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TAKEN BEFORE

ENVIRONMENT, FOOD AND RURAL AFFAIRS COMMITTEE

Badgers and cattle TB: Government Response to the
Committee's Tenth Report of Session 2007-08

Wednesday 5 November 2008

RT HON HILARY BENN, MP, MR A SIMMONS and MS GABRIELLE
EDWARDS

Evidence heard in Public Questions 1 - 125

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Oral Evidence

Taken before the Environment, Food and Rural Affairs
Committee

on Wednesday 5 November 2008

Members present

Mr Michael Jack, in the Chair

Mr Geoffrey Cox

Mr David Drew

Mr James Gray

Lynne Jones

David Lepper

Miss Anne McIntosh

Dan Rogerson

Sir Peter Soulsby

David Taylor

Paddy Tipping

Mr Roger Williams

Witnesses: **Rt Hon Hilary Benn MP**, Secretary of State for Environment, Food and Rural Affairs, **Ms Gabrielle Edwards**, Programme Manager, Bovine TB Programme and **Mr Alick Simmons**, Deputy Chief Veterinary Officer, Department for

Environment, Food and Rural Affairs, gave evidence.

Q1 Chairman: Ladies and gentlemen, if you are all sitting comfortably, as they say, we will begin. Can I formally welcome the Secretary of State for Defra, Hilary Benn, Gabrielle Edwards, the Programme Manager for the Bovine TB Programme, and Alick Simmons, the Deputy Chief Veterinary Officer. Thank you all very much indeed for coming and joining us this afternoon. Secretary of State, this is the first time that you have come before the Committee since Defra had its priorities changed and aspects of climate change went to the new energy and climate change department. We are delighted that you are still there guiding the ship of Defra, but I think it might be quite a nice opportunity for us if you could spend just a minute or two telling us now, in terms of the priority of your departments, how you see things. Climate change was your number one priority in the previous department. How have you rearranged the ship of state now in terms of priorities in the department?

Hilary Benn: First of all, Chairman, it is a pleasure to be here. Can I say about the change, that I think to bring energy and climate change together was absolutely the right thing to do. Defra retains, as you will know, responsibility for climate change adaptation, and a host of other responsibilities. I suppose I would describe it like this: Defra's job is to help all of us to live sustainably within the earth's ability to accommodate us. We have got a particular priority now for food. In a sense, the change has reflected the consultation paper on food security which I published in the summer, because as I reflected on this question in my first year in post it was pretty clear that you could not continue, as some had argued, to say: "Whatever happens in the world out there, we will always be able to grow or to buy the food from somewhere", on the one hand, but, on the other hand, be looking at climate change, drought, deluge, rising population, export bans and the rising price of energy and so on. In announcing the establishment of the Council of Advisers on Food Policy this shows the particular priority that growing food sustainably and the supply chain is going to have. Ultimately, it is about Defra continuing to play a part in helping people to make the changes that are needed so that we are able to live sustainably and to use resources in a way that does not end up depleting what the earth has given us.

Q2 Chairman: I am delighted that you kicked off with food because you will realise that today Parliament is being lobbied by beekeepers. You may well have been "smoked out", if I do not use the wrong phrase on that - some of my colleagues were when they went to see them - and last night when Defra were responding to the press release of

the beekeepers it was said that you were developing a bee strategy, but you dismissed the beekeepers' claims for additional resources in terms of their research requirements. When we last had the Permanent Secretary here, she indicated that this strategy was in the pipeline. Where is it?

Hilary Benn: Can I say, Chairman, I hope people do not think that somehow we have dismissed the arguments which the beekeepers are putting, because I met Tim Lovett about a month and a bit ago, following on a conversation I had with him at the Royal Show earlier this year. Can I say, first of all, this is an issue which I take very seriously and which we should all be concerned about, and I think the beekeepers deserve enormous credit for what they have done to raise public awareness of the problem. As we know, for the UK, partly it is about the weather but it is partly about longer-term changes that are affecting bees. Just to give some context, we spend about £1.7 million a year on our inspectors, who provide a lot of training and practical advice which, I know because Tim Lovett told me, is much welcomed by beekeepers. We are spending about £200,000 a year on R&D; this year we have put together, with the Welsh Assembly Government, an additional £120,000 precisely because of colony loss to assist with some more research; Rowse Honey have put another £100,000 in and the Wellcome Trust is looking at this (they held a symposium a couple of weeks ago). When I met Tim Lovett I said that the bee health strategy we published for consultation in April, the consultation ended at the end of August, and it is all about identifying priorities. There is also a National Audit Office study looking at research and bee health, and this is likely to publish its findings early on in the New Year. I think it is right and proper that we should have the benefit of that advice in taking decisions. I have followed up particular issues that Tim Lovett raised with me on availability of medicines, and the Veterinary Medicines Directorate is working on that, and I could provide a note for the Committee if that would be helpful, because there are some very practical issues about licensing, and so on, which we are taking forward. We have set up a forum of research organisations to look at what the gaps are, because I think part of the answer to the beekeepers' request for £8 million is: "Have we identified what the areas in which we need to have research done are?" It seems to me that is the first question you have to ask before you can then say: "Have we got the resources to make it happen?" I intend to set out what more we are going to do, because I recognise that we need to do more, when we get the results of the National Audit Office study early in the New Year.

Q3 Chairman: So once you have the NAO study and you have looked at all this additional work that you have been

discussing, when can beekeepers expect this to be pulled together in the much-promised strategy?

Hilary Benn: In fairness, the strategy was out there in consultation and it has got a lot of good stuff in it, but what I intend to do is respond very speedily once the National Audit Office has completed its work, so that everyone can be clear about what further steps we can take to deal with what is a real problem.

Q4 Miss McIntosh: Secretary of State, you said that the money you spend on research and development was £200,000. How much did the department spend on taxis?

Hilary Benn: On taxis? I would have to go away and check what the precise sum was.

Q5 Miss McIntosh: Is it not the truth ----

Hilary Benn: But, yes, it is about £200,000 a year for research.

Q6 Miss McIntosh: Would you, perhaps, consider spending more on research and spending less on taxis?

Hilary Benn: We will always look to minimise the use of taxis for the work that officials do. However, as I have already indicated, Miss McIntosh, I recognise that there is an issue here that we need to address, which is why we are working so hard in the way that I have just set out. It is not just a question of government putting in funding for research; that is why, for example, we have been talking to the Wellcome Trust. We need all the help we can get from all of the quarters to try and identify exactly what the problem is and what practically can be done about it.

Q7 Chairman: In that note that you are very kindly going to produce for the Committee, which we would obviously want to publish on our website, could you also address a point that was raised in *The Times* of 31 October, where it reviews work done by a scientist, Brenda Ball, who was working with colleagues at Rothamsted and there is a suggestion that they had found some antibodies which dealt with some of the disease issues which are currently besetting the bee population? There are then issues as to why that research was stopped, and what has happened to its outcome. I think the industry would be quite interested to know that. So perhaps that note could address that issue.

Hilary Benn: I would be very happy to ask my officials to follow that up, Chairman.

Q8 Chairman: Good. Thank you very much indeed for dealing

with those issues. Let us move on to the main substance of our inquiry. As you know, and unusually for this Committee, when the Government produced its response to our report on bovine TB we produced what we described as a qualified version; we put some observations which were perhaps less than flattering about some of the conclusions that you had reached. We felt, given the importance of this subject, that we would invite you back here to discuss matters in a little more detail. Since then you have formed an alliance with a number of bodies to set up a Bovine TB Eradication Group, and we will talk about that in just a moment. The raw facts of the matter are that, given the existing situation, it does not seem to me as if the measures that you have put in place in terms of more regular testing, cattle movement requirements and bio-security measures are having a great deal of effect. I am advised that during the first seven months of this year there were 3,062 new incidents of TB in cattle herds, 23,444 cattle slaughtered, and that was 7,060 more than during the first seven months of last year, when some 16,384 cattle were killed. That does not exactly speak volumes for the control programme we have in place. Why has it gone up so much?

Hilary Benn: I wish we knew. It is a bad year, there is no question about that, and the disease does have a cyclical pattern.

Q9 Chairman: Secretary of State, when you look at the amount of money that your department has been spending, the legions of reports which have been written, the work of the independent scientific groups, etc, etc, should we not now know how to answer the straightforward question: "What are the factors that account for a very significant increase in disease against a background of increasing numbers of measures to counteract it?"

Hilary Benn: I was just going to say, Chairman, that part of the answer is the more you look the more you will find. As you will be aware, we have changed the testing programme, and that is one of the explanations. Secondly, I would say - and I think it goes to the heart of what you said as a Committee in response to the Government's response to your original report - I think there are further steps that need to be taken, but I came to the conclusion (and I know you did not, as a Committee, wholly take kindly to it) that having reached a decision about culling that we should establish a working relationship with the industry in dealing with this terrible disease and the impact that it has on farmers - and I think everybody here is only too well aware of that - we have to do it together and we have got to build on the kind of model that we have used extremely successfully in dealing, for example, with Bluetongue. My experience in dealing

with a range of animal diseases has led me to the conclusion that you have to share the problem, and the problem is felt most acutely by farmers, and you need to take decisions on the basis of a partnership, a discussion, together. So, for instance, the ISG said to me, in reaching its conclusion on culling: "We think you should have additional cattle controls." I thought about that very carefully and I could, when I made my announcement to the House in July, have said: "And I have decided that there are going to be additional cattle controls put in place." I decided not to do that because I think there are costs, there are advantages and disadvantages to doing that, and I think it is right that we should sit down with the industry, which, after all, is more affected by this than anybody else, and say: "What do you think?" Then the decisions that are taken about what further steps are required are likely to have greater weight and greater force than if I take those decisions in isolation. We have had a period of time when the industry said: "We are not going to sit down and talk with you about this", and that is why welcome so much the fact that we have been able to reach agreement on establishing this eradication group, because it now gives a basis to us for taking it forward. It is quite a deliberate process on my part because I think it is a better way of taking those decisions, Chairman, in answer to the questions you rightly put to me about what more are we going to do to deal with the rising incidence. I think it is a better way of dealing with it than the way we have done in the past.

Q10 Chairman: Can I ask your two colleagues: you are the technicians - Mr Simmons, you are a vet - why can we not answer a question like: "Why are we getting more of a disease that we have a great deal of knowledge about?" Is it because you are still struggling to understand the epidemiology?

