

Witness Name: Katrina Godfrey  
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## UK COVID-19 INQUIRY

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### CORPORATE STATEMENT OF KATRINA GODFREY

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I, Katrina Godfrey, will say as follows: -

1. I am Katrina Godfrey the Permanent Secretary for the Department of Agriculture, Environment and Rural Affairs (DAERA) in Northern Ireland. I have been in post since 20 April 2022. Before that I was the Permanent Secretary for Department for Infrastructure from September 2018 - April 2022 and, prior to that, I held senior position levels at Deputy Secretary level in The Executive Office and the Department of Education.
2. In my statement I aim to set out the relevance of DAERA responsibilities for Module 2C of the Inquiry. DAERA has had a role in relation to the matters to which the Inquiry relates. In particular, I aim to set the context of DAERA's work and decision making. With that in mind however, I highlight to the Inquiry that Civil Servants work under the direction and control of Ministers. Our role is to help develop and advise on policy options, recognising that policy decisions are properly taken and owned by Ministers. Once Ministers decide on policy, our role becomes implementing it as effectively and efficiently as possible. As I joined DAERA in April 2022, the statement I provide is based on analysis of Departmental records, rather than from my own personal experience. In preparing this statement I have consulted DAERA colleagues, and as former Permanent Secretaries, Dr Denis McMahon and Mr Anthony Harbinson. A list of acronyms is included at **Annex A**.

#### **Former Ministers and Permanent Secretaries**

3. The Department had two Ministers in office for the period covered within the scope of Module 2C. Minister Edwin Poots MLA assumed office on 11 January 2020 and remained the DAERA Minister throughout the Covid-19 pandemic period, although he stepped down for several weeks from 2 February 2021 to 8 March 2021 due to personal health reasons. In that period his Party colleague Gordon Lyons MLA was appointed Minister. As with all

departmental Ministers, Minister Poots MLA ceased his caretaking Minister role on 28 October 2022. Following the First Minister's resignation on 4 February 2022, in the absence of an Executive, Ministers remained in post. Following the Assembly Election on 5 May 2022, The Northern Ireland Act 1998, as amended in February 2022, provided for departmental ministers to remain in post during the period of Executive formation which ended on 28 October 2022. While they were able to discharge many of their departmental functions during this period, their decision-making was constrained by the absence of an agreed Programme for Government and Budget and by the absence of an Executive and a sitting Assembly, resulting in some commentators adopting the term 'caretaker ministers'.

4. During this time, decisions would have been presented to the Minister as usual. For example, decisions taken at Gold Command were escalated to the Minister for approval as required. All key decisions were made by the Minister. As stated in paragraph 2, Civil Servants work under the direction and control of Ministers. The Minister was regularly updated by the Permanent Secretary and senior officials at meetings and through submissions.
5. Dr Denis McMahon was DAERA's Permanent Secretary from 19 February 2018 to 25 July 2021, followed by Anthony Harbinson. Mr Harbinson took over from Dr McMahon on a temporary basis from 26 July 2021 to 30 April 2022 (I had a 10 day overlap with Mr Harbinson), and I was appointed Permanent Secretary (Accounting Officer) from 20 April 2022.

#### **DAERA structure, role, people and processes**

6. In 2009, the majority of the functions and responsibilities referenced in my statement rested with the Department of Agriculture and Rural Development (DARD). In May 2016, Northern Ireland (NI) Departments were reduced from 12 to 9 and renamed in accordance with the Departments Act (Northern Ireland) 2016. The functions and services delivered by the 12 former departments were transferred to the relevant new departments, including the new Department of Agriculture, Environment and Rural Affairs (DAERA).
7. DAERA retained most of the roles and responsibilities of the former DARD, excluding the functions of the former Rivers Agency which transferred to the new Department for Infrastructure (DfI). Inland fisheries was transferred to DAERA from the former Department of Culture, Arts and Leisure (DCAL). Environmental functions including marine, fisheries and the Northern Ireland Environment Agency (NIEA) were transferred to DAERA from the

former Department of Environment (DOE). Policy responsibility for the Sustainability Strategy was transferred from the former Office of the First Minister and Deputy First Minister (OFMDFM). See Formation of DAERA - Staff Structure May 2016 (**Exhibit KG/1 - INQ000222071**) and DARD Responsibilities 2015 (**Exhibit KG/2 - INQ000222072**).

8. As noted above, DAERA was established in May 2016 and has responsibility for food, farming, environmental, fisheries, forestry and sustainability policy and the development of the rural sector in Northern Ireland. DAERA assists the sustainable development of the agri-food, environmental, fishing and forestry sectors of the Northern Ireland economy, having regard for the needs of the consumers, the protection of human, animal and plant health, the welfare of animals and leads climate change to include the conservation and enhancement of the environment.
9. DAERA provides a business development service for farmers and growers and a veterinary service for the administration of animal health and welfare. DAERA's College of Agriculture, Food and Rural Enterprise (CAFRE) delivers training and further and higher education courses in agriculture, food, horticulture, equine, veterinary nursing and land-based engineering.
10. Following the United Kingdom's exit from the European Union (EU), DAERA assumed policy responsibility in Northern Ireland for areas, within devolved competence, that previously operated under EU governance and funding arrangements, including the former Common Agricultural Policy and Common Fisheries Policy.
11. Up until 1 October 2023, the Department comprised six Groups:
  - a. Central Services & Contingency Planning Group (CSCPG);
  - b. Environment, Marine and Fisheries Group (EMFG);
  - c. Food and Farming Group (FFG);
  - d. Rural Affairs, Forest Service (which is an Executive Agency), Estate Transformation (RAFSET), Brexit Operational Readiness and Food Security Group (BORFS);
  - e. Veterinary Service Animal Health Group (VSAHG); and
  - f. Northern Ireland Environment Agency (NIEA) (which is an Executive Agency).
12. For more information on DAERA's organisational structure up to 1 October 2023 and its current structure, see the organisational charts (**Exhibit KG/3 - INQ000222073 and KG/3A - INQ000300934**) with key functions.

13. DAERA has two executive agencies:

- a. Northern Ireland Environment Agency (NIEA), its Accounts are included in the Consolidated Accounts of the Department; and
- b. Forest Service, which operates as an Executive Agency, but now falls outside the Departmental Accounting Boundary since its reclassification to a Public Non-Financial Corporation by the Office of National Statistics (ONS) from 1 April 2020. Its Accounts are no longer consolidated in the Departmental Group.

14. The Department also carries responsibility for a number of Arm's Length Bodies (ALBs):

- a. Agri-Food and Biosciences Institute (AFBI) – an executive, non-departmental public body;
- b. Foyle, Carlingford and Irish Lights Commission (FCILC) – Loughs Agency, a North South Implementation Body;
- c. Northern Ireland Fishery Harbour Authority (NIFHA) – an executive non-departmental public body;
- d. Livestock and Meat Commission (LMC) – an executive non-departmental public body;
- e. Agricultural Wages Board (AWB) – a statutory body; and
- f. Council for Nature Conservation and the Countryside (CNCC) – a statutory advisory council.

**DAERA's role in emergency response measures prior to pandemic**

15. DAERA's Major Emergency Response Plan (MERP), states that its role is to assume Lead Department responsibilities for animal, plant & fish diseases; farm animal welfare; atmospheric, water and river pollution; radiological hazards; forest fires on Forest Service owned land; and animal feed safety incidents. Lead Departments will monitor impacts of any emergency within that sector and will provide support and advice to local level responders where required. The Lead Department will facilitate multi-agency coordination of the strategic response to a Level 1 emergency (significant). In discharging this function, the Lead Department will be expected to act as co-ordinator for the overall Government response, providing leadership, resources and policy support to those responding to a major emergency (**Exhibit KG/4 - INQ000222074**).

16. DAERA is the lead department in Northern Ireland for the control of animal diseases and for responding to epizootic disease outbreaks, led by VSAHG. Some of these epizootic diseases can also be zoonotic, for example Avian Influenza (AI). Maintaining high



biosecurity standards as part of DAERA's disease prevention and control strategies not only protects animals, plants, and the wider environment, but also provides important assurances to global trading partners that UK exports maintain the highest health status.

17. It is recognised globally, at a conservative estimate, that 60% of emerging human diseases are zoonotic. These figures are commonly referenced throughout current publications on zoonotic diseases. One journal article that states: 'An estimated 60% of known infectious diseases and up to 75% of new or emerging infectious diseases are zoonotic in origin' has referenced the following two journal articles as the original source: 1. Woolhouse ME, Gowtage-Sequeria S. Host range and emerging and re-emerging pathogens. *Emerg Infect Dis.* 2005;11:1842–7. 10.3201/eid1112.050997 (**Exhibit KG/5 - INQ000222075**); 2. Jones KE, Patel NG, Levy MA, Storeygard A, Balk D, Gittleman JL, et al. Global trends in emerging infectious diseases. *Nature.* 2008;451:990–3. 10.1038/nature06536 (**Exhibit KG/6 - INQ000222076**). Consequently, the 'One Health' construct recognises the close inter-relationship between human health, animal health and the environment that underpinned the jointly chaired Chief Medical Officer (CMO) / Chief Veterinary Officer (CVO) zoonosis working group.
18. One Health, as defined by WHO, is an integrated, unifying approach to balance and optimise the health of people, animals and the environment. The approach mobilises multiple sectors, disciplines and communities at varying levels of society to work together, to develop new and better ideas that address root causes and create long-term, sustainable solutions. One Health involves the human public health, veterinary public health and environmental sectors. The One Health approach is particularly relevant for food and water safety, nutrition, the control of zoonoses, pollution management, and combatting antimicrobial resistance.
19. The NI five year antimicrobial resistance action plan is built on this 'One Health' concept and was led by the Department of Health (DoH) CMO, with oversight by the Strategic Antimicrobial Resistance and Healthcare Associated Infection (SAMRHAI) group, which included DAERA's Veterinary Service and the Food Standards Agency (FSA). When the Covid-19 response made it difficult for DoH to continue to lead on the antimicrobial resistance action plan, DAERA agreed to take on leadership of that group.
20. As biosecurity threats transcend administrative boundaries, DAERA collaborates with Department for Environment, Food and Rural Affairs (Defra) and its counterparts in the Scottish, Irish and Welsh Governments, in planning for and responding to, animal disease

outbreaks. Collaborative working includes sharing of expertise, knowledge and resources. For example, the Avian Influenza outbreaks in 2021 and 2022, involved co-ordinated action and communications between DAERA and the Department of Agriculture, Food and Marine (DAFM - the relevant government department in Ireland), with DAERA providing resource to assist DAFM in culling processes at infected premises in Ireland. Contingency plans are regularly tested at both local and national levels to ensure they remain fit for purpose. Exercise Blackthorn, the 2018 national Foot and Mouth Disease exercise, tested the UK contingency plan at a national level while DAERA tested the NI contingency plan and local arrangements (**Exhibit KG/7 - INQ000222077 and Exhibit KG/8 - INQ000222078**).

#### **Legal Framework for Animal Disease Control**

21. DAERA has overall responsibility for policy and regulation related to animal health controls in Northern Ireland.
22. There is extensive legislation and regulation governing animal health. The Diseases of Animals (Northern Ireland) Order 1981 (NI 22) (the 1981 Order) makes provision for a variety of matters concerning the eradication, prevention, and control of animal diseases. Part II of the 1981 Order confers powers and duties on DAERA ("the Department") for the purpose of eradication and prevention of disease. These include: (a) an obligation on the Department to prepare guidance on biosecurity measures to be taken in relation to any disease specified by order of the Department (s.4A); (b) an obligation on owners and occupiers of premises on which animals are kept to comply with biosecurity guidance (s. 4B); (c) powers to make orders concerning cleansing and disinfection of places used for holding animals (s.5); and powers to make orders governing importation of animals for purpose of preventing the introduction or spreading disease (s.24).
23. Part II of the 1981 Order concerns "Diseases of Animals and Poultry" and confers a range of powers and obligations in relation to the outbreaks, infections, and risk to human health from zoonoses. These include emergency powers to respond to the outbreak of diseases and risk to human health through control of zoonoses. Diseases of significance (for example, bovine tuberculosis, brucellosis, anthrax, rabies, avian influenza) are listed under Part III and Part IV of Schedule 1 of the 1981 Order, supported by Orders providing rules and enforcement powers for specific diseases. Section 7 of the 1981 Order confers specific powers for controlling zoonoses. There are over 60 statutory rules made under the 1981 Order which deal with diseases, along with those which pose a zoonotic disease

risk, including SARS-CoV-2 (Covid-19)<sup>1</sup>. The legislative framework governing specific animal and zoonotic disease reflects policy developed through decades of research and development by DAERA (and its predecessor organisations).

24. The Zoonoses Order (Northern Ireland) 1991 is one such legislative instrument made under the Disease of Animals (Northern Ireland) Order 1981 and is applied in relation to the designated organisms, such as Salmonella Chlamydia psittaci and Coxiella burnetti and covers poultry, livestock, and pets with a view to reducing the risk to human health from those organisms. It includes the powers of entry, movement restrictions, slaughter and culling and seizing of goods.
25. The risk of SARS-CoV-2 (the virus that causes Covid-19) being transmitted to humans from most animal species was not considered significant. However, in November 2020 a risk of transmission to humans from the *Mustelidae* species, which includes minks and ferrets was identified. There was concern that any virus mutations arising from any such transmission may have been less responsive to available vaccines. Following discussions between Defra and the other UK devolved administrations, a decision was taken by the Animal Disease Policy Group (ADPG), which is a decision-making forum made up of lead animal health policy officials from all four UK administrations, to recommend to respective Ministers that SARS-CoV-2 be made notifiable when detected in animals in the UK. ADPG has a responsibility to respond to any new and/or emerging zoonotic disease threat and would instigate a meeting to discuss a UK based approach.
26. An ADPG paper, dated 9 February 2021, (**Exhibit KG/9 - INQ000222079 and Exhibit KG/10 - INQ000222081**) was discussed and issued to the Northern Ireland (NI) CVO on 9 February 2021. The NI CVO confirmed on 9 February 2021, that DAERA was content with recommendations in the paper to make SARS-CoV-2 notifiable (**Exhibit KG/11 - INQ000222082**).
27. Each devolved administration took forward their own legislative amendments. In Northern Ireland the Zoonoses Order (Northern Ireland) 1991, was amended by The Zoonoses (Amendment) Order (Northern Ireland) 2021,<sup>1</sup> to add SARS-CoV-2 to the list of organisms designated under Article 7 of the Diseases of Animals (Northern Ireland) Order 1981. This was done via a Ministerial Submission and Executive Paper (**Exhibit KG/12 to KG/20 - INQ000222083 to INQ000222091**).

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<sup>1</sup> [The Zoonoses Order \(Northern Ireland\) 1991 as amended by the Zoonoses \(Amendment\) Order \(Northern Ireland\) 2021 No.44.](#)

28. This was a precautionary measure to ensure that the disease could be monitored in animals and any early warning signs of possible outbreaks could be identified. Once notified, DAERA would be able to notify the Public Health Agency (PHA), provide biosecurity advice and take any necessary control measures (e.g. to isolate affected animals and restrict their movements). The Statutory Rule – ‘The Zoonoses Order (Northern Ireland) 1991, as amended, by the Zoonoses (Amendment) Order (Northern Ireland) 2021 No.44’,<sup>1</sup> makes an amendment to add Severe Acute Respiratory Syndrome Coronavirus 2 (SARS-CoV-2) to the list of organisms designated under Article 7 of the Diseases of Animals (Northern Ireland) Order 1981. The Disease of Animals Order (NI) 1981, provides the power to pay compensation in the unlikely event that it was necessary to cull animals to protect public health.
29. The EU Official Controls Regulation 2017/625, (“the OCR”) addresses controls governing imports, ensuring adherence to the strict health and welfare standards required for entry into the EU. Under the provisions of the EU Withdrawal Agreement which included the subsequent Protocol on Ireland / Northern Ireland and the Windsor Framework, the OCR applies to Northern Ireland. The Trade in Animals and Related Products Regulations 2011, (TARP) works in parallel to the OCR, implementing EU Directives on the intra-EU movement of live animals and animal products and contains enforcement powers to ensure that live animals and products of animal origin entering Northern Ireland from other countries meet the required import conditions set out in the OCR. DAERA Official Veterinarians, together with local authorities, are responsible for inspections of imported animals, germplasm, animal by-products and products of animal origin for human consumption at UK Border Control Posts.
30. Under the requirements of the EU Withdrawal Agreement and Annex 2 of the subsequent Protocol on Ireland / Northern Ireland, the EU Animal Health Law (AHL) Regulation (2016/429), applies to Northern Ireland. The AHL sets out specific rules for the prevention and control of diseases for the protection of both human and animal health. It places a specified list of animal, avian and aquatic diseases into different categories dependant on the level of control required to manage them and the species affected. The level of controls required by the AHL range from obligations to notify relevant authorities when diseases are detected to extensive surveillance and eradication measures.

31. The Aquatic Animal Health Regulations (Northern Ireland) 2009, set out animal health requirements for aquaculture. Parallel legislation is in place in England, Wales and Scotland.
32. The PHA Northern Ireland provides advice and guidance relating to zoonotic disease risk in Northern Ireland. PHA adopts the comprehensive framework for addressing zoonotic disease risks<sup>2</sup> published by Public Health England (PHE). This summarises the measures in place to prevent and eradicate zoonotic diseases emerging as well as how to respond in the event of an outbreak.
33. During a zoonotic animal disease outbreak (e.g. avian influenza), PHA will be notified by DAERA of suspect and confirmed cases. PHA will be called to attend DAERA Emergency Command Group meetings and regular outbreak meetings, if a zoonotic disease is involved. DAERA will seek advice from PHA on the human health implications of the specific disease involved in the outbreak, and use this within DAERA communications, ensuring that public messages are aligned across the organisations. As part of DAERA's disease investigation procedures on an infected Avian Influenza site, DAERA will provide PHA with information on any members of the public potentially exposed to infectious agents, and PHA follow up with those individuals accordingly.
34. A number of public authorities and agencies, including DAERA, PHA, the Health and Safety Executive Northern Ireland (HSENI), the FSA and local authorities, operate within the relevant legislative framework. In the event of an epizootic animal disease outbreak, involving a zoonotic agent, DAERA will co-ordinate engagement with other relevant public authorities and agencies as part of the outbreak response.

### **Laboratory Capability**

#### **Within Northern Ireland:**

35. AFBI capability in animal health and welfare and food safety is concentrated in the Institute's Veterinary Sciences Division (VSD) and located at two sites; Stormont and Omagh, with the bulk of the expertise and capability located at the Stormont site, on the outskirts of Belfast. The Division comprises scientists, veterinarians, administrative and technical staff who are involved in statutory surveillance (passive and active), expert advice and representation and aligned research and development.

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<sup>2</sup> PHE's Guidelines for the Investigation of Zoonotic Disease (non-foodborne) in England and Wales (July 2016)

36. VSD is the Official Laboratory for DAERA for Food and Feed Controls under the Official Controls Regulation 2017/625 (OCR). In addition, the VSD holds UK National Reference Laboratory (NRL) status for veterinary drug residues and marine biotoxins. Staff within the VSD are considered to be experts in their scientific fields at not only national but also international levels.
37. DAERA annually commissions, from AFBI, the scientific services required to underpin the statutory surveillance requirements, research and development, emergency response capability and expert advice through an Assigned Work Programme (AWP). AFBI is a leading provider of scientific research and services to government, non-governmental organisations and commercial organisations. DAERA works in partnership with AFBI as it deliver a wide range of services outlined in paragraph 38. Further details of the AFBI work programmes can be found in the AFBI Corporate Plan (**Exhibit KG/21 - INQ000222095**).
38. AFBI provides the following services and infrastructure:
- a) High containment laboratory facilities (ACDP Biocontainment levels 2 and 3);
  - b) Animal experimental facilities (including high containment);
  - c) Scientific expertise in microbiological and analytical chemistry disciplines;
  - d) Expertise in delivery of laboratory testing, including high throughput workflows;
  - e) Test method and reagent development;
  - f) Research functions with alignment to statutory surveillance programmes; and
  - g) Emergency response, contingency and response to disease outbreaks.
39. Further details can be found in the AFBI science strategy 2014-2020 (**Exhibit KG/22 - INQ000222096**) and the DAERA Science Strategy Framework 2020-2035 (**Exhibit KG/23 - INQ000222097**).

### **Contingency Planning**

40. There are well defined procedures for responding to and investigating suspicion of exotic notifiable disease in animals and subsequently confirming presence of disease. The principles are the same across the UK to ensure there is a consistent and co-ordinated approach that meets the requirements of domestic legislation and international requirements. There are some differences in process in Northern Ireland compared to Great Britain due to the different administrative structures and reflecting the fact that the island of Ireland comprises a single epidemiological unit covered by two legislative jurisdictions.

41. The Contingency Plan for Epizootic Disease (**Exhibit KG/24 - INQ000222098**) describes how DAERA will manage incidents of certain animal diseases occurring in Northern Ireland.
42. The Contingency Planning for Epizootic Disease Unit (CPED), within DAERA VSAHG, was established following the 2001 Foot and Mouth Disease outbreak. This unit is responsible for exercising and reviewing the contingency plan, including any relevant lessons identified from previous exercises, and ensuring that team roles, responsibilities and lines of communication are kept up to date. The Unit is also responsible for staff training and stakeholder engagement; maintenance and review of Memoranda of Understanding with other government departments and external organisations; and ensuring operational preparedness for epizootic disease incursion. During disease outbreaks, CPED co-ordinates the activation of the contingency plan and the initial response, and then undertakes specific roles within the command structures.
43. The Contingency Plan summarises DAERA's arrangements for controlling and eradicating epizootic disease in NI. It is based on strategic, tactical, and operational command structures. It outlines the roles and responsibilities of the Northern Ireland CVO, the Central Epizootic Disease Control Centre (CEDCC), the Local Epizootic Disease Control Centre (LEDCC) and operational partners. DAERA's strategic level arrangements and response to an epizootic disease outbreak are set out in DAERA's Major Emergency Response Plan (MERP).
44. DAERA's overall disease control strategy is to eradicate epizootic disease through control measures which:
- Ensure rapid identification of the disease, minimise risk of spread and enable early eradication;
  - give due consideration to the welfare of livestock affected; and
  - minimise the impact on international trade, the rural economy, sustainability of the industry and the environment.
45. The contingency plan outlines the mechanisms that are in place to ensure that the response to an outbreak of epizootic disease is implemented in a co-ordinated and consistent manner. It provides an overview of the process through which suspicion of disease will reach eventual confirmation, if appropriate. Upon confirmation of disease,

various structures and groups will be activated to support the response. Processes are in place to ensure that the appropriate people are notified, briefed and engaged to respond upon confirmation of disease.

46. The contingency plan sets out the structures for dealing with an epizootic disease outbreak at the CEDCC, LEDCC and the teams that make up these command centres, the daily schedule for meetings of decision-making bodies and how DAERA links in and communicates with Defra, the other devolved administrations and the DAFM during a disease response. The control strategies describe the measures that would be applied in the event of an outbreak for a specific disease and describe the wider framework in place to prevent and limit a disease incursion.
47. AFBI maintains and exercises (through staged, e.g. Exercise Blackthorn or live incidents, Avian Influenza suspects/outbreaks occurring in NI) a series of contingency plans covering epizootic diseases, plant diseases and pests plus food contaminant issues. These contingency plans are updated regularly and the epizootic plan has been tested every year as part of the Avian Influenza incursions. Following a major outbreak such as Avian Influenza, DAERA and AFBI look at lessons learned to improve contingency responses and update the plans and associated operational instructions. Confirmed outbreaks are particularly relevant to the contingency plan as these will initiate all of the phases of the plan i.e. dealing with the suspect, communications, confirming the result for the suspect, scale up testing for the outbreak and post outbreak testing for confirmation of official disease freedom. As the generic contingency plan is focused on the response structures that would be established and the roles and responsibilities within teams, it is reviewed every 3 years and updated as required, mainly following nomenclature or organisational changes. The control strategies are reviewed following changes in legislation or policy. The operational staff instructions are updated most frequently, following lessons learned from test exercises or disease outbreaks.
48. In addition to the generic epizootic disease contingency plan, DAERA maintains control strategies for a number of specific notifiable animal diseases including:-
- a) Notifiable Epizootic Avian Disease control strategy
  - b) African horse sickness control strategy
  - c) African Swine Fever control strategy
  - d) Bluetongue control strategy
  - e) Classical Swine Fever control strategy
  - f) Foot and mouth disease control strategy



- g) Rabies control strategy.

