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Submission on BIOSECURITY Discussion Paper: - Joint Decision-Making and Resourcing for Readiness and Incursion Responses

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The Pacific Institute of Resource Management, established in 1984, is an organisation dedicated to the sustainable use of Earth's natural resources. Our objectives are to advocate respect for natural processes, the conservation of physical resources and the integrity of all lifeforms. We contribute to the establishment of NZ as a strong and independent authority promoting a world conservation strategy. The Institute recognises the importance of biosecurity in this context and has maintained an active interest in relevant policies and procedures.

This submission may be summarised under five headings:

1. We believe MAF as an agency of Government holds primary responsibility for Biosecurity.
2. We are concerned the proposed framework may lead to significant expenditure of time, money and human resources on bureaucratic matters.
3. We believe the proposed framework will not deliver the fastest response to biosecurity incursions.
4. We believe the cost of biosecurity should fall on the creator of risk.
5. We believe there is a large place for cooperation between MAF and Industry in the optimal delivery of Biosecurity services.

Expanding upon these in turn:

1. Maintenance of the biological integrity of New Zealand is a responsibility invested in Government by Electoral mandate. The Biosecurity elements of this responsibility are assumed by MAF as a Government agency and defined under the Biosecurity Act. An important function of such an agency is that of impartial decision-making. This decision-making may be guided by resident expertise and consultation but can only be made

from a disinterested viewpoint. The proposal to allow vested interests to directly participate in biosecurity decision-making and, in particular, to link influence to contribution of resources is fundamentally at odds with the role of a public service. We submit that MAF should take primary responsibility for biosecurity across the elements of Reduction, Readiness *and* Response as defined in Appendix 1. The proposal to include others in decision-making also suggests the possibility of devolution of responsibility which we feel is not appropriate in such important matters. There does however appear to be space for the involvement of Industry or other forms of private interest in Recovery and Compensation aspects of Biosecurity as planning and providing for these is essentially a matter of insurance.

With this primary responsibility vested in MAF, certainty must follow from a commitment that MAF **will** respond to any identified incursion. Response should occur prior to full assessment of the incursion and its implications in order to shorten the lag time and maximise the effectiveness of the response. This is dealt with in more detail in PIRM's submission on the Discussion Paper "Policy for responding to pests and diseases (risk organisms)".

Industry (as shorthand for private interests both independent and within formal alliances) has responsibility that is derived from citizenship or its equivalent as a legally constituted commercial entity within New Zealand. This should not require specific definition by written agreements or contracts. Recent publicity from Biosecurity NZ has stressed this universal responsibility. While freedom from interventions by Authority and the impositions of regulations is of some cultural importance in New Zealand, acceptance of the need for these and for greater levels of personal and corporate responsibility is part of a mature response that allows New Zealand to participate in international trade.

2. A large amount of the Discussion Paper and its Appendices is devoted to the mechanisms for developing agreements between Government and Industry based on assessments of relative public and private good that follow from Biosecurity activities. There is potential here for a large amount of resources to be spent characterising, quantifying and costing relative responsibilities. We believe that matters such as definition of the parties to be involved and of the time frames over which benefits and risks are to be assessed will require difficult and drawn-out negotiations. Our concerns are exacerbated by proposals for multiple levels of bureaucracy and by the number of times that phrases such as "this requires further thinking" appear in this context. We do not believe that such agreements are necessary because of the definitions of responsibility that have been discussed in 1. above and because enlightened self-interest should ensure that Industry makes a significant contribution to Biosecurity. The border between private and public good is particularly difficult to define in the field of Biosecurity where many businesses depend upon a wide range of ecosystem services and where the profitability of such businesses is a source of taxation revenue to the Government and of general social dividends by the provision of paid employment. There is however a need for alleviation of concerns regarding whether a response will occur by MAF adopting a default policy that it will, and a need to increase collaboration as discussed below in 5.

3. A rapid response is the key to success and cost minimisation in Biosecurity incursion responses. If there is a need to reach consensus between Government and Industry before a response can occur, this seems likely to delay rather than expedite a response especially relative to the speed possible if MAF has an automatic initial response policy.
4. Costs should fall on the creator of biosecurity risk, either as full cost recovery/ punitive amounts for deliberate breaches of Biosecurity Regulations or as a levy where creation of risk is a permitted activity within a managed framework. In the latter case this levy serves to make explicit biosecurity services as a cost of doing business. The arguments in the Biosecurity Funding Review against charging 'exacerbators' seem to place an undue emphasis on pure economic efficiency and underemphasize the fact that if costs are incurred by such parties as a result of biosecurity activity, it is very likely that they are also beneficiaries of the success of this activity.
5. There is very great scope for a closer relationship between Industry and MAF in the area of Biosecurity and we urge that both parties work diligently to establish this in the certainty of universal benefit. As a *quid pro quo* for MAF assuming full responsibility (including costs) for the three primary elements of biosecurity, there should be an agreed requirement for industry to develop its own capabilities and to establish formal links between designated Industry contacts and a similarly designated functional group within MAF/Biosecurity NZ. This capability will be Industry's contribution-in-kind to the total of Biosecurity resources. Surveillance activity in particular should be a part of the daily business of all Industry participants. We believe that mutual confidence and trust will flow from the combination of MAF's primary responsibility, enhanced Industry capability and broad-based and continuous communication between all parties.

There is a risk that if explicit financial arrangements are made by contract, there will be potential for both unintentional omission of affected parties and for perverse motivations. This risk would only be increased if decision-making power could be, essentially, bought. To use (rather loosely) a recent example of the vulnerability of decision-making to sectoral influences, in the *Varroa* incursion into the South Island, the influence of orchardists requiring pollination services may have led to compromise of the stringency of hive movement restrictions, the interests of pastoral and arable sectors may have been under-represented and beekeepers may have been swayed by the prospect of increased revenue from pollination contracts. The only area where dollar-value agreements have a place is in the Recovery phase of biosecurity operations and in Compensation. In these, private interest is particular and much more explicit.

Thank you for the opportunity to make a submission on this issue. We look forward to further enhancement of New Zealand's Biosecurity systems and hope you find this contribution of some value.

Yours sincerely,

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