Mr Simmons: There are a number of factors we need to take into account here. The epidemiology is immensely complex: we are dealing with an organism which has a number of different hosts; we are dealing with an organism that has an extremely unusual way of interacting with its hosts, and making a diagnosis not particularly easy, unlike some other diseases, but in addition to that it is a highly dynamic situation. So, as the Secretary of State says, the way forward is to develop a partnership with industry to recognise that there are gaps in this and use what tools we have, which we accept are relatively limited.

Q11 Chairman: In your reply to the Committee's report I seem to remember language like that being deployed but you rejected doing any more work on the epidemiology.

Hilary Benn: On the transmission?

Q12 Chairman: Yes.

Hilary Benn: Yes. We have invested quite a lot in that, as you will know.

Q13 Chairman: But you have not got the answer.

Hilary Benn: No, we have not, Chairman, and I have just had a letter from the Bovine TB Science Advisory Body, which gives us advice on this. This is from Quintin McKellar, the Chairman, and he has looked at that and he has said (and I quote, for the Committee's assistance): "We would advise that further research is unlikely to yield conclusive answers" (this is on the particular question of transmission) "on the exact means of transition between cattle and badgers." So we have invested a considerable amount of money in trying to find better answers to the question about the precise means of transmission. I think, while we remain open to ideas, and that is the point that we made in our response, those who advise us from ----

Q14 Chairman: Forgive me. I am a simple soul in this. If you have a human disease, one of the first things you do is try and work out how it spreads, so that when you develop a plan to deal with it you know what you are up against. You are about to embark on the eradication group - fine - but if you do not know how the disease is spread how on earth are you going to work out in this group what the plan is to eradicate the disease?

Hilary Benn: The truth is we know some things but we do not know all the answers, and just because we do not know all the answers does not seem to me, with respect, Chairman, that the group cannot get on with trying to decide what further steps might be taken to try and deal with it. The problem is here now and it is getting worse, as your question drew attention to. I am not convinced (a) that we should wait before we take further steps to see whether further research can answer the question, given that we have put a lot of effort into trying to answer it.

Mr Simmons: I would draw your attention to one or two quite simple facts. Going back to the 19th Century we managed to eradicate rinderpest, contagious bovine pleural pneumonia, and rabies from this country without even knowing what the agent was, never mind how it was spread. So the application of proper controls which are robust, widely accepted and entered into freely with the people that are going to have to be the actors in the process is generally very, very successful.

Q15 Chairman: This is the adoption of the 19th Century approach to a 21st Century problem?

Mr Simmons: Not necessarily, no. Like I say, I think there are a number of principles that could be applied to disease control which indicate that you do not need to know everything about a disease before you can start tackling it.

Q16 Mr Drew: Two questions. We have always talked in the past about TB control measures, and we all know we are not able to control the disease, and now we have got a body with the title TB Eradication. That seems to be rather a leap of faith. My second question is: when you look at the research evidence, some of us are beginning to read and re-read some of the findings. Should we not be focusing much more on really trying to deal with the core of the problems and forget some of the other research, which may be very interesting but we seem to be always reinventing. Some of the papers we have received in evidence for today are, at least, just proving what we already knew. I am not sure if that is helpful.

Hilary Benn: Clearly the Committee has views, as do others, on where the research effort ought to be put. That is why we have the science group to advise us. One of the things which the eradication group is going to look at is indeed that, because with all of the means we have available to us, all of the things that we could do, all of the research that could be undertaken to try and give us information to help us to deal with the disease, the purpose of the group is to look at all of these things and to share responsibility for that process. We have to be clear and straight about this: eradication is a long-term goal, and the title has been chosen because that, in the end, is what it was agreed the group would be called. The immediate priority is to try and control and reduce, and obviously we all have an aim to try and eradicate. One of the things, of course, that we are putting additional resources into is vaccination, which is one of the things that the Committee recommended that we should do, and I responded to that because it seems to me that if - if - we can make that work, and you have seen, as I understand it, the scientists who have been working on this, and so have I, and they are working extremely hard, this must be a better way of trying to deal with this than the measures that we have available currently.

Q17 Mr Drew: I just wonder why, given, as you know, where I am coming from in terms of my support for the vaccination approach, we do not put more resources - and I know you plan more resources for vaccination - into vaccination, and look at some of the other research projects as much more tangential to that.

Hilary Benn: I am absolutely open to suggestions and arguments that we should look at the priorities that we

have got. The purpose of the group is indeed to ask those questions, and I have a genuinely open mind because, in the end, I am interested, as is the Committee, in finding things that work to deal with the problem. I have asked the question in relation to vaccination: if we put in even more would it speed it up? And the answer I have had is: no, it will not speed it up; it just gives you (I hope I have characterised this correctly) greater likelihood that what you are investing in is going to produce results - recognising that nothing is certain and you will have seen the timelines on vaccination. For an injectable vaccine there are some field trials going on at the moment, and one of the things that we are very keen to do, as you will be aware, is the injectable deployment project to start to show that this might have an effect, recognising that, for reasons probably of practicability, an oral vaccine for badgers is likely to be more productive, but that is slightly further away.

Chairman: We are going to talk about vaccines in a little bit more detail, but I want to bring Roger Williams in on this first point.

Q18 Mr Williams: Thank you, Chairman. Following the Government's response to this Committee's report, you suggested that a group be set up to deal with TB. Certainly industry representatives were very reluctant to be involved. What has been the trade-off here? Is it the introduction of the term "eradication" into the name of the group? If so, that is really upping the ante, is it not?

Hilary Benn: I do not see it in those terms. Let us be honest about what has gone on. In the light of the decision I took about culling, a lot of people were very cross and angry. We all know that. The immediate reaction was: "Well, if that is not going to happen then we are not going to sit down and talk." That is a natural reaction, particularly in the light of the terrible impact which the disease is having on those most affected. I had the opportunity to visit Mr Cox's constituency a month-and-a-bit ago and, not for the first time, felt the force of that. So it is natural that there should have been that response. I recognise that that was likely to happen, but I also believe absolutely sincerely that the only way we can do this is together. Therefore, we had to wait and we have reached an agreement about what we call it. What the make-up is going to be, the precise membership, is still to be determined. For me, the single most important thing is we have now got agreement that we are going to sit down together and work on this and look at all of these questions (some of which have already been raised and others which we will no doubt address in the course of this evidence session), because it is a shared problem. We

are all trying to deal with it; we all want to try and do the right thing and the best thing, and we have to work together on it, and I am very pleased that we have been able to find a way forward. To be perfectly honest, I do not mind what we call the group - that does not matter - what matters is we have the opportunity to sit down and work on it together. We have now got that chance and I welcome that very much. I recognise that it has not been easy for the industry to take that step but I think it shows real leadership.

Q19 Chairman: Defra are chairing this, are they not?

Hilary Benn: Yes. That is the way it is going to work.

Q20 Chairman: So when would you determine its work programme?

Hilary Benn: As soon as we have got the membership sorted out then the group itself will discuss that and work it out. There is a whole range of things that we suggested could be discussed. The members of the group will no doubt bring a range of things that they want to discuss, and my view is it is for the group to determine what it wants to look at, what it wants to consider and what recommendations it wishes to make.

Q21 Mr Williams: So there is nothing ruled out?

Hilary Benn: Nothing is ruled out at all.

Q22 Chairman: Just before I bring Mr Cox in, are you going to have it as an open-ended commitment as to how long it goes on thinking, or are you going to set some end date by which it should report?

Hilary Benn: The model I have very much in mind is the Bluetongue group that we have had in place working for some time. It addresses the problems of today and thinks ahead about what needs to be done tomorrow. So it is not as if it is a group that is going to meet, cogitate, come up with a list of recommendations and then go away.

Q23 Chairman: Is it going to move with the speed of the solution to Bluetongue? That would be a revolution in bovine TB control, would it not?

Hilary Benn: It will make recommendations about action that needs to be taken, but my intention in wanting to establish such a group is it is going to be intensely practical, wrestling with these difficult problems, including the trade-offs: "If you do more of this then it will have an impact and a cost" ----

Q24 Chairman: If we invited you back, say in late Spring,

would you be hopeful that this group might have come up, at least, with a plan?

Hilary Benn: It depends on your definition of "late Spring".

Q25 Chairman: It depends how late Spring is, really! Let us say the beginning of June next year.

Ms Edwards: There will be particular issues that come up in the course of business where we would really want to talk to that group, and we would hope that they would be able to come to some quite quick recommendations on particular issues. For example, we would like to talk to them very early on about the vaccine deployment project and proposals around that. That is quite different from the output at the end being a plan.

Q26 Chairman: Let me just raise a practical issue with you, because the Badger Trust, in their usual, helpful way, wrote to us and they have raised with us the number, for example, of what they see as large numbers of overdue animals for their TB tests. That is a pretty practical, basic parameter on the way we go about controlling TB at the moment. They have given a huge number of animals which they reckon by the end of July this year will be overdue for their tests in the West Country; they quote a figure of 224,640. I hope that is right. It seems an awfully large number of animals, but there are obviously some overdue ones. How are you going to fix that problem? That seems to be rather fundamental.

Ms Edwards: There is a whole range of reasons why tests might be overdue. Sometimes it is just farmers deciding when best to schedule their tests within a relatively small window, for example, so that they get the test done in a way that will qualify for premiums for testing. The vast majority of those tests are overdue for anything up to three months. There is, undoubtedly, a number of tests that are overdue for longer than that, and we certainly would want to look at measures to try and deal with that.

Q27 Chairman: The reason I mention it is that the Secretary of State talked about looking at vaccine issues. Those are for the future. There is a huge amount of work being done, but on a very basic thing there is a problem: overdue cattle for testing under the existing regime.

Ms Edwards: In terms of thinking with the members of the group about what they should focus on, we would certainly be very keen to look at those very practical issues about delivery of the control programme we have at the moment, as well as looking at longer-term changes in it.

Q28 Mr Cox: There is a shortage of vets in the West

Country, or a shortage of people who can carry out the tests. They are having to wait for weeks before they can get the test done.

Ms Edwards: I have not seen evidence of that.

Mr Simmons: I do not believe that is a reason for the overdue tests. As Gabrielle has set out, there are a number of reasons for it, but a chronic shortage of vets is, I think, overstating the case, if I may say so.

Q29 Mr Cox: I have been there in your Vet's office, and that is what I am told by them, let alone by the farming community. People are having to wait some weeks before they can get a test in the West Country. I will give you case studies, if you like.

Hilary Benn: It would be very helpful if you would, Mr Cox.

Q30 Chairman: The reason I raise this issue is I am just a little bit surprised that vaccine was edging into the conversation now when dealing with some of these practical problems seemed like a jolly good starting point. My job is not to set the agenda for this group; they know more about it than I do!

