

## **Report on the GIA Biosecurity Forum 2014/II**

### **Information paper**

**September 2014**

The GIA Biosecurity Forum 2014/II was held on 4 September 2014 in Auckland. Seventy-three representatives from industry and government attended (see [Attachment 1](#)). Pre-Forum events were held on 3 September.

This report highlights key points of discussion at the Forum and pre-Forum events. It also notes where follow up actions are required. It is not intended to be a minute of the meeting.

Papers that were discussed at the Forum are listed in [Attachment 2](#). The presentations are listed in [Attachment 3](#). The papers and presentations are available to view on the GIA website.

### **Pre Forum events**

#### **MPI's biosecurity operations**

MPI's biosecurity operations began with a presentation introducing the biosecurity system. Julie Collins, Director Biosecurity and Animal Welfare, emphasised that biosecurity is about more than what is seen at the border. Risk assessment is at the heart of biosecurity: What are we worried about? What are the pathways? And, where is the best place to manage the risk: before the border, at the border or post border? She noted that the risk can never be reduced to zero as natural spread can never be eliminated - wind and water can carry risks to New Zealand. Julie explained MPI's activities to manage biosecurity risks including:

- International plant and animal standards development
- Trade agreements and bilateral arrangements
- Risk assessment and import health standard development
- Border interventions
- Surveillance
- Readiness and response
- Pest management

Peter Thomson, Director Plants, Food and Environment, and Matthew Stone, Director Animal and Animal Products, then explained the process for creating Import Health Standards (IHSs). IHSs are set in the context of international trade agreements and the rules set by international standard setting bodies. New Zealand can set an 'appropriate level of protection' based on its own political, economic and cultural context for imports. MPI attempts to consult with industry at all stages of the process. At times this engagement is informal and at other times MPI must follow the formal consultation process prescribed in legislation. Requests for new IHSs are prioritised based on their

importance to New Zealand (eg, is there a strong consumer need), strategic fit (eg, will it support trading relationships?), net benefit, feasibility and barriers.

Stephanie Rowe, Head of Intelligence and Operations, concluded the presentations for this session by outlining MPI's use of intelligence – using data and information about organisms to support decisions about how biosecurity risks and potential entry pathways need to be managed. She described strategic, operational and tactical intelligence, which identify long-term trends, inform medium-term resource planning and direct immediate actions in response to changes in biosecurity risks respectively. A number of MPI teams gather and evaluate intelligence. They work in collaboration with other government agencies like Police, Customs, Immigration, Maritime NZ and security intelligence organisations, to target biosecurity risk interventions and resources to the right place.

Following the presentations, delegates visited several operational sites near Auckland Airport, to see how passengers are managed, how goods are cleared, and how MPI assesses what freight, cargo and mail to inspect.

## **GIA 101: an introduction to GIA**

Lois Ransom, GIA Secretariat Manager, gave an introductory session to GIA for delegates who had limited background knowledge. The session covered:

- What GIA is
- Who is involved in GIA
- How it works
- How it is being implemented
- What it means for industry organisations

## **Forum presentations and sessions**

### **GIA: the big picture**

The GIA Biosecurity Forum began with an overview on where GIA has come from, to provide delegates with the context for the day's discussions. Lois outlined the progress that had been made between 2012 to now, from the formation of the Interim Governance Body and the development of the Deed through a joint industry-government working group to a formal partnership now with three Signatories. She noted that much of the work creating the platform for GIA was done, including changes to the Biosecurity Act, the Deed, the operating model for the Deed Governance Group, terms of reference for the Secretariat, guidance for drafting operational agreements (OAs) and draft guidance for responses and cost-sharing. However, there is still work to be done in relation to minimum commitments, accountability and performance reporting and cost recovery. Lois concluded with the comment that she sees success with GIA being about knowing what is important and why, and working together to achieve agreed outcomes.

In response to a question, Lois commented that Australia's industry-government partnerships for biosecurity, while based on a different context, was improving biosecurity outcomes. It had created

a focus on biosecurity that had not been present before, and resulted in industry's and government's efforts being more streamlined and structured.

