

Fol hearing re Huntingdon Life Sciences

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The fight for transparency over the government's decision to provide banking and insurance services to failing animal testing company Huntingdon Life Science continues on Friday 27th March in Manchester. Rhonda Moorhouse will again be appealing for a positive response to her request for full disclosure regarding this matter. Her last appeal was dismissed by a tribunal last May.

The government stepped in to support the Huntingdon Life Sciences (HLS) in 2001/02 when it could no longer find these services commercially. Its previous banking and insurance providers had dropped the company in response to campaign pressure by animal rights activists after the laboratory was exposed by a Channel 4 documentary which showed a worker punching a beagle puppy. HLS has been exposed of ongoing animal cruelty on a number of occasions since.

Liverpool woman Rhonda Moorhouse made a request to the Department of Business Innovation and Skills (BIS) back in April 2011 regarding the government's provision of these services to HLS, and was provided with information in response to some but not all of her questions. Those that remained and that are the subject of this appeal were: For what purpose have banking and insurance services been provided to HLS since 2001 ? and; Have any pay-outs been made under the terms of the insurance services? and if so, what was their monetary value? The Information Commissioner Tony Dixon chose to withhold information relating to these questions under Freedom of Information Act exemptions regarding ministerial communications and commercial interests. He concluded that the public interest favoured the maintenance of both exemptions. There followed an appeal by the appellant, Ms Moorhouse, heard at the end of 2012 and dismissed March 2013. The last appeal decision followed a hearing in London on May 12th 2014 where the case, R. Moorhouse v The Information Commissioner, was heard by the first tier-tribunal of the General Regulatory Chamber. The hearing included a closed session where, given Ms Moorhouse was representing herself, there was no advocate present to argue in favour of disclosure, "paradoxically" as tribunal judge Mr David Farrer Q.C. said himself "in the court dedicated to transparency."

It was revealed during the course of the tribunal that Huntingdon Life Sciences had written to the Information Commissioner with its concerns regarding its commercial interests in a closed letter. There was a lack of agreement during the tribunal over whether the provision of banking and insurance services to the company constituted public resources. However BIS seem to acknowledge themselves that this constitutes public resources and that there is therefore public interest in disclosure. Ms Moorhouse cited a letter dated 24th February from BIS to Tony Dickson, saying it "acknowledged that there is a degree of public interest as to why public resources should be devoted to HLS", and "recognises the genuine policy issue of whether such resources should be given in these circumstances", and that "there is a degree of public interest in disclosing detail of why public resources have and are being used for HLS." The panel agreed with the Information Commissioner that both the exemptions over ministerial communications and information prejudicing commercial interest could be maintained and therefore had to consider whether the public interest in disclosure could outweigh these exemptions. The panel's decision was that the public interest in disclosure could not outweigh these exemptions: "Supporters of animal rights are, of course, perfectly entitled to campaign vigorously but peacefully to outlaw animal experiments. However, such experiments remain lawful unless or until Parliament decides otherwise. HLS and its competitors are entitled to conduct their business free of intimidation or unlawful harassment. Whether or not government policy in relation to HLS is to be applauded, it is open to any government to enter into arrangements to preserve lawful commercial activity. That being so, government ministers must feel free to exchange candid opinions, options and possible solutions without the fear that their exchanges may be disclosed, perhaps long after they took place, thereby endangering the commercial interests of HLS and other identified entities or, still worse, the personal safety of their staffs. We conclude that such concerns remain very serious live issues, even after the passage of several years." Ms Moorhouse responded to the decision thus "It is a cover-up by the politicians. They are hiding something which they know will not command public approval. We are living in a corporatocracy where immensely powerful but unregulated multinational companies put profit over human and animal life, and secrecy is the

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cement holding the whole edifice in place. It must stop."

Ms Moorhouse also said she intended to seek permission to appeal to the Upper Tribunal and indeed she has. The hearing of her case will take place on Friday 27th March at 10.30am at Manchester Crown Court, Ground floor, Magistrates Court Wing, Crown Sq., Off Bridge Street West, Manchester, M3 3FL.

If you wish to attend you must provide your name in advance in order to be allowed in. Please send your name to: huntingdonFOI@yahoo.co.uk if you want to come.

The full decision of the last appeal can be found at:

[http:// www.informationtribunal.gov.uk/Public/search.aspx](http://www.informationtribunal.gov.uk/Public/search.aspx)

[http:// www.informationtribunal.gov.uk/DBfiles/Decision/i1317/EA-2012-0158_12-06-2014.pdf](http://www.informationtribunal.gov.uk/DBfiles/Decision/i1317/EA-2012-0158_12-06-2014.pdf)

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