Hilary Benn: With respect, Chairman, I was giving that as one example. There is a long list of things; vaccine is one. The research programme - where that should be directed; advice - we have got the husbandry group which has done some work; we have commissioned some more research on bio-security; advice and information that we give to farmers; what other steps can be taken to help farmers who are actually having to live with the disease; how you communicate, and then a lot of other things - the question of cattle controls, which you have already touched upon. There is no shortage of things to discuss. It is for the group to determine what it thinks the priorities are. I come back to my point about the reason why we are so keen that we should do it in this way, because this is a shared problem. One of the difficulties we have had - how can I characterise this? - is not that there has been a bit of a stand-off but it is not a very effective way of trying to deal with it. That is why bringing everybody together and saying: "Come on, what are we going to do together?", and: "Here's the money that we are spending, here are the priorities currently. What's your view about whether they should change?" is a better way of doing it, but it is for the group to determine what the priorities are. After all, the industry representatives are going to be on it and have the greatest incentive of all to ensure that effective action is taken to deal with this terrible disease.

Q31 Paddy Tipping: One of the things that drives the policy is the cost. In the current year it has cost £80 million. You have produced information that suggests that by 2012-13 the costs could go up to £2/300 million. So between now and then it is going to cost £1 billion. Is there not a need to get some movement in this? The Government is hard up, is it not? It is a lot of money to be spending.

Hilary Benn: It certainly is, and we certainly need to get movement which will be effective in trying to control the disease. It is quite hard to forecast ahead because one would have to ask: "How many cases are you going to find?" and "What is the incidence going to be?" What is going to happen on compensation?" Of course, we have made a change and that is currently the subject of legal action, judicial review, and we are contesting the judgment that was made. It is costing a lot of money. One of the questions for the group to look at is: "Given what is being spent, are the places where it is being spent the most sensible ways, and if you want to do more over here do you want to do less of something else over there?" I think it is right and proper the group should be able to ask those questions and make recommendations on that very point.

Q32 Paddy Tipping: Are you happy, as someone who manages and is responsible for this, that on the face of it prices are spiralling up when you have got other commitments and other priorities? This is dead money. It really is dead money.

Hilary Benn: Nobody can be happy about the incidence of bovine TB at all, which is why all of us have an interest in trying to take effective steps to deal with it. Sure, everybody would much rather be spending money on other things, but you have to do what is required in order to deal with the problem that you are faced with now.

Q33 Mr Drew: So what has happened to the TB Advisory Panel? Does that still exist, or is this going to be replaced by the eradication group?

Hilary Benn: We are reviewing its role, I think, in the light of the establishment of the eradication group. I think the eradication group, in effect, is going to take on the function. It has played a very valuable role, and I want to place that on the record, but I think since we have now got progress on the eradication group it is likely to give way to that group in taking the work forward. We will still, of course, have the Science Advisory Body that I have already referred to, and of course that has four sub-groups: one of which looks at vaccination; one on wildlife and epidemiology, one on

diagnostics and one on economic and social research - basically, looking at the economic impact on farmers who are affected by the disease. So that is the sort of structure that we have got.

Q34 Mr Williams: Perhaps I need to put on record my entry in the Members' Interests as a cattle keeper, and one who is suffering at the moment from the TB outbreak. The holding, I must emphasise, is in Wales and, obviously, not the direct responsibility of Defra.

Hilary Benn: I am sorry to hear it.

Q35 Mr Williams: In Wales there is a slightly different approach taking place. The Assembly Government is committed to testing all cattle over 42 days old within a year. That would normally take four years, so there is a huge investment in testing in Wales at the moment. Has that approach ever been considered by Defra as part of the approach to, first of all, getting an understanding of the scale of the disease and then, perhaps, a better understanding of how it is spread and how it can be contained?

Hilary Benn: I do not know whether, in the past, it has ever been considered.

Ms Edwards: Not in my knowledge.

Hilary Benn: We are looking with interest at what the Welsh Assembly Government is doing. We did a sort of rough and ready calculation of what it might cost if we were to do it here, and I think it was about £25 million. Now, you have to make a judgment: have we got the resources to do it, and what do you think the benefit of taking that action would be? There would also be a question, going back to Mr Cox's point, about how long it would take you to do it and what resources were available.

Mr Simmons: Clearly, if you were going to pile all the veterinary resources, or, perhaps, some lay testing resources, into that it would stretch the entire veterinary resource within the country, particularly if you have to squeeze it in over a very short period of time. There are other ways of finding out where the disease is, and surveillance through slaughter house cases is generally a reasonably effective way of doing it. It is not perfect - I would not suggest that - but in general the identification of cases of TB through slaughter houses is a pretty good indicator, in areas where the prevalence is pretty low, of diseases appearing.

Q36 Mr Williams: In terms of slaughter house observations, how many herds have been identified as having TB through slaughter house observations rather than through a skin

test?

Mr Simmons: I do not have the figures to hand, I am afraid, but we can provide those for you. The numbers are still going up steadily, but not hugely.

Q37 Mr Williams: Would it be a good idea to have a complete test of all animals over 42 days in hotspots rather than throughout the country? In England there are areas that are relatively free of TB, and it probably would be wasteful to test, but in the hotspots themselves would it be a good idea?

Mr Simmons: We have always taken a risk-based approach to testing, which is based on herd history, or the history of the disease in the parish and immediate vicinity, and then applying that retrospective knowledge to the rate at which we test. So, the period of testing once a year is applied within the hotspot areas, and then where the risk is generally considered to be somewhat lower it is every two years, and hence three and hence four where the risk is considered to be very, very low. That is under continual review.

Ms Edwards: Do you want the slaughter house figures?

Q38 Mr Williams: Yes.

Ms Edwards: Within the first seven months of 2008 we found 591 animals through slaughter houses but only 55 per cent of those, so far, have been confirmed through culture.

Q39 Chairman: Only 55 per cent - what?

Ms Edwards: Have so far been confirmed bacteriologically through culture.

Q40 Mr Williams: Could you get the figures, perhaps, and let us have how many herds that have not been identified as being TB herds were identified through slaughter house observations? The Chairman did emphasise the fact that a number of tests are late, at the moment, and running late. The late-lamented Lord Rooker described VetNet, which is the current IT system used by animal health to keep records of TB testing, as out-of-date. Do you think the IT system is something to do with the fact that testing is not kept up-to-date?

Ms Edwards: I would not have thought so. My understanding of the way the animal health system works is that farmers are given notice of when they need to get their tests done by, and that is a pretty automatic process. Then as soon as their tests are overdue, because there is a zero tolerance policy, a letter is issued imposing movement restrictions. So that is a pretty automated process. Where

they get into more difficulties is over issues such as tracing and the time that that takes.

Mr Simmons: In addition to that, the animal health agency is investing a considerable amount in a business reform programme which will address the whole issue of the routine testing of herds and other inspection processes the organisation is responsible for. That is under way at the moment.

Q41 Mr Williams: I am surprised you are having trouble in tracing, because you have DCMS now which is meant to be working very well, or rather well. Surely, that is the process rather than VetNet that is used in tracing animals.

Mr Simmons: VetNet draws upon a number of different sources of data, including DCMS in order to be able to trace animals for testing.

Q42 Chairman: Do you do any kind of forecast about the amount of undetected TB that is still out there?

Ms Edwards: No.

Hilary Benn: How would you know?

Q43 Chairman: You might estimate on a probability basis in a population of cattle what might still be there.

Mr Simmons: I think, perhaps, I could make an attempt at doing that. In the past we have used, certainly many years ago, models to look at a number of different risk factors that would help us identify areas which might be at risk, but almost invariably those models and other investigations have identified areas which have merely had a history of problems before. So, therefore, proximity to previous breakdowns, or having had a breakdown yourself, was the most likely indicator, or predictor, of having further disease. Of course, the concerns about the movements of animals elsewhere and, perhaps, buying animals which have undisclosed disease from herds that have got undisclosed infection is always a risk, which is why we introduced a premium for testing to reduce the risk of spread elsewhere where the factors of risk, so to speak, are less easily established to be understood.

Q44 Mr Gray: Very briefly, I am just amazed by the suggestion that you have got no clue at all how many animals there will be reacting positively in the future. I will tell you. They went from 13,000 to 19,000 in the first six months of this year, so this time next year it will be 25,000; that is 6,000 more, the year after it will be 31,000 and then 37,000. That is what it is going to be. Is that not right? Why can you not just draw a straight

line graph or are you scared to do that?

Mr Simmons: Having been asked many times in my current role to predict the next disease outbreak I am always very conscious that that is a tremendously professionally risky thing to do.

Q45 Mr Gray: But if you look it up in the last few years it has gone like that. Why cannot one just predict that it will go like that?

Hilary Benn: Just to give you one example, Mr Gray, in 2005 the number of new cases in England was 2,904. In 2004 it was 2,612. If you had drawn your line you would have said, "It is going to go up". The following year, 2006, it was 2,721, so I think what that demonstrates, and it is a point I made right at the beginning, is that there is a certain cyclical nature to this, the trend line is quite clear; I think that is the reason why you cannot just say that.

Q46 Miss McIntosh: I understand you are on target for monitoring the spread of cattle TB and reducing the spread of cattle TB to new parishes. Should you not have a target to commit to fighting the disease and controlling the disease and containing the disease where there are hotspots of the disease already?

Hilary Benn: I think you are referring to PSA9.

Q47 Chairman: We are, yes. How are you doing it?

Hilary Benn: How are we doing what? How are we getting on with PSA9?

Q48 Chairman: Yes.

Hilary Benn: I think the answer is okay but there is a problem with the PSA in truth. It lasts until March 2009 and the difficulty, and my colleagues will correct me if I get this wrong, is that in the period that you have been looking at to measure progress on PSA9 was the foot and mouth outbreak of 2001, which has an impact on your baseline because you have got, I think it is, two moving five years that overlap by one. Maybe when we set it up in the first place we should have realised that you would have this problem, that you would get to a point where the impact of the 2001 foot and mouth outbreak was in one lot of figures and not in the other, and it means that what you are measuring as you go - and I hope I am making sense - means that the baseline is moving because of the problem of foot and mouth in 2001. You can set a certain amount of store by it but not a huge amount, I think, would be a fair summary.

Q49 Miss McIntosh: How concerned are you at the spread of the incidence of TB in cattle now moving to non-bovine species?

Hilary Benn: We are clearly concerned about that, although one has also to take account, looking at the figures, of the fact that in 2005, Miss McIntosh, we made it a requirement to notify, so I suppose part of the answer is to what extent is it an increase, and the figures overall clearly show that, but also to what extent is it, because there is a requirement to notify, more reporting of what may already have been there? The truth is we do not know the answer.

