Wishart: Thank you for that.

The Convener: The *Official Report* will have to have an appendix with some of these rural terms.

Sheila Voas: I am sorry. [*Laughter.*]

The Convener: We are all smiling. I have not heard that word for quite some time.

Ariane Burgess (Highlands and Islands) (Green): It is nice to hear a Scots word like "clart".

I thank the witnesses for coming this morning. It is great to hear that Scotland has TB-free status. Clearly, you are working to protect cattle farmers with this Scottish statutory instrument. It was also good to hear that you are focusing on the

biosecurity aspect and that we are getting away from the single-disease approach and working on the whole system.

One of the reasons why we asked to have this evidence session was the engagement process. In your previous answers, you touched on the fact that NFUS was one of the respondents to the consultation and that it represents 60 per cent of the cattle keepers and 90 per cent of the cattle in Scotland. So, even though the number of responses was low, the respondents represent a great deal of the people who work with cattle. We would like to hear a little more about the engagement process and how you will keep that relationship going afterwards.

Sheila Voas: One of the things that I do is hold roughly quarterly stakeholder meetings at which officials from my team and I get together with representatives of the various bodies that we work with, including NFUS, the Scottish Society for the Prevention of Cruelty to Animals, the Institute of Auctioneers and Appraisers in Scotland, meat wholesalers and the Scottish Beef Association. Usually about 30 different groups are represented at those meetings, including the vets, and we use that as a policy development forum. We talk to them, well in advance of coming forward with proposals, about what they would like and what would help them. We sound ideas off them so that we can have blue-sky thinking about ideas such as reducing compensation for dirty cattle or whatever. There is discussion in that forum to gather the feeling of the industry across the piece on something before we ever put pen to paper on it, and that will continue.

The standard is that those meetings are held quarterly. During the Covid pandemic, we met weekly. During the outbreak of avian flu, the frequency has been up and down, but meeting quarterly is the absolute minimum. The intention is to be as open as we can be and to talk about what is coming up—what is on the radar—and get feedback about what is giving the industry concern.

Ariane Burgess: It is very helpful to hear that those groups are almost involved in co-designing policy. Does the group that meets quarterly have a name?

Sheila Voas: It is the animal health and welfare stakeholder group.

Ariane Burgess: Okay. Great.

Sheila Voas: You are very welcome to come along any time you want—and that applies to any member.

The Convener: Christine Grahame is next.

Christine Grahame: I have no questions, convener—mine have been asked already. They

were about guidance. You have answered questions about guidance on what isolation means. Rachael Hamilton touched on that. Do you have anything further to say?

Sheila Voas: No—I do not think so.

Jim Fairlie: I have one final question. It goes back to the point that Rachael Hamilton raised about what would happen if we got a flare-up of infection and what the effects would be with regard to compensation and so on. Given the rigorous scrutiny and diligence of the farming community, how likely is a flare-up of TB in Scotland?

Sheila Voas: My crystal ball is a bit cloudy.

Christine Grahame: Is it clarty?

Sheila Voas: It is clarty. [*Laughter.*] That is one of those interesting questions. It depends, to an extent, on farmer behaviour. I would much rather that people were not buying animals in from areas with TB, but I recognise why some people do that. It also depends on our surveillance systems picking it up quickly, and, when it is picked up, on the appropriate control measures, such as the isolation of animals, being put in place.

Hand on heart, I think that it is unlikely that we will get an acute flare-up, but, as we saw last year, it only takes one farm with disease, which had probably been there, undetected, for a year or 18 months. It seeded disease to another 18 farms, I think, that we traced, of which seven or eight were positive. It is not impossible. What matters is that, when we find it, we deal with it robustly and quickly. Part of what we do is trace backwards and forwards. When we find an animal that is infected, we immediately go back to find out where it has been and what it has been in contact with, to determine where the disease may have come from. That involves testing a range of herds. We also look at any cattle that have left that farm, and we test them and the herd that they are in.

So, it is not impossible, but it is unlikely. That is probably as much as I can say.

Jim Fairlie: Thank you.

Rachael Hamilton: I have some scattergun questions for you. Going back to the measures that are currently in place, I presume that anyone who breaks TB rules has their farm payment reconsidered and is potentially subject to a fine. Why are those measures, which are currently there, not sufficient?

Sheila Voas: Yes, it can be taken into account for cross-compliance, but that is not often done, because it rarely happens that people do not follow the measures—it is exceptional. By the time that we got to one of the farms that did not comply, it had lost about 90 per cent of its stock, by which point the farmer did not have a lot left to lose.

