

03 April 2017

Dear ,

ATISN 11200 - TB Eradication Board Members

Thank you for your request, which I received on 10 March 2017 in which you asked for the identities of the members of the overall Wales TB Eradication Board and when each member was appointed.

The information I have decided to release is:

The membership of the Wales TB Eradication Board comprises: Dr Christianne Glossop, Chief Veterinary Officer to the First Minister (Chair); the Animal Health and Plant Agency (APHA); a scientist; a farmer; a vet; and the Welsh Government TB policy team.

The individuals representing APHA and the TB Policy team vary from meeting to meeting. (It is the organisation that is the member not a named individual).

The vet, farmer and scientist sit as individuals on the Board and do not represent any organisations. They are 'voluntary' members with experience and knowledge of dealing with bovine TB. I have concluded that the identities of these individuals are exempt from disclosure under section(s) s38(1) 'Health and safety' of the Freedom of Information Act 2000 (FOIA).

Full details of our application of this exemption are provided in the annex to this letter.

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: FreedomOfInformationOfficer@wales.gsi.gov.uk

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 to Template Letter 8

I have decided to withhold the following information:

Information being withheld	Section number and exemption name
Identities of individual members of the Wales TB Eradication Board	s38(1) 'Health and safety' of the FOIA

This Annex sets out the reasons for the engagement of section 38(1) 'Health and safety' of the FOIA and our subsequent consideration of the Public Interest Test. In considering whether any exemption should be applied we have to consider the effects of disclosure to the World, as information released in response to an FOI request is not released to the person making the request but to the wider World. As such the motivation of the requester or how they intend to use the requested information has no bearing on our consideration. Rather we have to consider the potential effects of making the information available for anybody, anywhere, to access

Engagement of section 38(1) (Health and safety) of the FOIA

The Welsh Government believes that providing the names of the individual members of the Wales TB Eradication Programme Board should be exempt from disclosure.

Public Interest Test

Section 38(1)(a)&(b)

This exemption allows a public authority to withhold requested information where it is believed that disclosure of the information would, or would be likely to, (a) endanger the physical or mental health of any individual, or (b), endanger the safety of any individual.

The eradication of bovine TB is a very emotive issue that engenders strong, and often polarised, feelings. The TB Eradication Programme Board discusses a range of issues relating to the eradication of bovine TB, this includes discussions on the contentious issue of culling wildlife. During the time when Welsh Government was preparing to undertake a trial to cull Badgers, threats were made by unknown individuals regarding possible criminal damage being caused to the Carmarthen office, and to the private property of board members. The effect of this threat was to intimidate and threaten staff, the majority of whom were not involved with the TB team. We believe this demonstrates that there are individuals who are prepared to use violence against those it sees as being involved in activities they disagree with. Even if violence itself does not result, we believe the threat of violence that attacks, such as the one on the Carmarthen office are designed to foster, would result in harm to the mental health of the individual members.

Therefore we believe there is a very real risk to the individual members, or their family members, from persons unknown, where these individuals have been

identified in any information made publically available through Freedom of Information releases.

This exemption is a qualified exemption. That is, it is subject to the test of Public Interest.

There is strong public interest in knowing how governments tackle bovine TB. It is in the public interest that decisions are reached based upon the full and frank consideration of all possible options, and that advice provided to Ministers to inform their decision making is fair and balanced. Disclosure of the membership of the TB Eradication Programme Board would show the public that advice is being sought, and the evidence considered by a range of individuals with different backgrounds and areas of expertise. This should provide the public with assurance that the advice going forward to decision makers is based upon sound consideration of all factors.

Against this, it is one of the fundamental duties of government to protect people from harm. It is not in the wider public interest for government to release information which has the very real potential to allow individuals to be harassed, threatened or harmed simply because they are trying to help the government resolve a contentious issue.

We have decided in this case that the duty of government to protect its citizens from harm outweighs any possible benefit from identifying the individual members of the TB Eradication Board, and we have concluded that the s38(1)(a)&(b) exemptions should be employed.