



Department
for Environment
Food & Rural Affairs

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

Our ref: RFI 6357
Date: 31 March 2014

Dear [REDACTED]

REQUEST FOR INFORMATION: Pilot Badger Cull Humaneness

Thank you for your request for information about when the Independent Expert panel (IEP) and the Chief Veterinary Officer (CVO) were informed about non-instantaneous deaths. We received your request on 3 March. 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:

Please will you disclose the date of the earliest incident reviewed by the IEP where death was not instantaneous thereby confirming whether or not that incident preceded the tweet of 16th September.

The IEP did not receive any data from the pilots until the six week culling period was completed. They did not participate in any monitoring during the pilots as their role was to review the data contained in the official AHVLA report and reach their conclusions on humaneness, effectiveness and safety.

Please also confirm whether or not ANY reports relevant to humaneness were made to the CVO before 16th September that did not give the CVO cause for concern. If any such reports were made, please release those, redacted as necessary.

Three reports were submitted to Defra before 16 September, as follows:

5 September:

A shot was taken and was thought to be a miss. The contractor carried out a precautionary search of the site. A carcass was found 15 m away from the point where the miss was recorded. Death was confirmed, but no data were recorded to measure time to death. Thus, this case was brought to Defra's attention.

6 September:

Following the shot being taken, thermal imaging recordings showed no movement for over 30 seconds. The badger had not moved away from the location where it was shot. The team then heard voices and saw torch light, and vacated the area for personal security reasons. The team subsequently returned to the site to recover the carcass 15 minutes after the shot was taken. Because the team was unable to confirm time to death, the case was reported to Defra because it was an incomplete observation, even if the available data and video footage suggested that time to death was short.

10 September

Following the shot being taken, thermal imaging recordings showed no movement for 5 minutes. However, because of the location of the shot, quick recovery and confirmation of death was not possible. The team had to drive around a hedge and ditch to get to carcass. Therefore, death could not be confirmed for 15 minutes, and the case was brought to Defra's attention as an incomplete observation, rather than evidence of an extended time to death.

The Chief Veterinary Officer reviewed the details of each case on 11 September. On the basis of the information provided by the observers, it was concluded that the events were not considered to be of concern, because the available evidence suggested that the badgers had been shot cleanly and time to death was not extended. In order to confirm this, the CVO requested post mortem reports for these cases. Reports of the available post-mortem examinations were reviewed by the CVO on 25 September. The post-mortem reports confirmed that the injuries sustained by shooting were consistent with rapid death.

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

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