

APPENDIX E – Request for Information that Meets the Terms of FOI_08-23

Please provide me with copies of any that meet the terms of FOI_08-23 or –31.

Your request for information received on 22 October 2010 has now been considered and it is, unfortunately, not possible to meet the portion of your request that relates to FOI_08-23.

In accordance with Regulation 14 of the Environmental Information Regulations 2004 this letter acts as a Refusal Notice, and I am not obliged to supply this information and the reasons for exemption are as stated below:

Exception	Reason
Reg. 12(4)(a), Information not held	Some information was not held at the time of the request
Reg. 12(4)(b), Request is manifestly unreasonable	Some parts of the request are so wide in scope and labour intensive to answer as to be manifestly unreasonable
Reg. 12(4)(e), Internal communications	Some information requested would involve the disclosure of internal communications
Reg. 12(5)(a), Adverse effect on international relations	Release of some of the requested information would adversely effect relations with the IPCC
Reg. 12(5)(f), Adverse effects on person providing information	Release of the requested information would have an adverse effect on the persons providing the information
Reg.13(1), Personal information	Release of personal information would contravene the data protection principles

Exceptions

Section 1 - Regulation 12(3) & Regulation 13(1) – Personal data

The arguments in relation to the applicability of these exceptions are much the same as stated in our arguments for the applicability of section 40 under the Freedom of Information Act 2000.

Firstly, the requested information assuredly contains information that meets the definition of 'personal information' as defined by section 1(1) of the Data Protection Act 1998 (DPA). Specifically, there are names of individuals in the headers of the email correspondence and within the text of some of the correspondence. Additionally, there are opinions of individuals that would also meet the definition of 'personal information' of the individuals who are the subject of that opinion.

It is our belief that disclosure of this information would be contrary, at the very least, to the first data protection principle under the DPA; namely that information be processed in a fair and lawful fashion that also meets at least one of the conditions set out in Schedule 2 of the Act.

The condition of most relevance in this case is that the data subject has given his or her consent to the processing. It is clear from the evidence presented in Annex C1 to this document that many of the correspondents named in the request do not consent to the release of the correspondence. There was never any expectation on the part

of these persons that their correspondence would be disclosed publicly, nor was there ever any notification to that effect given by UEA or the IPCC itself. We would also argue that we cannot impute consent to disclosure by the lack of response of some the named correspondents.

Further, we do not believe any of the conditions listed in section 6(1) of Schedule 2 of the DPA apply to permit the disclosure of this personal information. We, as data controller, have no legitimate interest in the disclosure of this information, and although obviously the applicant has an interest in the disclosure, we believe that any disclosure would prejudice the rights and freedoms of the data subjects involved. Given the amount of information already available, we see no legitimate public interest in disclosure, and we do feel that, given the stated position of the correspondents, disclosure would harm their interests, rights and freedoms.

We further contend that the negative response received to the proposed release of the requested information received from the named correspondents set out in Annex C1 is, in fact, a DPA section 10(1) notice asking us to not begin a proposed processing of personal information. We believe that the case has been made in the prior paragraph that the disclosure of such information would indeed cause damage or distress and such damage or distress would be unwarranted. As for it being unwarranted, we are under no legal obligation to publish this correspondence, nor is there anything within the IPCC protocols that require such disclosure.

Regulation 13(2)(a)(ii) does include a public interest test for the application of DPA section 10(1), but it is our contention that the public interest is clearly better served by non-disclosure, given all the factors noted above.

Section 2 - Regulation 12(4)(a) – information not held

Upon a preliminary examination, we have determined that some of the requested information is not held and therefore subject to Regulation 12(4)(a). Annex C1 lists all the named correspondents in the request and notes for which persons we lack any correspondence. This encompasses both our central servers and manual files, and local electronic and manual storage.

Section 3 - Regulation 12(4)(b) – Request is manifestly unreasonable

We believe that this request can be considered manifestly unreasonable in that it places a substantial burden on this institutions involving reviewing information sources over a range of years. Given the number of possible exceptions relevant to this request, there will also be extensive redaction necessary to preserve any of the information that is capable of release.

The work required to deal with this request has already been substantial to the institution, falling primarily on the Information Policy and Compliance Manager, and the Director of Faculty Administration, Science Faculty. In order to review all the files necessary to locate and initially review this information would divert not only these persons from other duties, but also the CRU academics identified in the request itself from the mandated work that they undertake for this institution in relation to work on climate change. The time spent locating the requested information is time taken away from both research and teaching duties, and other duties including representing the University and CRU at external meetings and conferences.