## **Response in partnership**

Amelia Pascoe, MPI's coordinator for the Response Guide Joint Working Group, introduced the draft Response Guide and discussed how it was drafted and some of the issues that arose in the process. She noted that the guide included high level guidance on rapid notification, and while the group acknowledged more guidance was needed, the group had gone as far as it felt it could. Written feedback on the draft guide indicated there was good support for it from potential signatories. Most suggestions were editorial or related to the issues arising that were discussed later in the Forum.

Principle 17 in the draft guide states that MPI will fill the RSL (Response Strategic Leadership Team) Chair. Industry delegates questioned this and suggested the wording in the guide should be made more flexible. It was agreed that the principle would be altered to reflect that MPI would assume this role unless agreed otherwise.

Delegates also questioned who appoints the response manager. The guide reflects the current state in which MPI appoints the response manager, often in advance of an RSL meeting, and this person is a MPI staff member who is trained in the response system. Delegates agreed that wording of the guide should be changed to reflect that the RSL will confirm the appointment of the response manager.

Discussion also canvassed whether RSL numbers should be capped, but it was acknowledged that industries would be unlikely to delegate their decision-making rights during the early stages of response. Joint Working Group member Kimberly Crewther, Dairy NZ, noted that the group had been guided by the Australian experience where responses were managed with numerous industry, state government and federal government representatives involved in decision making.

At the end of this discussion the guide was adopted with the two amendments as discussed and the inclusion of further guidance on rapid notification. The guide will be a living document, so it will be updated as industry and government gain experience in working together.

Following discussion on the guide, delegate's expectations around rapid notification were discussed. Brendon Gould provided delegates with a perspective on MPI's investigation process and considerations for who was notified when. Key concerns from MPI's perspective included:

- MPI receives thousands of calls to its pest and disease phone line. Only a fraction of these result in an investigation, and in turn only a fraction actually represent a risk that needs to be managed. Investigators need to focus on determining if a call represents a biosecurity risk in the first instance
- Maintaining the chain of evidence in case of criminal investigations
- Maintaining the good will and privacy of the person or company who has notified MPI of a potential risk
- 'No surprises' policy for informing the Minister
- The need to preserve options for response

MPI currently aims to notify industry when it knows there is a risk to be managed. This could be quite late in the investigation process.

Delegates expressed the following expectations with regards to rapid notification:

- Potentially affected means:
  - An industry would be involved in a response
  - An industry's production or market access would be impacted
- An industry organisation should be notified if:
  - The organism will have direct or indirect effects on the industry – determined through host and organism range, etc
  - The organism will cost an industry in terms of productivity, market access or treatment
  - An industry organisation has an OA with MPI about the organism
  - An industry organisation's members are involved in an investigation
- An industry organisation should be notified when:
  - At or before the same time as the Minister
  - As soon as a suspect organism has been found or tentatively identified
  - Before the media
  - Before MPI accesses private land
  - Movement controls or urgent measures are implemented

Delegates recognised that trust, maturity and common sense were required as this was a complicated issue. It was noted that industry had some responsibility for telling MPI what it wanted to be notified about. It was also recognised that industry bodies understand the need for confidentiality and that they have good communication channels that can help reduce the load on MPI during investigations.

The Response Guide Joint Working Group will consider the discussion and draft additional guidance on rapid notification.

### **Money matters: guidance on cost sharing and fiscal caps**

Lois Ransom and Kimberly Crewther opened this session with an update on what the Financial Arrangements Joint Working Group had achieved since the last forum. It was noted that drafting guidance for cost sharing was difficult, and the group had not been able to fulfil its terms of reference. The draft guidance circulated before the Forum represents what the group had been able to agree.

Following a Q&A session with the Joint Working Group, the Transitional Deed Governance Group, led by Lindsay Burton, questioned delegates on their thoughts for the next steps. Did potential signatories want to work it out as they went along, or did they desire more? He noted this was clearly a difficult area that had been under discussion for some time, and the 'best brains' had yet to reach a solution.

It was noted that every OA will have MPI in common, and so the risk of not setting a framework for cost sharing from the outset would be that MPI would create and implement its own by default. Delegates expressed a concern that negotiations on the Fruit Fly OA would set precedents for

subsequent agreements. MPI responded that this was not necessarily the case and it too would be learning as it went along. It was suggested that the draft guidance could be tested through a few OAs and then the lessons from the experiences used to inform future work.