Q50 Miss McIntosh: Can I ask how convinced you are that there is no possibility of a public health issue?

Hilary Benn: The Health Protection Agency's assessment is that the risk to human health is low, and, if you look at the number of human cases, I have got a run of figures from 1997 - 32, 24, 28, 19, 24, 17, 15, 14, 24, 27. The last figures I have got are for 2006.

Q51 Miss McIntosh: It is flat-lining, but basically we are talking about dogs and cats, are we not, so if it is coming into household pets are you at all concerned that there may be a crossover?

Hilary Benn: The figures would not appear to demonstrate that that is the case to date, but obviously we have to keep a very close eye on this.

Ms Edwards: What it is worth saying is that most of those cases are either cases of latent infection in elderly people reactivating who would have been exposed to unpasteurised milk in their youth, or cases of people coming in from abroad. The cases which look like genuine infection in younger people are very low.

Hilary Benn: I should just say that the figures were for England. There are also, of course, figures available for Great Britain.

Q52 Miss McIntosh: Obviously, the figures at the moment are highest in the West Country and Wales. You must be aware that the Thirsk Auction Mart is one of the largest fatstock marts in the country and just a case of one rogue animal coming from the West Country or Wales could have devastating consequences. Are you keeping an eye on that?

Mr Simmons: If you were talking about foot and mouth disease I would be wholeheartedly in agreement with you. We are dealing with a disease which is much more slowly moving, is less infectious and has less capability of spreading the disease quite so quickly. What is important

is that we use measures to prevent the spread as far as practicable out of the areas that are badly affected by routinely testing at the right frequency and pre-movement testing and then, when it does happen we find that animals have moved off the farm and have gone elsewhere and potentially are infected, we trace those forward and test them at the premises of destination. Of course, if that animal is infected you can do the necessary measures on those farms and in the low incidence areas we would frequently, particularly for confirmed disease, apply the gamma-interferon test with the expectation that that will pick up early disease. The only way to do any more, I believe, would be to draw a line across the country and, of course, that would have quite an economic impact on the movement of animals.

Q53 Dan Rogerson: This question of the bacterium travelling into pets is one thing that certainly concerns me and obviously it has received a lot more coverage recently because cases have emerged. You were talking about the fact that when one tests more one finds more of a disease, so the fact that we have a few cases that have been reported may mean that because there is no regime to try to look for it there may be many more cases out there. Is this something that you think the group should consider or is this just something that the department could consider, because obviously there are questions there about what routes the bacterium is taking in getting into our pets, and what risks that may present, as Miss McIntosh was saying, to human health? That means that a greater number of people are potentially exposed to infection than might have been directly working in the industry.

Hilary Benn: Obviously, we should seek to understand what the rise in the figures tells us, bearing in mind the point I made a moment ago about changing the reporting requirement. Mr Simmons may want to comment from a vet's point of view, looking at domestic cats and dogs and forming a view and how that information is reported. I do not know whether you are suggesting, Mr Rogerson, that we should perhaps look at a more extensive screening programme, but I would have said, going back to your question about the group, that the focus of its activities is going to be the impact on cattle, for obvious reasons.

Mr Simmons: We have, as you have pointed out, confirmed more disease in cats in recent years. Some of that is almost certainly through better ascertainment. In other words, we have detected more disease because awareness is higher and more submissions have been made. In addition to that, one of the cat charities working with us has been doing further investigations on that and that has almost certainly identified more disease results. It is also

worth remembering that only a relatively small proportion of those submissions get confirmed. Of animals with chronic lesions suggestive of TB in cats only a proportion get confirmed as that, so there is, if you like, a background level of chronic disease that looks like TB but turns out not to be. Investigation will pick up more of those, but I think it would be fair to say that if you have a lot of disease in cattle then one could argue that there will be a greater risk of transmission to other domestic species, albeit a relatively low one, but it is moving up from a slightly lower base.

Q54 Dan Rogerson: I think it is just this question also then about saying it is going from cattle into pets. That is not necessarily so?

Mr Simmons: Not necessarily, no, that is absolutely right.

Q55 Dan Rogerson: That is part of what I am saying. It may be that, as we have, particularly in cats, animals that are roaming around over an area where there may be other species that are carrying it, does this not warrant some investigation as well, perhaps with the Department of Health, if we are talking about the potential risk to humans?

Hilary Benn: It is a point I am happy to go and put to both the Department of Health and the Health Protection Agency but, as I indicated a moment ago, the current assessment of the risk to humans is indeed that it is low.

Q56 Mr Cox: Secretary of State, Anne McIntosh, my colleague, asked you a question which I do not think you answered, which was should you not have a target for reducing the disease in hotspot areas? You have a target for the PSA9 to prevent it spreading to new parishes but should you not have a target for reducing it in hotspot areas and does not the absence of such a target really imply that you have no policy for reducing the disease in hotspot areas and no clue how to do it?

Hilary Benn: I do not think that follows, Mr Cox, at all. You could have a range of targets if you wanted. The question is, would it lead you to do things that otherwise would not happen? I come back to my earlier response to the question about the Eradication Group. It seems to me we have now got a structure in place which I have wanted and the industry is now supporting, as I say, showing great leadership, which I would have said gives us all, if you like, the target and incentive that we require to get on with trying to deal with this. If the group says yes, it would be helpful to have a target or a range of targets which would enable us to monitor the impact of the steps that are then taken subsequently as a result of the group's work, I would be very happy to consider that.

Q57 Mr Cox: But what is your policy for reducing the disease in a hotspot area? At the moment we have a marked increase in new herd breakdowns. The disease is out of control and, whatever you say, Secretary of State, you have no grip over it in these hotspot areas. What is your policy for reducing the disease?

Hilary Benn: The policy is to use all the tools that we have available to us to try and deal with the impact of the disease, including in the hotspot areas, recognising that infection from badgers is a source.

Q58 Mr Cox: It is the main vector in the hotspot area which I represent and you know it. It is well established. It is a significant if not the main vector in a densely infected area such as the Torridge and West Devon areas that I represent. What is the policy for reducing the disease in areas such as that?

Hilary Benn: In the medium to the long term it is vaccination, if it can be made to work, is the answer to the question.

Q59 Mr Cox: It is a pipedream, is it not?

Hilary Benn: No, with respect, I disagree, Mr Cox, with your description of vaccination as a pipedream.

Q60 Mr Cox: You yourself have said on record that it is ten years away.

Hilary Benn: It is some years away but I have spoken to the scientists, you have spoken to the scientists as well. What they are advising currently is that we think there will be an injectable vaccine available in 2010. Obviously, the purpose of the deployment project is to see how it might be used in that form and we want to take a reasonable size area in which to do it and part of the answer to your question might be, would one of the hotspot areas be interested in helping a deployment project to take place? That is one thing which the group itself can look at for the cattle vaccine. The earliest date for a badger vaccine for an oral version is 2014 probably.

Q61 Chairman: Can I just ask a little question? If you have got a hotspot area with a high disease incidence can you just wade in and vaccinate willy-nilly and get rid of the disease? Do you have to have a clean cattle area to vaccinate as a starting point? I thought that one of the arguments when we had foot and mouth was that you could not vaccinate unless you got ahead of the disease. The hotspot area of the disease seems to be well ahead of you.

Ms Edwards: In an ideal world, obviously, you would use

vaccination where there was a very low level of disease. Vaccination on its own will never be the magic bullet that sorts TB out. Vaccination as part of a wider control programme would have a much more significant impact. If you are vaccinating against a background of high levels of disease in the badger population it will take longer for a vaccine to have an effect, particularly in the badger population, because if you vaccinate animals that already are infected with TB you will not have an impact, so effectively you have to get the cubs, you have to get them early, and so you have to keep vaccinating for a number of years and you would expect the disease load in the population to go down over time.

Q62 Mr Cox: So is that not an argument manifestly for vaccine being by itself not an answer and therefore the only way is to consider it alongside a programme of culling?

Hilary Benn: I do not agree, with respect.

Q63 Mr Cox: But you have not looked at the issue as to whether or not alongside vaccination it might make sense. All you have looked at is a particular method of proactive culling, and there is a question I want to ask about whether you have considered the latest results of Rosie Woodroffe on that, but you have not looked at whether you may need it alongside vaccination, have you?

Hilary Benn: We have looked at it over a ten-year study, so it is not as if the Government has said, "Yes, we are not going to think about it at all". John Krebs proposed the trials, they took place. We invested a very considerable amount of money and the ISG report, as you know only too well, Mr Cox, came out and reached the conclusion that it did.

Q64 Mr Cox: You told my colleague that you were not ruling anything out for the Eradication Group. I assume that would mean looking at culling again in different contexts.

Hilary Benn: I said to the House of Commons when I made my oral statement in July that I had made my decision on culling. I have, and I have not changed my mind, but in answer to the question what about other circumstances, clearly two sensible things to have an open mind about are, first, does the scientific evidence change, although I would just make the point (and that is why the Eradication Group in its terms of reference says that is one of the things it can look at) that in answer to the earlier question I said the group can look at anything that it wants to. I am clear also that I took a decision, having thought long and hard about it and weighing, of course, very heavily in the balance the result of ten years of trying it, and it is really important to remember

that. It was ten years of trying it to see what impact it would have, but it is not just a question of what the science shows. You also have to consider the practicality and the impact of practicality on achieving the result when someone might say if you just look at the science and if you could do all of those things then it might have this impact.

Q65 Mr Cox: Did you consider when you were doing it that the fact that it appears that the post-trial effects mean that now in the proactive areas it is 54 per cent lower, not 23 per cent, and in the areas neighbouring where there had been a perturbation effect it is 23 per cent lower, not 24 per cent greater? In other words, what she found was that in the post-trial period there was a radical decrease in the incidence not only in the proactive cull area but also in the neighbouring and adjacent land.

Hilary Benn: Yes, I have been aware, as I think the Committee has, of the developing research. Indeed, we are funding it as a department, and it is a trend that has been emerging and it is something that the former members of the ISG have been aware of. However, as I was saying a moment ago in answer to your question, Mr Cox, it is a combination of what the trials and the scientific results show and a judgment, and in the end I had to make a judgment, about the practicalities.

Q66 Mr Cox: But your own experts say this could lead to showing that in fact culling has beneficial effects and they last. How can you rule it out when your own experts that you are funding are telling you that the beneficial effects may last?

Hilary Benn: What I said was that we asked the ISG to do its work. The ISG came back and, in the words of John Bourne, he said to me that in his view badger culling could not -----

Q67 Mr Cox: This has come afterwards.

