

Reducing Regulation for Northern Ireland Farmers

Rural Support: - Submission to the Committee for Agriculture and Rural Development. July 2015

Rural Support was initially established in autumn 2001 during the severe foot and mouth crisis in the agricultural industry at the time. The organisation is a charitable company limited by guarantee, and is registered as a charity.

Initially set up to alleviate the stress, worries and concerns experienced in the face of foot and mouth, Rural Support has subsequently broadened its focus to include concerns related to financial problems, inheritance issues, outbreaks of stock and crop disease, and the burden imposed by farm paper work and related matters. These increasing pressures are a result of changing circumstances. While retaining its core focus on issues such as stress and emotional distress, physical and mental health and the often related risk of suicide, Rural Support now has extensive experience in handling problems associated with major incidents including animal diseases and major weather events, such as that experienced in the spring of 2013. Such incidents and ongoing financial pressures have highlighted the on-going needs of the rural community and the valuable service that Rural Support provides.

Rural Support's Vision is; to contribute to a healthy, sustainable rural community by providing individual support and promoting positive mental health and wellbeing. Our aim is; to provide confidential non-judgemental support to farmers and rural dwellers.

Based on the issues raised by farmers through our helpline, our outreach work and in liaising with other organisations, we have found the following areas to require attention from a regulatory perspective.

Cross Compliance

Rural Support have taken many calls related to the issue of compliance, the reasons behind which focused on three main problems farmers found themselves facing:

1. The feeling that guidance on compliance was too complicated.
2. The feeling that the standards required were unattainable
3. The fear of being breached and losing a significant proportion of their SFP

There is a feeling among some of Rural Support clients that cross compliance regulations are not proportionate to the risks involved and greatly exceeds both the requirements of the EU legislation and the standards effective in other jurisdictions. Thus farmers feel aggrieved and under disproportionate pressure.

Inspection Procedures

Through discussions with clients, Rural Support volunteers and mentors it has been identified that there are issues around the procedures followed by inspectors visiting farms. There is a perception among farmers that some inspectors are "out to breach them" and that the tactics used and attitude of the personnel are sometimes too heavy handed.

The key areas identified by those calling the helpline are:

1. Feeling overwhelmed by the presence of a number of inspectors.

2. A lack of understanding of what they are supposed to have done wrong.
3. Fear of the implications of taking potential courses of action

Taken together, these three factors mean that inspections are very stressful experiences for some farmers when they need not be so. While it is important to remember that the vast majority of feedback regarding inspectors is positive, perception often overrides reality and leads to a fear and mistrust towards these personnel.

As an example of how this can be done better, Rural Support are aware of efforts made by the Health and Safety Executive of Northern Ireland to overhaul the enforcement regime around farm safety to take a more advisory-led approach. Farmers will be informed of problems on their farms and advised on how to rectify them. This approach has met with a warm reception from farmers and to a greater appreciation among the farming community of the importance of farm safety.

Closed Herds

The issues surrounding herds which have been closed on the grounds of disease are also of great concern to Rural Support, with some callers on the helpline reporting that they are experiencing a great level of stress on account of:

1. Increased frequency of testing
2. The perceived irrationality of some grounds for testing.
3. The physical and financial pressures of long closures

In terms of a regulatory response, it seems that in some circumstances, a risk-based rather than a precautionary-based approach may be more appropriate in order to save farmers from unnecessary stress and strain. For example, a farmer whose herd tests positive but who owns a parcel of land disconnected from the land occupied by the animals should not necessarily have the disconnected parcel of land treated as affected, resulting in neighbours to this parcel of land having to test- if of course, it can be established that the animals have not been on the land.

Animal Welfare Regulations

Issues over concern regarding both the welfare of animals and the regulatory framework and enforcement of the Welfare of Animals Act 2011 and its secondary legislation. The concerns raised focus on the following issues:

1. The capacity of older farmers, or farmers in exceptional circumstances to care for livestock
2. The communication process around enforcement and inspection-especially when they come to put the animals down
3. Inconsistent application by VSO's.

The helpline has taken calls from concerned members of the farming community who are concerned about the welfare of an elderly neighbour, or neighbour in exceptional circumstances, who does not seem capable of correctly caring for his or her livestock any longer. Concern for the livestock in these circumstances is almost entirely coupled with concern for the farmer and the caller's desire is invariably for the farmer to get help if that is required. There is sometimes a reluctance to contact DARD as they have no desire to see their neighbour punished or are afraid that this might happen.

Rural Support believe that in exceptional cases there should be more awareness within specific contexts with regards to the links between the mental health of the farmer and the welfare of his animals.

Some clients have highlighted that there appears to be a lack of consistency with VSO's at abattoirs and livestock markets. Some officers condemn animals that others would find acceptable. This uncertainty and lack of clarity can lead to a great deal of stress for farmers as they are often too afraid to take an animal to slaughter in case a vet raises an issue. The rules on this require clarity and consistency of application.

Paperwork / Bureaucracy

Another issue raised frequently on the Rural Support helpline is that of the increased level of paperwork involved in farming. This is predominantly an issue for older farmers who are often unused to such activity. Rural Support have serious concerns around the level of adult literacy in the rural and farming community and feel that more support should be available from DARD in helping to complete the necessary forms in order to carry out agricultural business legally. The issues raised around paperwork fall into three areas:

1. The volume of paperwork
2. The complexity of paperwork
3. The fear of making a mistake in paperwork.

It is undeniable that the volume of paperwork has increased in recent years and farmers often feel swamped with the requirement to maintain records on APHIS, make Nitrates Calculations, complete Single Application Forms, make Greening calculations and so on, not to mention other paperwork falling outside of DARD's remit. Issues regarding duplication are of concern.

Added to the volume of paperwork, there is also an issue regarding the complexity of it. Many farmers feel that the bureaucracy itself is a full-time occupation. Farmers often find themselves in a situation where they do not understand the forms and are left in a situation where they have to transfer liability and pay for them to be completed by another party or risk completing them incorrectly themselves. The complexity of the forms can result in a great deal of fear about financial penalties or delays in SFP which can have a serious effect on cash flow.

Rural Support has found that in cases where delays in SFP have occurred, the main issue causing stress to the farmer in addition to financial implications is inconsistent communication, for example where a delay/ problem with inspection has not been communicated or when the farmer has to speak to several different DARD staff or divisions to rectify the claim or obtain a timescale in which to expect payment.

Rural Support would suggest that in cases where there are problems with SFP there needs to be more effective communication between the relevant department and the farmer. It may be effective at an early stage to appoint a single named person to act as the point of contact so that issues can be addressed more effectively and so that there can be clear communication regarding the status of the payment. Consideration could also

perhaps be given to making staged payments in exceptional circumstances where delays are preventing farmers from continuing to trade.