

Douglas J. Keenan

Dear Pro-Vice-Chancellor,

I write to appeal a decision by the Information Compliance Unit regarding a Request that I made under the Freedom of Information Act. Following is a summary of what has occurred.

My Request was submitted on April 10th. On May 21st, having received no decision, I wrote a letter of complaint to the UK Information Commissioner's Office. The next day, I received the decision: my Request was refused *in toto*, on grounds that were manifestly ill-founded.

I telephoned the Information Compliance Officer to discuss this on May 22nd. The discussion did not lead to a mutually-acceptable resolution. The letter refusing my Request did not mention an appeal procedure, and in the telephone discussion, I noted that failing to describe such a procedure was contrary to policy. The Officer then sent me the requisite document.

The appeal procedure stipulates that the Officer and I should first try to resolve things on an informal basis. Because the Officer and I had already done so (by telephone), I submitted my appeal to you, on May 24th. The Officer, however, interceded. She responded on June 21st.

The response first acknowledges that a FoI request must be replied to within 20 working days. It then claims that days that are vacation for Queen's University Belfast do not count as working days; that is untrue, as the relevant statutes plainly state, and as may be confirmed with the Information Commissioner's Office (I have done this).

The response next claims that it would take "12 months of full-time work" to fulfil my Request. As noted in my appeal, however, my Request could be largely fulfilled by giving me a copy of the computer files that contain the requested information; making a copy of the relevant computer files would obviously take hours, not months. The response attempts to justify its estimate of 12 months by claiming that not all the data is held in electronic format. Perhaps some minor portion of the requested information is not so held, but the majority certainly is; indeed, Queen's University led the world in computerizing tree-ring data (my requested information) during the 1980s, and its researchers published papers to this effect.

Additionally, the statutes require that the university fulfil a request partially, if the request cannot be feasibly fulfilled in full. That has plainly not been done. In particular, my Request included the widths of measured tree rings; the Officer has not denied that this information is available electronically, and yet none of this information has been supplied. As another example, the response says that a "list of the years in which the tree-rings grew for every individual sample" is unavailable; of course, for some samples, the years are not known, but for a majority of samples they are—as many of the university's publications attest. Moreover, my Request was for a "list of years in which the tree rings grew (*if known*)".

Sincerely,



13 July 2007