

Secretary of State for Environment, Food & Rural Affairs
Seacole Building
2 Marsham Street
London SW1P 4DF

10 May 2022

Defra apology and retraction of its rebuttal to peer reviewed science on bovine tuberculosis and badger culling*, published in the Veterinary Record on 19th March.

Dear Secretary of State,

We are writing to once again express our extreme concern that your department is proceeding with its badger culling policy, based on confused and incorrect data, and understanding. As professional scientists we consider that continuation of the current policy, despite the clear lack of evidence for its efficacy, places public good at significant risk. We ask that you use this key decision-making point in time to terminate any further badger culling, given that the policy is no longer tenable based on recently published information.

Specifically, we refer to Defra's email to Tom Langton dated 5th May 2022 (copied below), entitled "Letter on bovine TB", in which it states that the Defra analysis published in the Veterinary Record on 19th March by CVO Christine Middlemiss and CSA Gideon Henderson entitled "*Badger culling to control bovine TB*" has been re-examined by the authors and found to be flawed because it had been calculated incorrectly. The email also comes with an apology to us from Middlemiss and Henderson for their errors. Included in the 5th May email was a 'revised graph' showing bTB herd breakdown incidence over time [the Revised Defra Graph]. Defra's error had also been highlighted by Professor Torgerson on the CVO online blog.

The Revised Defra Graph was sent to us without the '*corresponding data and workings*' on culled and unculted areas, necessary to evaluate its veracity. The email suggested that this accompanying information was attached, but it was not, and the workings remain obscure despite three requests since 5th May and an incomplete data file arriving this morning. Please can you supply everything to us, including the methodology of how the data was extracted for unculted areas.

*Thomas E. S. Langton, Mark W. Jones, Iain McGill, 2022. Analysis of the impact of badger culling on bovine tuberculosis in cattle in the high-risk area of England, 2009–2020 Veterinary Record Vol 190 Issue 6. 18 March 2022 <https://doi.org/10.1002/vetr.1384>

Continued/.

Whilst the Revised Defra Graph remains to be validated, it shows overlap (of what one might assume are 95% confidence intervals) between culled and unculted areas in some years, suggesting no significant effect of culling on herd incidence of bovine TB. We understand that you have acknowledged the errors previously published in the Veterinary Record, and presumably have also sent the Revised Defra Graph to the journal with an accompanying explanation, for publishing.

The flawed Middlemiss and Henderson analysis, which was neither transparent nor peer-reviewed, and was (unusually) published on 19th March in the same edition of the Veterinary Record as our paper, formed the basis for Defra's extreme and public criticism of our analysis. Moreover, the online statement by the Defra Press Office, also issued on the day our paper was published, accused us of manipulating data and reaching the wrong conclusions to fit a clear campaign agenda. It further stated that it was therefore disappointing to see our paper published in a scientific journal, which we consider defamatory to an extent that we are seeking legal advice. In addition, the reputation of the Veterinary Record and its peer review process, has been seriously, and as it turns out unjustifiably damaged.

Impact on badger culling policy

In Defra's 5th May email, it states that "*we believe this does not change the overall argument in the letter signed by Profs Henderson and Middlemiss*". However, we now know that Defra's criticisms were based on incorrect calculations by Defra scientists. It is not clear whether these errors were wilfully designed to distract from and undermine the results and conclusions of our analysis, because our findings do not fit with the Defra policy to cull badgers in England.

However, in the Revised Defra Graph, the apparent lack of significant difference between culled and unculted areas continues to bring Defra's claims that badger culling is 'working' into question. Equally the original Defra claim in the Veterinary Record on 19th March, that our method '*masks the effect of culling by incorrectly grouping data*' has already been responded to (Veterinary Record 2/9 April) but there has been no clarification from Defra of its position. Defra's arguments were unconvincing and are contradicted by Middlemiss and Henderson's two graphs, which show a drop in incidence in the first two years in cull areas which, they argue, cannot be attributable to culling.

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Our research showed a more robust treatment of unculled areas, in which similar declines are logically attributable to cattle measures.

Requested actions

1. In the first instance that Defra immediately and publicly, and with equal prominence to the original criticism, apologises for and takes steps to prominently retract the content of the Middlemiss and Henderson 19th March letter in the Veterinary Record.
2. As above, that Defra immediately places an immediate and public correction on the Chief Veterinary Officer's blog.
3. That Defra issues a public apology for, and retraction of Defra's press statement, issued on the day of publication of our paper, and a correction sent to all journalists and independent parties briefed in this manner. We would be prepared for our representatives to agree with you the manner and terms in which this would be achieved
4. We ask you to refer this matter with due promptness to the Council for Science Editors, Defra Science Advisory Council, and the EFRA committee and that you seek to open a dialogue with us to turn this into a productive conversation.
5. Finally, we also reiterate our call for Defra to immediately suspend the badger culling guidance to Natural England, and to cease the licencing of further badger culls, pending further review of its badger culling policy based on the findings of our paper and Defra's own corrected analysis.

We thank you in anticipation of a prompt and appropriate response.

Sincerely, *Tom Langton, Mark Jones, Iain McGill*

cc.