Hilary Benn: I am well aware of that. John Bourne has been aware of the emerging results, but he said when he published the report in the summer of 2007 that badger culling "could not meaningfully contribute". Those were the words. I think it is right and proper that one should give that due weight, and that is exactly what I did, but I also make the point, Mr Cox, about the practicality of doing this. This was the difference in the argument between David King and John Bourne, because David King said, "If you did this over a large enough area you would have this effect", and David King said, "But I have not looked at the practicality of making it happen", and it is absolutely right and proper that you weigh in the balance - and that is what I said to the NFU conference just under

a year ago - that there is a range of things that you have to look at, the tests you have to apply, what the science says, what the practicality is, what the effectiveness is, and (and I got booed for it) public acceptability because that does have an impact potentially on the practicality of the course of action. The final point I would make, Mr Cox, is this. As I think you recognise, most people agree that culling could only potentially make a contribution if all of those conditions could be met and in the end I formed the view that you could not take the risk, only in some parts. It is not something that would work anywhere.

Q68 Mr Cox: I completely agree with you. It might work in an intensely infected hotspot area. I do not accept, frankly, the fact that you can rule out culling as an instrument alongside other things, and what surprises me most of all is that you are shutting it out for the future, having set up an Eradication Group, even when vaccine may come in and be required to be used alongside it to be an effective tool. That has the hallmarks to me not of a weighed and balanced and objective decision but of a political decision.

Hilary Benn: With respect, I do not agree with you, and I thought very long and hard about the decision that I reached and I took into account all of the considerations that I have just described to the Committee.

Mr Cox: But, Secretary of State, forgive me. I am not actually -----

Q69 Chairman: Let the Secretary of State give us his answer.

Hilary Benn: Thank you very much, Chairman.

Q70 Mr Cox: It is only going to be the same one as the last time.

Hilary Benn: I am sorry, Mr Cox, if you do not like the answer that I give but have come to be absolutely straight with the Committee about the process that I went through in reaching the decision that I did. I have been at great pains throughout to say that the science, yes, but you also have to weigh in the balance the practicality of the course of action. I just also want to be straight: having taken a year to consider carefully, to meet a lot of people, to listen, to weigh it in my mind, I am not going to come before the Committee today and say, "Yes, I have changed my mind", because I have not changed my mind and I have got to be straight about that, and, as you know, I said that to the farmers that I met.

Q71 Mr Cox: Absolutely.

Hilary Benn: And I think it is important that I do that and, as we know, if I wanted a really quiet life, of course, I would not have -----

Q72 Mr Cox: Yes, but, Hilary, what I am asking you is the future. You are a reasonable and intelligent man.

Hilary Benn: I am glad that is going to be on the record.

Q73 Mr Cox: As you know, I have said that many times.

Hilary Benn: You have also said one or two other things.

Q74 Mr Cox: I have indeed, and I am going to say it again. The reality is that if you are looking ahead into the future you have set up this group. If you want to be even-handed and fair for the farming community you have at least to say to them, surely, "There may be circumstances in the future in which developing vaccine and alongside vaccine we may need to look again at this question of whether in a limited area, like the densely infected hotspot areas we are talking about, it may need to be used alongside it". That is just good policy, is it not, not to shut something out completely when new developments like vaccine may come along that may require it?

Hilary Benn: If I could just draw your attention, Mr Cox, to what the work of the group is going to include, there is a long list which I do not know whether you have seen, and one of the things it says is "considering any exceptional circumstances", which by definition are rather hard to define, "or new scientific evidence that might arise relating to the established policy on badger culling for control of TB". That is why nobody could sit and say they have closed their minds to anything that may happen in the future. That would clearly not be a sensible policy, but I also want to be absolutely straight with the Committee. Having had the ten-year study, having had the ISG advice, and, let us be frank, a lot of people were surprised when it came to the conclusions that it did ----
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Q75 Mr Cox: But those conclusions are developing, are they not?

Hilary Benn: Indeed, they are developing, but I have not changed my mind about the decision that I reported to the House of Commons in July. I just want to be clear.

Q76 Lynne Jones: Can I say that I for one believe that your decision on culling was in line with our Committee's recommendations and we will be, I believe, exploring that later so I will not dwell on that. If we have got a risk-based approach, could I just go back to the point about the number of herds where the testing is overdue? Why is

it that the situation is even worse in the hotspot areas? It is bad enough that there are so many tests overdue but it is even worse that the problem is greater in the south west and in Wales.

Hilary Benn: Obviously, there are more tests to do in those circumstances.

Mr Simmons: There are more tests to do and it is worth remembering that -----

Q77 Lynne Jones: As a proportion though it is greater as well.

Mr Simmons: But the numbers have come down in the last couple of months. The figures show a fall in the number of overdue tests.

Q78 Lynne Jones: So we are on track to have a zero tolerance policy, are we?

Mr Simmons: We are dealing with farming and we are dealing with a degree of human nature and a number of other circumstances that mean a zero overdue test is extremely unlikely. I would have said it is almost impossible to get. If farmers fall over and break a leg or the machinery breaks or the veterinary is ill then tests will become overdue, no matter what we do.

Ms Edwards: We do have a zero tolerance policy in terms of movement restrictions on farms where the test goes overdue but the responsibility for fixing the test rests with the farmer.

Sir Peter Soulsby: Perhaps I can begin by saying that, like Lynne, I am entirely convinced that your decision on culling was consistent both with our report and the advice you and we received.

Mr Cox: But you did not read it.

Chairman: Just a minute. If you want to have a say you can have it in a minute.

Q79 Sir Peter Soulsby: I certainly did read it and also heard the evidence, and I have read very carefully how the Government responded, but I just want to take up the issue of culling because a very powerful case was made by the NFU that it did have a role to play in particular areas and there was a particular argument for what was described as VLA9, the proposal for a large-scale cull in the south west of England. I would just like to explore with you why you felt that did not meet the criteria and why that one was ruled out.

Hilary Benn: When the NFU came to see me as part of the series of meetings that I held with all of those who had an interest in reaching my decision, they brought along those who had been involved in putting together the proposal for the VLA9 cull, and indeed I met some of those involved again when I had the opportunity to visit Mr Cox's constituency recently. I listened, of course, very carefully to what they had to say. As I recall, and Mr Cox will correct me if I have got it wrong, they said that they thought that they had around 75 per cent, maybe a bit more, of the land area, I think, rather than landowners.

Q80 Mr Cox: Over 70 per cent of the landowners and 75 per cent of the land area.

Hilary Benn: It is very clear to me that a huge amount of work has gone into that. Look: I understand, given how desperate and difficult it is for the farmers in that area in particular and the other hotspot areas, why, if you think that this is one of the ways in which you can deal with the disease, all of that effort has been put in. However, the judgment that I reached was this, and I discussed the question of culling over an area with John Bourne, and I did refer to this in my statement to the House: one would have to be confident not just that there was a huge commitment (which self-evidently there is) to start it now, you would also have to be confident that you could sustain it over a considerable number of years. In the face of such decisions that landowners may or may not reach subsequently about continuing to participate, or farmers themselves, in the face of what may be public protest about the process of culling, if you cannot be absolutely sure that it could be sustained over the period of time, then you run the risk that it might end up making matters worse. That is what John Bourne said to me about the broad principle of taking this approach. You have to be certain about all of those things because if you are not certain about all of those things then you do run the risk of making matters worse, and in the end you have to make a judgment and you have to weigh those two things in the balance. That is what I did and I took the view that it was a risk that we should not take, but I do not for one second underestimate the determination, indeed the desperation, of those who are affected in seeking to try and find a way of dealing with the problem that they are facing.

Q81 Sir Peter Soulsby: Is there any point at all in the NFU and their members continuing to work on that proposal? Is there any prospect you could see at all of them being able to overcome the objections you have outlined to it and perhaps elaborating their proposals further?

Hilary Benn: No, not really, I do not, because having

weighed that all up I took the decision that I did which I told the House of Commons about and the thought process that led up to that decision is the one that I have tried to describe to you here.

Q82 Mr Cox: At some point they are going to take you to court. You know. You will be in the court and you will be facing a judge and what the judge will ask is, "Why have you made a decision before the application is made?". They have not made their licence application yet and yet you have told them even before they make it, without seeing the evidence they are going to put forward, without seeing the contracts that they have signed to show it is sustainable over five years, that you are not going to do it. That sounds like pre-emption to me of an application.

Hilary Benn: We will not attempt to have the legal argument here before the Committee.

Chairman: He is a good lawyer.

Q83 Mr Cox: As you know, I practise in field.

Hilary Benn: I know, Mr Cox, you practise.

Q84 Mr Cox: And the reality is that you have pre-empted a perfectly legitimate licence application and told them, even before they make it, that they are not going to get it granted.

Hilary Benn: I have taken a decision in the light of the scientific evidence that has been given to me on the basis of culling, and, do not forget, we have had ten years of culling under the ISG, 11,000 badgers were culled in the course of trying to find out whether it worked, and the conclusion of that ten-year scientific study was, in the words of John Bourne, "badger-culling cannot meaningfully contribute". It seems to me that that is a reasonable basis on which to take the decision that I did.

Q85 Chairman: It is something I just observe from a personal standpoint.

Ms Edwards: The general policy has been set out in guidance for Natural England, but Natural England still have to consider every licence application, when it comes in, to consider whether or not it is an exception to that policy.

Q86 Mr Cox: Well, I know the judge will read your remarks with interest.

Hilary Benn: Yes, that is an extremely important point.

Q87 Mr Cox: What I would remind you, Secretary of State,

if I may, is that Rosie Woodroffe and the scientists have said as follows: that the beneficial effects may last. Now, that is what they concluded in their recent report, having shown that post-trial, two years post-trial, it is going down in the neighbouring areas and it is 54 per cent lower in the proactive area. In other words, you have shut the door before the evidence has had properly time to mature.

Hilary Benn: Well, I think in fairness to myself, I was urged actually to take a decision on this question.

Q88 Mr Cox: It depends what decision you take.

Hilary Benn: Well, I know, and I know some people approved of it and some people detested it.

Q89 Mr Cox: Well, you could take a decision that says, "We're going to watch this for now", but you said, "No, except in exceptional circumstances, you are not able to defy it".

Hilary Benn: I do not think that is a wholly fair characterisation of the decision that I have reached, and I stand by what I said to the House of Commons both about the decision that I have reached and about exceptional circumstances and new scientific evidence, and clearly it would not be sensible to rule that out in perpetuity. You have got to keep an open mind, but, on the basis of what we know now, that is the decision that I have reached and I stand by it.

