1. Introduction

1.1 In this volume we look at the BSE epidemic and the way it was handled in Wales, Scotland and Northern Ireland during the period 1986–96. Other volumes in the Report examine the main strands in the history of BSE and the adequacy of the response to the epidemic in the UK as a whole. The policy on BSE, and any human health implications, was developed in England by two Whitehall Departments – the Ministry of Agriculture, Fisheries and Food (MAFF) and the Department of Health (DH). The corresponding Departments in Wales, Scotland and Northern Ireland almost invariably followed the Whitehall lead.

1.2 There was no separate Secretary of State for England or Department exclusively charged with taking an overview of England’s animal and human health status separately from the rest of the UK. Instead, its interests were a part of the brief of a number of Ministers and Departments, whose responsibilities in some cases also covered aspects of affairs in Wales, Scotland, Great Britain or the UK as a whole. In contrast, Wales, Scotland and Northern Ireland each had its own Secretary of State, representing its interests in the Cabinet and Parliament across the whole range of policy-making. The Departments serving these Ministers largely mirrored those in Whitehall, though on a much smaller scale, spanning more functions. The purpose of this volume is to look at the effect of these arrangements on the response to BSE.

The geographical pattern of the BSE epidemic

1.3 Although the scale of the epidemic was vastly larger in England than elsewhere in the UK, its general pattern was closely mirrored in Wales, Scotland and Northern Ireland. Charts 1 and 2 overleaf illustrate this in different ways. Chart 1 shows the far greater numbers of animals affected in England. Wales was the next most severely affected, while incidence was somewhat lower in Scotland. Northern Ireland was cushioned from the main impact by its island status and the trade barriers it was able to impose. As the table below shows, incidence there remained low.

Table 1: A comparison of cumulative herd incidence of BSE in England, Wales, Scotland and Northern Ireland, up to 20 March 1996

<table>
<thead>
<tr>
<th></th>
<th>Total number of herds</th>
<th>No. of BSE-affected herds</th>
<th>Cumulative incidence</th>
</tr>
</thead>
<tbody>
<tr>
<td>England</td>
<td>60,837</td>
<td>25,506</td>
<td>41.93%</td>
</tr>
<tr>
<td>Wales</td>
<td>16,747</td>
<td>4,926</td>
<td>29.41%</td>
</tr>
<tr>
<td>Scotland</td>
<td>14,483</td>
<td>3,104</td>
<td>21.43%</td>
</tr>
<tr>
<td>Great Britain</td>
<td>92,067</td>
<td>35,536</td>
<td>36.43%</td>
</tr>
<tr>
<td>Northern Ireland</td>
<td>28,187</td>
<td>1,145</td>
<td>4.06%</td>
</tr>
</tbody>
</table>
Chart 1: Number of confirmed cases of BSE by year of clinical onset, up to 20 March 1996

Note: by 20 March 1996 there had been 138,313 confirmed cases of BSE in England, 15,202 in Wales, 7,728 in Scotland and 1,710 in Northern Ireland.

1.4 Chart 2, by using a logarithmic scale, makes it easier to compare the phases of the epidemic, which peaked in England and Wales in 1992, and in Scotland and Northern Ireland a year later, mirroring its later emergence. In Northern Ireland the epidemic, according to known confirmed cases, began two years later than in England. Recent epidemiological findings suggest that the first cases in Wales were a little earlier than these charts suggest, but this does not affect the overall shape of the epidemic there. The logarithmic chart shows how the course of the disease followed a similar pattern in England, Wales, Scotland and Northern Ireland.

1.5 It was well-established practice for major threats to animal and human health to be addressed on a UK-wide basis, with the policy lead and overall coordinating role taken by Whitehall, including dealing with the international implications. The problems posed by BSE clearly fell into that category. As the charts show, the way
the epidemic evolved and its sheer scale made it especially urgent for England to find ways of arresting its progress.

**The responsibilities and concerns of Wales, Scotland and Northern Ireland**

1.6 Although the lead on BSE was taken by Whitehall, decisions and action on many matters within their own geographical areas were the responsibility of the Secretaries of State for Wales, Scotland and Northern Ireland and their respective Departments, known colloquially as the ‘territorial’ Ministers and Departments. This responsibility required the exercise of independent judgement. Only some legislation applied to the UK as a whole. Scotland and Northern Ireland each had its own body of separately worded, though broadly similar, legislation on some matters, and much secondary legislation was made jointly by MAFF or DH with the Welsh Office. The legislative differences as they affected BSE are described in more detail in Parts 1, 2 and 3 of this volume.

