



Llywodraeth Cymru
Welsh Government

24 August 2021

Dear ,

ATISN15376 Officially Tuberculosis Free Farm

Information requested

Thank you for your request which I received on 29 July 2021. You asked for:

Please disclose information about the only farm undergoing badger intervention in Wales that has achieved OTW-F status, referenced in ATISN15288.

1. During which years did the only farm to achieve OTF status undergo badger intervention?
2. How many cycles of badger intervention did the farm referenced in question one and above undergo during the years cited in question 1?
3. How many badgers were captured during each cycle?
4. How many badgers were euthanised in total during the badger intervention cycles?
5. How many badgers in total were euthanised as a result of the field DPP?
6. How many badgers were vaccinated in total?
7. How many badgers from question 6 were recaptured and euthanised?
8. How many field negative DPP, vaccinated badgers subsequently tested btb positive to either lab. DPP, IGRA or both?
9. How many vaccinated badgers recaptured during a second cycle consequently testing positive to field DPP were euthanised on the referenced farm, prior to 2020 when it was recognised that there was a cross reaction between DPP and BCG Sofia vaccine?
10. How many field positive DPP badgers were confirmed by positive post mortem

culture?

11. How many of the total number of badgers removed were confirmed by positive post mortem culture?

12. How many of the total number of euthanised badgers had indicative visible btb lesions?

13. Has WGS been carried out on badger and reactor cattle isolates from the referenced farm, if yes, please provide the phylogenetic analyses?

14. The badger intervention farms are stated numerically, please provide the number of the farm that has achieved OTF status during badger intervention.

Our response

A copy of the information I have decided to release is enclosed. I have decided that **some of the information** is exempt from disclosure under the Environmental Information Regulations (EIR) section 12(5)(a) – Public Safety and is therefore withheld. The reasons for applying these exemptions are set out in full at Annex 1 to this letter.

Please disclose information about the only farm undergoing badger intervention in Wales that has achieved OTW-F status, referenced in ATISN15288.

1. During which years did the only farm to achieve OTF status undergo badger intervention?

This information is withheld under EIR Regulation 12(5)(a), see annex 1.

2. How many cycles of badger intervention did the farm referenced in question one and above undergo during the years cited in question 1?

This information is withheld under EIR Regulation 12(5)(a), see annex 1.

3. How many badgers were captured during each cycle?

This information is withheld under EIR Regulation 12(5)(a), see annex 1.

4. How many badgers were euthanised in total during the badger intervention cycles?

This information is withheld under EIR Regulation 12(5)(a), see annex 1.

5. How many badgers in total were euthanised as a result of the field DPP?

This information is withheld under EIR Regulation 12(5)(a), see annex 1.

6. How many badgers were vaccinated in total?

This information is withheld under EIR Regulation 12(5)(a), see annex 1.

7. How many badgers from question 6 were recaptured and euthanised?

0

8. How many field negative DPP, vaccinated badgers subsequently tested btb positive to either lab. DPP, IGRA or both?

Blood samples taken from two animals at the capture event when they DPP field tested negative and were vaccinated, subsequently tested btb positive to either lab. DPP, IGRA or both.

9. How many vaccinated badgers recaptured during a second cycle consequently testing positive to field DPP were euthanised on the referenced farm, prior to 2020 when it was recognised that there was a cross reaction between DPP and BCG Sofia vaccine?

0

10. How many field positive DPP badgers were confirmed by positive post mortem culture?

0

11. How many of the total number of badgers removed were confirmed by positive post mortem culture?

0

12. How many of the total number of euthanised badgers had indicative visible btb lesions?

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13. Has WGS been carried out on badger and reactor cattle isolates from the referenced farm, if yes, please provide the phylogenetic analyses?

No, WGS has not been carried out on badger and reactor cattle isolates from the referenced farm.

14. The badger intervention farms are stated numerically, please provide the number of the farm that has achieved OTF status during badger intervention.

This information is withheld under EIR Regulation 12(5)(a), see annex 1.

