



Department
for Environment
Food & Rural Affairs

Nobel House
Area 1E
17 Smith Square
London
SW1P 3JR

T: 03459 33 55 77
helpline@defra.gov.uk
www.gov.uk/defra

[Redacted]

By email: [Redacted]

Our ref: FOI2019/23968
20 December 2019

Dear [Redacted] ,

REQUEST FOR INFORMATION: Bovine TB and Badger Control

Thank you for your request for information of 21 November 2019 about bovine TB and badger control. We have handled your request under the Freedom of Information Act 2000 (FOIA), the Environmental Information Regulations 2004 (EIRs) and general correspondence.

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).

The information you requested and our response are detailed below.

- i. Please confirm that the Government's policy on Bovine TB and badger control in England (2014) (PB 14088)5 remains Defra's extant policy on bTB and badger culling. If not, please refer us to any updated policy and provide copies of documents and/or information relied upon to update the policy;*

This part of your request has been handled under general correspondence and we can inform you that the TB strategy is extant and can be viewed here: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/300447/pb14088-bovine-tb-strategy-140328.pdf

- ii. Please explain the basis on which the achievement of that policy is measured and provide Defra's assessment of the achievement of policy objectives between 2013 and 2018. Please also provide copies of documents and/or information relied upon to reach that assessment;*

The first part of request asks for an explanation and has been handled under general correspondence. The aim of the strategy is for England to be recognised as officially TB free status. This means that less than 0.1 percent of herds experience the infection annually, as outlined in footnote 8 of that document.

The second part of this request has been handled under both FOIA and the EIRs. The incidence and prevalence of TB in England is published regularly as part of national statistics and can be found here: <https://www.gov.uk/government/collections/bovine-tb>

EIR- As the information you have requested is already publicly available and easily accessible to you in another form or format, regulation 6(1)(b) of the EIRs exempts Defra from providing a copy of the information with this response to your request

FOIA- As the information is reasonably accessible to you by other means, section 21 of the FOIA exempts Defra from providing a copy of the information with this response to your request.

- iii. *Please provide Defra's assessment of the current value for money analysis for the policy based on the results achieved to date in the first three areas licenced (Gloucestershire 01, Somerset 02 and Dorset 03). Please note that we request an assessment based on actual data, rather than an estimate reliant on data arising from the Randomised Badger Culling Trial. Please also provide copies of documents and/or information relied upon to reach that assessment;*

This part of your request has been handled under the FOIA. Defra's value for money analysis continues to be based on the Randomised Badger Culling Trial. Therefore the information you have requested is not held by Defra.

- iv. *Studies conducted by Brunton and Downs were based on data collected between 2013-2015 and 2013-2017 respectively. Please explain why available data on the incidence and prevalence of bTB in cattle in the cull zones before the start of the culling period (i.e. between 2011 and 2013) was not included in the study. Please provide copies of any documents and/or information underpinning that decision;*

The first part of your request has been handled under general correspondence. Both the Brunton and Downs studies did look at data from the three years before culling began. Please see the first paragraph of the statistical analysis section within the Downs report here: <https://www.nature.com/articles/s41598-019-49957-6.pdf>

The second part of this request has been handled under the FOIA. The information you have requested here is therefore not held by Defra.

- v. *Please explain the rationale behind the decision (if any) to exclude later data from the Brunton study. Please also provide any documents and/or information relevant to the making of that decision;*

The first part of request asks for an explanation and has been handled under general correspondence. The Brunton study analysed all the data available at the time the analysis was undertaken (i.e. up to Dec 2015). The recent Downs study looked at the effect of culling up to and including the autumn 2017 cull. This required waiting for and using cattle data that is collected over the subsequent 12 months. That data is then analysed, the paper is written and submitted to a scientific journal for publication.

The second part of this request has been handled under the FOIA. The information you have requested here is therefore not held by Defra.

- vi. *Please clarify whether these studies represent the totality of evidence relied upon by Defra to evaluate the effectiveness of its ongoing policy on bTB and badger culling. If not, please provide copies of all information and evidence relied upon by Defra to implement the policy and review its effectiveness;*

This part of your request has been handled under general correspondence. Yes this is the only project formally assessing the effect of culling on cattle TB.

- vii. *Please explain how other cattle-based interventions (e.g. veterinary advice, free farm visits and advice on biosecurity measures and slurry controls) and other uncontrolled-for variables in the cull zones were taken into account in the Brunton and Downs' studies and, therefore, the application of Defra's policy on bTB and badger culling. Please provide copies of all information relied upon;*

The first part of request asks for an explanation and has been handled under general correspondence. This issue is discussed in the fourth paragraph of the Discussion section of Downs paper.

The second part of this request has been handled under the FOIA. We do not hold any additional information apart from what is available within Downs. Therefore the information you have requested is not held by Defra.