Whilst the requested information is not exactly the same as the information already made publicly available by the IPCC, Annex C2 notes the extensive range of material relating to the work and process of the IPCC that is already available. As noted in our discussion of the relevant exemptions under FOIA, there is little to be gained in terms of understanding, transparency and accountability of the IPCC process by the

release of the requested information, given the existence of this other information. The publication of drafts shows the evolution of thinking and assessment within the IPCC, and the nature of, and adherence to the protocols of the IPCC are not altered by any mention of said protocols in any correspondence.

This institution has had extensive correspondence with the requester both within the FOIA process and external to it from the persons named in the request. We have attempted to resolve this matter informally from the initial contact from the requester as a the letter of Dr. Keith Briffa to Mr. Holland of 15 May 2008 illustrates. The sheer extent of the request and volume of material covered by it and the effort required to locate, review, and redact that information, and finally, the existence of publicly available material that provides information on the IPCC process and products leads us to content that this request is manifestly unreasonable.

Section 4 - Regulation 12(4)(e) – Internal communications

The request asks for "...copies of any internal CRU correspondence in connection with the IPCC WG1 assessment process and discussion of IPCC principles, rules, or procedures." We feel that any such information is excepted by virtue of Regulation 12(4)(e) in that this clearly involves the disclosure of internal communications.

The crux of this exception is the necessity to show that public interest in disclosing excepting this information is greater than that in disclosing it. Whilst we will be presenting general arguments on the public interest under EIR in relation to the non-disclosure of this information, given the importance of the public interest to this particular exception, we will deal with specific public interest issues in this section.

DEFRA Guidance on this section¹ states that "The rationale behind this exception is that it is often in the public interest that public authorities have a space within which to think in private as recognised in the Aarhus Convention". We would assert that the types of communications involved in this case are exactly those envisaged by the Aarhus Convention. Any such discussions are clearly meant to be explorative and any position of any of the individuals concerned would be made apparent in publicly available documents of the IPCC proceedings. The formulation of any such position must be done in an environment that allows for the free and frank discussion of views that would allow for the development of good policy and positions.

We feel that, in this case, given the need for internal consultative 'space', and the existence of publicly available information on the IPCC principles, rules and procedures, the public interest is in favour of non-disclosure of this information in so far as is .it is covered by this exception.

Section 5 - Regulation 12(5)(a) – Adverse effect on international relations

In our letter of 18 July 2008 to you, we relied upon section 27(2) and 27(3) of the FOIA insofar that we felt that the correspondence from either other IPCC authors or from any arm of the IPCC mentioned in the original request was confidential information obtained from an international organisation as defined by subsection (3).

It should be noted that DEFRA guidance for this section² indicates that the ICO guidance on section 27, FOIA³, should be consulted in regards the detail of this exception, and therefore the position as stated there also governs the use of this exception under EIR.

¹ <http://www.defra.gov.uk/corporate/opengov/eir/guidance/full-guidance/pdf/guidance-7.pdf>

² Ibid.

³ http://www.ico.gov.uk/upload/documents/library/freedom_of_information/detailed_specialist_guides/awareness_guidance_14_-_international_relations.pdf

The International Panel on Climate Change is an 'international organisation' as defined in section 27(5) as it is both an international organisation established for a specific purpose or to carry out a specific function. The IPCC is a scientific intergovernmental body set up by the World Meteorological Organization (WMO) and by the United Nations Environment Programme (UNEP) and is open to all member countries of the World Meteorological Organisation (WMO) and the United Nations Environment Programme (UNEP). Its constituency is made up of governments as noted above, and scientists from all over the world who contribute to the work of the IPCC as authors, contributors and reviewers and world humanity in that as an United Nations body, the IPCC work aims to promote the United Nations human development goals

I believe that we have shown that the IPCC qualifies as an international organisation covered by the exception, and that, given the nature of the IPCC structure, information received from convening authors and authors of the Working Group, in effect, is communication received from the IPCC as an organisation.

Having established the IPCC as an international organisation, the next test is to determine whether the information is confidential as defined by section 27(3) of the Act. It is our contention that the requested information was obtained on terms which require it to be held in confidence and that the circumstances under which it was obtained make it reasonable for the IPCC participants to expect that it will be held in confidence. Annex C1 provides a list of correspondence from a majority of the named persona in the request clearly indicating that they feel this requested correspondence to be confidential in nature with no expectation of disclosure.

