Defra Science Advisory Council (SAC)

Minutes of meeting, 9 February 2023

Actions arising

Action number	Action	Owner
Action (01)	The SAC members to share insight about the Genetic Precision Bill with their networks to help ensure a balanced public perception on this subject.	SAC members
Action (02)	The SAC members to make suggestions for BEC membership.	SAC members
Action (03)	Lynne Field to be introduced to Pesticides team with regards to science in EU law	SAC secretariat
Action (04)	Lisa Collins to be introduced to Pesticides team to allow them to input into Defra's work on circularising nutrient cycles.	SAC secretariat
Action (05)	SAC-ED to interface with relevant Defra policy team with regards to African Horse Sickness.	SAC-ED

1. Welcome and apologies

The Chair welcomed attendees, apologies are recorded in Annex A.

2. CSA Update

The Chief Scientific Advisor (CSA) welcomed the new Deputy Chief Scientific Advisor (DCSA) Justine Bejta to the SAC.

The CSA provided updates on the following:

- The Office for Environmental Protection published their annual report on 19th
 January 2023, which was negative on environmental outcomes in the UK,
 especially on data availability from Defra.
- The <u>Genetic Technologies Precision Bill</u> has passed its third reading in the House of Lords and Defra expect it to receive royal assent. The CSA encouraged Science Advisory Council (SAC) members to share insights about gene-editing of crops with their networks to ensure balanced views are heard.
- The environmental improvement plan was published at the end of January 2023. The report outlines government intentions to improve the environment.
- <u>The Royal Society Multifunctional Landscape report</u> has been published. Charles Godfrey (ex-SAC chair) and Ian Boyd (ex-Defra CSA) were involved.
- The Department for Science, Innovation and Technology (DSIT) was established this week. The CSA met with the new Secretary of State for DSIT minister Michelle Donelan. The CSA raised concerns that the formation of DSIT, which as an explicit science department, could lead to a perception that other government departments do not need to perform any science activities.

- The Crustacean Mortality Expert Panel published its <u>report</u>. The CSA felt this was a good piece of independent science work.
- The highly pathogenic avian influenza report led by Rowland Kao as the SAC subcommittee SAC-Exotic and Emerging Animal Disease (SAC-ED) chair is due to be published soon and will report to the SAC in March 2023.
- A new SAC subcommittee will be formed on biodiversity known as Biodiversity Expert Committee (BEC) which will cross multiple teams within the department. The intention is to direct appoint a number of positions on the committee. The CSA asked SAC members for suggestions of members for this committee.

Action (01): The SAC members to share insights about the Genetic Precision Bill with their networks to help ensure a balanced public perception on this subject. **Action (02):** The SAC members to make suggestions for BEC membership.

3. Retained EU Law

The SAC Chair thanked Defra for the vast amount of work undertaken to summarise European Union (EU) regulations for the SAC.

Retained EU Law (REUL) is law the United Kingdom (UK) saved to ensure legislative continuity after Brexit. The REUL (Revocation and Reform) Bill will provide legislative powers for Departments to amend, remove or replace retained EU law with domestic UK legislation which better suits the UK. At time of meeting, this Bill had just completed its third reading and report stage in the House of Commons.

Defra has the largest programme of REUL in Whitehall with 1,781 entries included on the REUL dashboard following its update in January 2023. Defra will continue to review its position to identify any remaining REUL and to update the dashboard as required should further REUL be confirmed. Defra is continuing to develop REUL plans including any Statutory Instruments (SIs) needed to deliver this programme of work. The Secretary of State has agreed the broad shape of the current REUL programme, recognising there is further work needed to develop it.