1.7 Territorial responsibilities also included securing effective implementation on the ground. This was influenced among other things by the organisational arrangements in the territories. Each differed from the others in various ways and from England to varying degrees. In the case of Northern Ireland in particular, there was a different split of responsibilities between the Health and Agriculture Departments and a different division of enforcement responsibilities between Departments and central and local government. All these differences could create problems in securing synchronised action.

1.8 What constituted the local scene differed widely between countries and between them and England. Thus, England was easily the largest country with a population of 49 million, five times greater than the rest of the UK put together. At the other end of the scale, the Northern Ireland population of 1.6 million people lived in an area a tenth of the size of England. Its physical separation from Great Britain enabled it to act as a separate entity at one or two points in the BSE story. On the other hand, on animal and human health matters – no respecters of land boundaries – it had to operate closely with the Republic of Ireland. Moreover, with its smaller population, and less delegation to local government, there was much closer contact between the policy-making Departments and the people on the ground than in England. This allowed for direct communication, but also exposed them to more direct pressures from local authorities, local industries and other interest groups. Such comparative intimacy was also true of Scotland and Wales, though to a lesser extent.

1.9 All three territories were more economically dependent than England on agriculture, and on the export market for cattle and meat products. The variations in geography and climate favoured differing types of agriculture. In the case of cattle farming, English herds were predominantly dairy, while Scottish, Northern Ireland and to a lesser extent Welsh herds were focused more on beef production. This had

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1 Collective references to England, Wales, Scotland and Northern Ireland during this period raise a problem of terminology as to whether they were all separate ‘countries’, ‘territories’ or ‘regions’ within the United Kingdom. Certainly they did not all have exactly the same status, which is why Northern Ireland, for example, is sometimes referred to in this volume as the ‘Province’. The officials themselves often referred to Wales, Scotland and Northern Ireland as the ‘territories’, and to their Departments as ‘Territorial Departments’. Where we have to use a collective term, we therefore follow suit, as a convenient shorthand.
considerable significance for their feeding regime, since dairy cattle were given higher levels of concentrates and thus greater exposure to the BSE agent.

1.10 Despite these differences, when faced with BSE the different territories had much in common. They had common established procedures for controlling animal epidemics and for safeguarding human health. All operated within the framework of EU legislation and international animal and human health requirements. Although the form and details of some of their legislation differed, it covered broadly the same matters. The role of their Secretaries of State was part of a wider collective government responsibility for the welfare of the UK as a whole. Farming practices, the slaughter and rendering industries, food production and marketing, and health arrangements were not dramatically different in character. Thus there was a unity of context in which decisions could be taken.

The need for good working arrangements and understanding throughout the UK

1.11 Given the variety of interests and arrangements involved, a coherent and effective response to BSE required good working relationships and understanding between Whitehall, Cardiff, Edinburgh and Belfast. After looking at each territory in turn, we discuss some general points on this issue in Part 4.

1.12 It was not simply a matter of Whitehall keeping the others informed, important though that was. Many of those responsible for handling BSE in the Territorial Departments had valuable perspectives to offer, based on local knowledge and experience. In order to make this available, they needed to have access to key data and sufficient warning of the issues being considered. In this volume we explore how the two-way relationship actually worked in handling BSE.

1.13 We do not attempt to cover exhaustively all the actions taken by each of the Territorial Departments. Instead we focus on those parts of the story where the line they took, or contemplated taking, differed from that being followed in Whitehall and the reasons for this divergence. We have considered this evidence in the context of the powers and responsibilities of those concerned, and the processes traditionally used throughout the UK (as described in vol. 15: Government and Public Administration).

1.14 As a result of the recent process of devolution in Scotland, Wales and Northern Ireland, many of the circumstances we describe in the body of this volume have changed. However, that does not mean that the strengths and weaknesses of the previous systems have now all disappeared. Our analysis may be helpful for the future within the new constitutional arrangements.

Structure of the volume

1.15 Parts 1, 2, and 3 of this volume look in turn at Wales, Scotland and Northern Ireland. We start with Wales, because the legislation and administrative
arrangements there were closest to those of England. We then look at Scotland and finally Northern Ireland, where the differences were most marked.

1.16 The format we have adopted in each of the three Parts is as follows:

- an introductory section explaining the main features of livestock and meat production in that country, and related industries;
- a description of the statutory framework and responsibilities within which BSE was handled;
- a chronological account of significant events and action where this diverged from or challenged the Whitehall line; and
- comment on the adequacy of the response in the light of all these matters, and a summary of our findings.

Ministerial and organisational charts for the respective Agriculture and Health Departments are annexed to each Part as background.

1.17 Part 4 looks at some general features of the relationships between Whitehall and devolved administrations. It ends with an overview and summary of our main findings, followed by an annex on comparative BSE legislation, a general Who’s who and a Glossary of many of the terms used throughout this volume.