We have shown by evidence in Annex C1 that there is a clear objection by participants and leaders within the IPCC to the disclosure of the requested information. Additionally, recent guidance given to IPCC lead authors has clearly indicated that communication between lead authors is to remain confidential, and that emails and preliminary versions of work are not made public, cited, quoted nor distributed. We believe that this is persuasive evidence that the IPCC feels that the release of such material would adversely affect their interests.

The fact that the IPCC has clear protocols for what information is to be in the public domain also points to the implicit assumption that, as the requested information is outside those protocols, it has never been intended to be publicly available.

The impact of any decision to disclose the requested information would be widespread as the reasoning is applicable to all such correspondence between UK academics and those of other nations and international organisations. Our own staff have advised that any such disclosure would jeopardise future UK involvement in international scientific initiatives and it is reasonable to assume, given the position of the majority of the persons contacted and shown in Annex C1, that there would be a reluctance to engage with UK academics if it was felt that correspondence clearly intended as confidential would be made public.

The geographic and national range of the persons named in the request should be noted in that nations such as Germany, Norway, the United States, Russia, France, and Switzerland are encompassed by the persons named in the request. Not only are relations with the IPCC damaged by the release of this information, but it can be assumed that academics in the nations involved will take note of any such disclosure and amend, or even end, such correspondence with UK academics accordingly.

Regardless of whether international bodies or scientists engage with UK institutions in future, disclosure would negatively effect whatever engagement did take place.. Clearly, if it were to be known that the communication between UK academics and international colleagues would be publicly accessible, the content of any such

communication would change substantially. We would contend that the openness, honesty, and frankness that is essential to scientific exchange would be diminished and thereby the quality of science would be reduced as well. Academics are well aware that published versions of their work and opinions are open to examination, discussion and judgement and therefore ensure that there is rigorous process for reviewing this information prior to publication. Emails with fellow academics certainly do not have the same rigor applied to them as there is no expectation that they will be public, and to do so would certainly restrict the freedom of academics to exchange views with each other.

This 'chilling' effect would particularly affect bodies such as the IPCC which is geographically disparate and relies heavily upon electronic communication for the exchange of views and work. As the IPCC itself is primarily concerned with the assessment of other scientific research, disclosure of the requested communication is highly likely to restrict the robustness and willingness to express controversial opinions regarding other work if it is known that such opinions will be made public.

In short, both the frequency and the quality of international scientific communication between the UK and other bodies and nations would be adversely affected by the release of the requested information

Section 6 - Regulation 12(5)(f) – Adverse effect on person providing information

In relation to correspondence received by the CRU staff named in the request, we assert that Regulation 12(5)(f) is a valid exception to this information.

This information was clearly supplied voluntarily, there is no legal obligation to draft or send the correspondence, nor do we believe that there are any other circumstances that would allow us to release the information, and, as has been shown above, we not received consent from the suppliers of this information for its release.

Examining these conditions in turn, we note that whilst it is true that for the IPCC work to proceed it is necessary for the Convening Authors, Lead Authors and Authors to exchange correspondence, there is no legal obligation to exchange correspondence between IPCC participants. The guidance for IPCC participants, "Procedures For The Preparation, Review, Acceptance, Adoption, Approval And Publication Of IPCC Reports"⁴, provides for the circulation of draft reports and mandates the inclusion of a variety of participants but does not legally bind participants to provide correspondence to each other that is covered by this request.

We would also contend that there are no circumstances that would otherwise allow us to disclose this information. We have no statutory authority to release this information, and indeed, given the confidential nature of the communication as noted above, we have every reason not to disclose it. Additionally, the IPCC protocol clearly identifies what information should be released and defines the manner of its storage and presentation to the public; it is reasonable to assume that had they wished to provide any obligation on the part of participants to make their correspondence public, they would have done so in a similar fashion to that which they applied to draft reports etc.

