



Department  
for Environment  
Food & Rural Affairs

Seacole Building  
4th Floor  
2 Marsham Street  
London  
SW1P 4DF

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

[Redacted]

By e-mail: [Redacted]

Our ref: EIR2022/20197  
28 October 2022

Dear [Redacted]

**REQUEST FOR INFORMATION: Analysis of the impact of badger culling on bovine tuberculosis in cattle - communications**

Thank you for your request for information of 7 October 2022 about communications on the analysis of the impact of badger culling on bovine tuberculosis in cattle. 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 information request and our response are set out below.

*If that is the case, please just send the emails between Christine Middlemiss and the Press office for February and March 2022 inclusive, that I estimate from your previous determination could be around 60 emails?*

*Also, can you confirm that your last response was with regards to <sup>[Redacted]</sup> paper (Langton et al. 2022 in Veterinary Record), as was my last question, and not all correspondence. Thanks.*

We are writing to advise you that there are no emails between Christine Middlemiss and the Press office for February and March 2022 inclusive. The exception at regulation 12(4)(a) of the EIRs, which relates to information which is not held at the time when an applicant's request is received, therefore applies to the information you have requested.

Regulation 12(4)(a) is a qualified exception, which usually means that a public authority is required to conduct a public interest test to determine whether or not information should be disclosed or withheld. However, the Information Commissioner's Office (ICO), who is the independent regulator for requests made under the EIRs, takes the view that a public interest test in cases where the information is not held would serve no useful purpose. Therefore, in line with the ICO's view, Defra has not conducted a public interest test in this case.

We can also confirm that our response was with regards to your paper Langton et al. 2022.



We attach 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 the address below.

Yours sincerely

[Redacted]

**Information Rights Team**

[InformationRequests@defra.gov.uk](mailto:InformationRequests@defra.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 11 of the EIRs, as applicable, within 40 working days of the date of this letter. Please write to [Redacted], Head of Information Rights via email at [InformationRequests@defra.gov.uk](mailto:InformationRequests@defra.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's Office (ICO) for a decision. Please note that generally the ICO cannot make a decision unless you have first exhausted Defra's own complaints procedure.

The ICO can be contacted using the following link:

<https://ico.org.uk/make-a-complaint/official-information-concerns-report/official-information-concern/>