The SAC highlighted concerns around the possible loss of hard-won rights and environmental protections. Concerns were also raised around the 'sunset' date, which the SAC felt significantly limits Defra's practical ability to deliver reforms. In this context, the SAC agreed with the default position of retaining REUL unless there is good reason to change or remove it, and the intended phasing, focusing in 2023 on retaining REUL that Defra wants to keep, removing what is no longer needed, and reforming a small number of regulations. The SAC felt there was a strong case for focusing on improvements; noting there will be vigorous debate about what constitutes an improvement. The SAC suggested to Defra that the 2024 to 2026 timetable should allow scope for public engagement on these important issues.

The SAC felt that the questions posed to the SAC by Defra regarding regulation and innovation have a narrow focus on science. Defra were encouraged to consider social science input into this debate as the SAC felt these questions merited a wider debate as they are not purely scientific issues.

The SAC then shared initial ideas on some potential areas of reform:

- The SAC discussed the regulation of crop protection with pesticides and the
 new chemical ecology approaches. Raising concerns about how the EU rules
 are defining new chemicals. The SAC wished to see more science
 involvement in the use of some integrated pest management techniques
 which are not allowed through current EU legislation, for example nontraditional chemical control such as pheromones.
- The SAC discussed the approach to assessing chemicals and the potential to streamline this process, including the complex regulatory landscape surrounding chemical mixtures. The SAC suggested Defra look at the complex issues in a layered way. For example, there are currently several directives which split the hydrological cycle into parts, however, the SAC emphasised that this approach needs to consider the surface water and groundwater as connected. This means there is potential for thinking of these regulations in a more integrated way.
- The SAC felt more discussion is required on any potential changes to the national Emission Ceilings Directive.
- The SAC raised concerns about legislation impacting science research. For example, having the ability to produce a new vaccine or diagnostic in a pandemic situation may be hampered by the current legislative framework. Concerns were also raised about the UK moving away from EU legislation and how this could make it harder for research teams to collaborate with EU partners.
- The SAC also note the potential benefits of removing EU legislation, such as regulation blocking slurry use as a sustainable fertiliser now that advances in veterinary medicine allow toxins to be stripped from slurry.
- The SAC felt that Defra could use REUL as an opportunity to look more broadly at veterinary medicines. Looking at the efficacies of animal medicines and the crossover with human medication that can impact the broader landscape in terms of emergence of antimicrobial resistance. The SAC suggested Defra also look at the allied components that go into feeders for example supplements that can change the efficacy of medication.
- The SAC discussed potential change in traceability and tracking movements which became a developed area after outbreaks like foot and mouth. Each EU country is required to share a limited amount of information about international movements of their animals and the SAC raised concerns that the UK could lose access to track this information if regulations move away from the EUs. This could be an issue for issues like pig movements with respect to African swine fever and horse movement related to African horse sickness.

The SAC felt that Defra could use general science questions to help assess if regulations are effective. For example, Defra could ask:

1) Has quantitative assessment on current legislation been effective?

- 2) Does the current legislation have clear goals?
- 3) Is there sufficient flexibility in the legislation to deal with future pathways?
- 4) Is the legislation sufficient?

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4. Work plan and any other business

N/A

Annex A: Attendees and apologies

SAC Members

Louise Heathwaite (Chair)

Lin Field

Lisa Collins

Peter Cox

Rowland Kao

Rosie Hails

Nick Hanley

Marian Scott

Defra Chief Scientific Adviser's Office

Gideon Henderson – Chief Scientific Adviser (CSA) Justine Bejta – Deputy Chief Scientific Adviser (DCSA) SAC Secretariat

Devolved administration observers

Paul Devine – Northern Irish Government Observer

Defra and other officials in relation to specific agenda discussion

Director of Constitution and Strategic Projects
Deputy Director of the Secondary Legislation Unit
REUL strategy team lead in the Secondary Legislation Unit

Defra observers

Regulatory Reform Policy Advisor in the Secondary Legislation Unit

Apologies

Susan Owens – SAC member Felix Eigenbrod – SAC member Richard Bardgett – SAC member Matthew Williams – Scottish Government Observer Caryl Williams – Welsh Government Observer