If, as DEFRA guidance suggests⁵, the rationale for this exception is to ensure the free flow of volunteered information to public authorities in order to protect the environment where disclosing it could inhibit that process. In the discussion regarding Regulation 12(5)(a), we pointed out the adverse effects of the release of

⁴ <http://www.ipcc.ch/pdf/ipcc-principles/ipcc-principles-appendix-a.pdf>

⁵ <http://www.defra.gov.uk/corporate/opengov/eir/guidance/full-guidance/pdf/guidance-7.pdf>

this information, with particular emphasis on the potential unwillingness of other academics to interact with UK academics, and the effect disclosure would have on the nature and content of future communications. We feel that the rational for 12(5)(f) fits to the case in hand as 'protecting' this correspondence will enable the continuation of the free, frank, and open exchange of views between academics involved in work regarding climate change.

The issue of consent is clear. Annex C1 clearly shows a lack of explicit consent on the part of respondents, and for those for which we have had no response, I do not feel that we can interpret a lack of a response as consent for the release of the information, particularly in light of the fact that we have no authority to release this information outside the EIR process.

Finally, this exception requires an 'adverse effect' to be shown; in this case on the interests of the persons providing the information to the public authority. Clearly, given the opposition to the disclosure of the information by the named correspondents, they feel that there is an adverse effect to their interests. There may well be information or opinions within the correspondence that were never meant for public exposure and if disclosed, would cause embarrassment or damage to the reputations of the individual involved. Additionally, the chilling effect on the exchange of free and frank advice and discussion that disclosure would engender would be as harmful to international academics as it would be to UK-based academics.

We will deal with the overall issue of the public interest below, but our contention would be that the public interest would be best served by the non-disclosure of this information. Disclosure would add little to the understanding, transparency and accountability of the IPCC process and policies and would have damaging long term effects on the communication between scientists and the quality of science consequently produced. In particular, the damage to the interests of the individuals providing information to UEA in this case would outweigh any potential benefit to the public interest by disclosure.

Public Interest Test

Regulation 12(1) and (2) requires that for any exception to bar disclosure of requested information, the public interest in maintaining the exception must outweigh the statutory presumption in favour of disclosure.

We would maintain that, in addition to the specific references to the public interest, there is a general public interest in non-disclosure of the requested information that outweighs the presumption in favour of disclosure.

Whilst we would agree that there is a general public interest in the publication of environmental information and in the openness, transparency and accountability of environmental decision making, we would contend that the release of this information would do little to enhance those aims, and indeed would harm the very environmental interests that the legislation is meant to protect.

We have noted above that the IPCC explicitly aims to provide an open and transparent process and publishes much material in pursuit of that aim. Draft documents are published and archived, meeting documentation is published, and the principles, rules and regulations under which the IPCC function are widely available. We would also argue that the information currently available clearly allows both public participation and understanding of the IPCC process and outputs. Formal comments on work undertaken are available so the public can see the evolution of the assessment of the work undertaken in addition to the draft and final outputs. In short, as much as is possible to publish is already in the public domain.

What is being asked for here is informal, personal correspondence passing between academics engaged in IPCC work. It is clear that the IPCC envisages that there must be a 'space' in which employees of public authorities can work, and exchange views that are excepted from public disclosure in order to provide an arena for views and discussions that would not be appropriate in a public venue but are essential to academic work, collegiality, the progress of science. To disclose the requested information would be to close off this space, reducing the opportunity for academics to exchange such views and discussions, and altering substantially the content of such exchanges.

Indeed, disclosure of such information could be misleading as clearly much is discussed in such communications that is never published, for very good scientific and academic reasons. Published drafts and final papers contain the most valid and most rigorously tested information available; to publish correspondence leading to such drafts and reports would be to insert information that has been considered and rejected for good reason.

Other adverse effects have been noted above in the discussion of the Regulation 12(5) exceptions. To summarise, relationships with international bodies, international academics and national governments will be adversely effected, and there will also be an adverse effect on the persons providing information to the UEA/CRU academics named in the request. Disclosure of such information will not assist the environment, will not enhance the understanding & participation of the public in environmental decision-making, and will not make the IPCC process any more open, transparent or accountable. Disclosure will, in fact, damage relationships and communications between academics and researchers engaged in the very activities designed to ensure that good science is being produced in relation to climate change.

Finally, the implications of a decision to disclose such information are significant in that such a decision would not only effect the IPCC and UEA, but would apply potentially to all UK academics and researchers, and to all work they conduct with external academics, either with national governments, international organisations, or other higher education institutions. The public interest benefit by the disclosure of the requested information we feel pales in contrast with the harm that would be caused by the release of the requested information.

