

Climate Change E-mails Review
Box 18
196 Rose Street
Edinburgh
EH2 4AT

Dear Sirs

I wish to submit to the inquiry details of a Freedom of Information request I made to the University of East Anglia, and their response.

As background, I would mention that I am a retired business analytics consultant and former university lecturer who has developed an intelligent layman's interest in the climate change debate over the past six months or so. I read the CRU emails after they had been posted on the internet, and found their content shocking in terms of what they revealed about the lack of transparency in the scientific work of the CRU and about attempts to evade FOI requests that had only been necessary because of the CRU's ongoing unwillingness to release data and computer code.

When I read Professor Davies' statement on the UEA website, which appeared shortly after the emails were placed on the internet, I was astounded for two reasons. The first was that even a cursory reading of the emails would be enough to confound his statement:

"There is nothing in the stolen material which indicates that peer-reviewed publications by CRU, and others, on the nature of global warming and related climate change are not of the highest-quality of scientific investigation and interpretation".

The second was that the statement appeared to me both ill-advised and premature, and I could not believe that Professor Davies had taken advice before publishing it.

The rest of this document contains the **ANNOTATED** emails and letters making up the original FOI request and the UEA's eventual response. A response that shows how little the University is interested in transparency.

Your sincerely

Trevor W Jones

MY ORIGINAL FOI REQUEST, SENT BY LETTER

25th November 2009

Professor Edward Acton
Vice Chancellor
University of East Anglia
Norwich
NR4 7TJ

Dear Professor Acton,

Freedom of Information Act Request

I refer to the statement by Professor Trevor Davies posted on the University's website on 24th November 2009 (copy appended for reference).

My request is as follows:

1. What advice did Professor Davies take, and from whom, before writing and publishing the statement
2. How many of the leaked emails had he read before writing and publishing the statement?

Yours sincerely

Trevor Jones

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Statement from Professor Trevor Davies, Pro-Vice-Chancellor, Research

The publication of a selection of the emails and data stolen from the Climatic Research Unit (CRU) has led to some questioning of the climate science research published by CRU and others. There is nothing in the stolen material which indicates that peer-reviewed publications by CRU, and others, on the nature of global warming and related climate change are not of the highest-quality of scientific investigation and interpretation. CRU's peer-reviewed publications are consistent with, and have contributed to, the overwhelming scientific consensus that the climate is being strongly influenced by human activity. The interactions of the atmosphere, oceans, land, and ice mean that the strongly-increasing concentrations of greenhouse gases in the atmosphere do not produce a uniform year-on-year increase in global temperature. On time-scales of 5-10 years, however, there is a broad scientific consensus that the Earth will continue to warm, with attendant changes in the climate, for the foreseeable future. It is important, for all countries, that this warming is slowed down, through substantial reductions in greenhouse gas emissions to reduce the most dangerous impacts of climate change. Respected international research groups, using other data sets, have come to the same conclusion.

The University of East Anglia and CRU are committed to scientific integrity, open debate and enhancing understanding. This includes a commitment to the international peer-review system upon which progress in science relies. It is this tried and tested system which has underpinned the assessments of the Intergovernmental Panel on Climate Change. It is through that process that we can engage in respectful and informed debate with scientists whose analyses appear not to be consistent with the current overwhelming consensus on climate change

The publication of a selection of stolen data is the latest example of a sustained and, in some instances, a vexatious campaign which may have been designed to distract from reasoned debate about the nature of the urgent action which world governments must consider to mitigate, and adapt to, climate change. We are committed to furthering this debate despite being faced with difficult circumstances related to a criminal breach of our security systems and our concern to protect colleagues from the more extreme behaviour of some who have responded in irrational and unpleasant ways to the publication of personal information.

There has been understandable interest in the progress and outcome of the numerous requests under information legislation for large numbers of the data series held by CRU. The University takes its responsibilities under the Freedom of Information Act 2000, Environmental Information Regulations 2004, and the Data Protection Act 1998 very seriously and has, in all cases, handled and responded to requests in accordance with its obligations under each particular piece of legislation. Where appropriate, we have consulted with the Information Commissioners Office and have followed their advice.

In relation to the specific requests at issue here, we have handled and responded to each request in a consistent manner in compliance with the appropriate legislation. No record has been deleted, altered, or otherwise dealt with in any fashion with the intent of preventing the disclosure of all, or any part, of the requested information. Where information has not been disclosed, we have done so in accordance with the provisions of the relevant legislation and have so informed the requester.

