



Department
for Environment
Food & Rural Affairs

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

[REDACTED]

Our ref: RFI 6369
Date: 01 April 2013

Dear [REDACTED],

REQUEST FOR INFORMATION: Badger Pilot Culls

Thank you for your request for the Independent Expert Panel report, which we received on 04 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).

At the time of writing, the independent expert panel's report on the pilot culls is still being considered by Ministers. As such, this is material in the course of completion until final publication under 12(4)(d) of the EIRs. Defra has committed to publishing the full report and its annexes in due course as soon as a decision on wider rollout has been made by ministers.

The public interest test:

Defra recognises that there is a genuine interest in disclosing information about the pilot badger culls, given the controversial nature of the policy and the wide public interest in this pressing issue. That is why Defra has committed to publish the Independent Expert Panel report as soon as possible.

On the other hand, releasing material in the course of completion would be contradictory to the principles of freedom of information. Releasing the Independent Expert Panel report now before ministers have signed off on the report will undermine the ability of ministers to make a considered and evidence-based decision on the future of the policy.

Therefore, we have concluded that in all the circumstances of the case, the information should be withheld.

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

Yours,

Defra TB Programme

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