**Suspicion of disease and alerts**

49. In NI there is a legal duty on any person who suspects that an animal may have an exotic notifiable disease to report their suspicions to the appropriate authorities, as stated in The Diseases of Animals (Northern Ireland) Order 1981 (Part II, Article 10 (1b)). Disease suspicion alerts are most likely to be received from private veterinary practitioners, livestock keepers or an AFBI laboratory following submission of a carcass/samples with a suspicious clinical history and/or post-mortem findings. In Northern Ireland suspicion of disease will be investigated by the DAERA epizootics Divisional Veterinary Officer (DVO). A range of internal DAERA staff and relevant external agencies (e.g. GB administrations, FSA and PHA) are notified by email of suspect cases under investigation. DAFM is also alerted, particularly for any suspect cases located close to the border.
50. As outlined in the United Kingdom contingency plan for exotic notifiable diseases of animals (**Exhibit KG/25 - INQ000222099**), there may be a series of case conferences on suspicion of exotic notifiable disease in animals to discuss emerging issues. Attendees would usually comprise the four chief veterinary officers (CVOs) in the UK, supported by policy and veterinary officials from each administration.
51. If suspicion of disease is strong and its presence cannot be ruled out on clinical grounds, an amber teleconference is held. This involves the CVOs, policy and veterinary officials from each administration together with a range of attendees who would have a role in a potential outbreak (if declared), including other government departments and agencies e.g. PHA, FSA. The purpose of the teleconference is to inform participants of the situation, to assess the risk and to agree on next steps. The meeting is chaired by the UK CVO and follows a standard agenda. During the teleconference the CVO of the country concerned may confirm disease or specify what further evidence, such as test results, would be needed. The teleconference would also agree plans for future actions and the necessary communications (including notifications to others) based on the emerging situation.
52. In NI the Emergency Command Group (ECG) is established in advance of the amber teleconference. The ECG is an interim command group comprising of personnel from Veterinary Service, Animal Health and Welfare Policy Division, AFBI and relevant external agencies such as FSA and PHA. The ECG co-ordinates all aspects of initial response on suspicion of epizootic disease and provides updates to NI CVO. NI CVO will communicate with ROI CVO and keep them updated with any emerging epizootic disease situation.

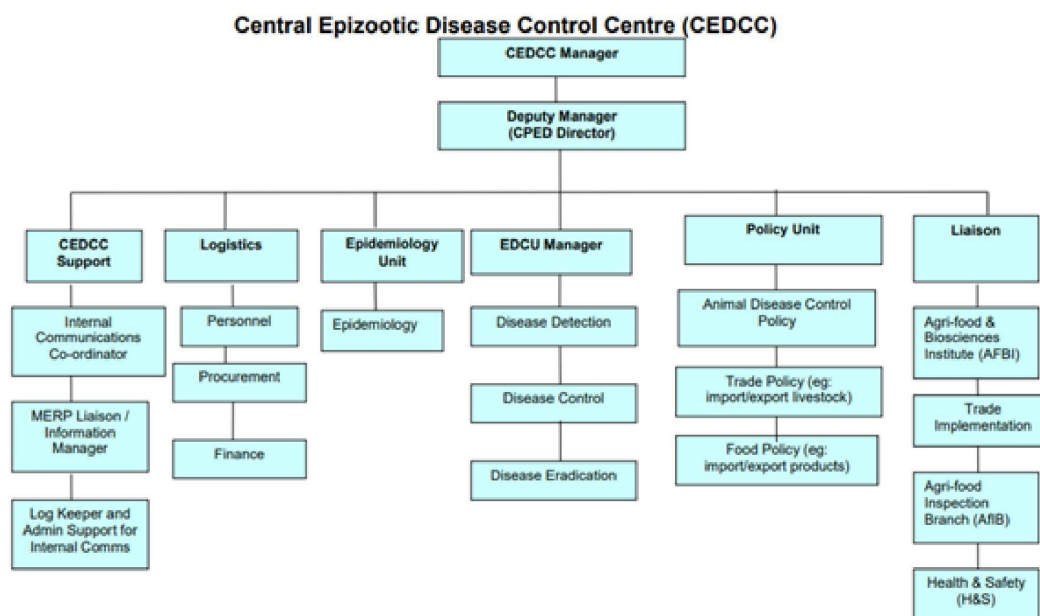
53. Upon confirmation of an exotic notifiable disease in animals, the appropriate contingency plans for the affected administrations are invoked. For example, the UK wide contingency plan was invoked in winter 2020 for GB based Avian Influenza cases, and the NI contingency plan was subsequently invoked following confirmation of highly pathogenic Avian Influenza in NI in January 2021.

### **Outbreak Response**

54. Once a disease is confirmed the CVO will inform the Minister and the Permanent Secretary and, if appropriate, request activation of DAERA's MERP. The CVO will authorise activation of the CEDCC and LEDCC.

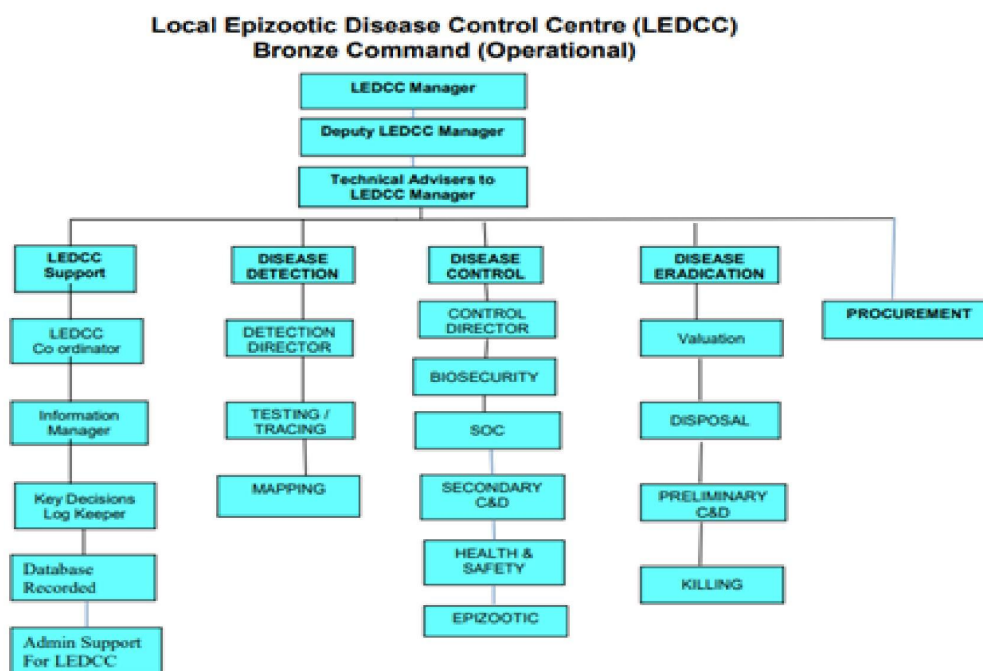
55. Within DAERA, the command structure during an outbreak is illustrated below.

56. The CEDCC is responsible for the tactical management of disease control and eradication and is made up of several teams with specific functions as outlined in diagram below. Its functions include: provision of advice to counterparts in LEDCC; overall general management of disease control; determining priorities in resource allocation; planning and co-ordinating the tasks allocated to the operational directors in bronze command; obtaining resources; obtaining emergency regulations / derogations.



57. Within CEDCC, the Policy Unit is staffed by VSAHG policy officials and is responsible for providing policy advice on animal disease control, internal movements, import / export of farm livestock and animal products. They also liaise with Legislation Branch and the Departmental Solicitor's Office (DSO) to ensure that the appropriate legislation is in place. They work closely with colleagues in Defra and DAFM and are responsible for the collation of briefing material for Ministers and officials and engagement with stakeholders (core group).

58. The LEDCC is responsible for the operational delivery of the response and is made up of several teams with specific functions as outlined in diagram below. The LEDCC will implement tactical level advice in line with guidance set out in contingency plans and operational instructions. It will also report back to the CEDCC on the progress of the disease control operation. Its functions include: Deployment of resources (expertise, personnel and equipment); identifying tasks; undertaking field tasks and operations; information gathering and reporting; working with operational partners and communicating with affected stakeholders.



59. The procedures for outbreaks at a national level are set out in the United Kingdom contingency plan for exotic notifiable diseases of animals. This outlines the role of Cabinet Office Briefing Rooms (COBR), the National Disease Control Centre (NDCC), the

Scientific Advisory Group for Emergencies (SAGE), the APHA International Disease Monitoring team, the Global Animal Health team, and the UK Chief Veterinary Officer.

60. The NDCC brings together operational functions provided by APHA and other executive agencies and organisations, with policy input provided from individual administrations through the following mechanisms:

- England appropriate parts of Defra;
- Scotland the Scottish Government's Disease Strategy Group (DSG);
- Wales - the Welsh Government Emergency Coordination Centre (Wales) (ECC(W));
- Northern Ireland CEDCC.

61. The policy on disease control of each administration may differ depending on the circumstances but will, insofar as is possible, be complementary. Where there are approaches that are, or may be, in conflict the relevant CVOs and senior officials will seek to arrive at a compromise. If that is not possible, the appropriate ministers will be invited to discuss the problem with a view to reaching a resolution.

62. The APHA International Disease Monitoring team monitors animal diseases across the world (particularly those affecting trading partners and countries within and bordering the EU), that would have a significant impact if introduced into the UK. It produces preliminary outbreak assessments or full qualitative risk assessments to assist decision-making by those responsible for biosecurity, surveillance, disease preparedness and enforcement. This is adapted by DAERA for NI when necessary.

63. The Defra Global Animal Health team is responsible for communications within the EU and internationally, ensuring effective representation of the UK's disease control activities.

64. In the event of an exotic notifiable disease outbreak in animals, there will be a co-ordinated approach to disease control and eradication across the UK, with close working between each country's administration, operational partners, and stakeholders. The Contingency Planning Division within Defra has responsibility for overall UK coordination when an outbreak occurs. The UK CVO, Dr Christine Middlemiss, works alongside her counterparts in Scotland, Wales and Northern Ireland, to ensure a co-ordinated response across the devolved administrations.

65. Within DAERA, the CVO, Dr Robert Huey, is responsible for confirming notifiable outbreaks in Northern Ireland. The CVOs for England, Scotland and Wales are responsible for confirmation of disease within their territories; the four administrations work closely together in the event of an animal disease emergency. The UK CVO is responsible for international relations. The Northern Ireland CVO and Ireland CVO also work closely together during animal disease outbreaks. Agriculture is one of the six areas on which the North South Ministerial Council (NSMC) convenes, as provided for by the Northern Ireland Act 1998 (see paragraph 214 below for further information on the NSMC) and that agreed work programme which includes animal and plant health, provides further opportunity for joint working between the Irish and Northern Irish CVOs.
66. In the event of an outbreak of epizootic disease in either Northern Ireland or Ireland, it is recognised by DAERA and DAFM that sustained co-operation between both administrations will be essential to reduce the further spread of disease. There are a number of areas where co-operation and agreement are of particular importance and benefit. The areas include: cross-border communication; tracings; trade; vaccination; and management of external communications.
67. During the most recent Avian Influenza outbreaks in 2021 and 2022, a number of disease control zones crossed the border and had implications for both jurisdictions, which involved co-ordinated action and communications between DAERA and DAFM. DAERA has also provided resource to assist DAFM in culling processes at infected premises in Ireland during recent Avian Influenza outbreaks.
68. The Animal Health and Welfare Policy Team within DAERA VSAHG has policy responsibility for the control strategies for exotic notifiable animal diseases. The policy team (along with the CPED in VSAHG) will update and exercise the control strategies (e.g. foot and mouth disease control strategy exercised during Exercise Blackthorn 2018). The contingency plan and individual control strategies detail the rhythm for actions and how the policy teams obtain stakeholder views and expert advice for decision making.
69. The VSAHG veterinary and technical teams support delivery of DAERA's animal disease control strategies and are responsible for the operational response to biosecurity threats to NI. Policy teams collaborate with science, technical, field and veterinary teams to ensure delivery.

70. The Animal and Plant Health Agency (APHA) is the operational executive agency for Defra (as well as Welsh and Scottish government) in Great Britain.
71. The DAERA CEDCC links into the UK NDCC, and DAERA participates in the various Defra and/or APHA led decisions making groups, as outlined in the contingency plans.
72. AFBI is a member of the DAERA CEDCC during disease outbreak events. The role of AFBI in this group is to provide reporting on laboratory testing and scientific advice. AFBI input to CEDCC includes: test results update; scheduling of samples for testing; science advice re. virology, test method technologies, results interpretation, virus sequencing and results obtained, and updates on results obtained from UK and EU NRLs. Food contaminant events are dealt with through the Residues Action Group (RAG) in conjunction with DAERA and FSANI.
73. AFBI also liaises closely with the National and European Reference laboratories (NRL) relevant to the disease pathogen. Throughout the animal disease outbreak AFBI will be in direct contact with the UK and EU NRLs to provide updates on sample transport to the NRLs, sample scheduling, timelines for results, discussion and interpretation of results, updates and discussion on any virus sequencing undertaken by AFBI or the relevant NRL.

#### **Major Emergency Response Plan**

74. DAERA's Major Emergency Response Plan (MERP) is designed to be flexible in order to provide direction to emergencies, depending on the impact on DAERA or the wider NI/UK situation. When activated, the MERP is a combination of emergency response plans from some or all of the Department's business areas. The MERP is underpinned by DAERA's Business Continuity Plans (BCPs) and Operational Emergency Response Plans in place for each DAERA Business Area and Division.
75. The key purpose of the MERP is in the creation and functioning of a three-tier crisis management operation: - Gold, Silver and Bronze Commands. Gold Command provides strategic guidance and is chaired by the Permanent Secretary with a nominated deputy; Silver Command provides tactical planning; and Bronze Command handles operational delivery.
76. At January 2020, DAERA Gold Command comprised Permanent Secretary (Chair); Chief Veterinary Officer (CVO), VSAHG; Deputy Secretary, CSCPG; Deputy Secretary, EMFG; Deputy Secretary, RAFSET; Deputy Secretary, FFG; Director of Corporate Services

Division; Director of Contingency Planning (Food Security); Director of Contingency Planning (Agri Food trade); and DAERA Principal Information Officer.

77. The Permanent Secretary is responsible for activating and deactivating the MERP. On 2 September 2019, the Permanent Secretary of DAERA, Dr Denis McMahon, activated its MERP to deal with the possibility of a 'No Deal' Brexit (**Exhibit KG/26 - INQ000222100**). The MERP was activated to enhance DAERA's response structures, provide the context for activating key roles in different parts of the Department, clearly prioritise work (including postponing key areas of work as necessary), streamline communications, and enable DAERA to respond to the changing environment as the 31 October 2019 deadline approached, when the UK was scheduled to exit the EU. On 29 October, when the UK Government had agreed the EU Exit extension to 31 January 2020, Gold Command decided to de-activate the MERP.

78. DAERA engaged in a significant programme of work covering a range of issues which arose as a consequence of the UK leaving the EU. EU Exit Operation Yellowhammer, commenced in December 2018, led by the UK Government and created to manage 'No Deal' impacts. It included a civil contingencies workstream known as C3 (Command, Control and Coordination) or "the Hub" which was derived directly from the usual Emergency Management Framework used in the UK. The C3 structures had the ability to scale up/down as required and would be used to provide information to/from COBR (Cabinet Office Briefing Room). In preparation for a 'No Deal' EU exit, TEO formed the Northern Ireland Hub (NI HUB) and asked Departments to set up and staff their own Departmental Operating Centres (DOCs). DAERA identified key roles and volunteer staff attended training, provided by The Executive Office and the Emergency Planning College, developed Standard Operating Procedures and exercised testing of the DOC. These C3 structures represented an important aspect of DAERA's effective early response to Covid-19 as DAERA C3 was established quickly following the activation of the DAERA MERP. More information on C3, DAERA DOC and the NI Hub is available at paragraphs 206 - 213.

79. Dr McMahon activated the MERP in response to the Covid-19 pandemic on 16 March 2020 (**Exhibit KG/27 - INQ000222101**) and deactivated it on 10 July 2020 (**Exhibit KG/28 - INQ000222102**). The MERP was reactivated on 26 October 2020 (**Exhibit KG/29 - INQ000222103**) due to the ongoing situation relating to Covid-19, EU Exit Transition and the pressures of delivering ongoing essential business in those circumstances. Dr McMahon deactivated it again on 27 April 2021 (**Exhibit KG/30 - INQ000222104**).

80. The decision log of the MERP Gold Command meetings in particular provides a high level reference source allowing me to set out the challenges faced by Dr McMahon and his team and their responses to those challenges.
81. DAERA's Gold Command chaired by the Permanent Secretary, Dr Denis McMahon, met on 18 March 2020 and discussed the MERP, prioritising DAERA's work, labour market intelligence, staffing issues and suspension of some of DAERA's services. Gold Command meetings continued until 21 May 2020 and restarted again in October 2020 until 27 April 2021 **(Exhibit KG/31 to KG/36 - INQ000222105 to INQ000222110)**.
82. DAERA also held a weekly Top Management Team (TMT) meeting. These meetings were chaired by the Permanent Secretary and met every Monday morning to discuss current Departmental issues. Discussion topics included for example, Ministerial events and activities, liaison with the NI Assembly and the AERA Committee, policy issues considered to be cross-cutting or department-wide which require an urgent decision for example staffing decisions etc. **(Exhibit KG/37 and Exhibit KG/38 - INQ000222111 and INQ000222112)**.
83. Membership of TMT at that time included:- Permanent Secretary (Chair); Deputy Secretary, FFG; Deputy Secretary, EMFG; Deputy Secretary, VSAHG; Deputy Secretary, CSCPG; Deputy Secretary, RAFSET; Temporary Deputy Secretary, NIEA; Finance Director; Director of Communications and Engagement Division; DAERA Principal Information Officer; Departmental Assembly Liaison Officer; Ministerial Private Secretary; and Ministerial SPAD.
84. On 12 March 2020, in a TMT meeting chaired by the FFG Deputy Secretary **(Exhibit KG/39 - INQ000222113)**, DAERA reinforced the need to be consistent with the PHA and DoH messaging. It was agreed that DAERA's Business Continuity Plans (BCPs) was the appropriate mechanism by which to continue to deliver business. The following were agreed as prioritised "Overall Objectives of the Department" and then presented to the Minister for his consideration –
- "To ensure the wellbeing of our people.
  - Continue to deliver key, essential services (such as meat inspection, water inspection), prioritising as necessary.



- Keep products flowing and the agri-food sector operational to the greatest extent possible.
- Act in line with Department of Health, Public Health Agency and scientific guidance.”

85. To deliver on these Objectives, 11 key actions were identified and leaders were assigned to those. The key actions were:

- Briefing for Minister – Permanent Secretary, Dr Denis McMahon and all Deputy Secretaries, David Small, Norman Fulton, Brian Doherty, Tracey Teague, Fiona McCandless, Robert Huey;
- Briefing to Committee – CSCPG Deputy Secretary, Brian Doherty;
- Communications with Staff – CSCPG Deputy Secretary, Brian Doherty;
- Communications with Industry – CSCPG Deputy Secretary, Brian Doherty;
- Feeding into / from other Departments – Corporate Services Director, Sean McGrade;
- Legislation – FFG Deputy Secretary, Norman Fulton;
- Estate Management & Internal Departmental Services – RAFSET Deputy Secretary, Fiona McCandless;
- External Service Provision / Prioritisation RAFSET Director, Fiona McCandless and CSCPG Deputy Secretary, Brian Doherty;
- Finance / Support – FFG Deputy Secretary, Norman Fulton;
- IT (internal and external facing) – Digital Services Division Director, Paul McGurnaghan;
- Recovery phase – this included DAERA's participation in TEOs Recovery Taskforce and in the rollout of the New Ways of Working outlined in paragraph 326.

#### **Agri-Food Industry Stakeholder meetings**

86. A central principle of DAERA's approach in dealing with the pandemic was the continuous involvement of the business and community sectors. This was crucially important because it ensured that we knew what was happening on the ground and provided an opportunity to secure the food supply chain, as well as dealing with environmental and other issues as they arose. On 16 March 2020, Minister Poots MLA hosted an in person Covid-19 'summit' with the agri-food industry (including retailers, processors, and producers), to discuss contingency planning and the potential impacts of the pandemic. Minister Poots MLA explained to industry that it must continue to be led by advice from the DoH and the PHA

and that its focus should be on keeping food, feed and produce moving, with the support of DAERA (**Exhibit KG/40 - INQ000222114**).

87. Following this initial meeting, DAERA agreed to regular meetings with the Agri-Food Industry Stakeholder meetings. These meetings were chaired by the CSCPG Deputy Secretary, Brian Doherty, and held virtually, up to three times a week, until March 2022. As well as providing a meaning means of sharing intelligence and information, these meetings provided a forum in which industry representatives could raise questions and issues and have them addressed quickly. The issues and actions from these meetings were escalated as appropriate via DAERA's C3 structures by the C3 Lead who was also in attendance at these meetings. This information was used by the C3 team to inform DAERA's decision making in response to the Covid-19 pandemic and within the C3 sit reps / dashboards (**Exhibit KG/41 and Exhibit KG/42 - INQ000222115 and INQ000222116**). An example of the type of issues raised included, a request from stakeholders for DfI to extend the permitted working hours of HGV drivers servicing farm businesses (e.g. undertaking raw milk collections and animal feed deliveries) due to increased levels of staff Covid sick absence, which DAERA officials raised with DfI at the Civil Contingencies Group (CCG) NI. The subsequent formal request from the Northern Ireland Grain Trade Association for an extension was granted by DfI until 12 February 2021, as noted in the minutes of meeting on 27 January 2021 (**Exhibit KG/43 - INQ000222117**).

#### **DAERA's role in response to Covid-19**

##### **Within UK Government**

88. DAERA did not have a role, function or responsibility within any structure in UK Government in terms of the response to the Covid-19 pandemic.

89. DAERA officials and the Minister recognised the importance of keeping agri-food product moving to maintain food supply throughout the pandemic. DAERA was consulted by Defra on 13 March 2020, regarding inclusion and drafting of UK-wide powers within the Coronavirus Bill, which gave each administration the power to act if a member of the food industry refused to comply with voluntary requests for information. The proposal to include these powers was also raised with DAERA (from UK Government (DHSC) via TEO on the same day. While these powers were in the Act on Royal Assent, they were intended only as a contingency and in the end were never needed and they subsequently expired in March 2021, under Section 90 of the Coronavirus Act 2020 (**Exhibit KG/44 and KG/45 - INQ000222118 and INQ000222120**).

#### Within NI Government

90. The Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020, brought to the NI Assembly by the Health Minister, Robin Swann came into effect on 28 March 2020. These regulations were made under the Public Health Act (NI) 1967 as amended by the Coronavirus Act 2020. Although DAERA is responsible for food security and is a major landowner (eg responsibility for country parks, forests and a range of public facilities), the Department was not responsible for making the regulations. However DAERA provided proposals for amendments to the regulations as and when required - see paragraphs 256 – 270.

91. The Executive Committee is chaired by the First Minister and deputy First Minister and also includes the eight other Departmental Ministers. Junior Ministers may attend all meetings. The Head of the Civil Service performs the role of Secretary to the Executive. Special Advisers and other officials may attend, including the Attorney General as the Chief Legal Adviser as well as the Head of Executive and Central Advisory Division. The functions of the Executive Committee are set out in paragraphs 19 and 20 of Strand One of the Belfast Agreement (the Agreement) and sections 20 (3) and 20 (4) of the Northern Ireland Act 1998. It can take decisions on significant and controversial issues that cut across the responsibility of two or more ministers, or that need a common Executive position, and on legislation proposed by ministers. The Executive Committee (Functions) Act (Northern Ireland) 2020, redefined the definition of cross cutting to make it clear that it is when it affects the exercise of the statutory responsibilities of one or more other ministers more than incidentally. During his tenure, Minister Poots MLA, was part of the Executive Committee and therefore DAERA played a role within the decision-making processes in NI by providing advice through the Minister to the Executive. TEO provided the secretariat for the Executive meetings and, at the beginning of the pandemic, the frequency of Executive meetings, in most cases held virtually, increased from once a week to twice a week from week commencing 16 March 2020, and three times a week from week commencing 6 April 2020. Executive meetings returned to twice weekly from week commencing 11 May 2020, until week commencing 19 April 2021, when they returned to once a week.

92. Covid-related agenda items that were tabled for discussion at Executive meetings were circulated to DAERA officials, who considered each paper and the impacts for the Department and provided advice on a draft response and/or briefing on the Department's position as necessary, to the Minister before he attended the Executive meeting (**Exhibit**

**KG/46 - INQ000222121).** Amendments to the Covid-19 Regulations on matters of interest to DAERA such as waste management and animal welfare, are included at paragraphs 256 – 270. The Legislative Consent Motion brought by the Health Minister for the Coronavirus Bill, including the DAERA powers on food supply information, was also considered by Executive Ministers (**Exhibit KG/47 and KG/48 - INQ000222122 and INQ000222123**).

In relation to local authorities

93. Waste management - DAERA has a role in the management of waste in relation to Household Waste Recycling Centres and supporting Council Waste Management by virtue of The (Waste and Contaminated Land (Northern Ireland) Order 1997; Environment (Northern Ireland) Order 2002. Local Authority Collected Municipal Waste is defined in the revised Waste Framework Directive 2008/98/EC. Initially the Household Waste recycling centres were closed due to the lockdown measures.
94. As well as providing guidance in relation to recycling centres DAERA played a key role in communications. Engagement with all 11 local councils at the beginning of the initial lockdown, in March 2020, identified that it would be best to co-ordinate communication through nominated officers within each council for all Covid-19 related waste contingency communications. This approach ensured that the key messages in relation to waste and recycling services during the pandemic were delivered in a consistent, coherent manner from DAERA, local councils and the wider waste sector.
95. Messages included Protect and Respect, Keep Recycling, Fly-Tipping and Littering, Bin Hygiene and Personal Protective Equipment (PPE) Littering. A range of publications, both print and online were developed by DAERA regarding using these messages, which were subsequently utilised by a number of other groups, including all 11 local councils, on their websites and social media feeds.
96. Household Waste recycling centres – Under the Waste and Contaminated Land (Northern Ireland) Order 1997 and Waste Framework Directive 2008/98/EC, the management of waste in NI is a co-operative venture in which DAERA sets policy direction and local councils collect, move and sort waste. DAERA identified the need for a collaborative approach between central and local government and the wider waste sector in order to maintain essential services and protect public health.