That was in answer to the first point. I am sorry, but I have forgotten what your second point was.

Rachael Hamilton: It was on the fine of up to £5,000.

Sheila Voas: We can use the fine, but that relies on a court case and taking the time to get it to the procurator fiscal, as well as deciding whether that is in the public interest. Recently, we have found that procurators fiscal, like everybody else, are very busy people, and such a fine sometimes seems quite small change in comparison with rapes, murders and all the other things that they are dealing with. It is not that we have not tried to use it, but it sometimes proves difficult to take it through.

Rachael Hamilton: The BCVA has said that it needs

“more detail regarding the ability to resource and carry out this approach.”

I presume that you are aware of that.

Sheila Voas: Yes.

Rachael Hamilton: What would constitute a herd that was not subject to pre- or post-movement checks? I do not mean that in a ridiculous way. Why would cattle not have to go through those checks?

09:45

Sheila Voas: If they come from a low-incidence area, we do not require—

Rachael Hamilton: So, Scotland is a low-incidence area.

Sheila Voas: Scotland is a low-incidence area, so we do not require pre- and post-movement checks of cattle moving between farms in Scotland or from low-incidence areas in England where the number of breakdowns is very low. Cattle from East Anglia and Northumberland, for example, do not have to have the tests. If the animals come from a high-incidence area where TB is endemic, they have to be tested before and after movement. If they come from a high-incidence area to a low-incidence area in England, they will still be post-movement tested in Scotland unless they have been tested in the low-incidence area in England. It is quite complicated.

Rachael Hamilton: So, if 10,000 cattle were moving into Scotland every year, how many of those would come from high-risk areas?

Sheila Voas: Maybe 2,000.

Rachael Hamilton: That is how many checks are being done currently.

Sheila Voas: Yes. Is that about right, Louise?

Louise Cameron: I would have to get back to you.

Rachael Hamilton: It is just that I am very interested in the probability of risk.

Sheila Voas: Since Scotland became officially TB free and started requiring post-movement testing from high-risk areas, we have found that farmer behaviour has changed and people are now thinking more about how they source animals, which has been a really positive benefit. People are thinking for themselves about the risk.

Rachael Hamilton: As a personal comment, we need to make sure that we support farmers across the United Kingdom, because if a farm has a breakdown, it can have a devastating impact on not only the family’s mental health but their finances. Farmers do not ask for bovine TB in their herd. It is an unintended consequence of purchasing whatever it might be or, indeed, something that has not been identified through testing. It is very important to recognise that, although it is great that Scotland has TB-free status, it is happening across our United Kingdom, where the supply chain is integral to Scotland’s success.

Sheila Voas: Absolutely. For all that we do not have TB in Scotland, the biggest spend in my budget is still on TB because of the testing that we do and the compensation that we pay. Therefore, it is in my interest that England and Wales solve their problems, so that there is no risk of TB coming into Scotland through animals. As CVOs, we work very closely together. We have monthly meetings and, every quarter, we have a TB liaison group meeting to understand what the different Administrations are doing.

Occasionally, there is a person who indulges in dodgy behaviour, but people are mostly unfortunate victims. We are lucky that we do not have a wildlife problem here. That would be so much worse. We need to keep it out of our wildlife.

The Convener: Thank you. I tend to agree. Last night, at the BVA dinner, there was a fantastic discussion about, and recognition of, the issues right across the UK among vets and representatives from every part of the country. That was helpful.

I have one very short, technical question. We touched on cross-compliance and potential cross-compliance penalties. Will there be a requirement for animal health and cross-compliance provisions in the proposed agriculture bill? We have started pre-legislative consideration of the bill, which will be before us after the summer.

Sheila Voas: Yes, the intention is that there will be animal health provisions in the bill. Most of the legislation that we currently have on animal health is predicated on—my mind has gone blank—the

Animal Health Act 1981, but that, in itself, needs to be modernised in some places. The intention is that there will be some provision in the agriculture bill, but we do not yet know exactly what that will be. We are still in discussion with lawyers and others across the directorate.

The Convener: Great. Thank you.

That has been hugely helpful, and we appreciate your coming in at very little notice. It has been hugely useful to the committee not just in its consideration of this piece of legislation but in getting a better idea of what tuberculosis looks like across Scotland. Thank you very much for taking the time today.

That concludes our business for today and I formally close the meeting—my apologies. The most important thing is that I ask members whether they have any comments on the instrument.

We have no further comments. Thank you very much. That concludes business for today.

Meeting closed at 09:50.

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