



Department
for Environment
Food & Rural Affairs

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[Redacted]

By email: [Redacted]

Our ref: EIR2021/15746
17 June 2021

Dear [Redacted],

REQUEST FOR INFORMATION: Cost of Badger Cull on Taxpayer

Thank you for your further request for information of 17 June 2021 about the cost of the badger cull on taxpayer. 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.

You have failed to provide an answer as to where public money is being spent. I require an answer. How much public money goes to the cull companies?

By virtue of regulations 12(1) and 12(4)(b) of the EIRs, Defra may refuse a request for the information if it is manifestly unreasonable and, in all the circumstances of the case, the public interest in maintaining the exception outweighs the public interest in disclosing the information.

We consider that your request is manifestly unreasonable under regulation 12(4)(b) on the grounds that it is vexatious and we have concluded that, in all the circumstances of the case, the public interest falls in favour of maintaining the exemption.

In reaching our decision with respect to the public interest, we considered the following matters:

We recognise that there is a public interest in the disclosure of information concerning the badger cull as it aids transparency and accountability within Government. This is why we proactively publish Government costs to the administration of the badger control, and we have provided a link to you already.

On the other hand, there is a stronger public interest in refusing this request because since April this year you have submitted five requests that have been handled under the EIRs or the Freedom of Information Act 2000 (FOIA). On three of these you have not agreed with the outcome (which confirmed the information is not held by Defra) and has resulted in three Internal Reviews, two of which have confirmed our original decision. Additionally, you



have submitted at least 6 further emails on the same topic which did not amount to information requests made under the EIR/FOIA and are being handled as general correspondence. We have also informed you, on more than one occasion, that information requests are for recorded information held by a public authority and provided a link to the Information Commissioners Office (ICO) on how to make a valid request under these regimes.

In relation to this particular request we originally responded to you on 29 April 2021, stating the information is not held by Defra and refused it 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 (our reference number EIR2021/11867). You requested an Internal Review and the outcome was to confirm our position, the response was issued on 16 June 2021 (our reference number IR2021/13045).

We believe an unreasonable approach in submitting information requests has been adopted. These requests have caused a disproportionate and unjustified level of disruption within the department. Due to the burden and persistence you are implementing on Defra and its staff, and given the history laid out above, we are refusing to comply with your request as it is manifestly unreasonable under regulation 12(4)(b) on the grounds that it is vexatious.

We will therefore process the current information requests we have registered from you, including the final Internal Review and will not respond substantively to any further requests of a similar nature, or on the same topic in the future.

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

The ICO's offices are currently closed so please visit their website on how to contact them during this period, here:

<https://ico.org.uk>

Additionally if you wish to make a complaint to the ICO please use the following link:

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