The Climatic Research Unit holds many data series, provided to the Unit over a period of several decades, from a number of nationally-funded institutions and other research organisations around the world, with specific agreements made over restrictions in the dissemination of those original data. All of these individual series have been used in CRU's analyses. It is a time-consuming process to attempt to gain approval from these organisations to release the data. Since some of them were provided decades ago, it has sometimes been necessary to track down the successors of the original organisations. It is clearly in the public interest that these data are released once we have succeeded in gaining the approval of collaborators. Some who have requested the data will have been aware of the scale of the exercise we have had to undertake. Much of these data are already available from the websites of the Global

Historical Climate Data Network and the Goddard Institute for Space Science.

Given the degree to which we collaborate with other organisations around the world, there is also an understandable interest in the computer security systems we have in place in CRU and UEA. Although we were confident that our systems were appropriate, experience has shown that determined and skilled people, who are prepared to engage in criminal activity, can sometimes hack into apparently secure systems. Highly-protected government organisations around the world have also learned this to their cost.

We have, therefore, decided to conduct an independent review, which will address the issue of data security, an assessment of how we responded to a deluge of Freedom of Information requests, and any other relevant issues which the independent reviewer advises should be addressed.

RESPONSE TO MY FOI REQUEST WRONGLY ADDRESSED TO 'MR DAVIES'

EMAIL FROM DAVID PALMER, DATED 1st December 2009

Freedom of Information Act 2000 request (FOI_09-177) - Acknowledgement

Tuesday, 1 December, 2009 10:09:43

From: Palmer Dave Mr (LIB)

View

To: "trevor.jones>

[Acknowledgement_letter_Davies_091201.doc](#) (77KB)

Mr. Davies,

Attached please find a letter acknowledging your request received Friday, 27 November 2009. It also contains further information regarding the handling of this request under the Freedom of Information Act 2000.

I will be in touch with you further in due course.

Cheers, Dave Palmer

David Palmer
Information Policy & Compliance Manager
University of East Anglia
Norwich, England
NR4 7TJ
Information Services
Tel: +44 (0)1603 593523
Fax: +44 (0)1603 591010

**THIS IS THE LETTER ATTACHED TO THE
EMAIL ABOVE**



Information Services Directorate

Library
University of East Anglia
Norwich NR4 7TJ
United Kingdom

Email: foi@uea.ac.uk
Tel: +44 (0) 1603 593 523

Mr. Trevor Davies

1 December 2009

Dear Mr. Davies

**FREEDOM OF INFORMATION ACT 2000 - INFORMATION REQUEST
(Our Ref: FOI_09-177)**

I acknowledge your request for information received Friday, 27 November 2009. Your request is being considered and you will receive the information requested within the statutory timescale of 20 working days as defined by the Freedom of Information Act 2000, subject to the information not being exempt or containing a reference to a third party.

If appropriate, the information may be provided in paper copy, normal font size. If you require alternative formats, e.g. language, audio, large print, etc. then please let me know.

For your information, the Act defines a number of exemptions which may prevent release of the information you have requested. There will be an assessment and if any of the exemption categories apply then the information will not be released. You will be informed if this is the case, including your rights of appeal.

If the information you request contains reference to a third party then they may be consulted prior to a decision being taken on whether or not to release the information to you. You will be informed if this is the case.

There may a fee payable for this information. This will be considered and you will be informed if a fee is payable. In this event the fee must be paid before the information is processed and released. The 20 working day time limit for responses is suspended until receipt of the payment.

If you have any queries or concerns then please contact me at:

University of East Anglia
Norwich
NR4 7TJ
Telephone: 01603 593 523
E-mail: foi@uea.ac.uk

**FURTHER EMAIL FROM DAVID PALMER, FOLLOWING EMAIL FROM
ME POINTING OUT THE ERROR IN MY SURNAME**

RE: Freedom of Information Act 2000 request (FOI_09-177) - Acknowledgement
Tuesday, 1 December, 2009 12:59:05

From: Palmer Dave Mr (LIB)

[View](#)

To: Trevor Jones

[Acknowledgement_letter_Jones_091201_rev.doc](#) (77KB)

[Mr. Jones,](#)

Please accept my sincere apologies for the error. As you might anticipate, we have had a large number of requests recently and in my haste, I unfortunately transposed your name with that of the subject of your request. I attach a revised version of my letter of today's date.