Q90 Mr Williams: If I remember correctly, when you made the statement to the House, you did say that you ruled out a cull, but were always open to further scientific evidence, and I think I asked you would you be commissioning any more work that would give rise to that, but it seems to me that the evidence that Mr Cox has brought forward has almost come passively, in the sense that no extra work has been done, but the evidence has come. I think that now it is open to you to look at that decision again.

Hilary Benn: Well, having just made the decision back in July, I am not coming before the Committee to say, "Okay, I'll have another think" because that is not my position. We are paying for that research precisely because it is important that we continue to understand what is going on and, yes, I absolutely recognise, Mr Cox, it says - what was the phrase that you described from it - that it may ---

Q91 Mr Cox: That the effects are lasting and may continue to last.

Hilary Benn: And "may continue to last". Well, the reason we are paying for the research is of course to see whether in fact that is the case or not, but we also have a great ---

Miss McIntosh: You said, Secretary of State, that in the first two years the results are beneficial and lasting.

Q92 Mr Cox: Yes, post-trial. They are down 54 per cent in the proactive area and you based your decision in your statement, Secretary of State, on the fact that there was a perturbation effect. You said in terms to the House that this may make things worse in the adjoining areas. What this piece of work shows is that in the adjoining areas it is making it better now and has done for the last 12 months and may go on to.

Hilary Benn: But, as I have said to the Committee twice already today, it is not the only factor that we have to take into account in reaching a decision on ----

Q93 Mr Cox: But it was the main factor. Perturbation was your main factor.

Hilary Benn: Well, it is one of the factors and it led the ISG to reach the conclusion that it did, but it is not the only one because you also have to have regard to the practicality of a course of action, and I would be failing in my duty, as the Secretary of State, if I did not take that into account alongside the scientific evidence that has been put before me.

Chairman: Well, perhaps one of the things that the Eradication Group will be able to do is to evaluate the economics of all of the options, including a potential cull, because I refresh my memory of the final report of the ISG and they came to the conclusion that you mentioned for the first time of taking fully into account the economics that were involved. If I recall in their previous reports, they effectively said that there was a reduction in the incidence of bovine TB in the proactively culled area, that that was a provable scientific conclusion, irrespective of the costs of achieving it, so I am sure that the NFU will have noted the line that you have taken, as a participant to the Eradication Group, and will want perhaps to look at that matter again.

Q94 Mr Williams: It may be that evidence will emerge from activities that are going to take place in Wales of the effectiveness of a cull and that might help the Secretary of State in looking at this issue again. If a cull in Wales were to go ahead, would that be evidence that would lead you to look again at this issue?

Hilary Benn: As I have already indicated to the Committee,

we will continue to look at all of the evidence and information that is available, but let us just be clear about a cull in Wales. Ellen Jones announced that this was going to be part of the approach that the Welsh Assembly Government was going to take. We are still waiting obviously to see what form it will take and where it will happen and, as the scientific evidence has already indicated, it is going to take you some years, is it not?

Q95 Mr Drew: Some.

Hilary Benn: Well, it could be four, five or more to know what the impact is and, therefore, we have things that we have got to get on with now and, who knows, in four or five years' time we will obviously need to look at what that demonstrates. I do not know what the answer will be, nor does anybody else, but it is some years off.

Q96 Dan Rogerson: Very briefly on that is this question of what the group is for if things are being ruled out at this stage, so you have quite rightly, Secretary of State, said that it is right that you get on and look at things now. On this issue of VLA9 where there was a proposal to do something, it just seems crazy to me that you can say "No, never" rather than say that, if the measures that the Eradication Group look at, bearing in mind the future evidence, if there would possibly be a case for doing something in a clearly defined local area where, if the practicalities are a key consideration, the other one that you have pointed to as well as the perturbation effect, if the perturbation effect can be overcome through emerging evidence, is practicalities, if there is an area where there is clear support from the local community for something to take place, it strikes me that that could be overcome as well and that there might then be a case for you to review the decision.

Hilary Benn: Well, it depends on what public objection and protest there may be. We have not discussed this much, but we might as well at this point in relation to that question. There is a very, very large number of people in the country, and we have talked a lot about those who are convinced that culling is the right thing to do, but there is a very, very, very large number of people who are absolutely clear in their minds that it is the wrong thing to do ----

Q97 Dan Rogerson: In unaffected areas maybe.

Hilary Benn: Well, I would not say that. I have had a very large number of postcards since I took the decision in July, and I have not read them all, but they seem to me to come from right across the country, from towns and cities and rural areas as well. The question that I have to consider, and did consider in reaching my decision, is how

would we deal with the consequence of that and what impact would that have, public protest and the need to police it and all of those things, on the ability to actually do what those who are promoting the idea of a cull would seek to do. It seems to me that that is a really legitimate consideration.

Q98 Mr Drew: Could we move on to vaccinations, and I think it is fair to say that it was always our Plan B and Plan B may be nearer to Plan A now. There is a great deal of ignorance about the role that vaccination could play. To what extent do you think that part of your role through the Eradication Group will be to try and explain how vaccination could be taken forward?

Hilary Benn: I think it is an important responsibility for all of us because, if it can be developed and made to work, then, as I think we would all agree, it would be a much better way of trying to deal with this over time than the tools that we have got at the moment, recognising that we would have to work alongside them. Secondly, because there is no absolute certainty about the timetable, of course there is a difficulty because people say, "Well, when is this thing going to turn up?" and the purpose of the vaccination deployment project is indeed to say, "Look, we're going to have before very long, we think, an injectable badger vaccine. Let's take an area or a number of areas and try it out to get those, in the end, for whose benefit the vaccine is being developed", and a considerable amount of money is being put in, "to be a part of that process, to be able to see". It would not be a scientific trial in the same way as the ISG was, but you would hope to take a big enough area and say, "Well, let's give it a go and then let's look at the figures in relation to that area in relation to others". It is about really building confidence and of course seeing how practical it is, and I think the general view is that, at the prospect of trapping and then injecting on an ongoing basis, badgers are going to be pretty tough and you would have to train people to try it, which is why we are putting money into the oral vaccine because, if that can be made to work, that is a better delivery mechanism than trying to catch and to inject. Similarly, with cattle vaccine, part of the timetable is not the development of the vaccine, but getting all of the evidence ready to then have the really important conversation with the European Union, and I did raise this briefly at a discussion with Commissioner Vassiliou recently, and obviously European Union law currently prohibits. Now, in order to demonstrate, you have got to say, "We've got a vaccine. This is its effectiveness and here is a DIVA test which is going to enable you to differentiate vaccinated from infected animals". If and when we get all of those things in place, well, then I think all of us would have a shared

interest, the industry, the Select Committee and certainly myself, in saying, "Well, come on, can we agree to allow this to happen?" and we are putting a considerable amount in because I think it is an investment that is well worth making.

Q99 Mr Drew: In terms of the field trial, which you know I know something about because it is in my area, when we went to see the laboratory work at Weybridge, I suppose the question that really came up was: why can we not be looking to do more field trials? In a sense, I pose the question no more scientifically than to say it is a ruse at the moment. Given that it is all heat rather than light that seems to emanate around the issue of culling, why could we not actually replicate the vaccination trials in the terms of trying to see if an area could be used to dampen down the rate of increase of bovine TB? All I am saying is, to some extent, let us go with the hunch rather than a pure scientific proven outcome to see if we can dampen down an area by using the vaccination initially, injecting the badgers, because that is all we have got at the moment, we have not got the oral vaccine, we have not got the cattle vaccine, but we know, we have got some evidence, not yet proven, of whether you can dampen down TB in that area by using an injectable vaccine.

Hilary Benn: I would certainly be keen, it is obviously subject to advice that I receive, to try this out in hotspot areas. That would seem to be a really sensible and logical place to have a go. Now, you need the support and involvement of those who are terribly affected by the disease because this has to be done together. I do not know whether Gabrielle wants to add something on this.

Ms Edwards: It is probably just worth differentiating between the trials that are being done at the moment, which are scientific trials to get the safety data for the licensing of the injectable vaccine, and then what we are looking at in terms of the injectable deployment project, which, I would hope, would do the sort of thing that you are talking about because, as we do not see that as a rigorous scientific trial, we would be using it and we would be trying to see if there were some sort of impact on the disease in cattle as a result of using it. You will not be able to do something against controls in the same way as you do with the RBCT, but you may be able to see something in trends, and we also hope that you will learn more in terms of how you could actually go about getting groups of farmers together to actually deliver a vaccine. Whilst there would be one thing which would be around the injectable vaccine, some of the problems you would have in delivering that would be very similar to those you would have with an oral vaccine, so there is quite a lot of learning you can do with an injectable vaccine. I think

the other point that is worth making is that the analysis we have done so far suggests that the cost:benefit of using an injectable vaccine on a large scale would suggest that you are not going to be able to do it, it is just not economic, but we do not actually know until we go out there and try it. It may well be that, by doing that work, particularly if there is some sort of delay in the oral vaccine, it might look more attractive than it does at the moment.

Q100 Mr Drew: Well, the parallel is what we have just done with bluetongue, that none of us quite knows what the implications are going to be of the vaccine trial because it is still a trial and we have got different strains of bluetongue. Now, I know we have got experience from what is happening in other countries, but, in a sense, what we have here is a lot in common. We suspect that it will be a lot better to trial, and I know there are issues about take-up which is an issue to do with it being voluntary versus making it compulsory, but, in a sense, if you compare that to foot-and-mouth where we had the arguments about whether we could vaccinate to get ahead of the disease, we chose not to do that and we chose a culling policy and at that time, personally, I felt it was right. I think that, if we were to run it now, we would have a hell of a lot of argument about whether we could cull to try and eradicate the disease.

Hilary Benn: I agree with that. In relation to foot-and-mouth, and we put, as you will know, the vaccination teams on standby when there was the outbreak last year, I think attitudes have shifted compared to where they were in 2001. I think the crucial point about the bluetongue example, okay, we developed a vaccine, we were the first northern European country to place the order, but the reason why the rollout of the vaccination programme has been a success is because the industry was absolutely committed to this and we did it together. The industry came and said, "Look, would you put the money upfront to order the vaccine?" I said, "Fine, I'll do that, but the deal is that farmers have to pay for the vaccine when it's used, sharing the cost", and that is exactly what has happened. They came and said, "We don't want a compulsory programme. We've thought about it and we want a voluntary programme, but we will give it all the support that we can. Don't hesitate, vaccinate". The take-up, okay, it has diminished a bit, but it has gone further north because actually we have just had a summer in which we have had no new cases, apart from those arising from the imports, and you could see, the further north it got, that farmers may have thought, "Well, there haven't been any further cases, so perhaps I'll wait and see", but the industry continues to be very strong in saying, "Why wouldn't you want to vaccinate your animals?" That is why you need the support

of the areas in which we are going to have the injectable vaccine deployment because you build confidence, people need to participate, you are going to have to train people to actually do the trapping and the injecting, and then you see what the results are, but it is a shared endeavour and it is a much, much better way of doing it. I think we have got an opportunity here myself and, in the process, the aim is not scientific, as Gabrielle says, but it is a way of trying to build confidence and seeing will it hope to have an effect, as you described it very well, in damping down and then people will say, "Well, maybe vaccines have got something to offer".