97. DAERA monitored the operational status of Household Waste Recycling Centres (HWRCs) on a daily basis and updated via the daily situation report returns to the C3 coordination team for the purpose of providing updates on waste management. DAERA also developed and published a Principles & Guidance document (**Exhibit KG/49 - INQ000222124**) (following Ministerial approval on 27 April 2020 (**Exhibit KG/50 - INQ000222125 and Exhibit KG/51 - INQ000222126**) to assist local councils with the safe re-opening, and ongoing safe operation, of all HWRCs. DAERA worked with DoH and The Executive Office to ensure recycling centres were recognised as essential services within the Coronavirus Regulations, in order to protect the environment, public health and the economy.

98. Council Waste Management - DAERA secured a total of £15.2m emergency Covid-19 financial support from the NI Executive to support council waste services in the 2020/21 financial year (**Exhibit KG/52 - INQ000222127**). In addition to securing the funding, DAERA also set up an Oversight Board (**Exhibit KG/53 - INQ000222128**) to oversee the allocation of the funding across the 11 councils. This was done over a number of tranches. Funding was allocated on the basis of bids presented by each council through a DAERA/council working group for the additional costs they incurred in respect of waste management due to the Covid-19 pandemic.

#### Further DAERA roles

99. Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013 - NIEA had responsibility for regulating scheduled activities as prescribed and NI local authorities have a role in relation to the regulation of Part C activities under these regulations. These include dry cleaners, petrol stations and some car re-spraying yards.

100. Country Parks - Whilst NIEA had responsibility for deciding how its Country Parks operated during the Covid-19 Pandemic e.g. opening hours and access to onsite facilities and infrastructure in line with prevailing Covid-19 guidance, the Minister was informed of decisions taken by virtue of submissions. The Coronavirus Regulations came in to force on 28 March 2020; in this case the Minister's initial agreement had been sought because the closures of country parks and forest parks (see paragraph 101 below) on 23 March 2020 were to be made in advance of the regulations coming in to force (**Exhibit KG/54 - INQ000222129**).

101. Forest Parks - A Ministerial Statement was issued on 24 March 2020 to close car parks and public access facilities to DAERA-owned forests. Whilst Forest Service had

responsibility for deciding how its Forest Parks operated during the Covid-19 Pandemic, e.g. opening hours and access to onsite facilities and infrastructure in line with prevailing Covid-19 guidance, the Minister was informed of decision taken by virtue of submissions. Forest Service liaised closely with partner organisations such as Newry, Mourne and Down District Council, Armagh, Banbridge and Craigavon Borough Council and Fermanagh and Omagh District Council to ensure uniformity of approach across the forest estate.

#### Emergency response measures

102. On 17 March 2020 a letter issued from Dr McMahon advising DAERA staff to work from home, where possible (**Exhibit KG/55 - INQ000222130**). Some staff were unable to complete essential DAERA functions from home, for example staff working in DAERA Direct offices and those conducting inspections at ports and meat plants. DAERA staff working in the DAERA Direct offices were considered, by the Minister, as essential workers during the pandemic to help preserve the integrity of the food chain through processing of cattle Identification, Registration and Movement (IRM) documentation, and to help maintain animal health and welfare through for example their role in Tuberculosis case management.

103. Following the announcement on 23 March 2020 from the then Prime Minister, Boris Johnston MP, advising of the importance of reducing non-essential social contact and where possible calling for people to work at home, DAERA made the decision to close all 12 DAERA Direct Offices to customers for face-to-face contact from March 2020 to June 2021, in order to restrict the transmission of the Covid-19 virus. Back-office functions were staffed continuously from March 2020, to support those essential DAERA services referred to in paragraph 102, with social distancing and enhanced cleaning measures adhered to. In line with the Executive's Pathway out of Restrictions, in June 2021 there was a partial reopening of the DAERA Direct Offices, with customers being allowed to visit offices by appointment only. Between March and August 2022, following further relaxation of restrictions in early 2022, DAERA Direct Offices reopened on a phased basis, without the need for prior appointments, subject to necessary risk assessments being undertaken and implemented. Following the Permanent Secretary's instruction to staff to work from home where possible, on 24 March 2020 CVO, Robert Huey issued a memo to staff within his staffing Group (**Exhibit KG/56 and Exhibit KG/57 - INQ000222131 and INQ000222133**) advising on workforce priorities in line with Departmental and Government priorities identifying delivery of Veterinary Public Health controls, maintaining agri-food supply chains along with the prevention of epizootic disease as top priorities.

104. Internal to the Department, essential IT equipment was purchased and supplied securely to staff to enable working from home, ensuring business continued as usual. A total of 1,600 laptops and 7,000 peripherals including screens, headsets, keyboards and mice were sourced and distributed at a cost of £3.3m. The DAERA Incident Management Action Team (IMAT) was initially set up in 2019 as part of DAERA's preparations for International Organisation for Standardisation (ISO) 27001 certification. ISO27001 is the international standard for information security. It sets out the specification for an effective information security management system. ISO27001's best-practice approach helps organisations manage their information security by addressing people, processes and technology. IMAT first invoked the Digital Services Division (DSD) Business Continuity Plan (**Exhibit KG/58 - INQ000222134**) on 19 March 2020, in response to Covid-19 and this remained in force until formally being deactivated on 8 July 2020. Within DAERA the (IMAT) was a critical success factor in facilitating DSDs initial response to the pandemic.

105. Changes to how DAERA staff worked and used departmental premises and facilities were implemented to reflect Coronavirus Regulations and guidance. Given that a significant proportion of DAERA staff already had laptops, DAERA was well placed to maintain public services via home working.

#### DAERA Support to DfC Food for the Vulnerable Scheme

106. The Food for the Vulnerable Scheme ran from April until June 2020 and was led and managed by the Department for Communities (DfC). The scheme was specifically designed to cater for the 80,000 people in NI who had received shielding letters from DoH via their GPs, as the pandemic continued. DAERA provided coordinated support to DfC, which was managed by Forest Service, for the delivery of food boxes to vulnerable members of public, across a number of council areas. DAERA provided a range of vehicles and volunteers delivering 3,231 food boxes. This involved working closely with councils to co-ordinate DAERA's distribution of food parcels alongside a number of other distributors involved in the Scheme. DAERA also worked with the DfC and the food retail industry to secure additional delivery slots for vulnerable people.

#### Policy for which DAERA had exclusive responsibility

107. Prior to the UK's exit from the EU on 31 January 2020, a number of policy areas were set through the EU common policy regimes such as the Common Agricultural Policy (CAP) and the Common Fisheries Policy.

108. The CAP generally operated in seven-year programmes aligned with the EU Multi-Annual Financial Framework. Funding was provided by the EU for the term of each programme. The CAP has two pillars of funding. The main funding stream under Pillar 1 was direct payments to farmers, which were 100% funded by the EU until the 2019 scheme year. Pillar 1 funding opening budgets was worth circa £233m in 2014/15 to 2017/18, circa £287m in 2018/19, circa £290m 2019/2020, circa £287m in 2019/2020, to NI Agriculture. This is known locally as the Basic Payment Scheme. Pillar 2 is the Rural Development pillar and is part funded by the EU and part funded by national funds. NI's Pillar 2 (the Rural Development Programme) is divided into a number of measures covering specific themes, for example; measure 19 relates to LEADER, a bottom up (provided through Local Action Groups) approach to developing and sustaining rural communities; measure 4 relates to supporting and developing farm business investing in the future. All CAP rules were set out in a suite of EU Regulations of the European Parliament and of the Council for example:

- REGULATION (EU) No 1303/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006;
- REGULATION (EU) No 1305/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005;
- REGULATION (EU) No 1306/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008; and
- REGULATION (EU) No 1307/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation (EC) No 637/2008 and Council Regulation (EC) No 73/2009.



109. More detailed implementing rules are set out in a suite of EU Commission implementing legislation. For example:

- COMMISSION DELEGATED REGULATION (EU) No 640/2014 supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to the integrated administration and control system and conditions for refusal or withdrawal of payments and administrative penalties applicable to direct payments, rural development support and cross compliance; and
- COMMISSION IMPLEMENTING REGULATION (EU) No 809/2014 laying down rules for the application of Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to the integrated administration and control system, rural development measures and cross compliance.

110. At the start of each CAP programme, the Department developed detailed guidance and implemented the rules relating to Pillar 1 within the regulatory framework provided by the suite of EU regulations. Under Pillar 2, a Rural Development Programme (RDP), was developed which was approved by the EU. The current RDP 2014 to 2020 is worth up to £638m (reduced to £585m in 2021) over the programme period of which circa £201m is provided by the EU.

111. Under EU rules, Pillar 2 had 3 years from the end of the programme to complete all its expenditure. Therefore, Pillar 2 EU expenditure ends in December 2023.

112. Previously the UK government had guaranteed funding to provide stability for UK farming and fisheries in the event of a non-negotiated EU Exit. Under the UK/EU Withdrawal Agreement, the UK continues to participate in programmes funded under the current EU 2014-2020 Multiannual Financial Framework, until their closure. This means that the Pillar 2 funding continued under EU law, as programmed until 2023. As Pillar 1 EU funding ended in 2020, the UK Government allocated ring-fenced HMT funding for agriculture, agri-environment and the wider rural economy support to address the loss of EU funding for the term of the current Parliament. In the Autumn Budget and Spending Review 2021, HMT allocated funding to the end of the financial year 2024/2025 and it is therefore expected to be in place until March 2025. Rules and regulations for Pillar 1 are contained in the Retained EU Legislation and may be adjusted to suit specific NI needs.

113. Future Agricultural Policy - Leaving the EU restored discretion and flexibility with regard to the design and implementation of agricultural support in NI. The Future Agricultural Policy Framework Portfolio for Northern Ireland (**Exhibit KG/59 - INQ000222135**) was published by DAERA on 24 August 2021. The Portfolio document set out a framework for future policy around four key outcomes developed following engagement with key food, farming and environmental stakeholders in 2018 (**Exhibit KG/60 - INQ000222136 and Exhibit KG/61 - INQ000222137**). These outcomes are increased productivity, environmental sustainability, improved resilience and an effective functioning supply chain. The Agricultural Policy Programme was established in January 2021 as the overarching strategic programme in DAERA for the development of future agricultural policy. Metrics are being developed for each of the four outcomes against which all future iterations of the package of interventions introduced under the future Agricultural Policy Programme will be measured. As DAERA monitors progress towards achieving the desired outcomes using the metrics developed, the design of (and emphasis of) the suite of agricultural support policies/schemes under this Programme will evolve over time, as required, to ensure that the outcomes are delivered. A public consultation ran from 21 December 2021 until 15 February 2022 to seek views on the associated policy proposals which informed ministerial decisions on agricultural support announced on 24 March 2022 (**Exhibit KG/62 to KG/64 - INQ000222138 to INQ000222140**).
114. Pollution Prevention Control (Industrial Emissions) (IE) Regulations (NI) 2013 (the 'PPC Regulations' - In NI, DAERA is responsible for the development of policy and legislation in relation to industrial emissions. Directive 2010/75/EU, known as 'the Industrial Emissions Directive (IED)' has been brought into effect in NI by the PPC Regulations. The NIEA Industrial Pollution and Radiochemical Inspectorate (IPRI) regulates the generally larger and potentially more polluting Part A and B activities identified in the PPC Regulations. These regulations cover a range of industrial activities including: quarries; slaughtering and rendering; dairies; power stations; land fill sites; Energy from Waste plants; and Agri- sector.
115. The Chief Inspector of IPRI is appointed by DAERA, under regulation 8(3) of the PPC Regulations as the regulator of the three large electricity producers in NI namely the Economy Energy Group; the Electricity Utility Regulator; and the Transmission System Operator Northern Ireland (SONI).
116. DAERA, in exercise of the powers conferred on it by regulation 40 of the PPC Regulations, can issue a Direction to enforcing authorities. A direction was issued by the

Department to the Chief Inspector of the IPRI within NIEA, not to take “enforcement action against any large combustion plant regulated under Chapter II of the IED, in respect of a breach of a permit condition, for reasons which are outside of their control during the Covid-19 pandemic period due to an overriding need to maintain energy supplies in Northern Ireland”. The Direction, which was signed and came into operation on 30 March 2020, expired on 30 June 2020 (**Exhibit KG/65 - INQ000222141**). After which in April 2020, the NIEA issued a Regulatory Position Statement (RPS) on ‘Emissions to air from Large Combustion Plant in the Transitional National Plan’. This provided Large Combustion Plant operators with NIEA’s position on delaying meeting new emission limit values scheduled to take effect from 1 July 2020 because of coronavirus (Covid-19) (**Exhibit KG/66 - INQ000222142**). Provided the RPS was adhered to, DAERA and NIEA, would not take regulatory and/or enforcement action in the instances described. This RPS was extended and ultimately expired on 31 March 2021.

#### Policy with shared responsibility

117. Pollution Prevention Control (Industrial Emissions) (IE) Regulations - whilst DAERA is responsible for regulating the emissions from PPC sites, the Department for Economy, the Electricity Utility Regulator and the Transmission System Operator Northern Ireland (SONI) have responsibility for ensuring the security of NI’s electricity supply. As such they also had an interest in the application of this Direction. The Departmental Direction relating to PPC installations put in place by DAERA on 30 March 2020, during the Covid-19 pandemic period reflected and responded to an overriding need to maintain energy supplies in NI.
118. Bathing Waters - DAERA is the competent authority for the monitoring of transitional and coastal waters, including bathing waters, under the Quality of Bathing Water Regulations (Northern Ireland) 2008. Under these Regulations, overall responsibility for management is shared with local councils, who perform the statutory role of bathing water operator. The closure of laboratories and subsequent social distancing measures impacted the ability to complete a full bathing water monitoring programme in 2020. However, in order to manage the monitoring programme for the 2020 bathing season the Minister agreed to limit monitoring and continue to report on bathing water quality for the duration of the 2020 bathing season from 1 June 2020 to 15 September 2020. (**Exhibit KG/67 - INQ000222143**). The NI bathing season normally runs from 1 June to 15 September each year.

#### Covid-19 environmental impacts dashboard -

119. Following media coverage regarding the impacts of the Covid-19 lockdown on the environment and recognising that the environmental impacts of lockdown were at that point unknown, the Department and the NIEA established a Task and Finish Group in June 2020 to monitor and review the environmental impacts of the lockdown across a range of environmental indicators (metrics). The findings were incorporated into a dashboard which was periodically updated and published online for the public (**Exhibit KG/68 - INQ000222144**). The dashboard included the following metrics:

- Recycling – percentage of waste recycled;
- Water – water pollution incidents;
- Air Quality – nitrogen dioxide and particulate matter;
- Waste – waste crime and fly tipping;
- Marine environment – marine noise;
- Ornithology - population trends of various bird species; and
- Visitor numbers at country parks.

120. Outdoor Recreation - Many other agencies and public bodies (such as councils who also own and have responsibility for parks and green spaces) have shared competence relating to the provision of outdoor spaces to the public. NIEA led on the establishment of an outdoor recreation group with agencies, public bodies and other providers of outdoor spaces (such as environmental not for profit organisations) on 20 April 2020, to discuss Covid-19 guidance matters and to attempt to establish a consistent and co-ordinated approach to the opening of such facilities and agreed broad public communications regarding the use of outdoor spaces.

#### Food security

121. The Northern Ireland Executive is responsible for ensuring food supply security. On 1 May 2020, Food Supply was identified by the Executive Committee as a major risk for NI during the Covid-19 pandemic and, accordingly, on 1 May 2020, DAERA agreed to lead on Food Supply Security on behalf of the Northern Ireland Executive during the pandemic, as confirmed to Executive colleagues in a memo from the Minister (**Exhibit KG/69 - INQ000222145**). A new branch was set up by DAERA, within the Brexit Operational Readiness Division, to monitor and report on food supply issues facing industry during the Covid-19 pandemic. As lead department, DAERA worked in conjunction with other NI Departments and Arm's Length Bodies via The Cross Departmental Food Supply Forum and Public Sector Food Working Group. These groups assisted in identifying and

monitoring the risks, impacts and mitigations in relation to NI's food supply, to feed into the overall Northern Ireland Food Supply Contingency Plan (**Exhibit KG/70 - INQ000222146**) and Northern Ireland Food Supply Escalation Policy, (**Exhibit KG/71 - INQ000222147**) which were developed on 15 June 2020 and 11 December 2020 respectively. Until June 2023, the Food Supply Security team published a weekly Food Observatory Report to highlight the main issues affecting food supply, tracking consumer behaviour, vulnerable people, logistics, food on the shelves, food processing and primary producers in order to obtain an assessment of the Food Chain Health using data from a range of sources. The report (**Exhibit KG/72 - INQ000222148**) was circulated to all NI Departments.

### **Securing food supply**

122. The ability of food processors to operate in a crisis is hugely important for the broader purposes of maintaining food supplies. However, there also needs to be a focus on maintaining the flow of produce off-farm. The majority of processed food supplies from NI factories are destined for markets outside of NI and, arguably, if processing capacity were to be restricted, sales to NI could be prioritised over sales elsewhere, thus preserving local food supplies for the range of products produced in NI. However, that would still leave a substantial problem in terms of perishable produce (such as raw milk) and animals (particularly pigs and poultry for slaughter) being backlogged on farms, quickly resulting in acute animal welfare and environmental problems, coupled with severe financial distress for farm businesses.

123. Five current and emerging risks were identified by Food Supply Security in the initial Northern Ireland Food Supply Contingency Plan (**Exhibit KG/70 - INQ000222146**);

- Ferries and hauliers - Financial pressures for the ferry operators (due to no income from passenger travel) and hauliers, had the potential to significantly impact supply lines entering NI (as well as the shipment of processed food to external markets). The production base is also dependant on imports of grains and other materials to support agriculture. In May 2020, there was a real risk of disruption and the possibility of ferry companies suspending their operations. A Government financial package was put in place allowing ferries to continue to operate for commercial traffic only during this period avoiding disruption to NI supply chains i.e. both the import of food and food raw materials and the export of processed food products;
- Consumer behaviour - As seen at the outset of the Covid-19 crisis, consumer behaviour can result in shortages on the shelves as people stockpile at home. This is not an indication of any fragility in the supply of products, but a temporary disruption to buying and storage norms (where actual consumption per se does not change). While

earlier periods of panic buying were purely due to a perception of supply chain risk, were genuine supply issues to arise, these could result in a heightened level of public reaction;

- Continued operation of food processors - The ability of food processors to operate in a crisis is hugely important, however in a NI context, it relates to maintaining the flow of produce off-farm rather than securing the supply of food for local consumers. The majority of processed food supplies from NI factories are destined for markets external to NI and, arguably, if processing capacity were to be restricted, sales to NI could be prioritised over sales elsewhere, thus preserving local food supplies;
- Continued operation of primary producers - There were emerging financial pressures on local primary producers, especially in the milk and beef sectors (and also in ornamental horticulture), which could have had a longer-term impact on the NI supply line; and
- EU Transition - Additional pressures resulting from Covid-19 hindered the ability of agri-food businesses to prepare for EU transition and implement its associated requirements. Engagement with retailers and suppliers at the time was almost entirely focused on the pandemic and most agri-food businesses indicated that they would struggle to cope with transition due to this additional burden.

The risk that DAERA, “may not be able to keep food on our shelves due to disruptions in the security of our food supply chains due to the impacts of Covid-19 and the impact of EU Exit”, was detailed within tab 2. Food Supply and Security of the Corporate Risk Register 2020/2021 (**Exhibit KG/291A INQ000276035**) along with controls and mitigation actions to reduce the risk.

124. The Coronavirus Act 2020 gave DAERA (and other UK administrations) powers to act if a member of the food industry refused to comply with voluntary requests for information in order to ensure the necessary information to build a clear understanding of the situation, make informed judgements and respond effectively. These powers were included in the act as a contingency but were never needed as the necessary information was provided voluntarily. The powers expired in March 2021 (**Exhibit KG/44 and KG/45 - INQ000222118 and INQ000222120**).

125. In the event of a smaller-scale or localised incident impacting for example upon movement of produce off-farm, the Department maintains an Agri-Food Supply Chain Contingency Plan (**Exhibit KG/73 - INQ000222149**). This contingency plan sets out the procedures to be followed during the assessment, reporting, response and recovery

phases of an incident impacting on a relatively defined geographical area or specific sectors of the industry e.g. pigs, poultry, eggs, arable. The Agri-Food Supply Chain Contingency Plan was not activated during the Covid-19 pandemic. As referenced earlier (paragraph 79), the DAERA MERP was activated in response to the pandemic. The specific issues of ensuring the continued operation of food processing businesses and keeping produce moving off farm are dealt with in more detail from paragraph 140.

126. There were emerging financial pressures on local primary producers, especially in the milk and beef sectors (and also in ornamental horticulture), which could have a longer-term impact on the NI supply line. This is explained further in paragraphs 240 and 241.

### **Food production and food processing**

127. In line with the NI Executive's objective of ensuring public health, maintaining food supplies and agri-food supply chain continuity during the Covid-19 pandemic, DAERA Gold Command prioritised the delivery by VSAHG of official controls and export health certification, diverting resources to these priority areas, reinforcing the emphasis on business continuity along the agri-food supply chain in line with the VSAHG Business Continuity Plan (**Exhibit KG/74 - INQ000222150, Exhibit KG/56 - INQ000222131 and Exhibit KG/57 - INQ000222133**). The DAERA Business Continuity Plan (BCP) provided the framework for this and complemented the Executive's priorities and DAERA Gold Command's directions – i.e. ensuring abattoirs remain open through the continued presence of DAERA staff to complete the necessary controls.

128. Official controls refer to those activities performed by the Competent Authority (CA) or delegated bodies in accordance with the regulation (OCR) to verify compliance across a range of areas including; food and feed safety, animal health and welfare, animal by products, plant health and plant protection products, organics, genetically modified organisms and use of geographical indicators. Official controls are a key element of the governance of the agri-food chain and refer to those activities performed by the CA to verify food business operators' compliance with food and feed law; animal health, animal welfare and, animal by-products, rules at all stages of production, processing and distribution. They provide the basis upon which the principles of food safety and the agri-food supply chain are founded.

129. DAERA VSAHG has responsibility for the delivery of official control activities in approved slaughterhouses, cutting plants, game handling establishments and cold stores on behalf of the FSA, in accordance with a Service Level Agreement (SLA). FSA is the UK

central competent authority for food safety. VSAHG Covid-19 contingency and business continuity plans, in relation to the delivery of official controls and activities in approved slaughterhouses, cutting plants, game handling establishments and cold stores were based on a multifaceted approach revolving around; building capacity and capability, prioritisation of official control activities, utilising flexibilities within existing OCR and availing of measures introduced under new EU Temporary emergency legislation (**Exhibit KG/75 - INQ000222151**).

130. Contingency plans were strengthened through the Department's initiation of meetings involving Food Business Operators (FBOs) from the poultry, beef, lamb and pork sector, HSENI, PHA, availability permitting, FSA and Trade Union Side (TUS). These meetings focused on ensuring that both DAERA and industry were both familiar with and implementing the latest Coronavirus regulations, primarily aimed at the provision of a safe working environment and ultimately ensuring the health and wellbeing of all DAERA and industry personnel. These meetings were initially scheduled bi-weekly, moving to once per week as the pandemic progressed (**Exhibit KG/76 to KG/81 - INQ000222152 to INQ000222157**). In addition, regular meetings were organised between DAERA and FSA, with particular focus on the continued delivery of official controls, monitoring the evolving situation and mitigating against developing risks (**Exhibit KG/82 - INQ000222158**).
131. To support operations in the dairy processing sector, the Department introduced a risk-based approach to remote certification (**Exhibit KG/83 - INQ000222159**) whereby veterinary trade certification could be provided without the need for a physical site inspection. In principle, veterinary certification requires physical inspection of the establishment and consignment being dispatched to ensure compliance with trade requirements. Remote certification works on the premise that if the certifying veterinarian is familiar with the establishment and is provided with the appropriate documentation, for example forms confirming the site, number of cattle, amount of produce, destination, date and signature for certain low risk products, the certifying veterinarian could certify the consignment for onward trade remotely, i.e. instead of visiting the site physically.
132. Dairy representatives were also invited to attend meetings held with HSENI, PHA and other meat processing FBOs which were held twice weekly initially, in relation to guidance on the establishment of safe working practices within the processing sector as outlined in paragraph 131 above. For those of which the PHA attended (PHA staff unavailable due to work pressures), all sectors were invited – including meat, cold stores, dairy, so that all sectors could receive the latest guidance and have the opportunity to ask questions etc.



PHA attended approximately one meeting per month.

133. The FSA published correspondence to meat processing FBOs corroborating and supporting DAERA's approach to contingency planning for delivery of controls within meat processing establishments (**Exhibit KG/84 - INQ000222160**) and maximise domestic production.