Next steps

If you are dissatisfied with the Welsh Government's handling of your request, you can ask for an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Welsh Government's Freedom of Information Officer at:

Information Rights Unit,
Welsh Government,
Cathays Park,
Cardiff,
CF10 3NQ

or Email: Freedom.ofinformation@gov.wales

Please remember to quote the ATISN reference number above.

You also have the right to complain to the Information Commissioner. The Information Commissioner can be contacted at:

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

However, please note that the Commissioner will not normally investigate a complaint until it has been through our own internal review process.

Yours sincerely

Annex 1

Application of exemptions/exceptions

The Freedom of information Act/Environmental Information Regulations provide a right for anyone to ask a public authority to make requested information available to the wider public. As the release of requested information is to the world, not just the requester, public authorities need to consider the effects of making the information freely available to everybody. Any personal interest the requester has for accessing the information cannot override those wider considerations.

I have decided to withhold the following information for the following questions:

1. During which years did the only farm to achieve OTF status undergo badger intervention?	Environmental Information Regulations (EIR) Regulation 12(5)(a) international relations, defence, national security or public safety.
2. How many cycles of badger intervention did the farm referenced in question one and above undergo during the years cited in question 1?	Environmental Information Regulations (EIR) Regulation 12(5)(a) international relations, defence, national security or public safety.
3. How many badgers were captured during each cycle?	Environmental Information Regulations (EIR) Regulation 12(5)(a) international relations, defence, national security or public safety.
4. How many badgers were euthanised in total during the badger intervention cycles?	Environmental Information Regulations (EIR) Regulation 12(5)(a) international relations, defence, national security or public safety.
5. How many badgers in total were euthanised as a result of the field DPP?	Environmental Information Regulations (EIR) Regulation 12(5)(a) international relations, defence, national security or public safety.
6. How many badgers were vaccinated in total?	Environmental Information Regulations (EIR) Regulation 12(5)(a) international relations, defence, national security or public safety.
14. The badger intervention farms are stated numerically, please provide the number of the farm that has achieved OTF status during badger intervention.	Environmental Information Regulations (EIR) Regulation 12(5)(a) international relations, defence, national security or public safety.

Engagement of Regulation 12(5)(a)

The withheld information may be used, alongside information in the public domain, to identify a specific farm business. Farms under the programme have been guaranteed anonymity when joining the programme owing to public safety fears. Releasing this information under the EIRs is release not just to the requestor but to the world. Any member of the public may use this information to identify the exact farm in question.

The programme is a contentious one, and unfortunately there have been times in the past where similar issues have led to physical attacks to people and property. We must therefore assume that there is a real risk to the farmer and staff at the farm business in question, should the requested information be placed in the public domain.

The information is therefore exempt information under the public safety arm of Regulation 12(5)(f), and I find the exception is engaged.

Public Interest Test

In order to satisfy the public interest test in relation to the exception, it is necessary to conclude that the public interest arguments in favour of withholding the information are sufficient to *outweigh* the public interest arguments in favour of release.

Public interest arguments in favour of disclosure

The Welsh Government recognises the importance of transparency and openness in the operation of government and implementation of government policy. We particularly recognise the importance of providing data on a controversial subject so that the public may exercise their right to evaluate the effectiveness of policy.

Public interest arguments in favour of withholding

As described above, there have, unfortunately, been threats made on this and related policies and programmes by a small group of activists. Because release under EIR would entail release of the information to the world at large, there is a real risk of threats of violence or actual violence against staff and their families at the farm business that would be identified by the requested information.

It is not in the public interest that members of the public be placed at risk, simply because they were partaking in a programme that was Welsh Government public policy. The public interest in government ensuring public safety is very high, and would require an equally high countervailing public interest in disclosure to override this.

Balance of public interest test

Although there is a very clear public interest in the right to know the data associated with this programme, we believe that we have largely met this public interest in the answers to the other 7 questions that were asked. Although there is also some public interest in the answers to the questions covered by the above exemption, the release of such information is not compelling, and countervailing of our responsibility to ensure public safety. I therefore find that the balance of the public interest is in favour of withholding the information.