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Our ref: 08-01-2010-115246-002

15 January 2010

Dear Mr Leaton

Re: Freedom of Information

Your further email dated 5 January 2010 has been considered to be a request for information in accordance with the Freedom of Information Act 2000.

You raised a subsidiary question relating to verbal agreements and asked "what are the names of the people who agreed to this verbal agreement?"

The Met Office does not hold this information. To explain, during the 1980's the UEA/CRU was funded, primarily by the United States 'Department of Energy', to collate a global land temperature record. During this period they have undertaken several major updates to the record increasing station density and time series completeness. The UEA/CRU has therefore managed the relationships with rights holders of the underpinning land station data since the 1980s. These rights holders are the many land station data providers across multiple countries.

The UEA/CRU provided land station data to the Met Office for the sole purpose of updating and distributing a gridded data product which we freely distribute. As part of this arrangement, the Met Office entered into a verbal confidentiality arrangement with the UEA/CRU whereby we do not have permission to release the underpinning land station data because the UEA/CRU itself does not have the authority to release this underpinning land station data from the multiple data providers. Any such release would need to be agreed with those data providers.

The confidentiality of these working practices has been established for decades and many Met Office employees have been involved in working relationships with the UEA/CRU since the 1980s. The Met Office does not hold the names of the people who actually agreed this confidentiality arrangement.

Some, but by no means all, of the restrictions placed upon the UEA/CRU at the time of data collection by some data providers are documented in Hulme, 1994 which includes costs and

restrictions for solely European data. The full report is: The cost of climate data-a European experience, M Hulme, WEATHER, LONDON, 1994, ROYAL METEOROLOGICAL SOCIETY.

As advised in our letter of 5 January, the Met Office, with the UEA/CRU has written a letter to all rights holders requesting permission to publish the underlying station data. We are monitoring responses and actively pursuing the rights holders for a decision. Data which we have quality controlled for the purpose of performing real-time updates since 2000 and for which we know for certain no restrictions apply are made freely available on the website: <http://hadobs.metoffice.com/crutm3/data/download.html>

I hope this answers your enquiry.

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If you are not satisfied with this response or you wish to complain about any aspect of the handling of your request, then you should contact me in the first instance. If informal resolution is not possible and you are still dissatisfied then you may apply for an independent internal review by contacting the Head of Corporate Information, 6th Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-XD@mod.uk). Please note that any request for an internal review must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end.

If you remain dissatisfied following an internal review, you may take your complaint to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not investigate your case until the MOD internal review process has been completed. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website, <http://www.ico.gov.uk>.

Yours sincerely,

FOI Manager