#### Drinking Water

134. A number of food production or processing sites in NI use a private water supply. NIEA Drinking Water Inspectorate (DWI) was engaged directly with businesses to ensure effective risk management of their supplies whilst sampling activities were suspended. On 15 May 2020, the DWI issued 'Guidance for Businesses Re-opening after Temporary Closure' to any businesses that were reopening following a period of closure, providing advice on measures to take to ensure the water supply was safe (**Exhibit KG/85 - INQ000222161**). 'Vulnerable Persons Alternative Water Supplies Guidance' was drafted on 20 March 2020, with DWI and NI Water to assist private water supply owners whose private water supply had run dry due to the dry weather conditions (**Exhibit KG/86 - INQ000222162**).

#### Inspection of food production and food processing premises

135. The HSENI has responsibility for the enforcement of safe working practices in NI under the Health and Safety at Work (NI) Order 1978, as amended and Regulations made thereunder. HSENI regularly carried out unannounced (random and targeted) inspections of processing establishments to ensure compliance with the Health and Safety at Work (NI) Order 1978 and to ensure the implementation of Covid-19 safe working practices (**Exhibit KG/87 - INQ000222163**).
136. Areas of poor and good practice were shared at weekly meetings with stakeholders along with appropriate guidance (**Exhibit KG/88 - INQ000222164**). VSAHG officials consistently collaborated with FBOs, HSENI, PHA and FSA to minimise the risk to the health and safety of all personnel through the implementation of PHA guidance and establishment of safe working practices within food processing establishments. Any issues identified with non-compliance with guidance should have been taken forward by HSENI who engaged directly with the FBO on such matters.

#### NIEA Inspections

137. Routine in-person inspections of all permitted sites including food production or processing premises or plants were temporarily paused during the initial Covid-19 restriction measures (see further details below paragraphs 164 – 168). A regulatory position statement was also issued allowing permitted operators to avoid compliance with some of their monitoring requirements, which avoided bringing external contractors on to NIEA permitted sites (**Exhibit KG/89 - INQ000222165**) see paragraphs 118, 167 and 168.

Safety and wellbeing of workers within the food production and food processing industry

138. Primary responsibility for ensuring a safe working environment and the safety and wellbeing of workers rests with the management of each Food Business Operator, implementation of which is enforced by the HSENI pursuant to the Health and Safety at Work (NI) Order 1978, as amended, and Regulations made thereunder. In addition to the guidance obtained through the stakeholder forums, further Covid-19 health and safety advice and guidance was shared with DAERA personnel located on these processing establishments through a combination of communication channels including:

- DAERA Covid-19 related health and safety guidance (**Exhibit KG/90 - INQ000222166**);
- Briefings from HSENI (**Exhibit KG/91 - INQ000222167 and Exhibit KG/92 - INQ000222168**);
- Updates to personnel and site-specific risk assessments in April 2020 for Covid-19 (**Exhibit KG/93 - INQ000222169 and Exhibit KG/94 - INQ000222170**);
- Regular staff meetings/forums (**Exhibit KG/95 - INQ000222171 and Exhibit KG/96 - INQ000222172**); and
- Daily communication between the FBO and DAERA personnel on the Covid-19 situation within the workforce (**Exhibit KG/97 - INQ000222173**).

139. Furthermore, FBO management introduced daily questionnaires and temperature monitoring of all personnel prior to entry to mitigate the risk of Covid-19 positive personnel entering the establishment. Throughout the pandemic, DAERA personnel working in food processing establishments adopted the FBO's Covid-19 workplace guides and safe operating procedures which were developed based on PHA and HSENI guidance and advice. Any areas identified would have been raised directly with FBO management for immediate resolution. This was handled and resolved at individual establishment level.

#### Animal welfare in food production and food processing premises

140. During the pandemic it was identified that the most significant risk to animal welfare from supply chain disruption existed within the intensive sectors and particularly the pork sector. Meetings were held with pork industry during May and June 2020, with a view to establishing contingency plans in the event of supply chain disruption. There were no existing contingency plans to deal with supply chain disruption caused by temporary shutdown of processing establishments. However the department does have contingency plans for the control of epizootic disease (this is a statutory obligation) which could have been tailored to cull animals on farm in the event of severe disruption. Scenarios considered ranged from a reduction in processing capacity through to closure of processing establishments and the potential requirement for an emergency cull (**Exhibit KG/98 - INQ000222174**). During the early stages of the pandemic processing throughput was reduced in the pig processing establishments due to staff absence and modifications to operating procedures (e.g. social distancing, installation of protective shields and creation of individual work areas on processing lines) to ensure compliance with Covid-19 Regulations, which resulted in an increase in numbers of pigs retained on farms. This was further exacerbated following an outbreak of Covid-19 within the workforce at Cranswick Country Foods which forced the temporary closure of the establishment between 19 August and 1 September 2020. The closure of a plant lessens the overall NI slaughtering capacity, further exacerbating backlogs on farms. However, whilst the backlog added significant financial and management burden across the sector, no evidence of adverse animal welfare associated with the backlog was reported. The backlog was reduced over the subsequent months, mainly through an increase in operational processing hours. Intensive meetings (**Exhibit KG/99 to Exhibit KG/100 - INQ000222175 to INQ000222177**) were held with the pork sector stakeholders at this time with pig slaughtering throughput and welfare closely monitored by DAERA officials via these fora and also examination of pigs presented for slaughter for the presence of any adverse animal welfare indicators. Preparatory work, including engagement with stakeholders, to take forward the development of contingency plans was being considered at this time, however given the absence of any overstocking related animal welfare concerns, there was no requirement to actively take these forward at this time (**Exhibit KG/101 - INQ000222178**). However, the disruption to pig movement off farm, which persisted for a number of months, did lead to additional financial pressures for pig producers (i.e. feeding pigs for longer than planned, extra housing and management costs, increased numbers of pigs suffering quality penalties due to becoming over-weight, etc.). Therefore, a financial assistance package was developed by the Department to help address this problem (see paragraph 241 for a summary of all Covid-19 support schemes provided to agriculture).

141. On 23 July 2021, DAERA received correspondence from a number of industry bodies including the main meat and dairy processors, highlighting concerns in relation to resource availability and the need to consider the introduction of vaccination and testing for essential workers (**Exhibit KG/102 - INQ000222179**). DAERA subsequently requested that the Minister for Health consider this proposal (**Exhibit KG/103 - INQ000222180**). DAERA officials engaged with the Department of Health and Public Health colleagues and the Agri-Food Sector to facilitate the awareness and use of Lateral Flow (Antigen) Testing for Covid-19. (**Exhibit KG/104 - INQ000222181**).

Animal waste in food production and food processing premises

142. The proper handling and disposal of Animal By-Products (ABPs), often classified as 'waste', is critical to the continued functioning of agri-food supply chain and future viability of the NI Agri-Food industry. ABPs are defined as entire bodies or parts of animals, products of animal origin or other products obtained from animals which are not intended for human consumption. ABPs arise mainly during the slaughter of animals for human consumption, during the production of products of animal origin and in the course of the disposal of dead animals and during disease control measures. Regardless of their source, they pose a potential risk to public health, animal health and the environment. Past crises related to Foot-and-Mouth Disease (FMD), the spread of Bovine Spongiform Encephalopathy (BSE) and the occurrences of dioxins in feeding-stuffs, have attracted public and media interest. Such crises demonstrate the public health, animal health and environmental consequences of the improper handling, use and disposal of certain animal by-products. Controls on the handling, disposal and utilisation of ABPs is critical to the continued normal functioning of the agri-food supply chain.

143. On 6 April 2020, DAERA drafted contingency plans at the outset of Covid-19 (**Exhibit KG/105 - INQ000222182**) for the handling (disposal/utilisation) of ABPs in the event that intervention was required as a result of Covid induced reduction or cessation of the following activities: rendering, slaughter/processing, collection of fallen stock and market outlets/storage of ABPs. These contingency plans were built on significant work that had previously taken place in relation to 'No Deal' Brexit planning for the handling of ABPs and internal DAERA meetings (**Exhibit KG/106 and Exhibit KG/107 - INQ000222183 to INQ000222184**). Movement of ABPs is regulated and particularly those movements between EU and Third Countries. With EU Exit - No Deal planning it was anticipated that NI would, as part of the UK, become a third country and hence there would be prohibitions on the movement of certain animal by-products from NI to Ireland. NI agri-food sector,

particularly the poultry sector, relies heavily on the movement of animal-by-products to Ireland for further processing. At this time, DAERA had to consider other options such as rendering, incineration, landfill, burial and burning for disposal of animal-by-products in the event that DAERA could not move them to Ireland.

Covid-19 outbreaks at food production and food processing premises

144. Outbreaks of Covid-19 were reported at the following NI meat processing establishments during the pandemic: Foyle Omagh, Cranswick Country Foods, WD Meats and Foyle Campsie. Meat processing establishments were widely reported in the media as a high-risk setting given the operating environment (close contact, recirculation of air etc). This risk was exacerbated with the various Covid-19 waves in the community with increasing incidence detected in certain areas at certain times (particularly evident during the Cranswick outbreak) when higher levels of community transmission were noted. DAERA did not have responsibility for enforcement of the PHA guidance in relation to Covid-19 but it did work to ensure a safe working environment for its staff and other employees within the food processing establishments, by providing advice in relation to agri-food chain continuity, best practice and lessons learned at the regular fora/weekly meetings which were introduced across the various establishments.

145. Foyle Omagh - DAERA was made aware through resident DAERA staff of an outbreak of Covid-19 within the Foyle Omagh workforce in or around 11 May 2020. Working in conjunction with and under the direction of PHA colleagues, DAERA officials initiated an epidemiological investigation (**Exhibit KG/108 - INQ000222185**), under PHA supervision, of the outbreak with a view to developing a more thorough understanding of Covid-19 behaviour and transmission pathways within a meat processing establishment and ultimately inform decision making around control strategies. All information and data was passed to PHA for analysis, conclusions arising from the investigation were not shared with DAERA officials.

146. Cranswick Country Foods (CCF) - An increasing incidence of Covid-19 within the CCF workforce was identified at the start of August 2020, which culminated in the temporary closure of the establishment on 19 August 2020 for 14 days. Concerned by the increasing incidence, HSENI and PHA engaged with CCF management, facilitated by DAERA Deputy CVO, Brian Dooher to review existing control strategies, and develop a workforce testing plan (**Exhibit KG/109 - INQ000222186 and Exhibit KG/100 - INQ000222177**) with a view to try and bring the outbreak under control. Initial workforce testing revealed a 25% positivity rate (33 positives from 140 tested), after which PHA made the decision to close

the establishment and initiate a complete workforce testing programme (**Exhibit KG/110 to Exhibit KG/112 - INQ000222187 to INQ000222189**). Subsequently a PHA Incident Management Team (IMT) was established. This was a multi-agency team involving representatives from local and central Government which coordinated and managed the necessary actions to control the outbreak. DAERA was represented on the IMT (**Exhibit KG/113 to Exhibit KG/115 - INQ000222190 to INQ000222192**) given its physical presence and pivotal role in the delivery of official controls on this establishment, overall supply chain continuity and ongoing facilitatory role around establishing a safe working environment for all personnel. Phased re-opening of the establishment commenced after 14 days under the guidance of PHA and HSENI.

147. WD Meats - In response to concerns around an increasing incidence of Covid-19 within the WD Meats workforce on 9 November 2020, PHA and HSENI engaged with WD Management, facilitated by DAERA management, to initiate the mass testing of the remaining workforce. Following identification of a further 88 cases (129 positive cases in total), PHA made the recommendation that all existing 'non-positive' staff should be considered as 'close contacts' and undertake 14 days self-isolation, effectively resulting in a cessation of operations on 11 November 2020 (**Exhibit KG/116 - INQ000222193**). Similar to Cranswick a multi-agency IMT was established to manage the outbreak (**Exhibit KG/117 - INQ000222194**).

148. Foyle Campsie - On 4 December 2020, following mass testing of the Foyle Campsie workforce in response to an increasing incidence of Covid-19 within the workforce, PHA classified all non-positive staff within a section of processing (Boning Hall 1) as 'close contacts', requiring 14 days self-isolation and resulting in the temporary partial cessation of activities. PHA similarly established a multi-agency IMT to manage the outbreak (**Exhibit KG/118 and Exhibit KG/119 - INQ000222195 and INQ000222196**).

149. DAERA has no direct corporate knowledge of Covid-19 outbreaks in other food processing establishments, nor does it hold accurate information on the total number of cases testing positive in each outbreak. This information will be available from the PHA. DAERA only has a role in the large meat processing and dairy processing sectors, with a permanent presence in the large meat processing / slaughtering establishments. DAERA delivers official controls in the large meat processing / slaughtering establishments on behalf of the FSA in accordance with a Service Level Agreement. For the dairy establishments, DAERA provides a certification service for inter and intra-community trade purposes. Visits at the dairy establishments are completed to verify compliance with the

necessary processing requirements which in turn enable certification and trade. Other food processing establishments are regulated by FSA and local councils. See paragraphs 86 and 87 for information on Agri-Food Industry Stakeholder meetings.

150. DAERA does not hold any information on worker mortalities across food production or processing establishments, nor was it provided with formal reports of any Covid-19 workplace related mortalities in meat processing establishments. This information would have been provided to the PHA. The Department would of course be made aware of any mortalities affecting its own staff and would expect to be made aware of any mortalities within an establishment so that it could ensure the appropriate steps were taken.
151. Throughout the pandemic, Covid-19 epidemiological information was collated from DAERA staff located in meat processing establishments and shared with FSA during Official Controls operational update as part of the overall contingency planning process and to ensure they were kept abreast of any risks to delivery of official controls given their role as central competent authority for food safety in NI. Frequency of updates reduced as the pandemic evolved to eventually exception reporting, before ceasing on 11 April 2022 (**Exhibit KG/120 to Exhibit KG/122 - INQ000222197 to INQ000222199**). This was aligned with a reducing population prevalence, installation of relatively effective controls and a general approach to living with Covid-19 across society.
152. On 25 January 2021, 5 members of the DAERA Veterinary Public Health Programme (VPH) Meat Inspection Team located at Dunbia Meats tested positive resulting in PHA defining all DAERA staff who had been on site the previous week as close contacts and requiring self-isolation for 10 days. Consequently, processing operations were reduced (no slaughter) on 25 January 2021 returning to normal the following day when a replacement Meat Inspection Team was installed (**Exhibit KG/123 - INQ000222200**).
153. On 8 February 2021, 3 members of the DAERA VPH Meat Inspection Team in Linden Foods, Dungannon tested positive for Covid-19 resulting in PHA defining all DAERA staff who had been on site the previous week as close contacts and requiring self-isolation for 10 days. To keep processing establishments up and running, prioritise and divert staff to where they were needed, in line with BCP, a replacement DAERA meat inspection team was put in place immediately to enable the continued running of processing operations and ensuring supply chain continuity (**Exhibit KG/124 - INQ000222201**).

Regulating Covid-19 transmission of food processing and production premises

154. Many employment issues which were raised were referred to a forum which had been established by the Labour Relations Agency with membership from employers, unions and Health and Safety Executive. To support early uptake and implementation of the latest PHA guidance, DAERA facilitated stakeholder forums which were attended by FBOs, HSENI, PHA (availability permitting), FSA and TUs at earliest opportunity and to ensure DAERA and Industry were familiar with and implementing the latest PHA guidance. At the outset of the pandemic, the forums were held bi-weekly, and the frequency decreased as the pandemic stabilised, eventually ceasing on 4 March 2022. Through feedback from the FBOs the forums proved invaluable to DAERA and FBOs, providing them with the opportunity to obtain and query the latest Covid-19 public health guidance, particularly regarding implementation of appropriate Covid-19 control measures. HSENI also attended meetings solely with DAERA personnel working in meat processing establishments, providing the necessary advice and guidance on Covid-19 related control measures **(Exhibit KG/125 - INQ000222202)**.

155. DAERA was invited to participate (along with NI meat processing representatives) in the Understanding and Preventing Covid-19 Outbreaks in Meat Processing Plants – Prepared for the Future - “UPCOM” project on 20 January 2021, a multi-institutional project funded by the Science Foundation Ireland and led by the Ireland’s Department of Agriculture, Food and Marine (DAFM) **(Exhibit KG/126 to KG/128 - INQ000222203 to INQ000222205)** This project was aimed at researching the behaviours of Covid-19 within the meat processing sector with the objective of developing appropriate control and risk mitigation strategies.

156. DAERA has an active (daily) presence (Official Veterinarian led Meat Inspection Team) on all those meat processing which undertake the slaughtering of animals. Throughout the pandemic, DAERA officials engaged with FBO management team on the Covid-19 epidemiological situation on-site and implementation of the various control strategies with all information conveyed back to DAERA central management **(Exhibit KG/97 - INQ000222173)**. Any areas of significant concern such as increasing incidence of Covid-19 related absenteeism or inadequate workplace controls were raised directly with FBO management and HSENI. HSENI would have taken forward the necessary actions to ensure compliance with Covid-19 workplace controls. On occasion, this would have involved unannounced inspections to the meat processing establishment.

157. Throughout the pandemic HSENI inspectors conducted unannounced (random and targeted) inspections of meat processing establishments across NI, providing the FBO



with follow up reports including remedial action plans as required. DAERA did not receive copies of the reports but was briefed orally by HSENI in the event that there was any impact on DAERA staff (**Exhibit KG/87 - INQ000222163**). The information would only be supplied from HSENI to another government body for the purpose of enforcement. The restriction of 'Disclosure of Information' is contained in Article 30 of the Health and Safety at Work Order (Northern Ireland) 1978. DAERA has no powers and is not responsible for any legislation pertaining to health and safety. The Food Standards Agency confirmed that Covid-19 was not considered a food safety risk and that the normal controls within Food Processing establishments, the retail chain, and normal hygiene measures undertaken by consumers, sufficiently protected consumers from the risk of contracting Covid-19 from products of animal origin. For these reasons DAERA had no direct enforcement function which required this information.

158. HSENI collaborated with VPHP and PHA regarding controls and findings in the Food Processing Industry in regular meetings. Pertinent information such as recommendations to Food Business on what actions they should take to reduce the risk of Covid-19 spread, and any areas where there was a higher than normal risk of viral transmission within a premises was shared with DAERA by HSENI, regarding premises where there was a risk of numbers of Covid-19 cases rising. Rising numbers of Covid-19 cases could have led to workforce shortages, and a reduction in processing capacity.

159. This allowed DAERA to take steps, and make contingency plans to protect animal health and welfare, especially in the pork and poultry processing sectors in NI, which has limited spare slaughtering capacity. DAERA was able to use the information from HSENI to implement digital technology to deliver official controls in a remote manner, in high risk parts of food business premises. Locally, DAERA was able to use the information to negotiate changes to the positioning and timings of visits from its own staff, to deliver official controls in a safe manner. At Programme level, DAERA was able to manage the risk of its own staff travelling from other sites into pork and poultry processing facilities, thus reducing viral spread amongst its own and food businesses workforce. This protected the health of DAERA staff, allowing it to provide continual service to pork and poultry sectors, maintaining slaughter throughput. This prevented an increase in numbers of animals of slaughter weight and age remaining on farm, protecting animal health and welfare. HSENI also conducted unannounced inspections of VPHP work areas within approved meat processing establishments. Where any deficiencies were found, or remedial actions needed, this was passed to regional VPHP managers for rectification. HSENI would also inform DAERA of any concerns in relation to increasing incidences of

instances of Covid-19 in meat processing establishments following information that FBO had shared with it. However, in general DAERA was already aware of such issues given the fact that the FBO shared similar information with DAERA as referenced above (**Exhibit KG/129 - INQ000222206**).

160. In addition to availing of the DAERA facilitated stakeholder meetings to provide Covid-19 related health and safety advice and guidance, HSENI regularly provided DAERA with advice and guidance for further dissemination to FBOs, given that DAERA held the relevant contact details and were in regular contact as part of 'Business as Usual' activities (**Exhibit KG/91 and Exhibit KG/92 - INQ000222167 and INQ000222168**).

161. DAERA officials engaged with the operators of Agricultural Livestock Markets to facilitate the development of a Common Operational Protocol (**Exhibit KG/130 - INQ000222207**) so that, when the facilities reopened, they could function in a manner that would reduce the risk of transmission of Covid-19 amongst workers, farmers and others attending livestock sales. This was developed through engagement with the Livestock Market Stakeholder Group, comprising representatives from the Ulster Farmers' Union, the Northern Ireland Agricultural Producers Association, the Northern Ireland Livestock Auctioneers Association and the HSENI. Continuity and safe operation of marts was important to allow the movement of stock off-farms with the intention of enabling the effective operation of supply lines from farm to farm and farm to processor and prevent livestock backlogs on farm, with attendant risks to animal welfare and financial distress.

162. Throughout the pandemic, DAERA continuously adopted the workplace guides developed and published online by PHA, HSENI, GOV.UK and Northern Ireland Civil Service (NICS). In April 2020, DAERA VPHP staff risk assessments and Standard Operating Procedures were updated across all meat processing establishments for Covid-19 by DAERA VPHP teams. DAERA VPHP staff headquartered in meat plants were also required to abide by the FBO's protocols (**Exhibit KG/94 - INQ000222170 and Exhibit KG/131 - INQ000222208**). PHA and HSENI led on production and issuing of regulations and guidance via their websites. However, in order to have new information at earliest opportunity and to ensure DAERA and Industry were familiar with and implementing the latest PHA guidance, DAERA management actively coordinated and facilitated regular meetings / fora between HSENI, PHA (availability permitting) and FBOs across the meat processing sector. These meetings gave HSENI (and PHA) the platform to brief industry on latest guidance for reducing risk of transmission as it emerged and respond to FBO queries on implementation of PHA guidance and particularly in relation to social distancing,

use of face masks and shields, disinfection procedures, testing protocols, eligibility for vaccination, and ventilation measures (**Exhibit KG/132 - INQ000222209**).

163. NIEA issued Regulatory Position Statements (RPSs), which provided an option to allow permitted PPC operators (as outlined in paragraphs 114-116 and 167-168) to temporarily cease compliance with some of their monitoring requirements (e.g. air emissions) to avoid external contractors on site.

### **Regulating Covid-19 transmission in DAERA**

#### **NIEA Inspections**

164. There are a wide range of inspections undertaken by staff across DAERA of the agricultural, business, industrial and utility service provision sectors, for a variety of purposes. As a result of Covid-19, it was necessary for the NIEA senior management team to review the inspection work undertaken by NIEA across all sectors and seek a consistent approach. This was to help protect the health of NIEA staff and those they come into contact with, while allowing these regulated sectors (including meat and other food processing plants regulated by NIEA) to continue to function. All routine non-farm inspections within NIEA were temporarily paused (**Exhibit KG/133 - INQ000222210**).

165. Inspections would only continue as follows:

- Any reported incidents where there was a risk to human health or serious risk to the environment, including high risk or high impact waste pollution or offending, or high or medium severity water pollution incidents;
- Incidents of fly tipping requiring use of the Department's fly tipping contract, including reports of dumped carcasses;
- Administrative inspections of waste movements;
- Regulation of NI Water with some relaxation of their monitoring programme;
- Regulation of private water supply sites through the risk management process;
- Targeted surveillance and inspections in identified higher risk locations with the potential to impact on drinking water supplies;
- Reports of fish kills and, or illegal fishing; and
- Incidents of a serious nature relating to dangerous wild animals, wildlife crime, wildfires and alien species.

166. NIEA carried out routine inspections remotely through the electronic submission of required paperwork, site pictures and phone inspections where possible, and this was

maintained until lockdown restrictions were eased on 18 May 2020. Even as NIEA staff were returning to in-person inspections, advice was issued to remain outdoors where possible, meet as few people as possible and to minimise their time on site. NIEA staff were issued with NIEA Guidance for Regulatory Officers: Regulatory Site Inspections during the Covid-19 pandemic (**Exhibit KG/134 - INQ000222211**). NIEA also provided staff with appropriate PPE (masks, gloves, hand sanitiser and wipes). NIEA adhered to all government guidance at all times. NIEA also adhered to Covid-19 protocols for entering premises (e.g. temperature checks, testing), where operators had developed their own.

#### NIEA Regulation

167. Regulatory Position Statements (RPSs) were issued, covering a number of issues in April 2020 and were gradually allowed to expire as they were no longer required (see paragraphs 114 - 116). The last Covid-19 RPSs expired at the end of June 2023.

168. The Covid-19 RPSs only applied where it was demonstrated that the requirement to operate outside the normal regulatory conditions (e.g., that specified in a regulatory licence for a temporary period) was a direct consequence of disruption caused by Covid-19, for example disruption of supply chains. NIEA adopted such regulatory positions only when required. They were designed to ensure continued protection of human health and the environment as far as possible, whilst assisting key industries, such as the waste industry, to continue operating during the Covid-19 pandemic period. While it was available as an option, not all sectors required the use of RPS's for example there were no RPS's in place specific to the meat and food processing sectors.

#### Drinking Water

169. The Drinking Water Chief Inspector issued advisory letters to provide guidance on Private Drinking Water Supply Operations in Response to Covid-19. The letters were issued to the Heads of Environmental Health within local NI Councils to inform them of the Inspectorate's position in respect to its responsibilities in meeting the drinking water quality requirements of The Private Water Supplies Regulations (Northern Ireland) 2017 (SR No. 211) (**Exhibit KG/86 - INQ000222162**).

170. The Drinking Water Chief Inspector also issued a letter to Northern Ireland Water Ltd (NI Water) to inform NI Water of the Inspectorate's position and expectations in respect to its responsibilities in meeting the drinking water quality requirements of The Water Supply (Water Quality) Regulations (Northern Ireland) 2017 (SR No. 212) (**Exhibit KG/135 - INQ000222212**).