Chief Veterinary Officer, Christine Middlemiss

Chief Scientific Adviser, Gideon Henderson

Suzanne Jarvis, editor in chief, Veterinary Record

Richard Buxton Solicitors

newsdesk@defra.gov.uk

Tony Juniper, Natural England

Professor Paul Torgerson, Vetsuisse Faculty, UZH

Tom Langton, Triton House, Bramfield, Halesworth, SUFFOLK, UK - IP19 9AE.

tl@langtonuk.co.uk

From: SM-Defra-BTBengage (FFG) <bTBengage@defra.gov.uk>

Sent: 05 May 2022 09:50

To: Tom Langton <TL@langtonuk.co.uk>

Subject: Letter on bovine TB

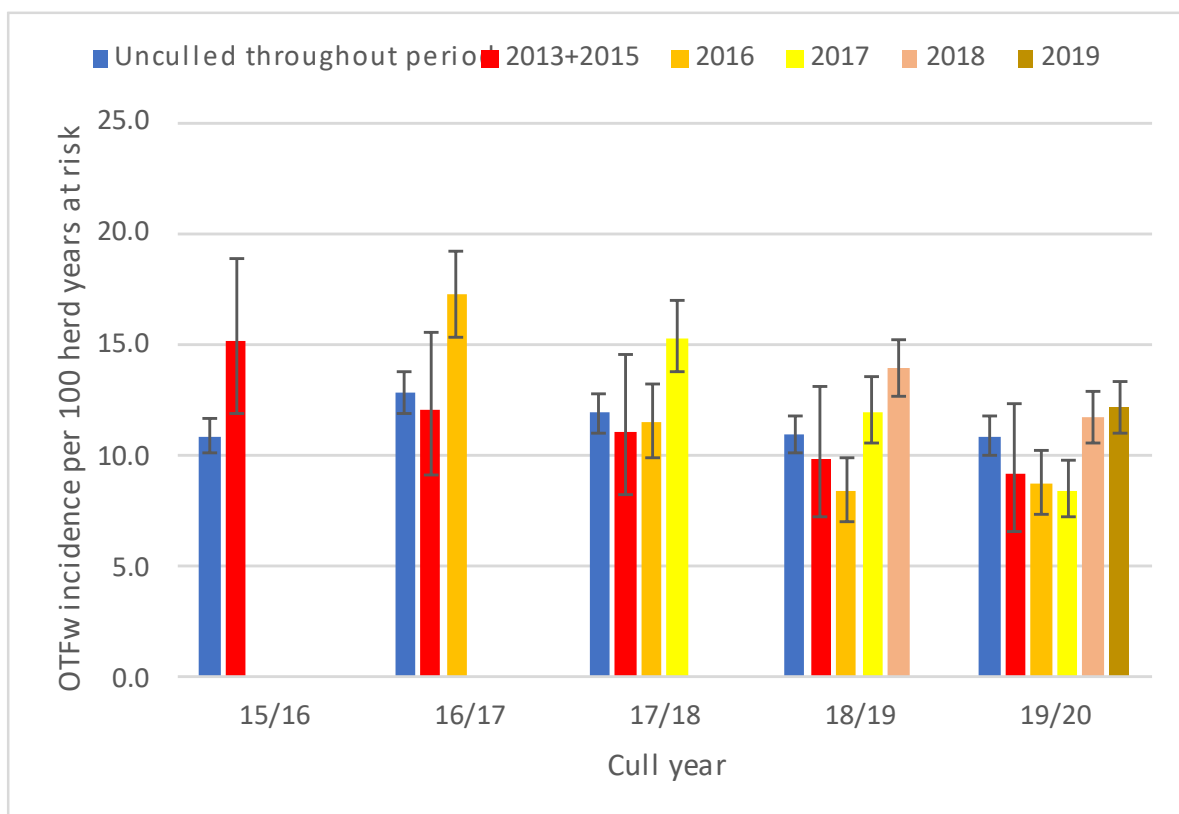
Dear Mr. Langton

Following your recent correspondence about how incidence in uncullled area was calculated we have re-examined our analyses and discovered an error we wish to bring to your attention.

The incidence in the area uncullled throughout the period was calculated incorrectly.

The incidence in cull areas is unchanged.

We attach a corrected graph, with the corresponding data and workings as previously requested.



We apologise for this error but we believe this does not change the overall argument in the letter signed by Profs Henderson and Middlemiss.

We have informed the Vet Record of this error.

Finally regarding your query on area 34 we can confirm that area 34 was excluded (not area 33 as stated in a previous email to you.) This will also be evident from the

spreadsheet.

With best regards

Defra Bovine TB Programme

From: Tom Langton <TL@langtonuk.co.uk>

Sent: 06 April 2022 16:11

To: SM-Defra-BTBengage (FFG) <bTBengage@defra.gov.uk>

Subject: RE: Letter on bovine TB

Importance: High

Dear Defra,

Thank you for your latest communication regarding your alternative analysis to that of our peer reviewed, published paper on bovine TB in the High Risk Area in Veterinary Record.

While in respect of Figure 1 of the Defra letter, we can derive HYR figures similar to your own as shown in your email, it is not clear how the OTFw figures are derived and we believe that it is possible that there are mistakes in your extraction of data. For example, have you incorrectly included Area 34 (outside the HRA in Cheshire) in your 2019/20 figures?

Please can you make your position on data extraction methods clear, on this extremely important and time-critical matter. Surely you would wish to show us and the veterinary professionals reading your letter exactly how you had derived data, and the basis of your analysis? Please state exactly the methods by which you obtained your numbers and show the information on spreadsheets or other ways so that derivation of your data is understandable. There is considerable and growing interest surrounding your figures and the Defra letter derived from them remains unverifiable without this clarity.

Yours sincerely,

Tom Langton