



Department  
for Environment  
Food & Rural Affairs

T: 03459 33 55 77 or  
08459 33 55 77  
helpline@defra.gsi.gov.uk  
[www.gov.uk/defra](http://www.gov.uk/defra)

**Our ref:** RFI 8044

**Date:** 10 March 2016

**REQUEST FOR INFORMATION: LICENCE APPLICATIONS, INSPECTION REPORTS AND PAPERWORK RELATING TO LICENCES APPLIED FOR OR ISSUED TO: PETER JOLLY'S CIRCUS, CIRCUS MONDAO, THOMAS CHIPPERFIELDS BIG CAT CIRCUS, OR ANY OTHER TRAVELLING CIRCUS**

Thank you for your request, which we received on 14 January, for the above information. We have handled your request under the Freedom of Information Act 2000 (FOIA).

**Information disclosed**

I enclose a copy of the following information held by this Department:

- Correspondence from Peter Jolly's Circus; including updates to paperwork and the location of some of the licensed animals. Correspondence of 16 November 2015 from the Chair of the Defra Circus licensing panel to Peter Jolly's Circus was included in response to your previous request (RFI 7887) and is therefore not included in this response.
- Correspondence with Circus Mondao, including letters of suspension and reinstatement, as well as an inspection report for the same Circus for a special unannounced inspection undertaken on 25 November 2015. Other correspondence from and about the circus is also included. Again, correspondence of 16 November 2015 from the Chair of the Defra Circus licensing panel to Circus Mondao was included in response to your previous request (RFI 7887) and is therefore not included in this response.

Certain information in the above documents has been redacted under section 38(1) (Health and safety) and section 40(2) (Personal information).

Section 38(1) applies to information that if disclosed would or would be likely to endanger the physical or mental health, or the safety, of any individual. We understand that some people may wish to see the documents in their entirety. However we have seen evidence that individuals associated with the circus licensing regime, or individuals in other areas involving wild animals in circuses, have previously been subject to threats, and the release

of further identifying information could increase risk to those individuals. Therefore this information has been redacted.

The emails and test results contain personal data, which we have concluded should be withheld under section 40(2) (personal data relating to persons other than the requester; i.e. third parties) and section 40(3)(a)(i) of the FOIA. Section 40(2) and section 40(3)(a)(i) of the FOIA provide that personal data relating to third parties is exempt information if its disclosure would breach any of the data protection principles in the Data Protection Act 1998 (DPA). We consider that disclosure of these personal data is likely to breach the first data protection principle in Schedule 1 to the DPA, which relates to the fair and lawful processing of personal data.. Disclosure of this information would not constitute 'fair' processing of the personal data because the information relates to persons who are not in a public facing role and would not reasonably have expected their name to be made public. Therefore, we have concluded that this information is exempt from disclosure under section 40(2) of the FOIA.

The information which is exempt from disclosure includes:

- Personal contact details of circus operators
- Names of circus representatives other than the licence holder or the person applying for a licence where these persons are not already publically known.
- Details of the vets involved in treating or overseeing the care of the animals.
- Names and email addresses of Defra or AHPHA officials below the level of the Senior Civil Service.

In keeping with the spirit and effect of the FOIA and 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](http://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.

### **Information not held**

I can confirm that this Department does not hold any license applications, inspection reports or associated paperwork for Thomas Chipperfield's Big Cat Circus 'An Evening with Lions and Tigers' or any other travelling circus with wild animals for the period 1 November to 31 December 2015.

I attach Annex A, which explains the copyright that applies to the information being released to you.

I also attach Annex B giving contact details should you be unhappy with the service you have received.

If you have any queries about this letter please contact the address below.

Yours sincerely,

**Defra FOIA and EIRs Team**

[InformationRequests@defra.gsi.gov.uk](mailto:InformationRequests@defra.gsi.gov.uk)

## **Annex A**

### **Copyright**

The information supplied to you continues to be protected by copyright. You are free to use it for your own purposes, including for private study and non-commercial research, and for any other purpose authorised by an exception in current copyright law. Documents (except photographs or logos) can be also used in the UK without requiring permission for the purposes of news reporting. Any other re-use, for example commercial publication, would require the permission of the copyright holder.

Most documents produced by Defra will be protected by Crown Copyright. Most Crown copyright information can be re-used under the [Open Government Licence](#). For information about the OGL and about re-using Crown Copyright information please see [The National Archives website](#).

Copyright in other documents may rest with a third party. For information about obtaining permission from a third party see the [Intellectual Property Office's website](#).

---

## **Annex B**

### **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 Nick Teall, Head of Information Rights, Area 4C, Nobel House, 17 Smith Square, London, SW1P 3JR (email: [InformationRequests@defra.gsi.gov.uk](mailto:InformationRequests@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