

By email



Our ref: 13/02/19/lh/069

Health Protection Agency

Luke Steele

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Dear Mr Steele

Re: Internal review of the HPA's response to request for information regarding scientific experimentation undertaken at HPA Porton (HPA ref: 13/01/21/gS/034)

Thank you for your email dated 19 February 2013 in which you have requested an internal review of the Health Protection Agency (HPA) response (HPA Case reference 13/01/21/gS/034) to your request for information relating to work undertaken at HPA Porton. The HPA responded to your request on 14 February 2013.

I have now completed the review of our response. I have examined the available information and consulted staff members who contributed information to the original response. I have considered whether the correct procedures were followed and assessed the information that was disclosed. My findings are set out below.

In a letter dated 14 February 2013 the HPA Freedom of Information (FOI) Officer informed you that the information you requested in relation to scientific experimentation undertaken at HPA Porton was exempt in accordance with Section 38(1)(b) of the FOI Act.

Section 38(1)(b) of the Act exempts information that would endanger the safety of any individual. I have considered if the application of this exemption was justified and if the explanation of why it was used was appropriate.

The FOI Officer considered the public interest arguments for disclosure of the information and considered if releasing the information would pose a risk to staff. Having weighed up these arguments, they concluded that the risk to staff outweighed the argument for public interest in this information.

I have concluded that the decision to apply the Section 38(1)(b) exemption to this information was correct and I uphold the decision not to release the information. The risk posed by activists who maintain that there are no circumstances where animal research is warranted, poses a very real and actual risk to HPA staff and the agency must take steps to protect them. There is evidence that animal rights activists are prepared to enter our premises and threaten physical abuse towards our staff both inside and outside their place of work.

This completes the HPA internal review process.

I should like to point out that in their letter the FOI Officer mentioned that the HPA has a commitment to reduce the use of animals in its work.

Continual input is made into new approaches for considering the refinement and reduction of animal use for testing of medicines. Significant developments have been made in the validation of new assays that provide substantial advantages in terms of reduction in animal numbers or alternative procedures that do not rely on animal use. In the meantime, some *in vivo* procedures will continue to form an essential aspect of ensuring the safety of medicines, but work continues to reduce those requirements by refining the assays whilst still ensuring the highest possible safety standards for the public and animals.

If you have any queries regarding the information that has been supplied to you, please refer them to me in the first instance. If you are dissatisfied with this response and would like a copy of the HPA complaints procedure then please contact The Complaints Manager at: Health Protection Agency, 151 Buckingham Palace Road, SW1W 9SZ.

Please note that you have the right to an independent review by the Information Commissioner's Office if a complaint cannot be resolved through the HPA complaints procedure. The Information Commissioner's Office can be contacted by writing to Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

Yours sincerely

Freedom of Information Officer