#### Farm support - Area-based Schemes

171. Routine DAERA area-based schemes inspections (i.e. controls applied in the administration of farm support payments) were paused from March 2020. These included Rapid Field Visits for the Basic Payment Scheme (BPS), hedge mitigation checks and new business inspections. A very small number of inspections under the Environmental Farming Scheme (EFS) were carried out but these were solely for the purpose of enabling outstanding payments to be made to the agreement holder for their 2019 claim.
172. These inspections were initially paused until 30 April 2020. This pause was reviewed and extended to mid May 2020.
173. In 2020, due to the exceptional circumstances created by the Covid-19 pandemic, the EU announced measures to reduce physical contact between farmers and the inspectors carrying out the checks. The overall number of checks to be carried out was reduced. The derogation also allowed the use of alternative sources of information to replace the traditional on-farm visits by inspectors. In line with this, DAERA reduced the inspection rate for BPS inspections in 2020 and 2021 from 3% to 1% whilst cross compliance inspections were reduced from 1% to 0.5%. Prior to the Covid-19 pandemic, the inspection rate for EFS was due to increase to 10% in 2020 and in line with the Covid-19 guidance, this was subsequently reduced to 5% for 2020 and 2021.
174. Under the LEADER programme (measure 19 of the Rural Development Programme 2014 to 2020), applicants would receive approval for funding to complete projects. As part of the claim process applicants provided documentary evidence of expenditure such as invoices and confirmation of payment etc. All claims would be submitted manually on paper forms with supporting documentation. Under Article 48 of Commission Implementing Regulation (EU) 2014/809, administrative checks were to be carried out on all applications and claims for payment. Paragraph 5 of the article states “Administrative checks on investment operations shall include at least one visit to the operation supported or the investment site to verify the realisation of the investment.” Administrative checks were conducted by the local council administrative teams supporting the Local Action Groups (external delivery agents). With the Covid-19 restrictions in place it was not possible to conduct site visits or the submission of paper documents by hand or post. In order to ensure funding continued Rural Affairs Division responsible for the management of the LEADER rules, allowed for the external delivery agents (council administrative teams) to accept claims electronically (scanned documents), substitute site visits with photographic

evidence of the investments (**Exhibit KG/136 to KG/142 - INQ000222213, INQ000222214, INQ000222216, INQ000222217, INQ000222219, INQ000222220 and INQ000222223**).

175. Article 60 of Commission Implementing Regulation (EU) 2014/809, paragraph 2, sub paragraph 2, states “In case of delegation referred to in the first subparagraph, the competent authority shall carry out regular checks of the local action groups, including bookkeeping checks and repetition of administrative checks on a sample basis.” The administrative checks referred to are those contained in Article 48 of Commission Implementing Regulation (EU) 2014/809. The Rural Affairs Division compliance team had responsibility for the Article 60 checks. With the Covid-19 restrictions in place it was not possible to visit council offices to check the paperwork or conduct site visits to funded projects. Council administrative teams provided administrative support to the Local Actions Groups. Local Action Groups had responsibility for the delivery of the LEADER interventions and schemes. The RAD compliance team adjusted its practices to accept electronic documents scanned by the council administrative teams. The compliance team reviewed the documents and completed their reports. With the easing of restrictions announced by the NI Executive on the 19 May 2020, to come into effect in June 2020, the compliance team reviewed its procedures and made arrangements to retrieve files from council officers ensuring social distancing was observed. Where possible, site visits were conducted; for example projects that were in open areas such as play parks, community gardens etc. Risk assessments (**Exhibit KG/143 - INQ000222224**) were carried out on the compliance work and mitigations put in place. All mitigations were discussed with team members at meetings (**Exhibit KG/144 - INQ000222226**). Compliance officers were provided face masks, hand sanitiser, wipes and electronic tablets. Officials contacted funding beneficiaries prior to visits to check on their Covid-19 mitigations to ensure that Covid-19 rules were observed and a site visit could be conducted safely. Where it was deemed unsafe the visit was postponed (**Exhibit KG/144A to KG/150 - INQ000222227 to INQ000222232 and INQ000222235**).

176. Following the mitigations being put in place by RAD, the EU provided delegations to its rules. These were set out in Commission Implementing Regulation (EU) 2020/532 and Commission Implementing Regulation 2021/725. The notable difference to the rules applied by RAD was that the EU law required geo-tagged photographs. Geo-tagging is where mapping information is attached to the metadata of a digital photograph so that the location of where the photograph was taken can be viewed on electronic maps. To ensure that all information could be verified, where photographs provided by beneficiaries did not

have geo-reference metadata, a formal site visit was conducted post payment when Covid-19 restrictions permitted travel and engagement.

#### College of Agriculture Food and Enterprise (CAFRE)

177. CAFRE delivers education, knowledge transfer and innovation programmes to those entering and within the agri-food industry. CAFRE delivers further and higher education programmes across the disciplines of agriculture, horticulture, food, equine and agri-food business and also Knowledge Transfer and Innovation programmes to those working in the industry. In line with PHA and Government advice, CAFRE ceased face to face delivery of all CAFRE Knowledge Transfer and Innovation Programmes to farmers and growers from 18 March 2020. CAFRE continued to deliver programmes Knowledge Transfer and Innovation Programmes remotely using a range of digital learning technologies including Webinars and WebEx. Following Ministerial approval received on 20 March 2020, CAFRE ceased face to face delivery of all CAFRE Further and Higher Education Programmes from 20 March 2020 (**Exhibit KG/151 - INQ000222237 and Exhibit KG/152 - INQ000222238**). CAFRE continued to deliver education programmes remotely using a range of digital learning technologies including Moodle (CAFRE's student virtual learning platform) and Microsoft Teams to enable students to complete the 2019/20 academic year.

178. During April to August 2020, the residential facilities of the CAFRE were made available for use by the DoH health workers. Enniskillen and Greenmount Campuses were used for overnight accommodation, enabling health workers to avoid travelling between their home and hospital settings.

#### Forest Parks

179. A Ministerial Statement was issued on 24 March 2020 to close car parks and public access facilities to DAERA-owned forests. The decision was taken following a significant increase in footfall from people wishing to exercise in open spaces. To minimise the number of individuals in forests and as a result the likelihood of social interaction, Forest Service closed all camping and caravanning facilities as well as visitor centres, mobile concessions and cafes, playpark facilities and public toilets and also closed vehicular access to forests with a phased reopening of facilities as outlined below.

<b><u>Facility</u></b>	<b><u>Date of opening</u></b>
Carparks	5 June 2020
Carpark Toilets	15 June 2020

Caravan and Camping Sites	26 June 2020
Playparks & Outdoor Gym Facilities	10 July 2020

### **Agri-Food and Biosciences Institute (AFBI)**

180. AFBI science underpins a wide range of DAERA work programmes and policies by providing statutory and analytical testing, monitoring and surveillance science, research and development work, emergency response capability and expert scientific advice. AFBI's work also contributes to DAERA's overall aim of sustainability at the heart of a living, working, active landscape valued by everyone.

181. DAERA provides AFBI with grant-in-aid funding for statutory activities. On an annual basis, DAERA commissions from AFBI a wide-ranging programme of scientific work, known as the Assigned Work Programme (AWP). The AWP consists of three components: statutory and non-statutory science (primarily DAERA's regime of diagnostic and analytical scientific testing) advice and representation; research and development; and emergency response capability.

182. In response to Covid-19, AFBI Veterinary Sciences Division received an initial alert from the CVO, Dr Robert Huey, on 18 March 2020, to be prepared to provide support to the DoH for testing clinical samples of Covid-19 (Pillar 1 of response). Subsequently, an approach was received from the NI Chief Medical Officer, Dr Michael McBride, on 27 March 2020 which resulted in a meeting between AFBI, Queens University Belfast and Ulster University on 28 March 2020. Following approval from the DAERA Minister, AFBI agreed to provide assistance to DoH by undertaking Covid-19 testing as a partner of the NI Covid-19 Scientific Advisory Consortium which also included Queen's University Belfast, who provided overarching coordination, Ulster University and Almac (**Exhibit KG/153 - INQ000222239**) refers.

183. On 14 April 2020, the respective DAERA and DoH Ministers, Edwin Poots MLA and Robin Swann MLA, visited the AFBI Stormont laboratories to announce the commissioning of 1,000 tests per day in the emergency response to the Covid-19 pandemic. The number of tests was agreed based on AFBI's available resources including staff, equipment, laboratory space and sample workflows.

184. Before testing could commence AFBI required approval from the Regional Virus Lab (RVL) and Belfast Health and Social Care (HSC) Trust regarding workflows, operational documents, proficiency testing of sample panels and agreed sample transfer logistics.



This resulted in a 5 week delay between the announcement and commencement of testing at AFBI. In his memo to Ministerial colleagues, dated 13 May 2020 (**Exhibit KG/154 - INQ000222240**), Minister Poots MLA provided an update regarding the testing at AFBI and highlighted some of the technical and systems issues with the RVL and Belfast HSC Trust which had caused the delays.

185. On 21 May 2020, AFBI commenced testing Covid-19 patient samples at its laboratory facility at Stormont in accordance with the conditions set out in a Service Level Agreement (SLA) with Belfast Health and Social Care (HSC) Trust. The SLA provided for 7000 tests per week and testing was undertaken in line with ISO17025 standards. DoH agreed to indemnify AFBI against any liabilities that may arise out of the SLA.

186. Whilst conducting Covid-19 Testing, AFBI was able to perform their usual day to day work although some DAERA programmes were reduced due to DAERA operational decisions arising from Covid-19 guidance. AFBI was able to reprioritise time for both Covid-19 testing and maintaining DAERA statutory testing programmes.

187. AFBI was initially allocated funding of £1m by DAERA for this exercise (**Exhibit KG/155 - INQ000222241**). Expenditure in respect of Covid-19 testing was ring-fenced and was provided in addition to AFBI's normal grant-in-aid funding. AFBI's budget for consumables was ring fenced whilst staff time, captured via AFBI's time recording system, was sourced from existing staff resources. The Permanent Secretary approved the award of two direct award contracts for the provision of pathogen extraction kits for a total of £192,000 and polymerase chain reaction (PCR) kits for a total of £924,000 (**Exhibit KG/156 - INQ000222242**).

188. AFBI's Service Level Agreement with Belfast Health and Social Care Trust (BHSCT) (**Exhibit KG/157 - INQ000222243**) was initially for a period of 12 weeks (4 May 2020 to 1 August 2020) but was subsequently extended on three separate occasions following approval from Minister Poots MLA (**Exhibit KG/158 to KG/160 - INQ000222244 to INQ000222246**).

189. When former Minister Poots MLA approved the extension of the SLA until 16 January 2021, he wrote to the Health and Finance Ministers requesting that the costs of this work be funded from dedicated Covid-19 funding. As a result, DoH and DAERA agreed a technical transfer of £2m as part of the 2021 January Monitoring Round which allows for

the redistribution of budgets. This funding covered the costs of testing from 21 May 2020 to 31 March 2021.

190. By December 2020, due to a low level of sample submissions from DoH, AFBI was only testing 376 samples per day although there was an expectation that this would increase to 1,000 tests per day from January 2021. In early January 2021, however, AFBI staff were required to assist the DAERA with its response to a serious incursion of highly pathogenic Avian Influenza in poultry. Accordingly, AFBI requested that daily Covid-19 test volumes would be held at 376 as staff and equipment involved with Covid-19 testing were also the AFBI staff working on the Avian Influenza outbreak.
191. At the end of February 2021, AFBI was informed, through the NI Covid-19 Scientific Advisory Consortium that the DoH had agreed to stop testing at Almac and recommended reducing maximum capacity at AFBI to 200 tests per day.
192. Subsequently on 5 March 2021, AFBI was further advised that the RVL indicated that the testing requirement was reduced and that it was expected that 100 samples per day maximum would be provided to AFBI. RVL suggested AFBI should cease performing this role, with measures put in place to reinstate testing at AFBI later in the year if the need arose (**Exhibit KG/161 - INQ000222247**).
193. On 22 March 2021 former Minister Poots MLA agreed that AFBI should cease daily testing of Covid-19 patient samples from 1 April 2021, whilst retaining the ability to recommence testing should this be required in 2021 (**Exhibit KG/162 - INQ000222248**). No further testing took place at AFBI.
194. In total, AFBI tested 45,513 samples received from BHSCT with 99.38% delivered within the agreed turnaround time Key Performance Indicator (KPI) which stated: 'AFBI will return up to the first 188 sample results each day by 6pm, subject to delivery by 10am. AFBI will return 90% of the results of any further samples above the initial 188 samples within 24 hours of delivery. AFBI will use their best endeavours to provide these results earlier where possible. The remaining 10% of the results above the initial 188 samples will be returned no later than 28 hours after delivery.'
195. During the testing period, PCR kits were dispatched to AFBI by the supplier (Thermo) at regular intervals. Orders were placed on demand based on potential sample throughputs and stock was held based on requirements as outlined in the SLA i.e., 1000

tests per day. The clinical case landscape and the capacity of the Belfast Trust Laboratory also informed the level of stock AFBI were required to hold. When testing was paused on 31 March 2021, significant excess stock was held by AFBI. Stock was held based on SLA requirements. There was always uncertainty around potential testing demand increase, which was dependant on course of pandemic and capacity of Belfast Trust Laboratory – this informed the level of stock AFBI were required to hold. Belfast Trust reduced the ask of testing in early March based on the clinical case landscape at the time and their own capacity.

196. On 6 May 2021 AFBI wrote to DAERA requesting to write off and donate 18 Covid-19 test kits that had or were due to expire (each PCR kit cost £8,745.60 and enabled 1,000 samples to be tested for Covid-19). On 10 May, DAERA sanctioned the donation of 14 of 18 kits worth a total of £122,438.40 to QUB for use in its wastewater testing programme which was partially funded by DAERA (**Exhibit KG/163 and Exhibit KG/164 - INQ000222249 and INQ000222251**). (Further details on the wastewater surveillance programme are provided in paragraphs 271-273.) DAERA also sanctioned the write off of the remaining 4 kits worth a total of £34,982.40 which had expired in April 2021.

197. 12 kits with expiry dates in September and October, with a total value of £104,947.20, were retained by AFBI in the event resumption of testing was required. On 15 September AFBI once again requested approval to donate all 12 kits to QUB for its wastewater testing programme. DAERA approval was provided on 16 September 2021 (**Exhibit KG/165 - INQ000222252**).

#### **Relationships and communications with the UK government, other devolved nations and local authorities**

##### **Inter-Ministerial Group for Environment, Food and Rural Affairs (IMG EFRA)**

198. The IMG EFRA provides central coordination and promotion of greater collaboration in areas of shared interest between the portfolio ministers leading on these issues within the four UK administrations. Areas of shared interest cover agriculture, fisheries, environment, forestry and rural affairs and include the policy, delivery, technical and legislative matters where administrations have determined to engage on multilateral basis. Communiqués published after each meeting detail the content of the discussion. The Group normally has ten meetings per year and pre-Covid-19 much of the focus was on EU Exit preparedness. During the pandemic, IMG provided a vehicle for EFRA Ministers to discuss EFRA preparedness and mitigations in relation to coronavirus.

199. During this period the response to the Covid-19 Pandemic was discussed at three meetings, providing ministers with the opportunity to consider preparedness, mitigations and highlight issues requiring co-operation across the EFRA sectors. Inter-Ministerial Group for Environment, Food and Rural Affairs (IMG EFRA) met on 27 April 2020 (**Exhibit KG/166 - INQ000222253 and Exhibit KG/167 - INQ000222254**), 20 May 2020 (**Exhibit KG/168 - INQ000222255 and Exhibit KG/169 - INQ000222256**) and 29 June 2020 (**Exhibit KG/170 - INQ000222257 and Exhibit KG/171 - INQ000222258**). Ministers considered the latest Covid-19 position in each UK nation, with a focus on identifying ongoing and emerging issues within EFRA sectors such as food security and supply. This included discussions on supporting sectors through the crisis and recovery post Covid-19.

200. The following Ministers attended the IMG meetings on 27 April 2020, 20 May 2020 and 29 June 2020:

- From the UK Government: Rt Hon. George Eustice MP, Secretary of State for the Environment, Food and Rural Affairs; and Victoria Prentis MP, Parliamentary Under Secretary of State, Defra.
- From the Scottish Government: Fergus Ewing MSP, Cabinet Secretary for Rural Economy and Tourism; Roseanna Cunningham MSP, Cabinet Secretary for the Environment, Climate Change and Land Reform; and Mairi Gougeon MSP, Minister for Rural Affairs and the Natural Environment.
- From the Northern Ireland Executive: Edwin Poots MLA, Minister for Agriculture, Environment and Rural Affairs.
- From the Welsh Government: Lesley Griffiths AM, Minister for Environment, Energy and Rural Affairs.

201. In addition the following ministers were in attendance:

- From the UK Government:
  - David TC Davies MP, Parliamentary Under Secretary of State for Wales, attended IMG meetings on 27 April 2020 and 20 May 2020;
  - David Duguid MP, Parliamentary Under Secretary of State for Scotland, attended IMG meeting on 29 June 2020;
  - Douglas Ross MP, Parliamentary Under Secretary of State for Scotland, attended IMG meeting on 27 April 2020; and
  - Robin Walker MP, Parliamentary Under Secretary of State for Northern Ireland, attended IMG on 20 May 2020 and 29 June 2020.

#### Senior Officials' Programme Board (SOPB)

202. The SOPB oversees engagement between the four administrations across the EFRA portfolio. SOPB provides coordination, oversight and direction to the work programme agreed by IMG EFRA. The meetings during this period focused on Transition preparations, Northern Ireland Protocol, Trade negotiations and Covid-19. During this period the preparedness, mitigations and responses to Covid-19 were discussed by senior officials of the four administrations at four meetings on 16 March 2020 (**Exhibit KG/172 - INQ000222259**), 1 April 2020 (**Exhibit KG/173 - INQ000222260**), 20 April 2020 (**Exhibit KG/174 - INQ000222261**) and 11 May 2020 (**Exhibit KG/175 - INQ000222262**), considering four nation approach for EFRA sectors along with complementing measures tailored for each UK nation.

203. During this period DAERA was represented at SOPB by Norman Fulton (Head of Food and Farming Group) and Dr Rosemary Agnew (Agricultural Policy Division Director) and other DAERA officials dependent on the agenda. Updates were provided to DAERA colleagues on a regular basis.

204. Attendance at SOPB varied depending on availability and agenda items but the senior officials included –

##### Defra Officials

- Danny Jeyasingam (Deputy Director, Devolution).

##### Scottish Government Officials

- Jesus Gallego (Deputy Chief Veterinary Officer);
- George Burgess (Deputy Director, Food & Drink);
- Donald Carmichael (Deputy Director, Marine Scotland); and
- Katriona Carmichael (Deputy Director, Future Environment).

##### Welsh Government Officials

- Tim Render (Director, Environment and Rural Affairs); and
- Graham Rees (Deputy Director, EU Exit and Strategy).

##### DAERA officials

- Norman Fulton (Deputy Secretary Food and Farming Group);
- Rosemary Agnew (Director Agricultural Policy Division);
- Seamus McErlean (DAERA Chief Economist) – attended SOPB on 1 April;
- Steven Millar (Deputy Director Transition Policy) – attended SOPB on 1 April; and
- Richard Crowe (Information and Contingency Planning Division) - attended SOPB on 1 April.

#### Devolved Administration Covid-19 Engagement

205. During the beginning of the Pandemic, Minister Poots MLA, had a number of engagements with the other Devolved Administrations. This included:

- Devolved Administration Covid-19 Food Retailer Calls which were led by the Defra Secretary of State, George Eustice MP. These calls were via the Downing Street Switchboard and discussed Covid-19 impacts on the food retailers. These calls took place on 30 March 2020, (Minister was supported by a DAERA official), 6 April 2020 (**Exhibit KG/176 - INQ000222263**) and 22 April 2020 (**Exhibit KG/177 - INQ000222264**).
- Individual one-to-one telephone calls with Minister Lesley Griffiths AM and Minister Fergus Ewing MSP on 3 April 2020 to discuss Covid-19 and market support.
- 'Food to Go' calls led by the Defra Secretary of State, George Eustice, and part hosted by the British Retail Consortium, to discuss the logistics and considerations around reopening stores with fast food and coffee chain stakeholders on 22 April 2020 (**Exhibit KG/178 - INQ000222265**) and 5 May 2020 (**Exhibit KG/179 - INQ000222266**).

#### Command, Control and Coordination (C3) Situation Reports

206. NI's arrangements for strategic contingency management within government are covered by the NI Central Crisis Management Arrangements (NICCMA). These are standing arrangements for the strategic coordination of any response to and/or recovery from civil contingencies impacting on NI.

207. C3 arrangements are based around existing structures and protocols. In particular, decision-making will be held at the lowest level, with clear escalation thresholds defined, to ensure that early action can be taken without the need to continuously refer upwards. Whilst existing structures will provide the basis for NI's C3, these structures have been enhanced and augmented in order to manage the expected complexity, scale and duration of the 'reasonable worst-case scenario', (RWCS) which is the basis for all planning. As part of this process, the existing CCG (NI) Operations Room has been enhanced to deliver a Northern Ireland Hub (NI Hub).

208. It was previously established that a full C3 Departmental Operations Centre would be required for all NI departments to manage a possible "no deal" BREXIT scenario with up to 24/7 cover and the ability to scale up or down as necessary. C3 principles reflect the

existing NI resilience structures/arrangements. Each department is responsible for setting up its own Departmental Operating Centre (DOC) (size and scales of DOCs may vary with Departments) to manage its own risks and contingency plans, co-ordinating with other NICS and Whitehall departments to ensure that impacts are mitigated. The DOC was a group of staff working, ultimately remotely, to collate and disseminate information.

209. On 6 March 2020 TEO held a Covid-19 C3 Leads Workshop (**Exhibit KG/180 - INQ000222267**). This workshop was to provide Departments and key stakeholders an opportunity to identify the key priorities for Covid-19 readiness. In preparation for this Workshop, DAERA issued Covid-19 readiness questionnaires to their business areas to ask them to highlight the key priority areas. The responses to this questionnaire were used to brief other C3 Leads and were used to raise awareness across all organisations and sectors. They were also used by CCG (NI) to assess the overall readiness across the public sector in NI.

210. On 19 March 2020, C3 Lead Richard Crowe, wrote out to Group heads to update them on the development of C3 Structures for NICS and to seek their co-operation in the establishment of the DAERA C3 Structures in response to Covid-19 (**Exhibit KG/181 - INQ000222268**). DAERA reactivated the arrangements for the Brexit response; however as the Covid-19 emergency principally involved the threat to people rather than trade, the operation of the DAERA DOC was significantly different. Business information flow structures were re-established in accordance with the activation of the MERP. TEO reactivated the NI Hub and had asked for Departmental Liaison Officers from all Departments to cover 0700-1700 daily with remote out of office cover.

211. From 19 March 2020, the C3 DAERA DOC – Covid-19 response was activated in shadow mode and was fully activated during the week commencing 23 March 2020, during normal working hours. Early staffing of the DAERA DOC was from previously identified Brexit teams and was originally located in Dundonald House before changing into a virtual DOC due to the social distancing and Covid-19 guidance. TEO also provided a Covid-19 C3 Welcome Pack to staff working within the C3 structures (**Exhibit KG/182 - INQ000222269**).

212. The main purpose of the DAERA DOC was to collate and disseminate information, support the coordination of Departmental activities and planning, and to filter/escalate decisions to the NI Hub. Where issues could not be dealt with by single departmental decision-making, or working with other departments, they would be escalated to CCG (NI)

via the NI Hub. The DAERA DOC was used to inform and be informed by Gold and Business Group/Silver Commands through exchange of SitReps. DAERA DOC Situational Reports were drafted by DOC staff using information from a range of sources and was approved by the DOC Chief of Staff/C3 Lead (**Exhibit KG/183 - INQ000222270 and Exhibit KG/184 - INQ000222271**).

213. DAERA also re-established its DAERA Group Business Coordination function to provide a single point of contact for the DAERA DOC and into and out of Business Areas. Business Co-ordinators provided SitReps to the DOC and this information was collated into one Departmental return.

#### North South Ministerial Council

##### Background

214. The North South Ministerial Council (NSMC) was established under the Northern Ireland Act 1998, following the Belfast/Good Friday Agreement, Strand 2. The North/South Ministerial Council brings together those with executive responsibilities in NI and the Irish Government to develop consultation, co-operation and action within the island of Ireland. Through implementation on an all-island and cross-border basis - on matters of mutual interest and within the competence of each Administration, North and South. The Agreement identified a number of formal areas for co-operation and implementation. In each of the areas of co-operation common policies and approaches are agreed in the North South Ministerial Council but implemented separately in each jurisdiction.

##### Format of NSMC Meetings

215. The purpose of NSMC Meetings is to review progress on co-operation and action on matters of mutual interest within the subject areas for co-operation and implementation. The NSMC meets in 3 different formats:-
216. **Plenary** - where the NI Executive delegation is led by the First Minister and deputy First Minister and the Irish Government delegation is led by the Taoiseach and the Tánaiste. At the Plenary meetings, each Administration agrees an outline Future Work Programme and schedule of proposed dates for Sectoral NSMC meetings.
217. **Institutional** - where the NSMC brings together the NI Executive, represented by the First Minister and Deputy First Minister and the Irish Government represented by the Minister for Foreign Affairs. The task of the Institutional Meeting is to consider institutional



and cross-sectoral issues, including issues relating to the European Union, and to resolve any disagreements.

