

Sirs,

Vice-Chancellor, Professor Edward Acton's statement to the CCE-mail review states:

"A subsequent letter to UEA from the ICO (29 January 2010) indicated that no breach of the law has been established; that the evidence the ICO had in mind about whether there was a breach was no more than prima facie; and that the FOI request at issue did not concern raw data but private email exchanges."

Three things.

1) Prima facie means "Evidence that is sufficient to raise a presumption of fact or to establish the fact in question unless rebutted." This is not a refutation of the finding of the ICO. In fact, it is a confirmation of the finding of the ICO.

2) The ICO letter quoted by Acton states "The prima facie evidence from the published emails indicate an attempt to defeat disclosure by deleting information. It is hard to imagine more cogent prima facie evidence."

3) Nowhere in the ICO letter is the word "private" used to identify the emails as claimed by Acton.

Acton has completely misrepresented the view of the ICO in his statement to the CCER.

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