



Department
for Environment
Food & Rural Affairs

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[Redacted]

By e-mail: [Redacted]

Our ref: EIR2022/18538
7 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 15 September 2022 about 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.

Please can you supply me with the communications between Eleanor Brown, the Chief veterinary officer Christine Middlemiss and the Defra press office/media centre, between 01 February – 30 August 2022 regarding all matters related to the manuscript for and publication of and Defra responses, comments and blog postings:

Langton TES, Jones MW, McGill I. Analysis of the impact of badger culling on bovine tuberculosis in cattle in the high-risk area of England, 2009–2020. Vet Rec 2022; doi:10.1002/vetr.1384

As you suggest, to reduce the work load to a reasonable level, please just limit the search to comms between Eleanor Brown and Defra press office over the period stated.

There should be no need to redact any names?

We want to be as open as possible in answering requests. The EIRs also require us to provide advice and assistance to help people obtain the information they are looking for and make good use of the EIRs. Unfortunately, the amount of information you have requested is still very substantial, and gathering it together would involve a significant cost and diversion of resources from the Department's other work.

By virtue of regulations 12(1) and 12(4)(b) of the EIRs, Defra may refuse to disclose environmental information if the request for the information 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 cost grounds and, having carried out the above public interest test, 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 disclosure of information concerning the impact of badger culling on bovine tuberculosis in cattle. Arguments in favour of disclosure would include transparency and to widen public understanding of the subject matter.

However, there is a stronger public interest in withholding the information because of the significant cost for the Department to identify, review and consider the information relating to your request. An initial search of electronic records identified over 400 items of correspondence potentially in scope of your request which would need careful review and consideration of any possible exceptions in the EIRs that may apply. Some documents would also need to be redacted according to the appropriate exceptions engaged. We estimate that to carry out these actions would significantly exceed 24 hours of staff time. This would clearly represent a significant cost in terms of staff time across the teams that may hold information in scope of your request and would disproportionately divert resources from the provision of other public services.

Regulation 9 of the EIRs requires public authorities to provide advice and assistance to applicants where reasonable. We have therefore provided details below to assist you to formulate a request that can be handled at less cost.

The best way we can help you is to ask you to narrow down your request to focus more clearly on the precise information you are seeking. You could, for example:

- reduce the time period specified in your request (such as to a month-long period within the seven months initially specified that you are most interested in); **AND**
- specify the “matters” you are interested in (such as to specified media outlets or other key words).

Please note that we will handle your modified request as a new request. The 20-working-day timescale for responding to requests will therefore commence from the date that we receive the modified request.

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

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/>