218. **Sectoral** - where the NSMC oversees co-operation in the agreed areas of mutual interest. At these meetings the Irish Government is represented by the Minister responsible for the particular Sector, while the Northern Ireland Administration is represented by two Ministers, one Minister with Executive Responsibility for that area who will be accompanied by a Minister nominated by the First Minister and deputy First Minister.

219. DAERA is involved in the following key elements :-

- a) One of the six the North South implementation bodies, namely, "Foyle, Carlingford and Irish Lights Commission" (FCILC consisting of the Loughs Agency);
- b) "Agriculture" as a formal area of co-operation; and
- c) "Environment" as a formal area of co-operation.

#### Sectoral Meetings with DAERA Involvement

220. The Council meets in the Environment Sector in order to make decisions on common policies and approaches in areas such as environmental protection, pollution, water quality management and waste management in a cross-border context. The agreed work programme includes: Environmental Research & Reporting; Environment Protection & Sustainable Development; Water and Wastewater Management; Waste Management in a Cross-Border context and EU Funding.

221. The Agriculture Sector covers a wide range of activities cutting across the responsibilities of several DAERA business Groups. Topics discussed at Agriculture Sectoral meetings include Animal Health, Plant Health, Rural Development, EU Funding etc.

222. Agriculture and Environmental Sectoral Meetings were attended by DARD / DAERA Ministers and held up to twice a year from 2009 to 2016.

223. During the period without ministers (March 2017- January 2020), it was not possible to hold either plenary or sectoral meetings. However, departmental officials (North and South) met with NSMC officials in February and June 2017 and Departmental officials also attended North South meetings via video conference, providing the NSMC Joint Secretariat with updates on the agreed sectoral work programmes for environment.

224. Whilst this was not in a decision-making capacity, the purposes were to ensure relationships were maintained, lines of communication remained open, to discuss any developments and to share knowledge.

225. During Jan 2020 – November 2020, the following meetings were held and attended by Edwin Poots MLA, Minister for Agriculture, Environment and Rural Affairs:-

- Aquaculture and Marine Sectoral meeting - 21 October 2020;
- Environment Sectoral meeting - 21 October 2020; and
- Agriculture Sectoral meeting - 18 November 2020.

226. An NSMC Agriculture Sectoral meeting, which was scheduled for 29 September 2021 in Armagh was postponed. The legislative requirements for the meeting to proceed regarding Ministerial attendance, as per the Northern Ireland Act 1998 (as amended), had not been met. The NSMC falls under Strand 2 of the Belfast Agreement. NSMC decisions are to be agreed by Ministers, North and South, and if one Minister does not attend then the criteria would not be met in order for the meeting to go ahead therefore the criteria for the meeting to go ahead had not been satisfied and it could not proceed at that time. No further meetings were scheduled in the period up until March 2022. Please see decision in *Re Napier* [2021] NIQB 86 (**Exhibit KG/185 - INQ00022272**) for further information in respect of the High Court's findings in connection with this matter.

#### Arm's Length Bodies (ALBs)

227. DAERA ensured that ALBs were kept up to date with the NICS / DAERA position on Covid-19 restrictions e.g. home-working arrangements etc. through quarterly accountability meetings between sponsor department officials and the CEOs and senior managers of the ALBs. ALBs ensured risks associated with Covid-19 were highlighted on their risk registers. Risk registers were shared with sponsor department officials for their attendance at the ALBs Audit and Risk Committees and were also provided to sponsor branches as part of the regular reporting to the DAERA Audit and Risk Committee. Covid-19 was a standing item at accountability meetings. Accountability Meetings are a key mechanism used by the Department to formally monitor the ALBs performance and compliance with governance and financial management requirements. These meetings are usually held on a quarterly basis with the ALB Accounting Officer and other members of the management team. In the case of Foyle, Carlingford and Irish Lights (Loughs Agency). DAERA worked closely with the Department of Energy and Climate Change

(DECC) throughout the Covid-19 pandemic ensuring all issued guidance was shared from sponsor departments in both NI and Ireland.

#### Waste Management

228. Waste sector stakeholder engagement was managed via existing established working groups with key stakeholders across local government and the wider waste sector, in addition, new groups were established promptly, where necessary. For example, the Four Nations Covid Contingency Group was formed at the beginning of the pandemic to share experiences and discuss emerging issues between policy colleagues in the four administrations on a weekly basis. These were informal meetings to allow for a wide-ranging discussion.
229. The Northern Ireland Strategic Waste Partnership (SWP) was previously established by the 11 local councils and DAERA, meeting quarterly. With the onset of the pandemic and emergency response, the SWP increased the frequency of meetings to weekly to monitor the impact of Covid-19 measures on Council waste management and adapt plans as required.
230. The Government Waste Working Group (GWWG) was already operational, providing a partnership forum for Northern Ireland Government and Local Councils, to collaboratively address operational matters relating to the management of municipal waste. The GWWG meetings were increased in frequency from quarterly to weekly when the emergency response plan was initiated, this provided the ability to detect potential issues quickly and respond.
231. The Defra Waste Sector Recovery Planning Group was formed to bring representatives from the Environment Agency and the private and public waste sector, mainly from England but with some wider Great Britain representation, including representatives from Scottish and Welsh governments, Scottish Environment Protection Agency and Natural Resources Wales together on a weekly basis. This included information on challenges facing local authorities, updates on recycle markets and details on legislative changes in England. DAERA had observer status at these meetings which was helpful in gathering information about issues facing the private and public waste sectors and using this to assess the need for particular interventions in NI to maintain a consistent approach.

232. The four Agencies meetings, which included the NIEA, were set up to discuss, at a strategic level, how each of the Environment Agencies (NIEA, EA, Scottish Environment Protection Agency (SEPA) and Natural Resources Wales (NRW) responded to Covid-19, including active and recovery phases. This approach facilitated the swift sharing of information, and a co-ordinated approach to implementing Regulatory Positions in each of the jurisdictions on a weekly basis to ensure a consistent UK approach to waste management.
233. A Private Waste Sector Group for Northern Ireland was also established by NIEA at the beginning of the pandemic, meeting on a regular basis, to engage with the sector to ensure that capacity was available to handle waste collections and that waste flows to re-processors were maintained throughout the crisis. This group included both NIEA on operations and Environment Marine and Fisheries Group (EMFG) on waste policy.
234. PHA was engaged with as necessary to ensure most current public health guidance was being followed.
235. In March 2020, within NIEA and EMFG, the Covid Waste Working Group was established between NIEA Waste Management Unit, NIEA Environmental Crime Unit and EMFG Environmental Policy Division, meeting daily to review and agree updates from the range of sources including those outlined above as well as reporting by the public e.g. fly tipping reports, for future Bronze and Silver Command meetings. Daily updates were recorded via the Covid Waste Working Group Log (**Exhibit KG/186 - INQ000222273**).

#### Drinking Water

236. UK Water Sector Covid-19 meetings were held with Drinking Water Inspectorate (DWI) DAERA, DWI DfI, DWI Defra, DWI (England & Wales), Drinking Water Quality Regulator for Scotland (DWQR) and Scottish Government to share experiences and discuss emerging issues between policy colleagues in the four administrations.
237. Additionally, there was a NI Water Sector Covid Group with DfI, NI Water and DAERA (DWI and Water Regulation) to focus on NI-specific issues, for example NI Water Public Drinking water supply and Waste Water Treatment and private drinking water supplies.

#### Environmental Non-Governmental Organisations

238. Northern Ireland Environment Link (NIEL) on behalf of the ENGOS provided DAERA (NIEA, EMFG and Forestry) with an Environment and Conservation Organisations

Coronavirus Impact Survey, to help DAERA understand and be aware of the effect that Covid-19 was having, or was expected to have, on the funding and operations of environmental organisations in NI (**Exhibit KG/187 - INQ000222274**).

239. NIEL established an initial meeting with Senior DAERA officials in April 2020 to listen to how the Covid-19 pandemic was affecting them and the delivery of environmental outcomes. Attendees included: NIEL; National Trust; Keep Northern Ireland Beautiful; Ulster Wildlife; Outdoor Recreation NI; Mourne Heritage Trust and Woodland Trust. Subsequent information was provided by ENGOs at Senior Management meetings established to engage with the environment sector during this period. For example, the possibility of multi-year funding for environment fund projects was taken forward by DAERA.

#### **Support of the agriculture and food industry**

240. On 22 April 2020, Minister Poots MLA presented a paper to the NI Executive (**Exhibit KG/188 - INQ000222275**), copied to the Attorney General and the Departmental Solicitor. It is established custom and practice for papers presented by Ministers to Executive colleagues to be copied to the Attorney General and the Departmental Solicitor. This is to facilitate awareness of any statutory, regulatory or legal matters within the paper. The paper that was presented to Executive Ministers recommended that the Executive:

- “notes the emerging impact on Northern Ireland farm incomes due to falling agricultural prices triggered by Covid-19 (caused by the marked shift in consumer demand from food service to retail due to the closure of the hospitality sector, combined with uncertainty in the wider economy) and the significant threat that this could pose to the existence of otherwise viable farm businesses;
- notes that Covid-19 has the potential to cause imminent, significant and long-lasting impacts on the domestic ornamental horticulture production sector in Northern Ireland;
- notes that recovery from the impact of Covid-19 will take longer in farming than in other sectors; and
- agrees that DAERA should continue to work up options for consideration by the Executive in the event that additional financial interventions are deemed necessary.”

241. The NI Executive subsequently agreed on 19 May 2020, the allocation of £25m to DAERA for market interventions in the agri-food sector (**Exhibit KG/189 -**

**INQ000222276**). This details the analysis undertaken by officials to estimate the financial impact upon sectors within the industry. This analysis involved considerable engagement with stakeholders across the Agriculture and Horticulture sectors, supported by DAERA Economists and Technical Specialists. A further £3.6m was reprioritised from within the DAERA budget to provide an overall budget of £28.6m (**Exhibit KG/190 - INQ000222277 and KG/191 - INQ000222278**). The funding request was based on an economic rationale for providing financial assistance to agricultural and horticultural businesses, to enable them deal with short term disruptions that would substantially impact otherwise viable businesses. There was acceptance of the need for support to be targeted at those farm businesses hardest hit financially as a result of the Covid-19 pandemic. Specific legislation, *The Agricultural Commodities (Coronavirus) (Income Support) Scheme (Northern Ireland) 2020* (SR 2020/191) and *The Ornamental Horticulture Industry (Coronavirus, Financial Assistance) Scheme Regulations (Northern Ireland) 2020* (SR 2020/2) was introduced in September 2020 and October 2020 respectively that facilitated the opening of a £21.4m funding support package for the dairy, beef sheep, potato and ornamental horticulture sectors in the autumn of that year. Further statutory rules, *The Agricultural Commodities (Coronavirus) (Income Support) Scheme (Northern Ireland) 2021* (SR 2021/63) and *The Agricultural Commodities (Coronavirus) (Income Support) Scheme No.2 (Northern Ireland) 2021* (SR 2021/186) came into operation in 2021 to underpin support schemes worth up to £4m that were opened for the hatching egg and pig sector in March 2021, and new schemes for wool, cull sows and potatoes worth up to £4.9m opened in July 2021. A total of 21,942 payments with a total value of £28,923,252 issued to businesses from these schemes. A summary of these schemes is available in (**Exhibit KG/192 - INQ000222279**).

#### European Agricultural Fund for Rural Development (EAFRD)

242. In August 2020, Minister Poots MLA considered Regulation (EU) 2020/872, which provided the option for European Agricultural Fund for Rural Development (EAFRD) funds from the existing Northern Ireland Rural Development Programme (NIRDP) to be used to make a lump sum single payment for eligible farmers of up to €7k and up to €50k for eligible SMEs in response to Covid-19. However, as outlined in ministerial submissions, (**Exhibit KG/193 to 196 - INQ000222280 to INQ000222282 and INQ000222283**) there were issues with timescales, the significant conditions attached to the regulation, and the availability of other support packages. Minister Poots MLA subsequently decided not to implement the option and EAFRD funds were used in accordance with the existing NIRDP (**Exhibit KG/197 - INQ000222284**).

### Aquaculture and Fisheries

243. The Aquaculture and Fishing industries were significantly impacted by Covid-19 and subsequent lock down measures which resulting in loss of export markets, closure of hospitality sector and requirements to tie up vessels due to countries closing borders and preventing exports. DAERA supported Aquaculture and Fishing Industries through a range of financial support schemes.
244. Aquaculture Covid Support Scheme (Exhibit KG/198 - INQ000222285). The scheme was aimed to help aquaculture businesses that experienced a significant drop in sales as a result of Covid-19. The aquaculture sector is a small but valuable niche market in NI, employing around 131 people and supporting some rural communities. The scheme aimed to assist producers of species like oysters and trout. DAERA provided a total support of £126k.
245. Covid-19 Sea Fisheries Hardship Scheme (Exhibit KG/199 to KG/201 - INQ000222286 to INQ000222289). This support scheme provided support for the short-term period of temporary cessation of fishing activity by a percentage of the mobile gear fleet, and fixed cost assistance for vessels that use static gear and was open to NI registered trawlers and dredgers. By the end of May 2020, the Department paid £1.32m to 171 fishing vessel owners, to cover 50% of a qualifying vessel's fixed costs associated with the period 1 March 2020 to 31 May 2020.
246. Phase 2 of the Covid fisheries hardship Scheme. The second phase of support of fishers through the temporary cessation of fishing activities was effectively 2 schemes, a Tie-up scheme and a Potter fixed support scheme (one for trawl fleet and one for the static gear vessels). The second scheme opened on 23 March 2021. DAERA provided a total support of £161k.
247. Lough Neagh Covid Support Scheme (Exhibit KG/202 to KG/204 - INQ000222290, - INQ000222293 and INQ000222294). The Covid-19 Lough Neagh Financial Support Scheme supported the owners of fishing vessels who experienced loss of income in the 2020 season. The Scheme was designed to complement the other Covid-19 support mechanisms already being provided by Government to the fishing sector and indeed other sectors of our economy. The voluntary scheme covered the period from May up to the end of October 2020 which is the traditional end of the brown eel fishing season. The Department paid £240,400 to 63 Lough Neagh licence holders.

### **Tackling Rural Poverty and Social Isolation (TRPSI)**

248. At the outset of the pandemic, Rural Affairs Division transitioned a number of TRPSI Schemes to address the immediate needs of rural dwellers. e.g., the Assisted Rural Travel Scheme (ARTS) delivered food and medicine parcels to shielding and vulnerable rural dwellers as opposed to previously transporting these dwellers to service locations. Another example saw the Farm Family Health Checks Programme (FFHCP) staff and vehicle being utilised to assist in administering the Covid-19 vaccinations at various rural community settings. Also, with the onset of Covid-19, the SPRING Social Prescribing project staff developed a new delivery model entitled 'Connect Well Service' where Social Prescribers contacted all clients remotely by telephone, text, social media platforms or through video link.
249. Coronavirus Community Fund - With the approval of the Minister, DAERA contributed £243,500 of funding to the Coronavirus Community Fund which was delivered by the Community Foundation for NI and the Rural Community Network to support community and voluntary sector organisations address local issues. DfC contributed a similar amount of funding.
250. Rural Business Development Grant Scheme - Capital grants up to a maximum of £4,999 were provided to 1,005 rural businesses in 2020/21 and 2021/22. Grants totalling £3m were provided to support the sustainability, recovery and development of micro rural businesses during the Covid-19 pandemic.
251. Rural Micro Capital Grant Scheme - Capital grants up to a maximum of £1,500 were provided to 1,255 community and voluntary sector organisations in 2020/21 and 2021/22. Capital grants totalling £1.585m were provided to support the Community and Voluntary sector in their work to recover and commence re-opening safely following the Covid-19 pandemic.
252. Covid Recovery Revitalisation Scheme - DAERA also collaborated with DfC and DfI to deliver the Covid Recovery Revitalisation Scheme in conjunction with councils which supported the re-vitalisation of rural towns and village across NI post-Covid-19. A total of £19.3m (DAERA contributed £2.3m) was provided to councils through this Scheme to address the needs identified in their respective Covid-19 Revitalisation Action Plans.
253. Warm, Well and Connected Scheme - DAERA and DfC collaborated to develop the Warm, Well and Connected Scheme which was delivered by the Rural Support Networks



and Health Living Centres. The Scheme, led by DfC, addressed issues such as loneliness, isolation, mental health, and financial hardship by focusing on community development approaches to deliver preventative activities to address material and emotional wellbeing issues. DAERA contributed £100k towards the overall costs of £3m.

254. During the pandemic, DAERA amended its processes to allow for the submission of grant aid claims electronically, a process which when evaluated was considered effective and efficient and which, as a result, has since been mainstreamed. The claims process pre-Covid-19 was a paper based application only.

#### Rural Affairs Division – Covid Recovery Support

255. The Department is currently using the same partnership approach (DfC, DfI & Councils) to deliver the Covid Recovery Small Settlements Regeneration Programme. The aim of the Scheme is to regenerate small rural settlements as part of the process for economic recovery following the Covid-19 Pandemic. A total of £24.7m (DAERA contributed £8.26m) was provided to Councils through this Programme to address the needs identified in their respective Covid-19 Recovery Plans.

#### Amendments to the Coronavirus Regulations

256. In 2020 and 2021, DAERA proposed amendments to the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020, the Health Protection (Coronavirus, International Travel) Regulations (Northern Ireland) 2020 and the Health Protection (Coronavirus Restrictions) Regulations (Northern Ireland) 2021 as detailed below in paragraphs 257 – 270.

#### Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020

257. Waste Management - Following an Executive meeting on 14 May 2020, Minister Poots MLA announced that HWRCs fell within the scope of 'critical public services', as outlined in regulation 5(2)(i) of the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020, thereby permitting travel to HWRCs and removing any lack of clarity in the Regulations (**Exhibit KG/205 - INQ000222295 and Exhibit KG/206 - INQ000222296**). Some councils were not prepared to re-open as the legislation did not make it clear that these centres were considered essential. DAERA used that decision to secure similar changes to NI coronavirus regulations, which was actioned by the TEO / DoH, ensuring the reopening of all recycling centres on 18 May 2020. In the initial Covid-19 regulations, recycling centres were not considered essential and were therefore shut down during the first lockdown.

258. UK Government acknowledged waste workers as key workers on 26 March 2020, and when informed, DAERA provided similar recognition in NI; including a Ministerial message of support and letter of thanks to these key workers (**Exhibit KG/207 and KG/208 - INQ000222297 and INQ000222298**).

259. In response to the decisions made above DAERA produced a Principles & Guidance note for the safe re-opening of Household Waste Recycling Centres (HWRCs) in Northern Ireland (**Exhibit KG/49 - INQ000222124**).

260. DAERA's key decisions in respect of waste can be summarised as follows:

- Designation as key workers & key messaging (**Exhibit KG/207 and KG/208 - INQ000222297 and INQ000222298**);
- Letter of thanks to Waste Industry (**Exhibit KG/209 to KG/213 - INQ000222299 to INQ000222303**);
- Status of Household Waste Recycling Centres (**Exhibit KG/214 and KG/215 - INQ000222304 and INQ000222305**);
- Re-opening of Household Waste Recycling Centres (**Exhibit KG/216 and Exhibit KG/217 - INQ000222306 and INQ000222307**);
- Principles and Guidance - House Waste Recycling Centres & Services (**Exhibit KG/49 - INQ000222124, KG/51 - INQ000222126, KG/205 - INQ000222295, KG/218 - INQ000222308 and KG/219 - INQ000222309**);
- Update to Principles and Guidance – (**Exhibit KG/220 and KG/221 - INQ000222310 and INQ000222311**);
- Letter to Council CEOs (**Exhibit KG/206 and KG/222 - INQ000000 and INQ000222312**).

261. Equestrian events - DAERA proposed in July 2020 that the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020, should allow persons to leave home to take part in horse racing and outdoor equestrian competitions and associated training given the non-contact, low risk nature of these activities, the risk mitigating protocols in place and the position in other jurisdictions at that time training (**Exhibit KG/223 - INQ000222313**).

262. In July 2020, the DAERA Minister responded to an Executive paper on Covid-19 restrictions, welcoming the Minister for Health's proposal that spectators should be able to

attend outdoor sports events from 24 July 2020 as this would permit spectators at horse racing and outdoor equestrian events and highlighting that he considered there to be strong case for a similar approach to be taken in respect of indoor equestrian activities and events given the low risk of disease transmission in indoor equestrian centres which are generally large well-ventilated spaces where social distancing could easily be facilitated **(Exhibit KG/224 - INQ000222314)**.

263. There was engagement with the DoH on the proposals regarding outdoor activities **(Exhibit KG/224A - INQ000222315)**.

264. Animal welfare - In May 2020, DAERA proposed that the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020, should allow persons to leave home to ensure that the needs of their animals were met **(Exhibit KG/225 - INQ000222316)**. At that time, the regulations only permitted a person to leave their home to avail of the services of veterinary surgeons and pet shop services. They did not take account of the need for persons to leave their home to avail of other welfare related services such as dog grooming and hydrotherapy, nor did they take account of the basic needs for non-farmed animals to be exercised/trained.

265. At the same time, DAERA also proposed that the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020, be amended to clarify that persons were allowed to leave home to take part in outdoor activities which involve animals and birds **(Exhibit KG/226 - INQ000222317)**. At that juncture, leaving home to take part in an outdoor activity was permissible provided it did not result in a gathering of more than six persons from different households. The term 'outdoor activity' was not, however, defined and there was, therefore, uncertainty as to whether it included outdoor activities involving animals/birds. DAERA sought clarification within the regulations given the benefits for wellbeing that engagement with animals can bring, the need to protect animal welfare and mitigate against any unnecessary economic impacts.

266. In May 2021, the DAERA Minister also wrote to the Minister for the Economy highlighting the difficulties faced by zoo licence holders and open farms, kennels and catteries and businesses involved with cattle hide and skin processing and urged the Minister to give due consideration to providing appropriate financial support to these sectors **(Exhibit KG/227 - INQ000222318)**. In this correspondence, the Minister highlighted the unique situation faced by zoos, open farms kennels and catteries which, unlike other businesses, needed to continue to finance the animals within their care to

ensure their welfare was protected. With regard to the cattle hide and skin processing sector, the Minister noted the particular difficulties it faced owing to its heavy dependence on trade with China which experienced a downturn during the pandemic.

267. The DAERA Minister subsequently asked the Ministers for the Economy and Finance in June 2021, to consider a specific support scheme for these sectors and, in the interim to highlight the schemes available to these sectors (**Exhibit KG/228 - INQ000222319 and KG/229 - INQ000222320**). A funding scheme was not ultimately progressed because Ministers withdrew from the Executive before the legislation that would have been required to underpin any scheme could be approved and made. The Department has no current legal vires from which to pay businesses in the animal establishment sector. Subordinate legislation made under the Financial Assistance Act (NI) 2009 ("the 2009 Act") is therefore required. Approval to proceed with this is contingent on there being a Northern Ireland Executive in place as it is necessary to have the agreement of both the First and deputy First Ministers, acting jointly, to progress the scheme and secure the powers required under the 2009 Act.

#### Health Protection (Coronavirus, International Travel) Regulations (Northern Ireland) 2020

268. Travel regulations - A ministerial briefing was provided in advance of Executive meetings to discuss the first review of the Northern Ireland International Travel Regulations (**Exhibit KG/230 - INQ000222321**), horse racing and equestrian competitions (**Exhibit KG/231 - INQ000222322**) as well as the impact of the closure of animal rescue and rehoming centres on animal welfare (**Exhibit KG/232 - INQ000222323**).

#### Health Protection (Coronavirus Restrictions) Regulations (Northern Ireland) 2021

269. Equine Assisted Therapy and Learning (EATL) - In March 2021, DAERA proposed the amendments to the Health Protection (Coronavirus Restrictions) Regulations (Northern Ireland) 2021 to remove restrictions on the provision of EATL (**Exhibit KG/233 to KG/237 - INQ000222324 to INQ000222328**). Its proposal aimed to address the welfare and wellbeing needs of the individuals who take part in this activity; EATL is delivered to a wide range of vulnerable clients including children with physical and mental disabilities and young people and adults with physical and intellectual difficulties. The regulations were subsequently amended to provide that, from 30 April 2021, a gathering could take place for the purpose of EATL provided that it did not exceed 30 persons, an appropriate risk assessment was carried out and all reasonable measure to limit the risk of transmission of the virus had been taken.

270. Non-elite equestrian - In April 2021, DAERA proposed that the Health Protection (Coronavirus Restrictions) Regulations (Northern Ireland) 2021 be amended to allow for the resumption of indoor non-elite equestrian activity and competitions, given that they involved non-contact activity and took place in large well-ventilated indoor arenas where risk mitigating protocols and guidance were in place (**Exhibit KG/238 to KG/242 - INQ000222329 and INQ000222331 to INQ000222334**). The Executive subsequently announced some general relaxations in May 2021 relating to indoor gatherings and indoor competitive sport that allowed non-elite indoor equestrian activity to take place in larger groups and indoor amateur equestrian competitions to resume.