Cheers, Dave Palmer

David Palmer
Information Policy & Compliance Manager
University of East Anglia
Norwich, England
NR4 7TJ

Information Services

Tel: +44 (0)1603 593523
Fax: +44 (0)1603 591010

From: Trevor Jones
Sent: Tuesday, December 01, 2009 10:37 AM
To: Palmer Dave Mr (LIB)
Subject: Re: Freedom of Information Act 2000 request (FOI_09-177) - Acknowledgement

please note that my name is Trevor Jones, not Trevor Davies.

Trevor Jones

EXTENSION REQUEST EMAIL FROM DAVID PALMER

Freedom of Information Act request (FOI-09-177) - Extension notification

Wednesday, 23 December, 2009 16:10:39

From: Palmer Dave Mr (LIB)

[View](#)

To: "trevor.jones

[Extension_request_Jones_177_091223.doc](#) (72KB)

Mr. Jones,

Attached please find further information on the processing of your request of 27 November 2009. Should you have any questions, please do not hesitate to contact me.

Cheers, Dave Palmer

David Palmer

Information Policy & Compliance Manager

University of East Anglia

Norwich, England

NR4 7TJ

Information Services

Tel: +44 (0)1603 593523

Fax: +44 (0)1603 591010

**EXTENSION REQUEST LETTER
APPENDED TO EMAIL ABOVE**



Information Services Directorate

Library
University of East Anglia
Norwich NR4 7TJ
United Kingdom

Email: foi@uea.ac.uk
Tel: +44 (0) 1603 593 523
Fax: +44 (0) 1603 591 010

Web: <http://www.uea.ac.uk>

Mr. Trevor Jones

23 December 2009

Dear Mr. Jones

**FREEDOM OF INFORMATION ACT 2000 - INFORMATION REQUEST
(Our ref: FOI_09-177)**

Your request for information of 27 November 2009 is under consideration and we are currently assessing whether, if held, it is in the public interest to provide the information. Pursuant to section 10(3) of the Act, I am writing to you to inform you that, due to the complexity of the issue at hand, and the approaching closure of the University over the holidays, it is anticipated that this assessment will require an additional twenty (20) working days to complete above and beyond the original statutory timeframe of 20 working days. I apologise for the late notification of this extension but the need for it did not become apparent until very recently.

We certainly hope to provide you with a response prior to this and should this timescale need to be revised you will be advised as to the reasons and provided with a revised timescale.

I will write to you as soon as possible with the outcome of the assessment.

If you have any queries or concerns then please contact the Information Policy & Compliance Manager for UEA, at:

University of East Anglia
Norwich
NR4 7TJ
Telephone: 0160 359 3523
E-mail: foi@uea.ac.uk.

Further information is also available from the Information Commissioner at: Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 01625 545 745
Website: www.ico.gov.uk

Yours sincerely

David Palmer
Information Policy & Compliance Manager
University of East Anglia

MY EMAIL RESPONSE

Re: Freedom of Information Act request (FOI-09-177) - Extension notification
Thursday, 24 December, 2009 9:32:28
From: Trevor Jones
Add
To: Palmer Dave Mr (LIB)

to be frank, my request was a fairly simple one.

Trevor Jones

OUT OF OFFICE RESPONSE FROM DAVID PALMER

Out of Office: Freedom of Information Act request (FOI-09-177) - Extension notification
Wednesday, 30 December, 2009 20:10:51
From: Palmer Dave Mr (LIB)

[View](#)

To: Trevor Jones

The University is closed 24 December 2009 to 3 January 2010 inclusive. I will deal with all correspondence upon my return to the office on Monday 4 January 2010.

REMINDER EMAIL FROM ME AT THE END OF JANUARY 2010

Re: Freedom of Information Act request (FOI-09-177) - Extension notification
Wednesday, 27 January, 2010 9:53:09

From: Trevor Jones

Add

To: Palmer Dave Mr (LIB)

Please note that I am still waiting for your response to my FOI request of 27/11/2009.

Trevor Jones

RESPONSE FROM DAVID PALMER

RE: Freedom of Information Act request (FOI-09-177) - Extension notification
Wednesday, 27 January, 2010 13:50:16

From: Palmer Dave Mr (LIB)

View

To: Trevor Jones

Mr. Jones,

I am aware of the deadline and we are working on a response presently.

I have been away from the office for most of January [reason given] and the further considerations I mentioned in my letter of 23 December did not proceed as fully or as quickly as I would have expected. However, I hope to have a response to you today or tomorrow at the latest.

