

TERMS OF REFERENCE -INDEPENDENT EXTERNAL REVIEW

BACKGROUND

On 8th June 2026, a Court imposed a lifetime disqualification from keeping farmed animals on a herd keeper near Fivemiletown, County Tyrone. The Court also granted a Deprivation Order following convictions relating to animal welfare and associated offences. Following a period during which the herd keeper was afforded an opportunity to dispose of or sell animals, DAERA undertook an operation on 29-30th June 2026 to carry out the Deprivation Order in respect of animals remaining within the herd.

This means DAERA was under a court order and was required to dispose of the animals (as set out in the Deprivation order and under Section 32(9) of the Welfare of Animals Act (Northern Ireland) 2011, references to disposing of an animal include destroying it).

The operation carried out to humanely destroy the animals generated significant public, political and media interest and raised questions regarding the planning, implementation and communication of the operation. The Minister of Agriculture, Environment and Rural Affairs has therefore decided that an independent external review should be carried out to provide assurance regarding the circumstances surrounding the intervention, and to identify any lessons for future operations.

PURPOSE

The purpose of this focused review is to provide an independent and evidence-based assessment of DAERA's planning, decision-making and implementation of the operation undertaken on 29–30th June 2026.

The review will assess whether the operation was conducted in accordance with the relevant legal framework, departmental procedures and accepted standards of public administration, and identify lessons to inform future practice.

This should be undertaken as a targeted and proportionate exercise, focused on the key issues and completed within a compressed timeframe.

OBJECTIVES

The review will:

- Assess the governance, oversight and decision-making arrangements that informed the operation and the appropriateness of these.
- Review the planning, risk assessment and operational delivery of the intervention.
- Assess whether the operation appropriately balanced:
 - legal obligations
 - animal welfare consideration
 - operational practicality
 - staff safety
 - public safety

- Consider the effectiveness of communications and stakeholder engagement.
- Identify lessons learned and recommend improvements for future deprivation order operations.

SCOPE

The review will examine:

- Governance and decision-making arrangements
- Legal and procedural compliance
- Consideration of alternative operational approaches
- Operational planning and risk management
- Operational delivery, including dynamic decision-making during the intervention
- Animal welfare considerations
- Staff and public safety arrangements
- Communications and stakeholder engagement
- Management of reputational risks
- Lessons learned and opportunities for improvement.

METHODOLOGY

The reviewer will have full access to all relevant information held by DAERA including:

- relevant legislation, Court Orders, policies and operational guidance
- all records associated with the operation

- all operational plans, risk assessments, briefing material and records
- any evidence presented by elected representatives, individuals and stakeholder organisations
- media coverage of, and public commentary on, the actions taken by the department to take account of wider views

The reviewer will be facilitated to interview all officials they consider it necessary to hear from, in order to understand the actions they took and the reasons for taking them.

The reviewer will also be able to interview any external party they consider it necessary to hear from, and who is willing to provide information. Members of the public with evidence of what occurred during the operation on 29-30th June will be able to submit this to the reviewer through a dedicated email account which will be communicated separately once set up by the reviewer.

The reviewer will be expected to consider relevant good practice and comparable approaches elsewhere to inform conclusions and recommendations.

DELIVERABLES

The reviewer will provide a report which:

- Summarises the evidence considered
- Sets out findings against each objective
- Identifies examples of good practice

- Identifies areas for improvement
- Offers an independent assessment of the adequacy of governance, decision-making and operational delivery.
- Provides recommendations for future operations

TIMESCALE

The review will be thorough but not prolonged. While precise timescales will need to be agreed and kept under review, it is the Department's expectation that the review should be completed by early Autumn, or more quickly if possible.

PUBLICATION

The report will be submitted to the Department.

Subject to legal, data protection and other relevant considerations, the report and the Department's response will be published in the interests of transparency and public confidence and will also be provided to the Assembly and the Agriculture, Environment and Rural Affairs Committee.