



Department
for Environment
Food & Rural Affairs

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

Our ref: RFI 5879
Date: 4th November 2013

Dear [REDACTED]

REQUEST FOR INFORMATION: PILOT BADGER CULL DATA AND RESULTS

Thank you for your request for information about data and the results from the recent trial badger culls in Somerset and Gloucestershire, which we received on 7 October. 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 question: The data produced from the recent trial badger culls in Somerset and Gloucestershire, along with any analyses of the results, and conclusions. I am particularly interested in the number of badgers killed, and conclusions regarding whether the cull would prove effective in controlling bovine TB if extended to the rest of the country.

The number of badgers killed during the first six weeks of the pilots was 850 in Somerset and 708 in Gloucestershire. Natural England has extended the licences in both areas for a further three and eight weeks respectively. At the time of writing the total number of badgers culled during the pilots is incomplete, therefore the additional information you have requested is exempt under regulation 12(4)(d) (material which is still in the course of completion, unfinished documents or incomplete data) of the EIRs. However, Defra will be publishing final badger figures for the Somerset pilot very shortly. We will write to you again when the figures are published.

The Independent Expert Panel will review the results of the pilots and prepare their own report which will be passed to Ministers early in the New Year. The panel will not make a decision or make any recommendations on whether culling should be extended to the rest of the country. They will report on humaneness, efficacy and safety. It is for Defra



Ministers, who are publically accountable, to decide on whether or not culling will be rolled out across a wider area.

Exception 12(4)(d)

Currently the badger cull data is in the very early stages of preparation. There would be no public interest in disclosing the incomplete data or report as this would not meet the purpose of your request which is to review any conclusions regarding whether a cull would be effective in controlling bovine TB if extended to the rest of the country.

This exception requires the public authority in question to carry out a public interest test. Defra has concluded that the public interest in withholding the information sought outweighs the public interest in its disclosure. By way of background, Defra has publicly committed¹ on numerous occasions to announcing that the report on the culls will be published by February 2014. This report will include data from the culls including the numbers of badgers killed. A report prepared by the Independent Expert Panel reviewing the results from the cull will be published at the same time. This report will be submitted to Ministers to inform their decision on whether or not to roll-out culling across the country. There is a strong public interest in deferring disclosure of the information until it is complete, rather than in fragments which could potentially mislead or confuse the public which is counter to the principle of freedom of information.

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 incomplete, the public interest in withholding the information sought outweighs the public interest in its disclosure at present.

I 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

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

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