



Our Ref: ATIC2345

[Redacted]
{By Email}

17 March 2021

Dear [Redacted]

PROVISION OF REQUESTED INFORMATION

Thank you for your request for information regarding welfare statistics which we received on 17 February 2021. Your request has been handled under the Freedom of Information Act 2000 (FOI).

The information you requested and our response is detailed below:

“Please could you provide me with the following information:

- 1) The number of animal welfare inspections conducted by the APHA on farms in the following years: 2010, 2015, 2019 and 2020 in England, Scotland and Wales. Please could you also break this down by region.
- 2) The number of animal welfare non-compliances/breaches found on farms in each of these years in England, Scotland and Wales. Please could you also break this down by region.

Please see the information relating to questions 1 and 2 in the tables below. Please also see Appendix 1 where the figures have been broken down by Field Delivery Area for Animal and Plant Health Agency (APHA). You should note that A and B scores on the spreadsheet indicate compliance, and C and D scores indicate non-compliance.

2015	Inspections	Non-compliant
England	1334	312
Scotland	481	96
Wales	372	65

2019	Inspections	Non-compliant
England	1285	385
Scotland	373	75
Wales	351	69

2020	Inspections	Non-compliant
England	885	286
Scotland	232	48
Wales	263	67

The data for 2010 is not held on a central database, but on individual files. To provide this information, each file would need to be retrieved from a central storage facility and examined to establish the information you have requested. This has therefore been withheld under Section 12 of the Freedom of Information Act (FOIA). Please see below.

3) Please could you also provide details of these non-compliances/breaches, ie the location of the farm, the type of farm & livestock (ie dairy, boiler, egg, pig, or cattle), whether the farm is intensive or non-intensive (ie does it hold an environmental intensive farming permit), and the nature of the non-compliance/breach

4) The action taken by the APHA in response to these non-compliances/breaches, and the outcome of action taken

To obtain specific data relating to each breach, including action recommended and taken would require going into each individual record on the APHA database to find the inspection documents and correspondence. This information has therefore been withheld under Section 12 of the Freedom of Information Act (FOIA). Please see below.

However it may be helpful to you to explain APHA's role in responding to welfare complaints. APHA are required to respond to welfare issues reported by members of the public, Local Authorities and other government agencies and take appropriate action including improvement advice and follow up inspections in liaison with Local Authorities. Local Authorities (LA's) are principally responsible for any enforcement action that stem from an inspection following a welfare complaint.

5) The number of prosecutions for farm animal welfare offences brought by the APHA in 2010, 2015, 2019 and 2020, and the outcome of these prosecutions.”

This information is not held by APHA. The APHA role involves carrying out regulatory duties and monitoring compliance; APHA does not have any enforcement capability and APHA inspectors do not carry out enforcement actions. In most animal health and welfare cases of non-compliance, the statutory enforcement body will be the Local Authority . APHA works with local authorities where appropriate to support investigations of breaches of animal welfare legislation and that may include writing witness statements and appearing as a witness in court.

Section 12

You can refuse a request if deciding whether you hold the information would mean you exceed the cost limit, for example, because it would require an extensive search in a number of locations.

By virtue of regulation 12(2) of the FOIA, APHA may refuse to disclose information if the request for the information would involve the diversion of resources and incur excessive cost, in all the circumstances of the case, the public interest in applying the exemption outweighs the public interest in disclosing the information. In reaching our decision with respect to the public interest, we considered the following matters:

Regulation 12(2) of the FOIA also requires public authorities to apply a presumption in favour of disclosure. However, there is a strong public interest in withholding the information. Your request covers a substantial amount of information some of which may not be held in the same location. Gathering this specific information together, would involve a significant cost and diversion of resources from APHA's other work.

Retrieving individual files from a central storage facility to establish welfare data for 2010, and then reviewing each file for the appropriate documentation will be a costly exercise.

Likewise it has been estimated that accessing individual online inspection documents to obtain specific details for each breach will exceed the appropriate limit, which currently stands at £600 (£25 per hour). On the basis of our estimates, we consider that the cost would exceed this limit and, as such, we are refusing your request.

APHA consider that your request falls under regulation 12(2) on cost and resource grounds in determining whether all the information is held. Having carried out the above investigation, we have concluded that, in all the circumstances of the case, the public interest falls in favour of applying the exemption.

Information disclosed in response to this FOI request is releasable to the public. In keeping with the spirit and effect of the FOI and the government's Transparency Agenda, this letter and the information disclosed to you may be placed on GOV.UK, together with any related information that will provide a key to its wider context. No information identifying you will be placed on the GOV.UK website.

An Annex is attached which explains the copyright that applies to the information being released to you and contact details should you be unhappy with the service you have received.

If you have any queries about this letter, please contact the Access to Information Team at the email address below. During the current Coronavirus outbreak, our offices will be closed.

Yours sincerely

ACCESS TO INFORMATION TEAM

Email: enquiries@apha.gov.uk

Annex

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 also be 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.

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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](#).

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 11 of the EIRs, as applicable, within 40 working days of the date of this letter. Please write to the Access to Information Manager at the address at the top of this letter or email enquiries@apha.gov.uk and the team will arrange for an internal review of your case.

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's Office (ICO) for a decision. Please note that generally the ICO cannot make a decision unless you have first exhausted APHA's own complaints procedure. The ICO can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Coronavirus

If you need to contact the ICO during the Coronavirus pandemic, it's best to do so online. Please click [here](#) for contact details. You can also call them on 0303 123 1113.