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Knowledge and Information Management
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Steve Elibank
request-31616-a5a093f6@whatdotheyknow

Our ref. RFI 3264
Your ref.

12 May 2010

Dear Mr Elibank

RFI 3264 – Shechita UK's formal response to the Government's Draft Response to the FAWC Report on the Welfare of Farmed Animals at Slaughter or Killing, Part 1: "Red Meat Animals"

Thank you for your email of 16 April about the handling of your request for information regarding Shechita UK's formal response to the Government's Draft Response to the Farm Animal Welfare Council Report on the Welfare of Farmed Animals at Slaughter or Killing. This review is being handled under Freedom of Information Act 2000 (FOIA).

In accordance with Defra's internal review procedures, your case has been reviewed by the Information Rights Team within Defra in discussion with colleagues who handled your original request. Having carefully considered the facts of this case, we are partially upholding your complaint and a copy of the report is attached. However we also found that Defra had, in fact, also sought to provide you with all the extensive supporting documentation referenced in the report. This is also attached as scanned copies. I apologise if this attempt by the department to provide you with the fullest possible information in relation to your request was open to misinterpretation.

Chronology

On 26 March 2010 you wrote to Defra requesting a copy of Shechita UK's document responding to the Government's Draft Response to the Farm Animal Welfare Council Report on the Welfare of Farmed Animals at Slaughter or Killing, Part 1: "Red Meat Animals".

On 12 April 2010, Mark Benneworth wrote to you enclosing a copy of Defra's reply and requesting a postal address in order to send you the entire document which accompanied the report.

On 13 April you asked for an electronic copy of the information under Section 11 of FOIA or reasons why this was not practicable.



On the same day Mr Benneworth explained that, because of its size and contents, it would be a lengthy process to scan the document which in any case would be too large to e-mail. He asked again for a postal address.

On 16 April Mr Benneworth sent a reminder of his request for a postal address.

On the same day you replied that you would not be providing a postal address instead requesting an Internal Review of our handling of this case. You noted that Shechita UK had provided you with a 17-page PDF file. You were unclear about what 200-page illustrated document we were referring to. Our failure to provide the requested material by email was in your view clearly illegal under Section 11 of the FOIA since an electronic copy was patently practicable having already received one from another source.

On 16 April Mark forwarded your complaint to me. The same day my colleague Guy Mawhinney sent you an acknowledgement letter stating our aim of completing our review by 17 May.

Conclusion

In all the circumstances of the case, we have concluded that Defra was seeking to be helpful by providing you with not only the report itself but with the extensive supporting documentation. Unfortunately we do not appear to have made this entirely clear at the time. Having explored how best these hard copies could be scanned, compressed and provided to you electronically I am pleased to attach them along with this review.

I hope that the above answers your letter satisfactorily. However, if you remain dissatisfied, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

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

<http://www.ico.gov.uk/complaints.aspx>

Yours sincerely,



Clive Porro