Annex C1

Name	Role	Status
Susan Solomon	Co-Chair WG1	Instructed us that “distribution of interim materials or other forms of elaboration are not appropriate”, and she regards her correspondence as confidential
John Mitchell	RE for Chap 6 of WG1	Regards his correspondence as confidential
Jean Jouzel	RE for Chap 6 of WG1	Regards his correspondence as confidential
Phil Jones	CLA for Chap 3 of WG1	Regards his correspondence as confidential
Eystein Jansen	CLA for Chap 6 of WG1	Regards his correspondence as confidential
Jonathan Overpeck	CLA for Chap 6 of WG1	Regards his correspondence as confidential
Jean-Claude Duplessy	LA for Chap 6 of WG1	Regards his correspondence as confidential
Fortunat Joos	LA for Chap 6 of WG1	Regards his correspondence as confidential
Valerie Masson-Delmotte	LA for Chap 6 of WG1	Regards her correspondence as confidential
Daniel Olago	LA for Chap 6 of WG1	Did not clarify his position regarding confidentiality, but this is implicitly assumed following IPCC procedure, and anyway we don't hold any correspondence with this person
Bette Otto-Bliesner	LA for Chap 6 of WG1	Regards her correspondence as confidential
Richard Peltier	LA for Chap 6 of WG1	Did not clarify his position regarding confidentiality, but this is implicitly assumed following IPCC procedure, and anyway we don't hold any correspondence with this person
Stefan Rahmstorf	LA for Chap 6 of WG1	Regards his correspondence as confidential
Rengaswamy Ramesh	LA for Chap 6 of WG1	Did not clarify his position regarding confidentiality, but this is implicitly assumed following IPCC procedure, and anyway we don't hold any correspondence with this person
Dominique Raynaud	LA for Chap 6 of WG1	Regards his correspondence as confidential
David Rind	LA for Chap 6 of WG1	Confidentiality of his correspondence is determined by his position as a US government employee; IPCC procedures assume that confidentiality applies
Olga Solomina	LA for Chap 6 of WG1	Regards her correspondence as confidential
Ricardo Villalba	LA for Chap 6 of WG1	Did not clarify his position regarding confidentiality, but this is implicitly assumed following IPCC procedure
De'er Zhang	LA for Chap 6 of WG1	Did not clarify his position regarding confidentiality, but this is implicitly assumed following IPCC procedure, and anyway we don't hold any correspondence with this person
John Fyfe	LA for Chap 8 of WG1	Did not clarify his position regarding confidentiality, but this is implicitly assumed following IPCC procedure
Caspar Ammann	CA for Chap 9 of WG1	Regards his correspondence as confidential

WG1 = Working Group 1 of the Intergovernmental Panel on Climate Change (IPCC)

RE = Review Editor

CLA = Convening Lead Author

LA = Lead Author

CA = Contributing Author

Annex C2

A Summary of the IPCC process

The FOIA request is for materials related to the drafting of a report that was coordinated and subsequently accepted by Working Group 1 (WG1) of the Intergovernmental Panel on Climate Change (IPCC). This process follows formal procedures, adopted by the IPCC, that were drawn up specifically to facilitate the production of a fair and comprehensive assessment of the state of scientific knowledge concerning the climate change problem. Key elements of these procedures were deliberately designed to support openness and transparency. These procedures are openly published as the “Procedures for the Preparation, Review, Acceptance, Adoption, Approval and Publication of IPCC Reports” here: <http://www.ipcc.ch/pdf/ipcc-principles/ipcc-principles-appendix-a.pdf>

The IPCC produced its 4th Assessment Report (AR4) in 2007. The background to the IPCC is given here: <http://www.ipcc.ch/about/index.htm>

A flow chart showing the sequence of stages involved in the preparation of the AR4 is shown here: <http://www.ipcc.ch/ipccreports/index.htm>

The FOIA request relates to the work of Keith Briffa and Tim Osborn as authors of this report. They were, therefore, involved in five of the stages depicted in this flow chart:

- (1) Preparation of the 1st-order draft report.
- (2) Response to the comments made by expert reviewers about this 1st-order draft.
- (3) Preparation of a revised 2nd-order draft, taking into account the expert reviews.
- (4) Response to the comments made by expert and government reviewers about this 2nd-order draft.
- (5) Preparation of a final draft of the report for consideration by the IPCC.