Q101 David Taylor: You will have noticed that your July statement seems to have polarised the Committee more into jabbers and cullers, and I am a fully paid-up member of the jabbing tendency! I want to look at some of the practical difficulties that are associated with your vaccine time-line. As an accountant, I fell on this beautiful project plan with some relish and I was disappointed at some of the detail that I found. It is page 24 of your response to our tenth Report. You mention in the narrative of that response that European countries which are TB-free would be reluctant to see changes in the present control system, and I think that is undeniable, and, therefore, you said a moment or two ago that you wanted to have, in a sense, all of the ducks lined up before you took the plan to them and got the appropriate licensing endorsed. Do you not think that where you have placed the serious discussion with the European Commission, which is in 2013/14, that it seems sort of an unduly leisurely approach from where we sit here in 2008, even one demonstrating some sort of insouciance as well? Surely, (a) that should be earlier and (b) you will need more time anyway, will you not, from the serious discussion with the European Commission to the availability of a vaccine that is ready to use by 2015?

Hilary Benn: Well, I can assure you, Mr Taylor, being leisurely is absolutely not what we are about. In the end, you have to make a judgment of how long you think it might take, given that Europe's policy currently is that you cannot vaccinate and given that the Commission is likely to say, "Well, when you've got all of your bits ready" so that we can begin to have a conversation with them about their being sufficiently confident that all of these things are going to work to change the policy, "because, after all, there will be other Member States where it is not so big a problem and we will want to be absolutely convinced that you've got this right, otherwise why would we want to agree to a change in the arrangements". I am keen that we get on with this as quickly as possible. If that time-line can be shortened, then great, but ----

Q102 David Taylor: But is it not too close, Secretary of State?

Hilary Benn: Too?

Q103 David Taylor: Too close. Are you even allowing enough time from the serious discussion, so-called, until the licensing of the vaccine and its availability for use because it is beyond the critical path without a doubt and any delays at that point will push back the availability of the vaccine? What we have seen in some of the early statistics, and my colleague Mr Gray pulled it out very well indeed, is a doubling of the infection over a four-and-a-half-year period, that is the trend, I think that has been established, and it takes just simple arithmetic, two four-and-a-half-year periods, nine years from 2007, the last date that is available when you are into the first year when the vaccine is theoretically going to be available and you are going to have a quadrupling of herd breakdowns to, on that trend, 16,000 herd breakdowns a year. How many herds are there, by the way, in the UK?

Mr Simmons: In GB about 85,000.

Q104 David Taylor: So another seven years really beyond that and every damned herd is broken down. In terms of animals slaughtered quadrupling, it would produce a figure of 100,000 animals slaughtered. Do you think that the British public, farmers and others could sustain that sort of level of loss, 300 cattle a day being slaughtered because of TB, which is a herd a day or whatever it might be? That is an astonishingly high figure which should really provoke, and stimulate, a perhaps rather more rapid reaction.

Hilary Benn: Well, I am listening very carefully to what you have got to say, Mr Taylor. If anyone can say, looking at this time-line, "We think you can speed it up", and I have asked the question in relation to the development of the vaccine, "If I put yet more money in, will it speed it up?", I asked that very specifically when we met and the answer was, "No, it won't, but, if you put more money in, you increase the likelihood that you'll produce something that is going to work". If there is any way in which, because there are certain processes you have to go through, and Gabrielle may no doubt wish to comment, and you cannot hurry up in terms of licensing and accreditation and so on and so forth, but, if we can squeeze a bit of the time, and in the end that is a judgment as to how long we think any incorporation into a legal framework any EU negotiations are going to take, if we can squeeze that, great.

Q105 David Taylor: You are starting the serious discussions, but that is five years away.

Hilary Benn: Well, when I met Commissioner Vassiliou recently, I did ----

Q106 David Taylor: It is five and a half years away, those serious discussions starting.

Hilary Benn: Well, it is the first time I had had a discussion with her and one of the things that I did raise was indeed this point. I said, "Look, we are investing more money in vaccination and, if and when we get to the point where we've got something, I hope very much that the European Union will say, 'Right, we can change the rules so that we can use it in order to deal with the disease'".

Ms Edwards: I think there is a difference between serious discussions and formal negotiations because we are actually starting the process of discussing with the European Commission now and we will try to share the information with them, but there are some things and, I would absolutely agree, there is not much room for slippage in that timetable, it is very tight, and it is our most optimistic timescale.

Q107 Chairman: But the European Union are giving you a hard time as it is now. They have suddenly got themselves involved in this whole business of the work of the Eradication Group, they do not seem to be wildly happy with the strategy you are currently following and there are all kinds of rumblings and noises off as to whether there might be trade measures because of the high incidence in certain areas of bovine TB. You are not getting on terribly well with the European Union on this at the moment, are you?

Hilary Benn: On the trade measures, SCoFCA, as you know, has been looking in particular at the case of the calves which are exported and there is the informal trade ban that Belgium and the Netherlands have put in place. In that case, the system worked in that, as soon as we discovered that the calves had come from a farm that subsequently turned out to have a case, we let them know, and the Commission is in the process of deciding what it is going to do about this and it has been having kind of a number of goes during the course of the autumn. The EU Task Force, they will come and they will give some advice to support the work of the Eradication Group, but, as Gabrielle was just saying, it is not as if we are saying that we are going to go away and do all this work on vaccines and then suddenly we will turn up to the Commission and say, "Hey, we've done all this". Clearly, the sensible thing to do is to keep them informed about the process as we go through the stages because it is about building confidence in what we hope in the end to produce, which is a usable vaccine alongside a DIVA test

that can give the confidence that you can distinguish, and then to try and get the process of changing the current laws to permit vaccination, because it is a better way of dealing with it, as soon as possible.

Q108 David Taylor: Well, my final question relates to the discussion we have been having which has been, in essence, about a cattle vaccine. Now, during your rapprochement with the European Commission people that you have been talking to, do you get the similar feeling, that there will be difficulties in winning their acceptance of a badger vaccine when that might appear?

Hilary Benn: We do not need to get their approval because the cattle vaccine is for trade measures and we are not exporting badgers.

Ms Edwards: We have actually got to clarify that.

Q109 David Taylor: The badger vaccine would need to be licensed, would it not?

Hilary Benn: Yes, under the normal process, but we would do that.

Q110 David Taylor: But there is no further approval needed?

Hilary Benn: No, it does not require their approval, but the cattle vaccine would.

Q111 Mr Drew: Really, the crux of this is that it is a bit of madness, is it not, because we have got here a situation whereby the two countries that have got a real problem with bovine TB are ourselves and the Irish Republic, yet the rest of the EU are pontificating on this. They are not pontificating on whether it is good science or bad science, what we are doing, but they are looking at it in terms of the pure economics, as a trade measure. At a whim, they could take away our TB-free status. I have never understood how ----

Ms Edwards: We do not have TB-free status.

Q112 Mr Drew: Well, exactly, so it is all a wonderful ruse. What we really want is the EU to be helpful to us, to recognise that we are at the front end of trying with other countries in the world who happen to be outside of the EU, like New Zealand and, the classic case, Australia. Is this not rather limiting? What we want is just their help, as we have had in other areas, to go back to our earlier discussion of foot-and-mouth and bluetongue, where they have been helpful in the type of things we have tried to do. Surely they should be more helpful in this and say, "Look, if you can find a way forward, we're not going to

use economic measures" because they are merely, let us say, trade-related to try and block what will be a perfectly sensible way if we can find a cattle vaccine. If we can prove that it is safe to eat, and to draw from, the cattle, why would they still not want to take our animals?

Ms Edwards: It is about trade in live cattle, the issue. The relevant European legislation is a trade directive, and their concern is that they would not be able to identify which cattle were infected with TB and which were vaccinated, so it is just inconsistent with the trade measures.

Q113 Mr Drew: But that is true of other species at the moment. We still have pigs, for example, and the Dutch presumably would be paranoid if we were to take the sort of measures, which we could have taken against us in terms of bovine TB, against swine vesicular disease because of the difficulty with that disease growing around Europe at the moment.

Hilary Benn: Of course we need all the assistance that we can get and the reason why I have raised it with the Commissioner, why the discussions that Gabrielle has just described have begun and why we will keep them closely in touch with progress is that we want to be in the best position when we get to the formal stage of saying, "Now, will you change the rules because we've got", fingers crossed, "a vaccine that works and we've got a DIVA test?" to try to minimise the time, but in the end you have to make a judgment because you have got to be straight with people. It is not a question of the Commission saying, "That's fine. Right, you can start next Tuesday", which is why in the time-line, which is where the question began, we built a period into the time-line for making that happen, recognising that it may not be easy to get the support of other Member States, but the more we can build confidence, the better chance, I hope, we will have.

Q114 David Lepper: Can we move away from culling and from vaccination. One strand, Secretary of State, of the Welsh Assembly's strategy is improved biosecurity measures. The ISG say that it is very difficult to know what to recommend in terms of biosecurity, but, as I understand it, Dr Enticott's evaluation into the South Wales biosecurity intensive treatment area did suggest that there were gains to be made from improved biosecurity. Indeed, you had said, I think, in your statement in July that it is something you would be willing to look at. Do you feel that Defra should be considering measures like those that were evaluated by Dr Enticott in Wales and, in particular, the Welsh view of linking compensation to biosecurity, is that something that you would wish to consider?

Hilary Benn: The latter is an interesting idea. As I think I indicated earlier, we funded quite a lot of research on this front. We set up the Husbandry Working Group, as you will be aware, there have been leaflets and there have been roadshows. The circumstances of individual farmers of course differ enormously and I have seen some of the efforts that farmers have made to try and put physical measures in place. There is the evidence, the video which was done, which I think the Committee have seen, showing badgers coming into farm buildings in a way that surprised some of those who saw it. Therefore, the costs of doing something and the practicality of doing something are going to vary enormously from farmer to farmer. As I understand the research that has been done that you refer to, vets went out and gave advice and that was beneficial, but the question always is of course: if advice is given, is it followed? How do you communicate and, I suppose going back to the earlier point, how do you build confidence on the part of those who are suffering and are desperate that, if I take these steps, it is going to have some beneficial impact? Obviously that is going to weigh in the balance of individual farmers in deciding whether they think it is a sensible step to take, assuming that it is practical and they can afford it.

