



Department
for Environment
Food & Rural Affairs

helpline@defra.gsi.gov.uk
www.defra.gov.uk

[REDACTED]
[REDACTED]

Our ref: RFI 6243
Date: 25 February 2013

Dear [REDACTED]

REQUEST FOR INFORMATION: Badger Cull

Thank you for your request for information about the badger cull, which we received on 29 January. We have handled your request under the Environmental Information Regulations 2004 (EIRs).

The EIRs apply to requests for environmental information, which is a broad category of information defined in regulation 2 of the EIRs. Public authorities are required to handle requests for environmental information under the EIRs. They give similar access rights to the Freedom of Information Act 2000 (FOIA).

Your questions and the responses are below. Following careful consideration, we have decided not to disclose some of this information.

Q1. Why did our government spend 50 Million pounds of tax payers' money on research asking top scientists to look at the effectiveness of culling badgers only to ignore the research results that culling badgers would have no meaningful effect on the disease and may even make it worse?

Government spent approximately £49 million on the Randomised Badger Culling Trial (RBCT) which informed the protocols for the pilot culls which took place last year. The RBCT oversaw the scientific benefits and financial costs of different activities to control bovine TB which included culling, vaccination and cattle controls. The trial indicated that large-scale culls carried out over a sustained period by licenced farmers, or their appointees would succeed in reducing the incidence of TB and this forms the basis of Government policy.

Q2. Why was the area chosen for the trials to be in an area where there are not many Dairy farms but instead lots of estates for shooting?

The areas selected for the pilots fell in the area of England where the incidence of bovine TB in cattle is at its highest. Please see the statistics available at

<https://www.gov.uk/government/publications/incidence-of-tuberculosis-tb-in-cattle-in-great-britain>

The file of most interest to you is named 'Incidence of TB in cattle in Great Britain – regional dataset'. The sheet you need to check is 'GB Summary where levels of TB are illustrated for the north, east and west of England.

The presence of estates where shooting takes place is coincidental and it should be noted that shooting takes place across many parts of England.

Q3. Why were none of the Badgers that were killed in the trial areas tested for bTB?

A sample of culled badgers was subjected to post mortem examination and any signs of illness or poor condition were noted as part of the procedure. Testing badger carcasses for TB was not undertaken on a routine basis during the pilot cull.

However a very small number of carcasses have been tested on occasion at the specific request of landowners when they are concerned if a culled badger appeared to be in a very poor condition.

TB testing in culled badgers was not undertaken as a routine procedure as high levels of TB were confirmed in badgers in the regions in which the cull areas are located during the Randomised Badger Cull Trial (RBCT). This has been confirmed by other research work carried out by independent scientists. A link to the report on the RBCT, which summarises the Trial's results and which contains an accompanying literature review, is below. Pages 72 to 77 will be of particular interest.

http://archive.defra.gov.uk/foodfarm/farmanimal/diseases/atoz/tb/isg/report/final_report.pdf

I have also attached a link to an annex which was published as part of the 2010 consultation 'Bovine tuberculosis: the Government's approach to tackling the disease and consultation on a badger control policy'. The annex contains more information on badgers and TB.

<http://webarchive.nationalarchives.gov.uk/20110203030352/http://www.defra.gov.uk/corporate/consult/tb-control-measures/100915-tb-control-measures-annexa.pdf>

Q4. When we look at the map Defra has given out showing the diseased areas.....the red zones of which Wales is included.

Owen Paterson has said that in these areas the Badgers are filthy sick, staggering with disease. Tell me why then after the civilised Welsh have cage caught over 2000 Badgers for vaccination, not one has shown and sign of illness, Why is this?

Defra does not hold any data on the Welsh badger vaccination programme including any assessment of the TB status of the badgers trapped and vaccinated therefore we cannot supply you with any information on TB levels in those animals. Please be aware that badgers may carry the disease, but appear healthy. For information, the red areas on the map refer to areas where cattle herds must be tested every year under annual TB testing regimes. Defra and the Welsh government independently decide what areas of England and Wales should be placed under annual testing in accordance with EU regulations.

Q5. Why are we not being given the results of the independent body that over seen the killing of Badgers in the trial areas? We have rights under the Freedom of Information Act to see these results.

The Independent Expert Panel (IEP) is currently reviewing the official AHVLA report containing data from the pilot culls. They are also in the process of preparing their own report which will peer-review the official document. Both reports will be published when they are completed but are being withheld under regulation 12(4)(d) of the EIRs.

The Regulation

12(4)(d): relates to material which is still in the course of completion or unfinished data and applies to the official AHVLA report which is still subject to review and the IEP report which in the process of being written. Releasing both reports before they're finalised could result in confusion which is counter to the basis of freedom of information.

The Public Interest Test

Regulation **12(4)(d)** requires the public authority in question to carry out a public interest test. There is a great deal of interest and strength of feeling around the badger control policy which includes access to the official and IEP reports. However, Defra has concluded that the public interest in withholding the information sought outweighs the public interest in its disclosure. Releasing the reports now before they are complete would only mislead and confuse the public. It is logical to wait, and it is in the public interest to wait, until the reports are finalised.

Defra has publicly committed¹ on numerous occasions to announcing that the report on the culls will be published as soon as possible.

¹ <http://transparency.number10.gov.uk/business-plan/10/35>

Defra recognises the strength of feeling around the badger control policy. However, in light of the argument above, Defra has concluded that, at this stage, when the information is still subject to review, the public interest in withholding the information sought outweighs the public interest in its disclosure. Therefore, we have concluded that in all the circumstances of the case, the information should be withheld.

In keeping with the spirit and effect of the EIRs, and in keeping with the government's Transparency Agenda, all information is assumed to be releasable to the public unless exempt. Therefore, the information released to you will now be published on www.gov.uk together with any related information that will provide a key to its wider context. Please note that this will not include your personal data.

I also attach an annex giving contact details should you be unhappy with the service you have received.

If you have any queries about this letter, please contact me.

Yours sincerely,

Defra TB Programme

Email: ccu.correspondence@defra.gsi.gov.uk

Annex

Complaints

If you are unhappy with the service you have received in relation to your request you may make a complaint or appeal against our decision under section 17(7) of the FOIA or under regulation 18 of the EIRs, as applicable, within 40 working days of the date of this letter. Please write to Mike Kaye, Head of Information Standards, Area 4D, Nobel House, 17 Smith Square, London, SW1P 3JR (email: requestforinfo@defra.gsi.gov.uk) and he will arrange for an internal review of your case. Details of Defra's complaints procedure are on our [website](#).

If you are not content with the outcome of the internal review, section 50 of the FOIA and regulation 18 of the EIRs gives you the right to apply directly to the Information Commissioner for a decision. Please note that generally the Information Commissioner cannot make a decision unless you have first exhausted Defra's own complaints procedure. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF