

CONFIDENTIAL

18 December 2009 Meeting with FOI Personnel 12.20-12.50pm

Independent Reviewer Sir Muir Russell (MR),
Registrar Brian Summers (BS),
FOI Officer Dave Palmer (DP),
Director ISD Jonathan Colam-French (JCF)
Notes taken by Lisa Williams (LW)

Brief outline by MR.

DP - 198 FOI requests this year, 105 FOI on CRU this year. Last year 2 on CRU
Previous high was 77 requests.

MR requested a set of the FOIA policies and details of how they have been handled.
He will need to assess lack of transparency issues. **ACTION: DP to provide via
LW.**

DP – He maintains files on each FOI request received by UEA and the response sent
to the requester. Emails and progress of the case are fully documented. As there is no
time limit on when appeals might be lodged, the cases are kept. Iterative process with
ICO on appeals.

MR – Hack/leak coincided with FOI requests? Connected?

DP – No, in his view the FOI requests were completely independent of the hack/leak.
The individual requesters are diverse, difficult to find out who they are, particularly as
some names may be aliases. (FOIA allows aliases to permit whistleblowers to come
forward).

MR – what other kind of FOI requests are received.

DP – outlined the range of requests received including commercial organisations
asking for information they might want to use, eg IT spend; VC's salary, student
drop-out rates, solicitors wanting information on students, disaffected ex-students.
Nature and volume of CRU requests was out of the norm.

CRU had had prior correspondence with requesters of CRU information under FOI.
David Holland is a name that has submitted FOI requests, and has also contacted MR
to give evidence.

MR - Are individuals part of organisations or autonomous? DP – difficult to know.

JCF – when faced with the large number of FOI requests on CRU, the University
declined to give out the whole dataset, on the basis that a subset of the information
had been provided under license that prevented onward transmission. Requesters then
subsequently requested confidentiality agreements relating to the data 5 countries at a
time, in order to identify countries where there was no licence agreement. These
requests were declined on the basis that all existing agreements were published &
publicly available via the CRU website.

DP explained that requests had been received pertaining to the data set itself and also
the licences about holding the data.

DP – Over the weekend of 24-27 July – 65 requests had been received.

MR - What will they do with the data?

JSF/DP Climate.audit – seem to have problems with the data so would want to analyse it.

Steven McIntyre, prominent climate scientist, would be in a position to analyse the data.

Action: DP to provide a briefing paper on the University's administration of FOI requests, tests applied, and the overall process.

MR indicated that the spotlight was probably not on terms of reference areas 3 and 4 relating to FOI but on 1 and 2. However he would need to come to a view as to whether exemptions were properly applied.

BS reiterated that Review should speak to ICO to avoid overlap; and check who police are in touch with at ICO.

JCF clarified that data set was not lodged with ICO yet.

DP has reported this incident (emails being published) to ICO as a personal data breach.