



Department
for Environment
Food & Rural Affairs

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[Redacted]

By email: [Redacted]

Our ref: EIR2021/21921
15 September 2021

Dear [Redacted]

REQUEST FOR INFORMATION: Culled Badgers

Thank you for your request for information of 31 August 2021 about culled badgers. 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.

How many badgers shot under the DEFRA culling scheme have tested positive for tuberculosis or on autopsy shown active signs of tb.

We can confirm that this information is not held, available as we do not routinely test culled badgers for TB in the Edge and High Risk Areas.

The information is therefore exempt under 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. 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.

In our obligation to provide help and advice under regulation 9 of the EIR's we can inform you that badgers culled in the Low Risk Area (LRA) are tested for the purposes of monitoring prevalence, contributing to information for future operations and control of disease in LRA hotspots. These latest results can be found on GOV.UK at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/974351/tb-surveillance-in-wildlife-mar2021.pdf

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 me.

Yours sincerely

[Redacted]

Information Rights Team

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 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/>