#### Covid-19 Rapid Response Call

271. In July 2020, DAERA agreed in principle to support a Covid-19 Rapid Response Call (Phase 2) collaborative research initiative with Science Foundation Ireland (SFI), the Department for Economy (DfE) and DoH. The SFI is a statutory body in Ireland which provides research funding awards to support scientists and engineers. The aim of this call for research was to advance knowledge of the virus and its impact on health, and the development of solutions that contribute to economic and societal recovery. In the projects which SFI prioritised for funding, DAERA agreed in principle to fund the eligible costs of NI Research Performing Organisations providing that the scope of research aligned with DAERA's strategic remit. Applicants were invited to submit outline applications to SFI/DAERA/DfE/DoH by 24 July 2020, ahead of a final submission deadline of 26 August 2020. There were four pre-applications (**Exhibit KG/243 - INQ000222335**) and two bids submitted within DAERA's strategic remit (**Exhibit KG/244 to 247 - INQ000222336 and INQ000222340 to INQ000222342**). Two of the Queen's University Belfast (QUB) proposals submitted in response to the call for research aligned within DAERA's strategic remit. These proposals are titled:

- An integrated system for all-island SARS-CoV-2 wastewater surveillance and reporting; and
- Food Shield: Resilience, growth and digitisation of Food and Feed Supply Systems.

272. The Chief Scientific Adviser's (CSA) Office secured the necessary DAERA approvals required to co-fund the Covid-19 Rapid Response Call (Phase 2) collaborative research initiative. This included the following actions: A Department of Finance general business case pro-forma for small expenditures was prepared in August/September 2020 and approved on 14 October 2020 (**Exhibit KG/248 - INQ000222343**). On 21 October 2020, a Ministerial submission was prepared to note DAERA agreement to fund two projects

**(Exhibit KG/249 - INQ000222344).** On 29 October 2020, letters of offer for two successful projects issued to QUB **(Exhibit KG/250 - INQ000222345 and Exhibit KG/251 INQ000222346).** On 30 October 2020, signed letters of agreement were received from QUB **(Exhibit KG/252 - INQ000222347 and Exhibit KG/253 - INQ000222348).** While project 20/COV/8460 was underway, a business case was developed to extend NI SARS COV-2 wastewater surveillance utilising the science platform being established **(Exhibit KG/254 - INQ000222349).** 26 May 2021 - DOF approved the establishment of a NI SARS COV-2 wastewater surveillance project **(Exhibit KG/255 - INQ000222350).**

273. Surveillance of wastewater for the presence of SARS-CoV-2 RNA was successfully initiated in wastewater at two sewage treatment sites in NI, at Ballynacor Wastewater Treatment Works and Dunmurry Wastewater Treatment Works. SARS-CoV-2 RNA was routinely detected within the waste treatment system and allowed for the longitudinal surveillance of SARS-CoV-2 levels. A project completion report was received on 25 May 2021 **(Exhibit KG/256 - INQ000222351).** Following this project, the surveillance programme was extended to up to 40 sites across NI. The governance of this project was overseen by PHA and DoH with assistance from NIEA and NI Water until it was formally ended in March 2023. The wastewater based epidemiology surveillance programme provided an objective indicator of infection prevalence in the population which informed PHA and DoH in managing the pandemic response. Wastewater surveillance also provided useful information on the emergence of new SARS-CoV-2 variants.

#### UK Science Partnership for Animal and Plant Health Science Partnership

274. The DAERA CSA has responsibility for commissioning and management of research to meet the evidence and innovation needs of the Department, for example overseeing the DAERA-directed AFBI research programme. In line with this role, the CSA was a member of the UK Science Partnership for animal and plant health which brought together all the relevant government funders of research across the UK at senior level, along with an independent chair and representatives **(Exhibit KG/257 - INQ000222352).** The Terms of Reference for this group were:

- to develop, co-ordinate and monitor delivery of the UK-level Animal and Plant Health Science Strategy by the partners (incl. relevant government funders e.g. Defra, UK Research and Innovation, Scottish Government and DAERA) and the wider science community;
- to drive a culture of coordination and collaboration, with key public funders engaging together, and with the private and third sectors, to jointly consider key questions and cross-cutting challenges; and

- to engage together to ensure the UK has the science capability to support the identification and effective response to new threats and challenges to animal and plant health.

275. On 26 March 2020, at a meeting of the UK Science Partnership for Animal and Plant Health Science, the science capacity and capability within NI was detailed by the DAERA CSA during a discussion on what practical help and support the Partnership could collectively offer in terms of animal/plant health science facilities/capabilities that could potentially be deployed to help tackle the Covid-19 pandemic. This fed through to a Partnership report mapping the UK zoonotic disease expertise (including that within AFBI, Queen's University Belfast and Ulster University) which was submitted to Lord Gardiner on 8 April 2020 (**Exhibit KG/258 - INQ000222353**). The AFBI/UU/QUB consortium established by the CMO (NI) (NI Covid-19 Scientific Advisory Consortium) utilised the facilities/capabilities in NI identified in the report.

#### Chief Scientific Adviser (CSA) to CSA meetings (CSA network meetings)

276. These are informal weekly meetings which provide a forum for general discussion and update on cross-cutting policy issues relating to science and engineering. Membership of the CSA network meetings included CSAs from across UK Central Government Departments, along with the Scottish Government CSA and the Welsh Government CSA. The NI Executive does not have an appointed central CSA (i.e. a CSA unattached to any specific, single government department or with policy for overall responsibility for Government Science in NI). A recruitment competition to appoint a Chief Scientific & Technology Officer (CSTO) was run by The Executive Office in 2022, but the competition did not yield a successful candidate. Therefore, engagement in relation to the network meetings was normally via the DAERA CSA. From early January to mid-August 2020 the DAERA CSA did not receive communications from the CSA network as its Secretariat indicated that it had used an incorrect email address for the DAERA CSA over the period. The DAERA CSA assumed communications were not being produced by the CSA network at this time due to the informal nature of the meetings and the fact that these meetings were not part of the central Government (UK Government) emergency advisory and decision-making structures in response to the Covid-19 pandemic. From mid-August 2020 onwards, communications with the Secretariat for the CSA network meetings were re-established (**Exhibit KG/259 - INQ000222354**) and any relevant points/actions emerging from the meetings (received in a weekly email update) were reviewed and shared with the Department of Health (Northern Ireland) CSA and the Director of Strategic Policy Division within the Department for the Economy. Since September 2021 the Chair of Matrix, the

Northern Ireland Science Industry Panel, has represented NI at the CSA online network meetings. A fresh recruitment process to engage a Chief Scientific and Technology Adviser (CSTA) for NI is currently under development and the CSA Network role will move to the CSTA once they are in post.

#### AERA Committee

277. DAERA reported to the NI Assembly Agriculture Environment and Rural Affairs (AERA) Committee from the creation of the Department in 2016. Committees are groups of MLAs (Members of the Legislative Assembly) made up from the different political parties.

278. Committees hold the Northern Ireland Executive (the government) to account; hold inquiries; ask for views; examine bills (proposed laws) and decide on amendments (changes) and introduce their own bills.

279. During Covid-19 the AERA Committee requested regular updates from DAERA on the impacts of Covid-19 steps that were taken by DAERA to reduce the spread of Covid-19. **(Exhibit KG/260 - INQ000222355 and Exhibit KG/261 - INQ000222356).**

280. On 26 March 2020 the Committee was informed in writing that DAERA had established plans to activate emergency plans. It was advised that the MERP had been activated in response to the Covid-19 outbreak. In line with this, DAERA had activated a range of C3 support structures to ensure the Department participated fully in the Executive's response to the Covid-19 emergency.

281. The Committee was informed that DAERA staff were working closely with TEO and all other Departments and public services to ensure that accurate information and situational awareness was available to decision makers to make timely, well-informed decisions. Information was provided by each Departmental Business Group in separate sections between 19 March 2020 and 24 June 2021. The information was provided on a weekly basis, moving to monthly and then bi-monthly as agreed by the Committee. **(Exhibit KG/262 to KG/270 - INQ000222357 to INQ000222365).**

282. DAERA wrote separately to the AERA Committee in November 2021, advising it that the Minister had asked officials to explore the possibility of providing financial support to animal establishments and companies processing animal skins and hides **(Exhibit KG/271 - INQ000222366).** (See also paragraphs 266 – 267.)



## **Factors impacting decision making**

### **Absence of Ministers**

283. In the absence of a functioning Assembly during the period from 2017 to January 2020, it was not possible for departments to bring forward primary legislation, although it was possible to make some subordinate legislation. In relation to the ability of senior officials to exercise other functions in the absence of ministers, the determining factors were the 'Buick' and JR80 judgments in the High Court and the Court of Appeal; and the Northern Ireland (Executive Formation and Exercise of Functions) Act 2018 (the 'EFEF Act'). Officials could during the period for Executive formation, if necessary, in the absence of Ministers, seek to deploy the powers under the EFEF Act 2018.

284. Civil contingency planning by departments continued during the period 2017 – January 2020. Two civil contingency policy matters arose during that period. These were the proposed development of the UK-wide Pandemic Influenza Bill and preparing for a no deal exit from the EU. If Ministers had been in post, then the matter of the extension of the scope of the Bill to cover NI would have been referred to Ministers and the Executive for consideration. In addition, the Northern Ireland Assembly would have been invited to approve a Legislative Consent Motion, reflecting normal practice under the Sewell Convention.

285. In the absence of a DAERA Minister, Dr McMahon confirmed that he was content with the approach that NI contributes to the preparation of a draft UK-wide free-standing Pandemic Influenza Bill. Dr McMahon also stated that DAERA would, if required to do so, draft any policy instructions by the end of August 2018 (**Exhibit KG/272 - INQ000222367**). DAERA was not responsible for any areas of legislation within the Pandemic Flu Bill and did not therefore contribute to the drafting of any policy instructions at that time. As this was a major policy decision which was being made in the absence of Ministerial approval, Dr McMahon expected this decision to be revisited on the appointment of Ministers. However, the Act that ultimately came into force, the Coronavirus Act 2020, included 'food supply information' powers for DAERA and the Minister was briefed on these powers (**Exhibit KG/273 - INQ000222368**). These powers allowed DAERA to act if a member of the food industry refused to comply with voluntary requests for information. DAERA contributed to the drafting of these clauses (**Exhibit KG/274 - INQ000222369 and Exhibit KG/275 - INQ000222370**) and to subsequent briefings for both Parliament and the Assembly. The powers were not required and expired in March 2021 (**Exhibit KG/44 - INQ000222118**). The Bill passed through UK Parliament (19 - 22 March 2020) before the NI Health Minister had a chance to bring the motion to the NI Assembly (24 March 2020),

seeking its agreement to the NI Clauses being included in the UK-wide Coronavirus Bill. A retrospective vote was taken at the NI Assembly with the Legislative Consent Motion (LCM) being passed. DAERA input to the LCM debate with respect to the food information supply provisions (**Exhibit KG/276 to 289 - INQ000222371 to INQ000222378 and INQ000222385 to INQ000222390**).

286. The civil contingencies planning arrangements that were in place immediately before the pandemic (including the structures, policies, procedures and guidance) had been developed and put in place by 2016, (i.e. when Ministers were in office). They did continue to operate in the period without ministers in response to emergency situations. As one example, the civil contingencies structures were activated to prepare for and respond to the impact of Storm Ophelia in 2017, with CCG NI chaired by the then Head of the Civil Service, Sir David Sterling.

287. In common with many functions across government, Ministers would not normally become involved in the day-to-day activity of civil contingencies planning, which is delegated to officials or with operational decisions (for example those required to prepare for and respond to severe weather events). Ministerial involvement would tend to be in matters of legislation, policy or strategy; or where decision-making or a particular function is reserved for Ministers in law; or where the custom and practice (or Ministers' express direction) is that a particular matter is to be referred to Ministers. In the absence of Ministers, the exercise of day-to-day civil contingencies planning functions continued. However, for seismic events such as pandemic flu planning and preparing for a no deal exit from the EU, Ministers would have been briefed and their views sought. It is therefore in my assessment most likely that Ministers would have provided direction on these matters had they been in office.

288. The absence of Ministers also had little impact on contingency planning for animal disease outbreaks which continued throughout the relevant period. As stated previously, there is a legal requirement to carry out regular exercises for epizootic disease contingency plans, and the national FMD exercise Blackthorn took place in 2018, in the absence of Ministers. As evidenced through the statement, staff training continued, as did annual screening and preparations for the winter Avian Influenza risk period.

#### EU Exit

289. The UK voted to leave the European Union in a referendum on 23 June 2016. Subsequently, a DAERA Brexit Board was established in August 2016 and a Brexit

Division was established within DAERA's Food and Farming Group (FFG) in February 2017, to take forward and co-ordinate the required programme of work which involved a wide range of business areas across the Department. FFG coordinated projects such, as the Brexit Project, and subsequent Brexit Programme, to ensure there was full cognisance across the Department of the implications of the decision to leave the EU on its areas of responsibility and provided a comprehensive evidence base and analysis of emerging policy options. The Senior Responsible Officer (SRO) for this programme was the Permanent Secretary, reflecting the importance and significance of this work to the Department.

290. As the political and UK/EU negotiating environment evolved, the DAERA Brexit/Exit structures also adapted and adjusted. In January 2020, the DAERA Brexit Programme was formally closed and a new DAERA Transition Programme was established, again led by the Permanent Secretary as SRO and co-ordinated by Brexit Division within FFG, to steer the Department through the Transition Period (up to 31 December 2020) and guide the future strategic direction of the Department post Exit. The context for the Transition Programme is important. The Department faced considerable challenges and pressures of time imposed by the constraints of unique and all-encompassing constitutional change, against a backdrop of the Covid-19 pandemic and broader political complexities, both local and national. The risks are detailed within the DAERA Corporate Risk Registers 2019/2020, 2020/2021 and 2021/2022 (**Exhibit KG/289A to KG/289C - INQ000287754 to INQ000287756 and Exhibit KG/291A - INQ000276035**) along with controls and mitigation action to reduce the risks.

291. Following an assessment of the DAERA Transition Programme in August 2020, by an external review panel, the Programme was re-based with a focus on a Minimum Achievable Product (MAP). The MAP identified the issues that had to be addressed and products that had to be in place so that the Department would be operationally ready to implement the Ireland/Northern Ireland Protocol from 1 January 2021. (Namely, ensuring a functioning rulebook; operationally implementing to an acceptable degree, the elements of the Protocol that fell within DAERA's remit; ensuring that all priority policy frameworks that were required by the end of the Transition period were progressed; delivering a clear and consistent programme of communications and engagement with stakeholders; and ensuring that contingency plans were in place to manage risk). The identification of the MAP focused efforts on ensuring that the Department could meet its obligations under the Protocol and helped to prioritise critical areas of work.

292. The activation of the MERP in October 2020, ensured that Day 1 planning (preparations for the first day of the implementation of the Ireland/Northern Ireland Protocol on 1 January 2021) by the Transition Programme and the Department's contingency development worked in parallel. As the end of the Transition Period grew closer, the majority of the Day 1 issues outlined in the MAP (e.g. communications, contingency, SPS Operational Delivery Programme) were already within the scope of, and being tracked by, Gold Command. As a result, the Transition Programme Board agreed formally to escalate all Day 1 issues and risks from the Programme to Gold Command. This approach helped to avoid duplication of discussion and effort, in terms of reporting and monitoring, and also ensured that business areas were clear on the relevant reporting structures and governance arrangements for all critical Day 1 issues and risks.

293. The Department collectively worked towards successfully achieving the MAP by the end of the Transition Period. The Transition Programme successfully delivered the MAP by 31 December 2020, ensuring that the Department was legislatively and operationally prepared for the end of the Transition Period, with appropriate contingency arrangements (including contingency plans) in place to mitigate the risks.

294. As the Department's focus turned to operational issues and future policy post Transition, the DAERA Transition Programme was formally closed by the SRO, the Permanent Secretary, on 26 April 2022, in the knowledge that all outstanding implementation issues and newly emerging issues relating to the UK/EU relationship were transferred to new oversight structures in the Department.

295. In recognition of increasing concerns about the Department's ability to manage the pressures of EU Exit, the Brexit Contingency Planning Branch (BCPB) was established in November 2018, to take charge of two specific workstreams, within DAERA's EU Contingency Planning. The objective of the Agri-Food Trade workstream was to examine arrangements and contingencies in respect of the trade in agri-food products and concentrate on issues surrounding the primary producer in the event of a No-Deal EU Exit. The objective of the Food Security workstream was to examine the risks, impacts and mitigations relevant to continued food supply to NI and food safety in the event of a No-Deal EU Exit.

296. To assist businesses to prepare for the potential of a 'No Deal Exit' on 31 October 2019, Brexit Contingency Planning Branch arranged and held a series of information events. These events took place on 12 September 2019, 17 September 2019, 24

September 2019 and 1 October 2019, and were specifically aimed at agri-food businesses or traders which exported or imported (including plants or plant products).

297. Each event included a series of short presentations on issues pertinent to agri-food businesses and, in particular those businesses which exported agri-foods to the European Union (including Ireland). In addition, a number of information 'stands' were available throughout the day at each event which provided supplementary tailored advice. The stands available included DAERA VSAHG Exports/Imports, DAERA Plant Health, NIEA, FSA, INVEST NI, HMRC and local councils.

298. Following the publication of the Withdrawal Agreement and the NI Protocol in January 2020, the Department moved away from "No Deal" preparations within the Brexit Contingency Branch to transition arrangements within the newly named Brexit Operational Readiness Division.

299. Brexit Operational Readiness Division was created in February 2020, to work in conjunction with VSAHG, Forest Service, Fisheries and local councils to take forward additional buildings at Northern Ireland Sea Ports and bespoke IT infrastructure to ensure readiness for 31 December 2020. The delivery of a Minimal Viable Product for IT and infrastructure at NI Points of Entry was in order to allow DAERA to fulfil its Sanitary and Phytosanitary (SPS) obligations under the NI Protocol. This required that DAERA, as the competent authority, would carry out inspections in line with the OCR (EU) 2017/625.

300. Within the Brexit Operational Readiness Division, the SPS Operational Readiness Programme (**Exhibit KG/290 - INQ000222391**) was initiated on 26 May 2020. The scope of the SPS Operational Readiness Programme was to deliver the required expanded checking capability at Northern Ireland Points of Entry; including people, process, IT and infrastructure to facilitate the free flow of existing trade post transition. These programme outcomes were delivered through a range of programme work streams; Ports infrastructure, people, IT, process, operational policy, trader readiness and volumetric.

301. Leaving the EU on 31 December 2020, during Covid-19 lockdown exacerbated pressures already facing industry, such as an already ageing and dwindling workforce, a lack of quality infrastructure and driver facilities, combined with recent Covid-19 related absences (**Exhibit KG/291 - INQ000222392**). The haulage industry and processing sectors reported labour shortages, with industry indicating that it was struggling to recruit staff from the EU due to regulation changes, following the UK's withdrawal from the EU

when freedom of movement between the UK and EU ended, that had the potential to interrupt both supply and availability, leading to potential gaps in the food supply chain, and security by the risk of not ensuring access to safe, quality food at affordable prices for everyone. This potential threat did not fully materialise. Through the programme work streams mentioned in the previous paragraph, measures in securing temporary facilities, staff and IT functionality were in place to mitigate the threats on infrastructure, resourcing and operations aspects at the Points of Entry.

### Funding

302. Prior to the specified period the NI funding model and the funds made available from the Treasury did not materially impact on DAERA's response to Covid-19. The Department was working through the impact of the EU Exit and was under resourced in this respect in terms of funding and staff. Additional funding of £16.8m was received from the NI Executive in 2019/20 to fund the preparations for and implications of the EU Exit. £18.8m was allocated in 2020-21, with the same amount subsequently added to DAERA's baseline going forward. However, the Department still had over 300 vacancies as at 31 March 2020, mainly in relation to dealing with EU Exit and staffing was captured as a red risk in the departmental risk register (**KG/291A - INQ000276035**) at this time. Measures were put in place including a new work force planning process however the supply of staff was a recognised issue across the NICS.

303. During the specified period, £52.8m of Covid-19 funding provided by HMT and the NI Executive, along with DAERA internal budget reallocations, enabled a total of £60.4m to be spent on DAERA's response to Covid-19. The majority of the funding was spent on market interventions and waste management, the impact of which is detailed in paragraphs 240 and 241.

304. Of the £7.6m internal budget reallocations within DAERA's budget, £3.8m was Resource Departmental Expenditure Limit and £3.8m was Capital Departmental Expenditure Limit. On Resource £2.2m arose from a decrease in operating expenditure and running costs as a result of the majority of staff now working from home (including reduced travel and subsistence and other administrative costs); £0.6m arose from a reduced Common Agricultural Policy (CAP) Disallowance requirement; £0.6m was identified from DAERA's reduced ability to deliver a number of Measure 1 Rural Development Programmes schemes including Business Development Groups and Farm Family Key Skills; and £0.4m arose from delays in planned estate maintenance due to the pandemic. On Capital the £3.8m arose as projects could not be taken forward as planned.

305. As a result the £7.6m was generated from reduced requirements in opening budget allocations that could not be taken forward as originally planned due to the pandemic. Accordingly there was no need actively to stop projects in order to divert funding to DAERA's response to Covid-19. Consequently, there were no knock on effects on projects caused by redirecting funds to the Covid response.

### **Reviews and lessons learned exercises**

#### **Major Emergency Response Plan (MERP)**

306. In January 2019, DAERA Internal Audit conducted a Review of Business Continuity Planning 2018/19. This was a special exercise requested by Brian Doherty, Corporate Service Director, to review the risk management, control and governance arrangements established by DAERA Management regarding business continuity planning. The review included the corporate and a selection of local Business Continuity Plans and an exercise was completed at the Departmental Board (DB) meeting held on 30 January 2019 (**Exhibit KG/292 - INQ000222393**). The purpose of the exercise was to ensure that DAERA was best prepared in advance of EU Exit on 29 March 2019 and to provide DB members with assurance that all plans were "fit for purpose". Internal Audit attended the exercise as an observer to provide insight from a risk and control perspective.

307. The final report was published on 30 April 2019 and found that the Department had developed adequate business continuity arrangements. However, based on audit work performed, improvements were required to ensure controls were fit for purpose and able to operate effectively in the event of a business disruption. The report made nine recommendations regarding to the content and testing of BCPs (corporate and local) as well as supporting Business Impact Analysis and Risk Assessments. These included one Priority 1 recommendation (a Priority 1 recommendation is one where failure to implement is likely to result in a major failure of a key organisational objective, significant damage to the reputation of the organisation or the misuse of public funds and, within DAERA, the implementation of all Priority 1 recommendations is monitored by the Departmental Audit and Risk Assurance Committee). The recommendations were as follows:

- **Recommendation 1** - Management should complete Departmental Business Impact Analysis and Risk Assessments in line with the Cabinet Office Business Continuity Management Toolkit to enhance strategic business continuity arrangements.
- **Recommendation 2** - A follow-up exercise should be completed by the full membership of the Departmental Strategy Group based at their normal location

to test the Corporate Business Continuity Plan and the Major Emergency Response Plan. This test should ensure that as part of a business continuity major emergency event: a) The Departmental Strategy Group are adequately prepared to manage the crisis, deal with the recovery and stand down the operation; b) Communication Rooms are appropriately resourced, fit for purpose and facilitate split site working.

- **Recommendation 3** - Management should ensure that the aims and objectives of exercises to validate business continuity arrangements are clearly laid out in advance.
- **Recommendation 4** - The Business Continuity Forum should be formally constituted with an approved terms of reference setting out the objectives of the forum, roles and responsibilities and the frequency of meetings. Agreed actions should be allocated and followed up on, with minutes recorded and retained on HPRM.
- **Recommendation 5** - Management should ensure that Business Impact Analysis are completed in line with best practice detailed in the Cabinet Office Business Continuity Management Toolkit by considering all resources required to resume services following a business disruption, this should include resources such as premises, technology and suppliers.
- **Recommendation 6** - As part of the process to produce Business Impact Analysis, services delivered should be prioritised in line with the guidance issued in the Corporate BCP.
- **Recommendation 7** - a) Management should ensure that formal business continuity risk assessments are completed to support local BCPs, and these should be completed in line with the guidance issued in the Cabinet Office's Business Continuity Management Toolkit. b) Management should ensure that any risks to business area operations arising from Brexit are fully and properly considered within the risk assessment.
- **Recommendation 8** - a) Management should complete an exercise to consider if the current approach of producing BCP at building, group, G5 and G7 level would be effective in producing a joined-up approach to a major business disruption and b) G7 across the Department should be asked to complete a Business Continuity Plan to improve business resilience. G7 should provide a rationale in instances where they consider that a Business Continuity Plan is not necessary.
- **Recommendation 9** - a) Management across the Department should ensure that all local BCPs are urgently benchmarked against the BCP checklist



issued in the Corporate Business Continuity Plan and ensure that these are fully tested; and b) Management should consider if there is a need for training to be provided for those staff responsible for maintaining and testing BCPs.

DAERA accepted the recommendations and undertook to take forward the recommendations (**Exhibit KG/293 - INQ000222394**).