Materials from all five stages of this process are ALREADY openly and publicly available. This is in accordance with the Section 4.1 of the “Procedures for the Preparation, Review, Acceptance, Adoption, Approval and Publication of IPCC Reports”, which states: “All written expert, and government review comments will be made available to reviewers on request during the review process and will be retained in an open archive in a location determined by the IPCC Secretariat on completion of the Report for a period of at least five years.” See Section 4.1 of:

<http://www.ipcc.ch/pdf/ipcc-principles/ipcc-principles-appendix-a.pdf>

Before going on to discuss this publicly available material, it is useful to give some further details about the overall process. For AR4, the IPCC Bureau approved two Co-Chairs for each of the three working groups. The Bureau and the Chairs then held scoping meetings to discuss the structure of the three reports. The same group then selected the two convening lead authors (CLAs) and 8-12 Lead Authors (LAs) who wrote the chapters; this selection was made from a pool of potential authors who had, essentially, volunteered their services subject to their national governments’ nomination and in most cases the support of the institution that employed them. The IPCC did not pay the report authors (beyond any expenses directly incurred for attending IPCC meetings). The CLAs and LAs were free to co-opt any number of Contributing Authors (CAs), whose contributions were anything from a paragraph or

a diagram, up to about 10 pages of text.

The CLAs and LAs met 4 times, at near weeklong meetings where the initial drafts, review comments, responses and later drafts were discussed. A few months after each meeting, a new draft of each chapter was submitted to the Co-Chair (which for WG1 was Susan Solomon, who works for NOAA in Boulder, Colorado). As well developing a revised draft, each comment had an associated response detailing how it had been responded to. Most chapters also had two Review Editors (REs), whose task was to help ensure that the AR4 “provided a balanced and complete assessment of current information.” The REs also attended the final two meetings, to discuss the review comments, responses and revisions with the CLAs and LAs. At all four meetings (and occasionally by email), the CLAs and the LAs were reminded that the contents of the drafts should not be discussed outside of the drafting teams. The 1st- and 2nd-order drafts were provided to a wide range of people that requested to be registered as reviewers of the reports, under various conditions, the most important of which was that they must not send the drafts on to third parties nor put the drafts up for open access.

After the final reports were published, however, these earlier drafts and materials were all made openly and publicly available. The final versions of the WG1 chapters may be downloaded from: <http://www.ipcc.ch/ipccreports/ar4-wg1.htm>

Copies of the 1st- and 2nd-order drafts, the reviewers’ comments and CLA/LAs’ responses can be downloaded from: <http://hcl.harvard.edu/collections/ipcc/>

(see the section “Browse the Collection”, with links “First Order Draft”, “Second Order Draft”, “Comments on the First-Order Draft Chapter N” and “Comments on the First-Order Draft Chapter N”). The numerous files lodged at this site are large as some chapters had in excess of 2000 comments, some of which extend for more than a page.

The FOIA request is for materials above and beyond those that the IPCC procedures specified should be “retained in an open archive ... on completion of the Report for a period of at least five years”. Much of the work and discussions involved in drafting the various chapter versions was done at the meetings noted above, some was done via phone calls, and some via emails. Only some of the activity resulted, therefore, in electronic or paper records held by UEA, and of this some has been removed after completion of the report in line with regular routines for deleting such material. Some, however, has been retained and it is presumably these that are the subject of this FOIA request.

By explicitly indicating what materials should be openly archived, the IPCC implicitly indicated that other materials should not be disclosed. This has been confirmed explicitly by Susan Solomon, Co-Chair of WG1 and by the CLAs of Chapter 6 of the AR4 WG1. In addition, the authors with whom our communications and discussions took place have indicated their strong opposition to the disclosure of this material, considering them to have been undertaken in confidence.

Three concerns arise directly from this, if the material were to be released against the wishes of the IPCC/Co-Chair, our fellow authors and UEA.

First, given the strong opposition of our fellow authors to such disclosure, it is likely that disclosure would result in action being taken by them. This could take various forms, including a reluctance to undertake future collaborative work with us (note that

we work with some of these authors on many non-IPCC activities that are key to our scientific research activities).

Second, disclosure would inhibit the free and frank exchange of views for the purpose of deliberation. This is a key element in the IPCC assessment process. The ultimate outcome of these exchanges of views has, anyway, been published in the form of the final and draft reports.

Third, disclosure might undermine the selection of UK scientists as authors on subsequent IPCC assessment reports, and thus the willingness of this international body to supply confidential information in the future.

P. Jones
22 April 2009