

Mr. David Holland

7 December 2010

Dear Mr. Holland

**ENVIRONMENTAL INFORMATION REGULATIONS 2004 – INFORMATION
REQUEST (FOI_10-122; EIR_10-16)**

Your request for information received on 8 November 2010 regarding the location as 5 May 2008 of material relevant to your prior requests under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 has now been considered and some of the information requested is enclosed herewith. Please accept my apologies for the delay in forwarding this response to you.

For your convenience, I have reproduced your request in the attachment to this letter and provided our response in line with each question. I trust this will be to your satisfaction.

However, it is not possible to satisfy all elements of your request directly. Pursuant to your rights under section 1(1)(a) of Freedom of Information Act 2000 to be informed whether information is held, we do not hold some of the requested information. Specifically, your questions are phrased in such a way that we actually do not have any recorded information to provide you that would answer the questions you pose.

I would also add that any material released over which UEA has copyright is released subject to the understanding that you will comply with all relevant copyright rules regarding reproduction and/or transmission of the information released.

You have the right of appeal against this decision. If you wish to appeal, please set out in writing your grounds of appeal and send to me at:

University of East Anglia
Norwich
NR4 7TJ
Telephone: 01603 593 523
E-mail: foi@uea.ac.uk

You must appeal our decision within 60 calendar days of the date of this letter. Any appeal received after that date will not be considered nor acknowledged. This policy has been reviewed and approved by the Information Commissioner's Office.

You also have a subsequent right of appeal to the Information Commissioner at:

Information Commissioner's Office
Wycliffe House
Water Lane

Wilmslow, Cheshire
SK9 5AF
Telephone: 0303 123 1113
www.ico.gov.uk

Please quote our reference given at the head of this letter in all correspondence.

Yours sincerely

David Palmer
Information Policy and Compliance Manager
University of East Anglia

Response to Freedom of Information request (FOI_10-122)

I wish to see all the emails that meet the terms of FOI_08-23 or –31 that were held by UEA at 5 May 2008. As a result of the leak from the backup server and other information requests, I do have copies of some that I am sure should have been held by UEA at that time and which were not released by you.

Your request for emails that meet the terms of FOI_08-23 or FOI_08-31 has been considered and dealt with under a separate request (see: FOI_10-112; EIR_10-14). In this response, we will address your request for the location of the material covered by those two requests only.

To clarify my request I will add a further request to know where each of them was located, if your Information Services Directorate only learnt of them after the leak from the backup server and when you so learnt. In other words I want to know separately

a) what you knew you held on 5 May 2008,

[Information not held - s.1(1)(a), Freedom of Information Act]

On 5 May 2008, ISD was aware of your request but not of any information relevant to your request.

(b) what you later learnt you held,

[Information not held - s.1(1)(a), Freedom of Information Act]

On subsequent investigation we became aware of material which was, as you are aware, the subject of various exemptions and not disclosed to you.

The University also became aware of the material that has been published on the web subsequent to the hack of the CRU server. We do not have access to information located on the server (which was removed by the police). We have no record of whether the material published on the web was considered as part of our response to FOI 08-23 or FOI 08-31.

(c) when you learnt and

On 17 November 2009, we were made aware of information published on websites. However as noted above, we cannot state with certainty what is located (much less held) on the backup server or whether it was considered as part of our responses to FOI 08-23 or 08-31.

(d) where it was.

[Information not held - s.1(1)(a), Freedom of Information Act]

As we have no way of determining what was located on the server nor on the PCs as of 5 May 2008, we have no recorded information that could answer this question.