308. In March 2020, Internal Audit conducted a Follow Up Review of Business Continuity Planning. This review was in accordance with the Internal Audit's policy to follow up on all Priority 1 recommendations and the purpose of the review was to determine if the priority 1 recommendation from the previous review had been implemented. Priority 1 recommendation - Management across the Department should ensure that all local BCPs are urgently benchmarked against the BCP checklist issued in the Corporate Business Continuity Plan, and ensure that these are fully tested. Business continuity planning is the process of creating systems of prevention and recovery to deal with potential threats. Local BCPs are plans that are held at Divisional or Branch level and is used to provide guidance to staff on how to deal with any significant disruption to normal service. Plans are owned by Heads of Branch or Heads of Division, and it is the plan owner's responsibility to oversee regular review, maintenance, authorisation, testing and implementation. The final Internal Audit report was published on 18 May 2020 and found that the recommendations had been implemented in part. Internal Audit confirmed that a review to benchmark local BCPs against the checklist issued in the Corporate BCP had been conducted but was unable to confirm that all local BCPs had been tested. The report recommended that management across the Department should ensure that all local BCPs are urgently benchmarked against the BCP checklist issued in the Corporate Business Continuity Plan and ensure that these are fully tested. DAERA management accepted the recommendation with an alternative approach: rather than management across the Department ensuring that local BCPs are urgently benchmarked it would be taken forward by DAERA's Central Management Branch (**Exhibit KG/294 - INQ000222395**).

309. In July 2021, DAERA commissioned an exercise (**Exhibit KG/295 - INQ000222396**) to review the Department's MERP. The review had two overarching objectives:

- To comprehensively review DAERA's MERP, to ensure a high level framework which aligns to the Northern Ireland Civil Contingences Framework (NICCF) (TEO released an updated and revised NICCF on 1 August 2021)) and sets out DAERA's response to a major emergency/emergencies at a Strategic Level; and

- To learn from outcomes of lessons identified as a result of the concurrent risks associated with the possibility of a 'No Deal' Brexit, the Covid-19 pandemic and EU transition issues and associated situations that the Department had experienced during 2019-21 period and to incorporate these into future revisions of the MERP.

310. In preparation for this review, a significant collaborative effort took place to inform the comprehensive review of DAERA's MERP arrangements and the 'cover to cover' review of the MERP document:

- These included a 'Lessons Learned' Forum held in April 2021, to gather feedback from relevant staff within the Department's MERP activation and associated C3, and Departmental Operations Centre (DOC) structures (refer to paragraph 212 for more detail).
- A Working Group was established which included members from gold command, silver command, gold command secretariat, C3 team, DAERA Business Co-ordinator, practitioners, HR advisor, Health and Safety adviser, IT adviser and Accommodation advisor (**Exhibit KG/296 - INQ000222397**).
- The review team worked with The Executive Office's Civil Contingencies Policy Branch (CCPB) to ensure that the revised Civil Contingencies Framework was assimilated into the DAERA MERP. An early version of a redrafted MERP was shared with CCPB and it provided feedback in relation to the ability of the DAERA MERP to operate with and link into the NI multi-agency framework when activated. The biggest notable change after CCPB review was that the MERP was formatted into the three phases in the Contingency Framework (Prepare, Respond and Recover).
- The review also highlighted the need for DAERA's Digital Service Division (DSD) to be included in planning and response preparations should the Department experience a cyber-attack. This included plans to ensure senior decision makers/managers were back online as soon as possible in the event of a major network outage and the MERP activated. Given the recent increase in cyber-attack activity, linking with DAERA's Digital Service Division (DSD) was a priority to ensure its inclusion for planning and response should the Department experience a cyber-attack. Prior to December 2022 cyber-attack was identified within the DSD Business Continuity Plan (BCP) with other business continuity events. Based on lessons learned from DSD rehearsals and the DAERA Departmental Board cyber exercise/event held in October 2022, the cyber-attack element of the DSD BCP plan was subsequently de-coupled for ease of reference and issued as a stand-alone plan document in December 2022. The DAERA Incident Management Action Team (IMAT) in DSD is responsible for the Cyber Incident

Response Plan (CIRP) (**Exhibit KG/58 - INQ000222134**). The CIRP includes plans to get senior decision makers/managers back online as soon as possible should there be a complete network outage.

311. The updated MERP was provided to the Departmental Board in April 2022 for consideration and the Board approved the plan in May 2023. DAERA is now planning staff familiarisation sessions to ensure that all staff are aware of the changes (**Exhibit KG/297 - INQ000222398**).

312. The Internal Audit recommendations were also considered during the MERP review (as detailed above in paragraphs 309 and 310. 'Assurance and BCP Benchmarking' exercises have now been integrated into the usual business of DAERA Central Management Branch. The review of BCPs was prioritised and is largely complete. Arising from the review is the necessity to provide feedback to plan owners, with a target date for providing this by 30 November 2023. DAERA Internal Audit has also commenced another review of contingency processes. The review was scheduled for completion in early July 2023 (**Exhibit KG/298 - INQ000222399**) but is ongoing. The recommendations from this review will feed into improving the process of conducting regular and meaningful reviews of all DAERA BCPs.

313. Furthermore the findings of the DAERA Internal Audit review of contingency processes will aid an evaluation of DAERA's C3/DOC arrangements to include incorporating any lessons learned, DOC roles and structures, the Standard Operating Procedures and testing.

#### Command, Control and Coordination (C3)

314. In August 2020, DAERA conducted several internal reviews on the Department's response to Covid-19. The reviews were led by Richard Crowe, DAERA C3 Lead, who met with business areas and facilitators and focused on recording feedback and lessons learned:

- Background & discussion topics document (**Exhibit KG/299 - INQ000222400**).
- VSAHG (**Exhibit KG/300 - INQ000222401**)
- EMFG (**Exhibit KG/301 - INQ000222402**)
- RAFSET (**Exhibit KG/302 - INQ000222403**)
- NIEA (**Exhibit KG/303 - INQ000222404**)
- FFG (**Exhibit KG/304 - INQ000222405**)

- CSCP (Exhibit KG/305 - INQ000222406)

#### Covid-19 Income Support Schemes

315. DAERA Internal Audit completed reviews of the Covid-19 Income Support Schemes delivered by Food and Farming Group (FFG) – noted in paragraphs 240 and 241 above. The reports were issued on 8 July 2021 and 14 March 2023 respectively (**Exhibit KG/306 - INQ000222407 and Exhibit KG/307 - INQ000222408**). The audit considered the mechanism for implementation of the schemes, the governance and oversight arrangements, regularity, financial controls and payment processes. The overall audit opinion for both schemes was recorded as “Satisfactory”. This means the reviews found that a satisfactory system of governance, risk management and control was in place. A small number of recommendations were made however none were considered to impact significantly on the achievement of scheme objectives. The recommendations were focused on opportunities to enhance the control frameworks associated with the schemes. The recommendations included the need to enhance processes associated with the management of staff ‘Conflict of Interest’ declarations, record keeping, the appointment of the SRO and the need for the SRO to review the experience and training requirements of key staff. The final recommendation proposed a Post Project Evaluation should be completed at the earliest opportunity. Lessons Learned reviews have also been completed and are available at Page 20 of **Exhibit KG/308 INQ000222409** and Page 18 of **KG/309 INQ000222413**. Examples include the Covid-19 Income Support Potato Scheme 2021 Final Report (**Exhibit KG/308 - INQ000222409**) and Covid-19 Cull Sow and Wool Schemes 2021 Final Report (**Exhibit KG/309 - INQ000222413**). Key lessons learned include the need for early engagement with stakeholders to minimise issues during delivery phases; that the adoption of a multi-disciplinary team approach worked very well and that early clarity on the relevant policy position is important to establish the legislative basis for potential financial support as well as to aid scheme design and IT system requirements.

#### Fisheries Hardship Scheme

316. The Fisheries Hardship Scheme (see paragraphs 245 and 246) worked well in delivering the Ministerial and Executive desire to get the funds “on the ground” as quickly as possible as it was classed as a high priority given it addressed an identified gap in support provision (when compared to other private sector operations). This allowed vessels that were required, or desired, to remain operationally inactive over the 3-month period, to do so, whilst allowing a reduced number of vessels to fish if economically viable markets were identified for their catches to continue to supply the NI food-chain. The

scheme was delivered at pace however the DAERA Marine and Fisheries Division (MFD) Fisheries Grants Unit would have required more time and resources to develop and introduce more structured, detailed, and robust eligibility criteria to reduce the number of potential appeals. The appeals process and the higher than anticipated number of appeals received was resource intensive during a busy and challenging period for Fisheries.

317. The Post Project Evaluation of the Fisheries Hardship Scheme (**Exhibit KG/310 - INQ000222430**) identified that, where “banding” of support based on a vessel’s overall length i.e. size of vessel relates to potential catch capacity, is used as a means of determining the level of financial assistance to be provided, there will always, to some varying extent, be “winners and losers” in terms of the level of assistance provided. It concluded that a more equitable and accurate method of calculating financial assistance to vessel owners would be to base payments on a vessel’s actual fixed costs, as reflected in their annual accounts. This approach was adopted in the subsequent, late 2020, fixed costs scheme developed for “potters” and the methodology of using actual income and costs was introduced for the future temporary cessation and aquaculture support schemes subsequently delivered.

318. The evaluation process also acknowledged that as the Fisheries Hardship Scheme was rolled out so quickly, the appeal system used up a lot of staff resources and required refinement. To address this matter, for the second fixed cost scheme launched in October 2020, Fisheries Grants Unit simplified the process. This approach led to a reduction of around 70% in the number of appeals received under the later fixed cost scheme.

#### Waste Management

319. Once the first peak of the Covid-19 had passed on 18 May 2020, DAERA reflected upon the actions taken throughout the crisis and began to examine critically the decisions made and the resources employed in the response. This examination presented an opportunity to enhance collaboration and improve efficiency across central and local government and the wider waste sector while also increasing resilience for future scenarios. It was necessary therefore proactively to seek the input of internal and external stakeholders across the sector to gauge opinion on performance throughout the pandemic and identify the strengths or weaknesses which existed. This feedback was essential in order to develop lessons to assist in the event of a future crisis. A total of 12 final lessons were developed for future reference (**Exhibit KG/311 - INQ000222431**). The lessons learned and recommendations will form part of future DAERA and NIEA contingency plans and will be referenced and implemented, where applicable, in the event of a future

emergency situation being declared and will be referred to in formulating any response to a crisis involving the waste sector.

320. The lessons detailed (**Exhibit KG/311 - INQ000222431**) are as follows;

**Lesson No 1** – The closure of Household Waste Recycling Centres (HWRCs) put a strain on waste management resources and generated a level of disquiet among the general public. The future aim must be to maintain services at HWRCs even on a restricted capacity, taking into account the availability of resources.

**Lesson No 2** – HWRCs provide an essential service and that every effort should be made in future to maintain services at all HWRC sites in line with Lesson 1 in the event of any future emergency and this should be made clear in any future emergency Regulations or guidance.

**Lesson No 3** – The importance of robust contingency and continuity planning in mitigating the impact of major shocks has been acutely highlighted during the pandemic. The Building Waste Sector Resilience report will sit alongside the NIEA Contingency Plan and be used in future to support the Department's Major Emergency Response Plan (MERP) in respect of contingency support for waste services. Central and local government must continue to work collaboratively to develop dynamic contingency plans, capable of coping with various emergency scenarios while maintaining essential services.

**Lesson No 4** – DAERA recognises the value of the collaboration via the various working groups and this should continue (albeit at a reduced frequency in non-emergency times). The chair for each of these groups will ensure that participant lists are current and appropriate and, in the event of a future emergency, these groups should all be prepared to increase the frequency of meetings as required.

**Lesson No 5** – DAERA is committed to engaging with a wide range of stakeholders however working groups will always require a limit to participation to remain feasible and productive. Representation from across central and local government, NIEA, representative bodies and other organisations and groups across the waste sector can ensure that all sectors have a voice and the work of the groups remains collaborative and wholly representative. As with Lesson No 4, the chair of each of these groups will ensure that participant lists are current and appropriate.

**Lesson No 6** – The gravity and evolving nature of the pandemic meant that command structures and groups met at an enhanced frequency and it was almost inevitable that some level of duplication would occur. Establishing central points of contact (and an alternative) for particular key issues may be a way of mitigating areas of duplication in future. DAERA, in collaboration with key stakeholders in local government, sought open communication to deliver consistent and clear messages around emerging issues in order

to maintain essential services and these communication channels can be quickly reactivated if required.

**Lesson No 7** – SIB played an important role for waste services throughout the pandemic, developing the Municipal Waste Tracker (MWT), the Driver/Mechanic Volunteer Scheme and more recently a Fly-tipping App. The infrastructure for all of these tools remains in place for future use if required. While recognising that SIB does not have infinite resources, its services and the tools developed by it should be employed in the event of future emergency situations where required.

**Lesson No 8** – The acknowledgement of waste workers as essential key workers, Protect & Respect, Keep Recycling, FlyTipping & Littering, Bin Hygiene & PPE Littering were just some of the key messages the Minister delivered personally on social media, indicating his level of engagement on waste matters. The collaborative approach to communications between DAERA, local councils and other stakeholders across the sector ensured key issues, and messages around these issues, received consistently high levels of exposure throughout critical periods and illustrates the importance of also having the Minister engaged.

**Lesson No 9** – Throughout the pandemic DAERA received regular updates via WRAP providing the most current information in respect of the national recyclate industry, while local engagement was maintained via the Private Waste Sector Group and a national UK perspective ascertained through weekly meetings with Defra. This engagement ensured DAERA had an informed view of the market throughout the pandemic and this approach should continue in future. The pandemic has made it clear that there is a need for a strong, local circular economy and the development of the Circular Economy Strategic Framework and the Green Growth Strategy will take this lesson forward.

**Lesson No 10** – The pandemic has shown clearly that waste services are an essential service and should always be recognised as such in future. We must continue to promote the key message of 'Protect & Respect' for waste workers across the industry.

**Lesson No 11** – A uniform or 'one size fits all' approach across all local councils is maybe implausible given the diverse, and quite often unique, range of challenges facing individual councils at any particular time. Nevertheless, as with Lesson 3, central and local government should continue to work collaboratively to develop dynamic contingency measures, possibly exploring further a collaborative procurement exercise for specific items, which may mitigate such pressures in future.

**Lesson No 12** – DAERA's response to the pandemic has demonstrated that a much greater opportunity existed to work from home than was recognised before the onset of Covid-19. It is important that people have the opportunity to return to their place of work, where it is possible to do that safely. DAERA recognises, however, the opportunities that

now exist for agile working in many roles and the significant benefits associated with this form of working but also recognises that not all roles can be carried out remotely.

#### Building Waste Sector Resilience

321. A desktop review of the lessons from the Building Waste Sector Resilience Lessons Learned report dated 24 November 2020, (**Exhibit KG/311 - INQ000222431**) was finalised on 16 June 2023 (**Exhibit KG/311A - INQ000287757**). The report was collaboratively developed by the waste sector and the Department, and lessons learned were implemented by the waste sector further supporting the sector to operate safely. It is important to highlight that the waste sector was operating safely and effectively during the initial period and for the remainder of the pandemic.

#### Drinking Water

322. Quick changes to government policy in removing restrictions, meant officials were not made aware in advance of the changes, e.g. businesses were able to open and needed advice to ensure drinking water supplies were safe but officials were not aware of the change in advance. The fast paced policy changes and lack of communication resulted in operational delivery of duties adapting at short notice, e.g. sampling and guidance for example, DWI Private Water Supplies Incident Response Work Plan (**Exhibit KG/312 - INQ000222432**).

#### Education and Training Inspectorate (ETI)

323. DAERA commissioned the Education and Training Inspectorate (ETI) to carry out a baseline review of the delivery and impact of remote learning provided by the CAFRE. The aim of the review was to evaluate the quality and impact of the learning experiences provided through remote and blended learning, and the provision for the care and wellbeing of learners. The review was carried out between 2 and 27 November 2020.

324. A sample of CAFRE full and part-time programmes was reviewed by ETI. The methodology included observation of virtual learning sessions and undertaking interviews with learners and staff. The evaluation found that CAFRE had acted swiftly to adapt the curriculum offered and that the remote learning teaching delivered by CAFRE was of high quality. The report also concluded that CAFRE staff had demonstrated a strong commitment to meeting the care and welfare needs of learners.

325. The report recommended that CAFRE develop a more formal quality improvement plan for future online delivery to sustain the excellent progress that had already been achieved.



CAFRE accepted the recommendations within the ETI report and has taken forward the suggested areas for improvement within CAFRE's Technology Enhanced Learning Committees as part of CAFRE's ongoing quality management improvement process. **(Exhibit KG/313 - INQ000222433).**

#### New Ways of Working

326. The scale of home working in the NICS required by the Covid pandemic was unprecedented and proved the NICS's capability and effectiveness to deliver key functions, across central government, remotely. Feedback across departments broadly expressed a desire to capture and maintain the many benefits of this new way of working and in response; a NICS-wide new ways of working model was developed to give permanency to the approach adopted during Covid whilst also providing sufficient flexibility to allow individual departments to tailor arrangements such as a hybrid approach to workplace location, to meet their specific business needs. In DAERA, this new hybrid working approach was designed to assist the Department realise its objectives and priorities whilst simultaneously providing flexibility where possible, regarding staff workplace location. The Hybrid Working Policy (HWP) has been formally in place since 5 December 2022, following a three-month implementation period. It is expected that the implementation of the HWP will improve departmental agility and our capacity to deal with any future disruptions or emergencies.

#### Statement of Truth

327. I believe that the facts stated in this witness statement are true. I understand that proceedings may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief of its truth.

Signed:

**Personal Data**

Dated: 9 October 2023

### Index of Acronyms

Acronym	Explanation
ABP	Animal By-Products
ACDP	Advisory Commission for Dangerous Pathogens
ADPG	Animal Disease Policy Group
AERA	Agriculture, Environment, and Rural Affairs
AFBI	Agri-Food and Biosciences Institute
AHL	EU Animal Health Law
AI	Avian Influenza
ALB	Arm's Length Body
AM	Assembly Member (Wales)
AO	Accounting Officer
APHA	Animal and Plant Health Agency
ARINI	Agricultural Research Institute for Northern Ireland
ARTS	Assisted Rural Travel Scheme
AWB	Agricultural Wages Board
AWP	Assigned Work Programme
BCP	Business Continuity Plan
BCPB	Brexit Contingency Planning Branch
BHSCT	Belfast Health and Social Care Trust
BOR	Brexit Operational Readiness
BORFS	Brexit Operational Readiness and Food Security Group
BPS	Basic Payment Scheme
BSE	Bovine Spongiform Encephalopathy
C3	Command, Control and Coordination
CA	Competent Authority
CAFRE	The College of Agriculture, Food and Rural Enterprise (a part of DAERA)
CAP	Common Agricultural Policy
CCF	Cranswick Country Foods
CCG	Civil Contingencies Group
CCPB	Civil Contingencies Policy Branch
CEDCC	Central Epizootic Disease Control Centre
CEO	Chief Executive Officer
CIRP	Cyber Incident Response Plan
CMB	Central Management Branch
CMO	Chief Medical Officer
CNCC	Council for Nature Conservation and the Countryside
COBR	Cabinet Office Briefing Rooms
CPED	Contingency Planning for Epizootic Disease Unit
CSA	Chief Scientific Adviser
CSCPG	Central Services & Contingency Planning Group
CSTA	Chief Scientific and Technology Adviser
CSTO	Chief Scientific & Technology Officer
CVO	Chief Veterinary Officer

<b>Acronym</b>	<b>Explanation</b>
DAERA	Department of Agriculture, Environment and Rural Affairs
DAFM	Department of Agriculture, Food and Marine
DARD	Departmental of Agriculture and Rural Development
DB	Departmental Board
DCAL	Department of Culture, Arts and Leisure
DDO	DAERA Direct Office
DECC	Department of Energy and Climate Change
Defra	Department of the Environment, Food and Rural Affairs
DEL	Departmental Expenditure Limit
DG	Devolved Government
DfI	Department for Infrastructure (NI)
DOC	Departmental Operations Centres
DOE	Department of the Environment
DOF	Department of Finance
DoH	Department of Health
DRD	Department for Regional Development
DSD	Digital Services Division
DSG	Disease Strategy Group (Scottish Government)
DSO	Departmental Solicitors Office
DUP	Democratic Unionist Party
DVO	Divisional Veterinary Officer
DWI	Drinking Water Inspectorate
DWQR	Drinking Water Quality Regulator
EA	Environment Agency
EAFRD	European Agricultural Fund for Rural Development
EATL	Equine Assisted Therapy and Learning
ECC	Emergency Coordination Centre
ECG	Emergency Command Group
EEC	European Economic Community
EFEF	Executive Formation and Exercise of Functions (Act)
EFRA	Environment, Food and Rural Affairs
EFS	Environmental Farming Scheme
EMFG	Environment, Marine and Fisheries Group
ENGOS	Environmental Non-Governmental Organisations
ETI	Education and Training Inspectorate
EU	European Union
FBO	Food Business Operators
FCILC	Foyle, Carlingford and Irish Lights Commission
FFG	Food and Farming Group
FFHCP	Farm Family Health Checks Programme
FMD	Foot and Mouth Disease
FMDV	Foot and Mouth Disease Virus
FSA	Food Standards Agency

<b>Acronym</b>	<b>Explanation</b>
FSANI	Forensic Science Agency Northern Ireland
GB	Great Britain
GCSA	UK Government Chief Scientific Advisor
GEUFB	Governance and European Union Funding Branch
GWVG	Government Waste Working Group
HMRC	His Majesty's Revenue and Customs
HMT	His Majesty's Treasury
HPRM	Hewlett Packard Records Manager
HR	Human Resources
HSC	Health and Social Care
HSENI	Health and Safety Executive Northern Ireland
HWP	Hybrid Working Policy
HWRC	Household Waste Recycling Centre
IE	Industrial Emissions
IED	Industrial Emissions Directive
IMAT	Incident Management Action Team
IMG	Inter-Ministerial Group
IMT	Incident Management Team
IPRI	Industrial Pollution and Radiochemical Inspectorate
IRM	Identification, Registration and Movement
ISO	International Organisation for Standardisation
IT	Information Technology
KPI	Key Performance Indicator
LCM	Legislative Consent Motion
LEDCC	Local Epizootic Disease Control Centre
LMC	Livestock and Meat Commission
MAP	Minimum Achievable Product
MERP	Major Emergency Response Plan
MFD	Marine and Fisheries Division
MLA	Members of the Legislative Assembly
MP	Member of Parliament
MSP	Member of Scottish Parliament
MWT	Municipal Waste Tracker
NDCC	National Disease Control Centre
NDPB	Non-Departmental Public Body
NI	Northern Ireland
NICCF	Northern Ireland Civil Contingences Framework
NICCMA	Northern Ireland Central Crisis Management Arrangements
NICS	Northern Ireland Civil Service
NIEA	Northern Ireland Environment Agency
NIEL	Northern Ireland Environment Link
NIFHA	Northern Ireland Fishery Harbour Authority
NILAA	Northern Ireland Livestock and Auctioneers' Association

<b>Acronym</b>	<b>Explanation</b>
NILGA	NI Councils, NI Local Government Association
NIRDP	Northern Ireland Rural Development Programme
NMSC	North South Ministerial Council
NRL	National Reference Laboratory
NRW	Natural Resources Wales
NSMC	North South Ministerial Council
OCR	Official Controls Regulation
OECD	Organisation for Economic Co-operation and Development
OFMDFM	Office of the First Minister and the Deputy First Minister
OIE	Office International des Epizooties
ONS	Office of National Statistics
OTSC	Polymerase Chain Reaction
PAE	Public Angling Estate
PAR	Programme Assessment Review
PCR	Polymerase Chain Reaction
PHA	Public Health Agency
PHE	Public Health England
PPC	Pollution Prevention Control
PPE	Personal Protective Equipment
QUB	Queen's University Belfast
RAD	Rural Affairs Division
RAFSET	Rural Affairs, Forest Service, Estate Transformation Group
RAG	Residues Action Group
RDP	Rural Development Programme
RNA	Ribonucleic Acid
ROI	Republic of Ireland
RPS	Regulatory Position Statement
RVL	Regional Virus Laboratory
RWCS	Reasonable Worst Case Scenario
SAGE	Scientific Advisory Group for Emergencies
SAMRHAI	Strategic Antimicrobial Resistance and Healthcare Associated Infection
SARS	Severe Acute Respiratory Syndrome
SCSG	Senior Civil Service Group
SEPA	Scottish Environment Protection Agency
SFI	Science Foundation Ireland
SIB	Strategic Investment Board
SLA	Service Level Agreement
SME	Small Medium Enterprise
SONI	Transmission System Operator Northern Ireland
SOPB	Senior Officials Programme Board
SPAD	Special Adviser
SPS	Sanitary and PhytoSanitary
SR	Statutory Rule

<b>Acronym</b>	<b>Explanation</b>
SRO	Senior Responsible Officer
SWP	Strategic Waste Partnership
TARP	Trade in Animals and Related Products Regulations
TB	Tuberculosis
TEO	The Executive Office
TMT	Top Management Team
TRPSI	Tackling Rural Poverty and Social Isolation
TUS	Trade Union Side
UFU	Ulster Farmers' Union
UK	United Kingdom
UPCOM	Understanding and Preventing Covid-19 Outbreaks in Meat Processing Plants
UU	Ulster University
VPHP	Veterinary Public Health Programme
VSAHG	Veterinary Service Animal Health Group
VSD	Veterinary Sciences Division in AFBI
WHO	World Health Organisation
WOAH	World Organisation for Animal Health
WRAP	Waste & Resources Action Programme