Cheers, Dave Palmer

David Palmer
Information Policy & Compliance Manager
University of East Anglia
Norwich, England
NR4 7TJ

Information Services

Tel: +44 (0)1603 593523

Fax: +44 (0)1603 591010

Further information is also available from the Information Commissioner at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 01625 545 70

www.ico.gov.uk

Yours sincerely
David Palmer
Information Policy and Compliance Manager
University of East Anglia

**FINAL EMAIL FROM DAVID PALMER CONTAINING THE FOI
RESPONSE**

Freedom of Information Act 2000 request (FOI_09-177) - response

Friday, 29 January, 2010 18:10:46

From: Palmer Dave Mr (LIB)

View

To: "trevor.jones

[Response_letter_Jones_177_100129.pdf](#) (31KB)

Mr. Jones,

Attached please find a response to your request received on 27 November 2009. Please accept my sincere apologies for the delay in forwarding this response to you.

Should you have any further questions, do not hesitate to contact me.

Cheers, Dave Palmer

David Palmer

Information Policy & Compliance Manager

University of East Anglia

Norwich, England

NR4 7TJ

Information Services

Tel: +44 (0)1603 593523

Fax: +44 (0)1603 591010

THE FOI RESPONSE. YOU REALLY COULD NOT MAKE THIS UP!



University of East Anglia

Information Services Directorate

Mr. Trevor Jones

Library
University of East Anglia
Norwich NR4 /tj
United Kingdom

Email: foi@uea.ac.uk
Tel: +44 (0) 1603 593 523 Fax:
+44(0) 1603591 010

29 January 2010

Web: <http://www.uea.ac.uk>

Dear Mr. Jones

**FREEDOM OF INFORMATION ACT 2000 - INFORMATION REQUEST
(OurRef: FOI_09-177)**

Your request for information received on 27 November 2009 for information regarding the process Professor Davies undertook in drafting his statement currently on the UEA website has now been considered and unfortunately, it is not possible to provide the information. Please accept my sincere apologies for the delay in forwarding this response to you.

In accordance with section 17 of the Freedom of Information Act 2000 this letter acts as a partial Refusal Notice, and I am not obliged to supply this information and the reasons for exemption are as stated below

Exemption	Reason
s.36(2)(b)(i) & (ii) - Prejudice to the conduct of public affairs	Release of the requested information, would inhibit provision of advice, and the free & frank exchange of view for deliberation

Section 36(2) applies because, in the opinion of our 'qualified person' as defined by the Act, the Vice-Chancellor of this University, disclosure of this information would be likely to inhibit 'the provision of advice and the free and frank exchange of views for the purpose of deliberation'. The ability of the Pro Vice Chancellor for Research to converse/correspond freely and frankly while preparing to make a public statement for publication as essential to

his role, and in the considered opinion of the Vice-Chancellor, this outweighs the public interest in disclosure.

There is a very strong public interest in preserving the ability of an institution to discuss University business openly and freely in order to ensure that all options are addressed, assessed and either chosen or rejected. The decision to not release the requested information and the reasoning behind it are open to challenge by yourself and can ultimately be adjudicated by the Information Commissioner and Information Tribunal.

Therefore, that the public interest in the non-disclosure of internal correspondence outweighs the public interest in disclosure.

I should also note that, pursuant to your rights under section 1(1)(a) of Freedom of Information Act 2000 to be informed whether information is held, we can advise you that

we do not hold some of the requested information. Specifically, in relation to your query regarding how many of the leaked emails had Prof. Davies read before writing and publishing the statement, we can advise that no recorded information exists as to the exact number of emails viewed nor does Prof. Davies have any accurate recollection of the number viewed.

I would also add that any material released over which UEA has copyright is released subject to the understanding that you will comply with all relevant copyright rules regarding reproduction and/or transmission of the information released.

I apologise that your request will not be met but if you have any further information needs in the future, then please contact me.

If you have any queries or concerns, or, if you are dissatisfied with the handling of your request, please contact me at:

University of East Anglia
Norwich
NR4 7TJ
United Kingdom
Telephone: +44(0)160 359 3523
E-mail: foi@uea.ac.uk

You also have a subsequent right of appeal to the Information Commissioner at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow, Cheshire
SK9 5AF
United Kingdom
Telephone: +44(0)1625545745
www.ico.gov.uk

Yours sincerely

David Palmer
Information Policy & Compliance Manager
University of East Anglia

Response to Freedom of Information request (FOI_09-177)

My request is as follow:

1. *What advice did Professor Davies take, and from whom, before writing and publishing the statement?*

[Information exempted pursuant to s.36(2)(b)(i) & (ii), Freedom of Information Act]

2. *How many of the leaked emails had he read before writing and publishing the statement?*

[Information not held - s.1(1)(a), Freedom of Information Act]

There is no record of the exact number of emails viewed.