

Don Staniford by email
Global Alliance Against Industrial Aquaculture

Our ref: Fol/13/00007
1 February 2013

Dear Mr Staniford

Thank you for your request dated 4 January 2013 under the Environmental Information (Scotland) Regulations 2004 (the EIRs) for all sea lice data including sea lice counts on a) wild fish and b) farmed salmon since January 2008.

Please find enclosed copies of most relevant information held by Marine Scotland. While you mention the Managing Interactions project in your original request, please note that Marine Scotland do not hold the data collected under this project.

Further, there may be some information on sea lice contained within Fish Health Inspectorate case sheets. As you will be supplied with copies of case sheets, and any sea lice data contained within those case sheets, in response to another enquiry (Fol/13/00014, due on 7 February) we have not considered that information here. I hope that this approach is acceptable to you.

We do try to provide information wherever possible. However, in this instance an exception under regulation 10(4)(d) of the EIRs applies to some of the information requested. Regulation 10(4)(d) provides that a public authority may refuse to make information available to the extent that the request relates to material which is still in the course of completion, to unfinished documents or incomplete data. We hold a copy of a draft paper written by an individual who is not employed by or associated with Marine Scotland. The paper will be published in due course, but is still in draft.

As the exception is conditional we have applied the 'public interest test'. This means we have, in all the circumstances of this case, considered if the public interest in disclosing the information outweighs the public interest in applying the exception. We have found that, on balance, the public interest lies in favour of upholding the exception. While we recognise that there is some public interest in release because data on sea lice levels should be made available where possible, this is outweighed by the public interest in allowing the process of publishing research to continue as normal. The paper will be published in its final form, at which point the information will be publicly available. There is no public interest in releasing a draft version of a paper that will be published in its final form in the future.

I am sorry we are unable to assist fully with your enquiry. If you are unhappy with this response to your request, you may ask us to carry out an internal review, by writing to:

Linda Rosborough
Director Marine Scotland
Scottish Government
Area 1B South
Victoria Quay
EH6 6QQ

Email: directormarinescotland@scotland.gsi.gov.uk

Your request should explain why you wish a review to be carried out, and should be made within 40 working days of receipt of this letter, and we will reply within 20 working days of receipt. If you are not satisfied with the result of the review, you then have the right to make a formal complaint to the Scottish Information Commissioner.

Yours sincerely,

Helen McGregor