Q115 David Lepper: The ISG, I think, and more recently the Welsh Badger Trust described the sorts of measures that are being considered as just commonsense anyway. The Welsh Badger Trust said, "Why should we pay people to do what is merely commonsense and which they ought to be doing as a matter of course?" Is that a reasonable line to take?

Mr Simmons: If you consider there are lots of different measures, 'biosecurity' is a term that gets used rather loosely by lots of different people. There is no silver bullet or even a magic bullet here, but there are measures you can take, particularly about how you source cattle, which obviously with pre-movement testing will be one of the things we will be forcing people to do, but, in addition to that, on the farm there are simple measures, such as closing feedstore doors or even putting a door on in the first place, but I think we have to recognise that, with some of the modern dairies we have now, we might have 300/400 cattle in them with open buildings and total mixed feeding and access which is probably pretty easy for wildlife, having controls on that which are going to eliminate the risk are going to be extremely difficult. The research that we have got at the moment is looking at the measures that could be applied, although none of them is going to be something which is going to be extremely easy to apply to a large modern dairy farm, but there are simple measures people can take now, such as closing doors or installing doors, on relatively small farms which would be pretty cost-effective, in my view.

Q116 David Lepper: You did say, I think, in your response to the Committee's Report that you had not ruled out trialling something similar to the Welsh ITA trial in this country. Is that still the case?

Hilary Benn: As I have indicated earlier, the Eradication Group has the opportunity to look at anything which they think is going to help and I will look very carefully at the recommendations that they come forward with. I have got an open mind.

Q117 Chairman: Can I just probe you a bit more about biosecurity because, in the original reply you gave to the Committee, you sided alongside the words that we had used that there ought to be more information about the results of biosecurity research. Mr Simmons has just sort of ticked off a few things that he thinks might work, but one of the things that struck me about Dr Enticott's findings was the lack of a sort of list in his report of the things that had been tried and worked. I could not find what works and then I looked in his conclusion and he said, "As a result, the small changes that occurred to biosecurity levels represent a realistic level of change", so whatever happened in Wales was very small. Then I went a bit further and he conjectures that awareness is one thing, implementation is another. I am rapidly coming to the conclusion that biosecurity is a sort of sticking plaster concept, but nobody has actually really got a provable clue of what works. Dr Enticott says that, even if he did find something that did work, it is damned hard to get farmers to implement it, and yet it seems to me quite an important plank in your approach. Why are we still feeling in a sort of fog in the dark about biosecurity?

Mr Simmons: If you will forgive me, I would like to use an analogy about trying to reduce the cost of heating one's home, and I think it is probably quite relevant to Defra as well. If one takes a number of things that you could apply, which would be, say, lagging the loft or putting in cavity wall insulation, putting in better doors or a number of different things, you can get pretty good information as to which of those measures will provide you with the best return for your money and that might vary from house to house, but generally it is fairly well-established how much you can spend, so £500 spent on lagging your loft, you will recoup the cost in perhaps a couple of years. I think when one deals with biosecurity in respect of TB, because the measures vary from disease to disease, the benefits of various different measures are just not known and, in order to be able to get to that point where you had those measures, essentially you would have to do probably long-term intervention trials which would have farms on which you would deal with one area and probably apply a number of measures and then not apply

them on other farms and then draw distinctions between them, long-term expensive and possibly inconclusive in the end. What is important though is that there are a number of sensible, relatively simple measures that people can be doing now which are relatively low-cost on many farms, and those ought to be applied now and the advice is available.

Q118 Chairman: I suppose I am just a bit cynical that we have heard a lot of this before and you, as a Department, make a lot about the information that is available to farmers to improve their biosecurity and you have got little pamphlets, lists and advice. In fact, it was all so good, as I understand it, that the lady who had a closed herd, a farmer in Devon who was one of the leading exponents of your approach on biosecure measures, actually got bovine TB in her herd. That somewhat seems to undermine the credibility of the work in this area. I am not saying for one moment that it is not important, but, given all the work that is supposed to have been done, given Dr Enticott's findings and given the weight that you, as a Department, seem to attach to it as a key ingredient in the non-cull part of the strategy to deal with bovine TB, at this stage given what you have spent on it, the fact that we do not know what works, that in Wales it makes a marginal difference, it does seem to sort of undermine its credibility, does it not? Is the answer not yes?

Hilary Benn: Well, it is not an unreasonable point, but the fact is that, just because we cannot know for certain what impact all of these things are going to have, I do not think it was wrong to have invested the time, effort and energy in trying to identify what biosecurity measures might work, but it is a theme that we have touched on earlier in this evidence session. Even in the absence of certainty, and that is clearly the case in relation to this as other matters, is the conclusion that is drawn that you should go off and do something else and not promote this further? I am not sure that that is the conclusion that I would draw. We have to give the knowledge and the understanding that we have currently, recognise the difficulties, a number of which Alick has just talked about, and in the end farmers are going to have to make a judgment.

Chairman: Secretary of State, I am going to draw things to a conclusion and you have, as always, been generous with your time, but here we are at the end, and Mr Drew, who, I think, eats, breathes and sleeps bovine TB, he looks at all of it and he made the point at the beginning about the volume of work, the reports and everything else, that has been done and here we are some years on and this Committee has done two, three, four inquiries into it ----

Mr Drew: And the rest!

Q119 Chairman: Your Department has had plans, strategies and now it has for the first time an Eradication Group, yet we start off from the premise that here we are now in 2008, coming towards the end of the year, the incidence of bovine TB continues to rise, the measures of biosecurity, we are not certain what might work, there are still great uncertainties about the time-lines, the effectiveness, the application of the vaccine procedures, and we still have to convince Europe. You have for the time being, for the reasons stated, ruled out an intervention with culling and we seem to be significantly behindhand in terms of the basics of testing cattle. It does not add up to a particularly effective approach to a policy that is costing your Department currently £70 million a year and, as one of my colleagues said, by admission, I think, of the 2005 Bovine TB Strategy, one of the annexes at the back projects that by 2012 you will have blown £1 billion of public money without showing very much for it. It does not add up much to a row of beans, does it?

Hilary Benn: With respect, I would not agree with that.

Q120 Chairman: Well, I would not expect you to, but there we are!

Hilary Benn: First of all, it is right and proper that we should try and find the answers to the questions that we can, and we do not know everything, there is a lot of uncertainty, and it is certainly not for the want of trying. Now, with the exception of the argument about culling which we have spent some time discussing, if there are a load of other things that the Committee or somebody else thinks, "Well, that's blindingly obvious. Why haven't you done it?", I would very much like to hear it. What we can do is to continue to put time, effort and energy into trying to deal with this disease, recognising it is darned difficult.

Q121 Chairman: I suppose, Secretary of State, if you go to John Innes and they tell you they have cracked the DNA of plants, you go to other scientists, they seem to have done a lot of unbelievably difficult things, and, however complicated this disease is, here we are still feeling around trying to find some way to counter its spread and I think that is the frustration that we all feel.

Hilary Benn: We all feel it, yes. Of course, we all feel the frustration but, as I say, it is not for the want of trying, it is not for the want of effort. There are choices to be made in how we deal with this. The one big step forward that we have got now is that a lot of these questions, which the Committee have put very legitimately to us, are about is it worth doing this, should you try

more of that, and now we have got the opportunity in discussion and in partnership, if you want to use that word, together with the industry to weigh those things up. I think that will be a step forward compared to where we have been up until now.

Chairman: Mr Drew is going to ask the postscript question and then we will call it a day. You have got one minute.

Q122 Mr Drew: It will be one minute. This is a plaintiff plea from my farmers. The two aspects of this disease, I am sure, will be economics, and at the moment you are in court over the tabular system, so I hope you get a speedy resolution to that, but I am aware of the emotional side and how much people are under huge pressure at the moment. In an area like Gloucestershire with so many herds that are currently closed for all sorts of reasons, where you have got young stock which are difficult to feed, can we look at ways in which we can intervene to try and be as sympathetic as possible? I know it is about money but it is also about the care regime when you are losing so many animals on so regular a basis. If we can at least be sympathetic to that I think a lot of farmers would feel that Defra is listening to them.

Hilary Benn: Can I ask what in particular you have got in mind?

Q123 Mr Drew: When you take animals out and you have got young stock, you either shoot them, that is the reality, or you try and find ways in which you can keep those animals going. That is not easy when you cannot move stock because you cannot buy in. This is where the real crisis is, and Roger will know more than anyone as he is facing it. This is where the real emotional pull is at the moment.

Mr Simmons: There have been a number of ways in which we have tried to address the impact of TB on farms which are under restriction for some time. I am assuming you are talking about dairy calves which would normally be sold a week or so old.

Q124 Mr Drew: It is dairy. It is less so with beef.

Mr Simmons: It is a week-old dairy calf that would normally be sold on, marketed and sold off to someone else. We have got a number of ways in which we can address this through approved finishing units, which are not really suitable for young calves because clearly the care that needs to be applied when they are unweaned is very different than it would be if it was weaned calves, for example, that were going off to finish off elsewhere. It seems to me if this Eradication Group is going to look at anything, what it needs to look at amongst some of the

things the Secretary of State and the Committee has already mentioned is how best to get farmers to effectively live with the disease. I know that is a phrase that farmers do not want to hear but, in essence, in certain parts of the country, Gloucestershire in particular, it is a matter of learning to live with the disease and us facilitating people living with that disease and trying to reduce the economic impact without significantly impacting on the prevalence of the disease and on public health risks. That is a real tall order but I think that is what we need to be doing.

Q125 Chairman: Can I thank you all very much for your patience and your contributions to this inquiry. I have a funny feeling that however much we might have looked at it, it is a subject that we might well come back to. Secretary of State, it would be helpful if you could continue to keep us posted about the progress of the Eradication Group which is an important next step. We would be grateful if you would keep us up to speed on how things are going.

Hilary Benn: I would be delighted to do so, Chairman. Can I thank the Committee because we need to continue to work together on this, and I am sure it will not be the last occasion when we talk about the problem of bovine TB and how we are going to deal with it. Can I just say to Mr Drew, I absolutely understand the devastating impact because I have talked to enough farmers who are trying to live with this to know that.

Chairman: Thank you very much.