

Northampton

26 August 2008

Mr Lee Shailer, Information Services Directorate
Room 103, Whiteknights House
The University of Reading
PO Box 217
Reading
RG6 6AH

IMPS Request IMPS #00217
Data Subject Access Request –David Holland

Dear Mr Shailer,

Thank you for your emailed response of 20 August 2008 on the above reference. There remain a number of issues that I would like to consider further regarding my request for information under the Environmental Information Regulations 2004, but would first like to see all the information that you hold on me personally. Accordingly, I am enclosing with this letter copies of my passport, community charge and telephone bills, together with a cheque for £10.

As previously stated, I would be interested in any discussion or opinions expressed within your organisation of my person, reputation, character, history or behaviour, actual or perceived. I should make it clear that this request should also cover all or any other information you may hold. I hope that you will be able to comprehensively search all your records.

The definition of "personal data" under the Act covers both facts and opinions about myself as an individual, as well as information regarding the intentions of your organisation towards myself as an individual. This request should therefore cover any internal or external memos, emails, faxes and any other correspondence or readily accessible data held on computer by your organisation, which could be classified as 'personal data' under the 1998 Data Protection Act. This covers both manual and electronic data.

I would like to have any electronic data delivered by email, and should you wish, scanned copies of any paper documents may also be sent by email. I will be satisfied with all documents from 2006 to the present. My only likely contact with the University is through my investigation of climate change matters. I know as fact that my enquiries are mentioned in emails to Professor Hoskins and it is possible that others such as Dr Sligo hold some personal information on me.

I note that you were unimpressed with Decision Notice FS50069498, but I still think you are wrong in your consideration of personal data. I urge you to read the most recent (15 Aug 2008) ICO Practical Guidance Note¹, which states:

¹ http://www.ico.gov.uk/upload/documents/decisionnotices/2006/Decision_Notice_FS50069498.pdf

The key point is whether it would be fair to name the individual. This should be looked at on a case-by-case basis and should consider the following.

- Is the information about the person's public role?
- Would they expect their role to be subject to public scrutiny?
- Is there a likelihood of unwarranted damage or distress to the individual?

In the case of some of my personal information, that I know you hold, all the above questions are answered in the affirmative. In the case of the documents you released on 8 July 2008, some of the names you redacted under FOIA s.40(2) are disclosed by other information. In those cases, and most likely in the case of all the names you redacted, the above questions would also be answered in the affirmative.

However, the Guidance Note also states:

The release of personal information will only be fair if there is a genuine reason to disclose.

The reason is straightforward. It is of the utmost public interest that the citizen should have unfettered access to all the available information on the IPCC assessment process. This right and the right of access to justice are enshrined in the Aarhus Convention. The IPCC assessment process is required by international agreement to operate on an open and transparent basis. Government Ministers proclaim this fact in Parliament and in public statements. They tell citizens that it is their assurance of the objectivity in the assessment of the "greatest problem facing mankind". The IPCC lists the names of all the participants in the IPCC process. In the case of the majority who are the expert reviewers, each individual is named with their expert comment. Only by disclosing the names of all participants in relation to their views on contentious issues in climate science, the assessment process, and upon what they believe "open and transparent" means in practice, can the public have confidence in the conclusions of the IPCC.

Yours sincerely,

David Holland
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Enc.