- viii. *Please explain the rationale, reasoning and selection of herds to be excluded from analysis by Downs et al. In particular, please explain why herds with chronic infection are excluded. Please supply the raw data, including that from the excluded herds, along with the necessary information and data to enable recalculations of the analysis with such excluded herds included. Please provide your own calculations as to the results that would be obtained if the excluded herds are included. Please also provide any documents and/or information relevant to the making of the decision to exclude herds from the analysis;*

The first part of request asks for an explanation and has been handled under general correspondence. It is unclear as to what the phrase "excluded" herds is referring to as there is no mention in either the Brunton or Downs papers of "excluded" herds. Similarly it is unclear what is meant by the exclusion of chronic herds.

The second part of this request has been handled under the FOIA. Under section 1(3) of the FOIA, a public authority is not obliged to comply with a request unless further information reasonably required to identify and locate the information requested is supplied.

From our preliminary assessment and giving the reason set out above, we will not be able to answer your request without further clarification. We therefore require you to provide further information to enable us to identify and locate the information that you have requested.

- ix. *Please explain if, and how, data obtained from APHA's five year monitoring report on bTB in cattle in cull zones is taken into account in implementing Defra's policy on bTB and badger culling;*

This question asks for an explanation and has been handled under general correspondence. The data published in the monitoring report is subsequently analysed in more formal and rigorous statistical analyses such as those of Brunton and Downs.

- x. *Please explain with reference to the APHA report and other data sources as appropriate, if and how, data on the prevalence of bTB in cattle in these zones is taken into account in implementing Defra's policy on bTB and badger culling. Please provide copies of all documents and/or information underpinning that decision.*

The first part of request asks for an explanation and has been handled under general correspondence. Incidence is the better indicator of the effectiveness of culling rather than prevalence. This is because prevalence levels are affected both by incidence rate but also by how effective cattle testing policies are at removing infection from known infected herds. The former is affected by badgers, the latter isn't. Also changes in prevalence lag behind changes in incidence by 12 months and thus the timing issues raised in question (v) would be worse if prevalence was the measure.

The second part of this request has been handled under both FOIA and the EIRs. We do not hold any additional information apart from what is available within the Downs study. Therefore the information you have requested is not held by Defra.

The information that falls within the EIRs 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.

- xi. *If data on the prevalence of bTB in cattle in the cull zones is not taken into account in the formulation of Defra's policy on bTB and badger culling, please explain the basis on which it is considered inappropriate to do so. Please provide documents and/or information relevant to that decision*

The first part of request asks for an explanation and has been handled under general correspondence. Please refer to our response to part (x).

The second part of this request has been handled under both FOIA and the EIRs. We do not hold any additional information apart from what is available within the Downs study. Therefore the information you have requested is not held by Defra.

The information that falls within the EIRs 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.

- xii. *Please confirm the percentage of badgers known to be infected with bTB at the present time, broken down by cull zone. Please clarify, and provide, the information and evidence underpinning that figure and explain how it has been taken into account in reaching it. Please also clarify whether Defra has any proposed or ongoing studies to inform that calculation and, if so, provide details and copies of any relevant documentation.*

The part of this request has been handled under FOIA. We are writing to inform you that the information is not held by Defra. Regular testing of culled badgers is not carried out. Data from culled badgers in two areas in 2018 and 9 areas in 2016 have been published here: <https://www.gov.uk/government/publications/bovine-tb-surveillance-in-wildlife-in-england>

- xiii. *With respect to the attribution of 64.19% of herd incidents in 2018 to badgers, please explain how other factors are taken into account by those making these assumptions, including (but not limited to):*
- a. *the limited sensitivity of the SICCT test (including the sensitivity estimate utilised for this purpose, and the rationale for its use), noting that DEFRA and APHA have stated that around 60% of TB incidents result from recrudescence of residual/chronic infection;*
 - b. *the degree to which risk-based trading practices have been adopted by affected farmer(s); and*
 - c. *the degree to which affected farmer(s) have engaged with biosecurity and other available advice.*

This part of your request has been handled under general correspondence. The methodology is outlined in the Downs study.

The sensitivity of the test used for surveillance is irrelevant as the risk attribution is assessed once a herd has had a breakdown and thus false negatives are irrelevant as the herd has been detected. Also the quoted sensitivity refers to a single test carried out at standard interpretation whereas restrictions are lifted after each animal has passed at least two tests at severe interpretation. Cattle movements are examined as part of the DRF process. On farm biosecurity is also taken into account in assessing the likely risk pathways

Information disclosed in response to this EIRs/ FOIA request is releasable to the public. In keeping with the spirit and effect of the EIRs/FOIA and the government's Transparency Agenda, this letter and the information disclosed to you may be placed on [GOV.UK](https://www.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.

We attach Annex A, explaining the copyright that applies to the information being released to you, and Annex B 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 A

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 be also 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.

Most documents produced by Defra will be protected by Crown Copyright. Most Crown copyright information can be re-used under the [Open Government Licence](#). For information about the OGL and about re-using Crown Copyright information please see [The National Archives website](#).

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](#).

Annex B

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, Area 5B, Nobel House, 17 Smith Square, London, SW1P 3JR (email: 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 at:

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