A theme that emerged from this discussion is that resourcing is a challenge for all industries, and many are still struggling to understand the costs that they might be liable for. Additional information about costs related to responses and minimum commitments would be useful.

### **Working it out together: the Fruit Fly Operational Agreement**

Philip Manson, NZ Winegrowers and Chair of the Interim Fruit Fly Council, David Talbot, MPI and Alan Pollard of Pipfruit NZ, provided their thoughts on progress with the Fruit Fly OA.

The Council was taking a pragmatic approach, with a focus on maintaining NZ's status as free from fruit fly and building on the existing system. The resources required to be involved in the Council and other GIA work was an issue, even for larger industry groups. It was hoped that some of the groundwork to set up the Council could be transferred to other negotiations to lessen the burden. There had been suggestions that the Council could morph into a 'Horticulture Council', but this was not seen as appropriate at this stage.

### **State of play: New Zealand's biosecurity system**

Andrew Coleman, Chief Operations Officer at MPI, opened his presentation by challenging delegates to think of the amount of effort going into GIA and if current progress was justified by that effort. He also took the opportunity to introduce members of MPI's Biosecurity Board, an internal governance body.

MPI had been through an alignment since the last Forum, but that had not changed its priorities. Enabling and partnering is central to MPI's efforts to grow and protect New Zealand. In terms of biosecurity, MPI's priority actions are the new biocontainment lab, joint border management with Customs and partnering with industry through GIA.

He noted that the Biosecurity Board was looking at performance measures for the biosecurity system, and this would involve engagement with industry.

### **Minimum commitments: what do they mean for industry?**

Kimberly Crewther and Andrew Harrison, KVH, gave presentations on their organisations' approaches to understanding what the Deed's minimum commitments mean in practice.

For DairyNZ, the driver to undertake the work was to answer questions from its Board about the costs of GIA and whether it is within budget. For KVH, the driver was to understand what would be cost-shareable under the Fruit Fly OA.

Kimberly commented that GIA creates a relationship with value and cost, and 'we want the pre-nuptial agreement'. Dairy NZ's approach to understanding its minimum commitments is to identify each commitment's outcome, actions required to deliver on the commitment, and how the outcomes will be measured. It will be asking MPI to undertake a similar exercise as it sees GIA as a commercial arrangement.

KVH has identified principles for understanding what is cost-shareable (as minimum commitments are not cost-shareable). It is suggesting that each signatory would need to hold itself accountable, although parties could share planning and progress reports.

The value of internal and external auditing was debated. Kimberly pointed out that for the dairy industry, auditing was important for food safety. As the risk was on farm, that was an appropriate place to review it.

In response to a question from the audience, Andrew Coleman advised that MPI was looking at its minimum commitments as part of the work on the Fruit Fly OA. It could be valuable to compare the three approaches and see what common themes emerged.

Delegates were asked to consider the near-future and think about how they would know if signatories were meeting minimum commitments. Responses included:

- Trust and communication are important
- Common guidelines could be appropriate, but performance indicators or measures would need to be defined by each industry
- Having an understanding of the baseline status was important
- Equality vs equity needed to be considered
- Minimum commitments could be included in OAs
- Case studies or simulations would be useful
- Approach needed to be outcomes focused, and collaborative
- Be pragmatic and focus on the most important minimum commitments first
- External audits would be the last resort

At this stage delegates felt minimum commitments were a matter between signatories, and did not need reporting to the Deed Governance Group. There were several suggestions that OAs could be the mechanism for recording minimum commitments. In response, it was pointed out that OAs are not compulsory, and that the commitments came with signing the Deed, not an OA.

[*TDGG comment:* To clarify the relationship between minimum commitments, OAs, and the Deed: The Biosecurity Act provides for the GIA Deed and OAs. You can enter into an OA only if you have signed the Deed. You can sign Deed but not enter into an OA. The Deed describes the minimum commitments that Signatories make. The minimum commitments come with signing the Deed. An OA can identify specific commitments in addition to the commitments in the Deed, as agreed by the parties. OAs are the vehicles for undertaking joint work where the parties agree a common outcome. You must have an OA to cost share and make joint decisions for a response. The intent of the GIA Response Guide is to identify the minimum requirements for an OA to undertake a response. This will enable an OA to be agreed quickly and enable a response to an organism for which there is no pre-existing OA. ]

## **Moving forward with GIA**

The final workshop of the day began with Lois Ransom giving a brief presentation outlining the future work the GIA Secretariat saw as necessary to implement the Deed. Delegates then had the

opportunity to work through the identified issues and actions to resolve them outlined in the Forum information paper: GIA implementation – issues arising.

