



Department  
for Environment  
Food & Rural Affairs

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

[REDACTED]

**Our ref:** RFI 6351  
**Date:** 28 March 2013

Dear [REDACTED]

### **REQUEST FOR INFORMATION: Badger Pilot Culls**

Thank you for your request for information about the pilot badger culls, which we received on 27 February. We have handled your request under the Environmental Information Regulations 2004 (EIRs). We are sorry for the delay in responding to your request.

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).

Please see the answers to your questions below:

#### **I want to know the results of the Badgers you tested?**

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.

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](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>

### **I want to know costings?**

The costs are still be collated for the two pilots, and are therefore incomplete information under 12(4)(d) of the EIRs.

### **I want the independent panel report of the killings of Badgers?**

At the time of writing, the independent expert panel's report on the humanness of the pilot culls has yet to be signed off for publication 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 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 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 costs of the two pilots and 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. We are still collating costs for the two pilots from a variety of different sources, and disclosing now would provide an inaccurate and misleading picture of the actual costs. 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](mailto: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](mailto: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