

[REDACTED]

BY EMAIL  
No hard Copy

14 March 2006

Dear [REDACTED].

**Access to Information Request – Partial Release – VT.005**

Thank you for your request for information about licences issued by English Nature to any Government agency or private company working for the Government to undertake research on badgers which we received on 17 February 2006. Your request has been carefully considered under the Environmental Information Regulations 2004.

As confirmed in my email on 21 February, English Nature has not issued any licences direct to Defra to enable scientific research on badgers. However, from looking at our records English Nature has issued licences to Government agencies or private companies working for the Government who are undertaking scientific research on badgers.

Our licensing database contains information on all licences issued by English Nature since 1997. However we need to look at the paper files to determine whether the licences we have issued for scientific research on badgers are undertaken for purely academic research or whether such work was carried out on behalf of the Government. Where a paper file has been inactive for 6 years it is destroyed. Therefore, the information discussed below may have omissions for licensed work undertaken prior to 2000.

Defra's website contains details of science and research projects that they have commissioned. This list of projects can be searched using key words such as 'badger'. Two projects, which have been licensed by English Nature, are included on this list and therefore I refer you to this website for the project details. The projects licensed by English Nature are SE3109 and SE 3102.

[http://www2.defra.gov.uk/research/project\\_data/Default.asp](http://www2.defra.gov.uk/research/project_data/Default.asp)

In addition to the above there are two other projects, which have been licensed by English Nature.

English Nature issued a licence to enable a research project to 'Investigate the prevalence of bovine tuberculosis in all wild British Mammals'. This project was carried out between February 2000 and January 2002. Up to 30 farms were visited. At each farm a maximum of 15 badgers were captured using cage traps. Clinical samples were obtained under anaesthesia. Badgers were marked by means of fur clipping or spray on dye. All procedures took place at the site of capture and all badgers were subsequently released. I have presumed that you are not particularly interested in this project as it was completed several years ago. If you would like any further information about this particular licence then please let me know.

English Nature also issued a licence on 9 February 2006 to enable humaneness and efficacy assessments of a body snare for restraining badgers. A copy of the licence and a project summary supplied by the applicant is attached. In the licence you will notice that some information has been blanked out. The information withheld relates to:-

- The organisation that applied for the licence.
- The specific location of the licensed activity.

This information is being withheld under the exception in Regulation 12(5)(a) of the Environmental Information Regulations 2004 which relates to information that if disclosed would adversely affect public safety. We believe that the release of this information would impact adversely upon the protection of the public, public buildings, industrial sites from accidents or acts of sabotage and the health and safety of the public.

In applying this exception, we have had to balance the public interest in withholding the information against the public interest in disclosure. These are the factors we considered in deciding where the public interest lay.

We believe that the public should be able to find out what the government is sanctioning in terms of animal testing, however we feel that this knowledge need not also extend to the locations of such testing, given the threat to those locations if that information is released. As recently as 2004 the government decided that the public could get sufficient information on animal testing from an anonymised list, (Lords Hansard 1 Jul 2004 : Column WS15).

We feel there is little additional public interest in knowing which organisation is doing the work, aside from the opportunity to target that organisation for the purposes of objection. Whilst it is a public right to object, that right has to be balanced against issues of public security and safety and safety of the personnel involved, especially in the current climate. We believe that these are legitimate concerns sufficient to allow English Nature to engage this exception and withhold the information.

The above paragraphs answer the questions numbered 1-3, 6 and 7, which you raised in your information request. In response to question 8 English Nature has not refused any licence application to undertake badger research work on behalf of the Government.

We receive a range of different types of applications to undertake research on badgers. All applications are treated differently and the merits and methodology are individually considered. However, all applicants who apply for such a licence to capture badgers must be able to demonstrate the following main points.

- Suitable experience with field methods or research techniques proposed
- Appropriate academic credentials to ensure that work will lead to increased scientific knowledge in the relevant field.
- Assurance that the work will not cause any unnecessary suffering or injury to badgers. We would expect applicants to use up-to date best practice to ensure that all elements of the work are as humane possible taking into account any Home Office licence.
- The study procedures must be adequate and contain all the information about badger capture, treatment and subsequent release.
- We would need to know numbers of badgers involved and locations.

- Where badgers are to be taken into captivity we would expect a broad indication of the number of badgers present on the study site so we are able to assess whether the proposal would involve removing a high proportion of the badgers present. This is to ensure that there are no long-term implications for the population, though we accept some research projects may cause some social disturbance. In such cases we would need to ensure that the site of capture is not close to any recent TB incidents.

Any licence issued would be tailored to cover the proposed work and would be as restrictive and specific as possible.

Please note that the information we have supplied to you is subject to copyright protection under the Copyright Designs and Patents Act 1988. You may re-use this information (not including logos) free of charge in any format or medium, for the purposes of research for non-commercial purposes, private study, criticism, review and news reporting. You must re-use it accurately and not in a misleading context. The material must be acknowledged as English Nature copyright and you must give the title of the source document/publication. However, if you wish to re-use all or part of this information for commercial purposes, including publishing you will need to apply for a licence. Applications can be sent to Corporate Data Manager, Northminster House, Peterborough, PE1 1UA.

Where we have identified any third party copyright material you will need to obtain permission from the copyright holders concerned.

If you are in unhappy with the service you have received in relation to your request and wish to make a complaint, please contact Richard Wright, Team Manager Terrestrial Wildlife Team, Tel 01733 455243 richard.wright @ english-nature.org.uk. Our [complaints procedure](#) is set out in our [Customer Charter](#), which is on our website.

If you are still not satisfied following this, you can make an appeal to the [Information Commissioner](#), who is the statutory regulator. The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Telephone: 01625 545 700  
[www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)

If you have any queries about this letter, please contact me.

Yours sincerely

Jo Oldaker  
Head of Licensing Unit.