In general, delegates confirmed the Secretariat had captured the issues and that the suggested actions were appropriate.

- For Theme 1 (establishing and managing financial obligations) case studies and scenarios could also be useful alongside guidance
- For Theme 2 (developing and applying a signatory accountability framework) it was noted that understanding minimum commitments was needed to inform OA discussions. The work to date, discussed earlier, was on the right track
- For Theme 4 (communications to assist implementation of the Deed) it was noted that some further background information, particularly around what responses cost would be helpful for some industries
- For Theme 5 (Strategic engagement on international and import health standards) it was noted that it was important to build on existing engagement and formalise consultation. This would help build industry confidence
- For Theme 6 (Delivering Deed outcomes) it was noted that Signatories will always need advisors, and this could be the route for agencies that cannot sign the Deed to participate in GIA processes

## Wrap up

Geoff Gwyn, MPI and Chair of the Transitional Deed Governance Group, concluded the day by summarising the key decisions and points of discussion. Discussion had generated ideas to progress guidance with rapid notification. Cost sharing was still challenging, but would be progressed through the Fruit Fly OA, and there was a desire for more certainty around minimum commitments. Delegates' comments on the issues arising had given the Transitional Deed Governance Group confidence that it and the GIA Secretariat was on the right track. The next Forum will be on 12 March 2015, in Wellington.

## Summary of follow up actions

Action	Who	Timeframe
Guidance on rapid notification drafted and incorporated in the Response Guide	Response Guide Joint Working Group	By December 2014
Response guide finalised and released	Response Guide Joint Working Group / TDGG / GIA Secretariat	By December 2014
Finance information package	TDGG /GIA Secretariat	By December 2014
Cost sharing guidance evaluated through IFFC	Financial Arrangements Joint Working Group	By March 2015
Secretariat to draft advice on minimum commitments.	GIA Secretariat	November 2014
Response costs and IHS processes – factsheets.	GIA Secretariat	November 2014

## **Feedback**

Consolidated feedback from 11 evaluation sheets returned by Forum participants is provided below (16%). There were a total of 73 delegates at the Forum; 29 from the Ministry for Primary Industries (MPI), 41 from industry and three Secretariat staff.

### **Programme**

Of the ten responses half considered the overall programme to be just right with the other half stating it was excellent. One did not answer.

### **Sessions**

The results of this question were similar to the overall programme. Four participants found the sessions excellent, five just right with one stating they could be better. A further participant did not respond. Six delegates commented on the sessions and are summarised below:

- Sessions worked really well, focused sessions and good interaction
- Time allocated to sessions made them constructive
- Extra time in some sessions would allow for further discussion and questions
- For some topics it felt like delegates only scratched the surface of the real issues
- The issues session was difficult and redundant
- Good opportunity to meet other industry and MPI delegates and discuss issues

### **Programme content**

All 11 participants considered the programme content was relevant and useful.

### **Forum length**

All 11 respondents thought a full-day for the Forum was appropriate.

### **Forum purpose**

Ten respondents were clear on the purpose of the Forum. One participant was partly clear. They suggested that five key themes be circulated ahead of the Forum to focus discussions and reach answers or action plans more efficiently on the day.

### **Intending to attend the next Forum**

Almost three-quarters of respondents indicated they will attend the GIA Biosecurity Forum 2015/I on 12 March 2015 in Wellington. Two people were unsure if they would attend at this stage. One did not respond.

### **Agenda/session suggestions**



Around half of the respondents provided a comment on what themes or style of sessions they would like to see at the next Forum. These are listed below and will be considered alongside topics received from a formal call for agenda topics in December 2014.

- Include short scenarios to help illustrate some of the proposed processes under the Deed
- Case studies of how things could have worked under GIA
- Progress of OAs
- The difference between being a Signatory to only the Deed or to both the Deed and OA and to clarify obligations and commitments as just a Deed Signatory
- Continue to include interactive sessions to share experiences to date

### **Venue**

The majority of participants (9) considered the venue to be excellent. This was the first Forum held in Auckland and it was noted that the airport venue was easily accessible. Three people commented on the sound system that was patchy at times and made it difficult to hear all speakers well throughout the room. One mentioned the room got very cold in the morning and early afternoon.

