



Department
for Environment
Food & Rural Affairs

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www.defra.gov.uk

██████████
████████████████████

Our ref: RFI 6208
Date: 06 February 2014

Dear ██████████,

REQUEST FOR INFORMATION: Badger Cull – Numbers and Costs

Thank you for your request for information about culled badger numbers and costs, which we received on 23 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 answers are below. Please note that following careful consideration, we have decided not to disclose some of this information.

Q1. How many of the 1,861 badgers killed during the pilot culls and extensions in Gloucestershire & Somerset were infected with bovine TB?

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. Please note that testing badger carcasses for TB was not undertaken on a routine basis during the pilot cull.

However a very small number of carcasses were tested on occasion at the specific request of landowners when they were concerned when a culled badger appeared to be in a very poor condition. The data from the pilot culls appears in the official report which is being reviewed by the Independent Expert Panel. Therefore the figures are being withheld at present under regulation 12(4)(d), material which is still in the course of completion, unfinished documents or incomplete data.

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>

Q2. What is the overall cost per badger killed for the 1,861 badgers killed during the pilot culls and extensions in Gloucestershire & Somerset?

The costs of the cull are still being collated and calculated at present therefore this information falls under regulation 12(4)(a), information not held at the time of the request.

Q3. What is the estimated cost per badger for vaccination?

Badger vaccination entails safely trapping the badger, administering the vaccine, and releasing it. It is an expensive process with the latest estimate of costs in the region of between £2,000 and £4,000 per km². The budget for the Badger Vaccine Deployment Project is £416,000 in 2013/14. Development of an oral badger vaccine which would be simpler to deploy, is still underway so costs are unknown at present.

The Regulations

Regulation 12(4)(a) (material not held at the time of a request) is a qualified exception, which usually means that a public authority is required to conduct a public interest test to determine whether or not information should be disclosed or withheld. However, the Information Commissioner, who is the independent regulator for requests made under the EIRs, takes the view that a public interest test in cases where the information is not held would serve no useful purpose. Therefore, in line with the Information Commissioner's view, Defra has not conducted a public interest test in this case.

Regulation 12(4)(d): relates to material which is still in the course of completion or unfinished data and applies to the official report which is still subject to review. Releasing the report before the IEP is satisfied with its content and presentation and before the IEP

have finalised their report 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 report and the data it contains. However, Defra has concluded that the public interest in withholding the information sought outweighs the public interest in its disclosure. Releasing the AHVLA report now before it has been fully reviewed would only mislead and confuse the public. It is logical to wait, and it is in the public interest to wait, until the report has been formally reviewed and critiqued by the IEP rather than release a report which may have to be updated at a later time. The IEP are also preparing their report which will be published alongside the official report.

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

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 have attached 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

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

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

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