### **Food**

The food was excellent for eight participants and two stated it was just right. No participant stated the food could be better. One participant did not respond.

## Forum attendees

Attachment 1

### Avocado Industry Council

Brad Siebert

### Beef + Lamb New Zealand

Chris Houston

### Better Border Biosecurity

David Teulon

### DairyNZ

Kimberly Crewther

Nita Harding

### Federated Farmers

Mark Ross

### Federated Farmers Bees

John Hartnell

### Fonterra

Lindsay Burton

### Forest Owners Association

Bill Dyck

Brigid Jenkins

### GIA Secretariat

Adam Benseman

Lois Ransom

Sarah Vaughan

### Hancock Forest Management

Dave Lowry

### Hazelnut Growers Association of NZ

Murray Redpath

### Horticulture New Zealand

Peter Silcock

### Kiwifruit Vine Health

Barry O'Neil

### KVH/Nursery and Garden Industry NZ

Andrew Harrison

### Market Access Solutionz

Gisele Irvine

### Meat Industry Association

Paul Goldstone

### Ministry for Primary Industries

Amelia Pascoe

Andrew Wilson

Andrew Coleman

Anne Bakhos

Ashvini Savanthrapadian

Brendan Gould

Chris Baddeley

Dan Bolger

David Hayes

David Talbot

Debbie Beer

Edwin Massey

Geoff Gwyn

Glen Neal

Graham Burnip

Hazel Johnston

Hilary Kendall

Julie Collins

Kate Calcott

Katherine Clift

Kathy Mansell

Lesley Patston

Loretta Mamea

Michael Edge-Perkins

Rebecca Easterbrook

Stephanie Rowe

Veronica Herrera

Vicki Compton

Victoria Moss

William Minchin

### National Beekeepers Association

Dennis Crowley

### New Zealand Citrus Growers Inc

Nikki Johnson

### Nursery and Garden Industry NZ

John Liddle

### NZ Equine Health Association

Ivan Bridge

Patricia Pearce

**NZ Fresh Produce Importers Association**

Kevin Nalder

**NZ Grain and Seed Traders Association**

Thomas Chin

**NZ Winegrowers**

Philip Manson

**NZPork**

Frances Clement

Owen Symmans

**Onions New Zealand / Buttercup Squash Council**

Matthew Spence

**Onions New Zealand/Strawberry Growers NZ**

Michael Ahern

**OSPRI New Zealand**

Jonathan Rudge

**Persimmon Industry Council**

Ian Turk

**Pipfruit NZ**

Alan Pollard

Mike Butcher

**Potatoes NZ**

Andrea Crawford

Champak Mehta

**Poultry Industry Association NZ**

Michael Brooks

**Summerfruit NZ**

Marie Dawkins

**Thoroughbred Breeders**

Michael Martin

**TomatoesNZ**

Melanie Dingle

**Vegetables New Zealand**

Keith Vallabh

## List of pre-circulated papers

Attachment 2

The following papers were circulated to delegates before the Forum. They formed the basis of discussion in several sessions.

- Establishing cost shares and fiscal caps
- GIA Response Guide
- GIA Implementation – issues arising
- GIA five year plan
- Consolidated comments on the Biosecurity Forum 2014-II discussion papers

## Forum presentations

Attachment 3

The following PowerPoint presentations given at the Forum are available on the [GIA website](#):

### Pre forum events

- GIA 101 - Lois Ransom
- The biosecurity system - Julie Collins
- Import health standards in the biosecurity system - Peter Thomson and Matthew Stone

### Forum

- GIA the big picture - Lois Ransom
- GIA response guide - Amelia Pascoe
- GIA money matters - Lois Ransom and Kimberly Crewther
- Fruit Fly Operational Agreement - Philip Manson
- State of play - New Zealand's biosecurity system - Andrew Coleman
- KVH perspective on minimum commitments - Andrew Harrison
- GIA minimum commitments – Kimberley Crewther
- Moving forward with GIA - Lois Ransom