

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 23 March 2016

**Public Authority:** The Governing Body of the University of Cambridge

**Address:** The Old Schools  
Trinity Lane  
Cambridge  
CB2 1TN

### Decision (including any steps ordered)

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1. The complainant has requested information from the University of Cambridge ("the University") relating to Einstein's theory of relativity.
2. The Commissioner has determined that the University was correct to apply section 12 of the FOIA to the request.
3. The Commissioner requires the University to take no steps.

### Request and response

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4. On 10 November 2015, the complainant wrote to the University and requested information in the following terms:

*You are one of the most esteemed scientific academic institutions in the UK. You hold enormous amounts of information in the public interest.*

*I was woken by God at 3am in the morning and told that Einstein had gotten his second theory of relativity wrong. He had not listened to God between his first and second papers and had become arrogant and decided to fabricate a theory which was not the answer God had given him to explain the bending of light by large cosmic objects - that answer being that light, and indeed all energy, had mass.*

*It seems to me - though I am far from an expert in theoretical or*

*astro physics that if energy had mass it would concur with the first theory of relativity and concur with observational phenomena like the increase in mass seen a) when a gamma ray hits an electron and b) with the increasing speed of sub-atomic particles in the hedron colliders. Indeed all energy transfer would be seen to work on the principles of momentum collisions, adding energy and a minute amount of mass with each collision (the mass only becoming measurable as it adheres to a much larger object in the collision) and as the particle accelerated closer and closer to the speed of light - the speed of energy - that more and more energy would need to be supplied - indeed exponentially - to increase its speed incrementally further each time.*

*An understanding that Energy had mass would instantly remove the need for the complex curved space-time continuum concept in the General Theory of Relativity and the need to postulate the existence of dark matter. Because a) energy would be bent by massive objects under Newton's law of Universal Gravitation and b) the missing mass of galaxies could be explained by the previously unaccounted for light particles and their combined mass.*

*Whilst one might postulate why we could not measure the free mass of energy this is easily explained as how do you a) isolate and b) capture something that is i) so small it is the foundation block of all matter and can pass through the gaps between the smallest subatomic particles currently known to man and ii) moving at the speed of light? If we cannot isolate something this small and fast we cannot weight it and we cannot measure it's affect upon other things around it. We also have to consider that it would be so prolific that its very weight would become background - ie indistinguishable from nothing unless one could actually produce a true vacuum (without light/energy in it). How does a fish comprehend what water is unless it can jump out of water and realise there is a world without water?*

*I appreciate that the message that God sent me 100 years after Einstein wrote his second theory of general relativity would a) revoke the first principle of physics - there are two forms of matter; mass which has no energy and energy which has no mass and b) revokes the general theory of relativity and c) would undermine much of the subsequent work done on the big bang and the beginnings of the cosmos. However perhaps this explains why Einstein decided to ignore God - who I now understand told him that 'light carries mass' - and come up with some other theory which, whilst very clever and indeed mind bending, was perhaps just an excuse to avoid having to totally reshape physics as was known at that time and*

*unravel the work of his employers and more accepted colleagues of the time - something he knew would make him - a recently promoted, failed scientist and patent clerk - very unpopular?*

*So as I am but a mere ignorant in such important scientific matters and because I have no personal means to prove or disprove the words spoken to my open mind. Because I am honour bound to pass on the message that God sent me if it is true without claiming personal credit for it, then I ask you now to send me any information (evidence) that you hold which would disprove the concept that energy is a minute subatomic particle with minute mass, potentially the building block of all matter as we know it.*

5. The University responded on 7 December 2015. The University applied section 12 and section 14 to the request.
6. Following an internal review the University wrote to the complainant on 7 January 2016. It maintained its previous decision.

### **Scope of the case**

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7. The complainant contacted the Commissioner on 15 January 2016 to complain about the way his request for information had been handled.
8. Specifically the complainant disputed the University's application of section 12 and section 14 to his request.
9. The Commissioner has had to consider whether the University was correct to apply section 12 and section 14 to the request.
10. The Commissioner will first consider the University's application of section 12. In the event the Commissioner finds that section 12 does not apply, he will then go on to consider section 14.

### **Reasons for decision**

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11. Section 12(1) allows a public authority to refuse to comply with a request for information if the authority estimates that the cost of compliance would exceed the 'appropriate limit', as defined by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (the Regulations.)
12. This limit is set in the fees regulations at £600 for central government departments and £450 for all other public authorities. The fees regulations also specify that the cost of complying with a request must

be calculated at the rate of £25 per hour, meaning that section 12(1) effectively imposes a time limit of 18 hours in this case.

13. In estimating whether complying with a request would exceed the appropriate limit, Regulation 4(3) states that an authority can only take into account the costs it reasonably expects to incur in:
  - a. determining whether it holds the information;
  - b. locating a document containing the information;
  - c. retrieving a document containing the information; and
  - d. extracting the information from a document containing it.
14. The four activities are sequential, covering the retrieval process of the information by the public authority.
15. The University explained that it is not straightforward for it to supply a quantifiable estimate of time that it would take to comply with the request. The University explained that this is because the information requested potentially could be held by any member of staff and while those most likely to hold any relevant information are members of academic staff in the Department of Physics, the search effort request would by no means be limited to that already extensive body of staff.
16. The University referred to its correspondence with the complainant in which he narrowed the scope of his request from "any information" disproving the theory to "a single shred of evidence" that the theory was accurate. In order to provide advice and assistance to the complainant, the University explained that a senior Professor in the Department of Physics was consulted and authoritative published sources were supplied to the complainant which suggested that it was very unlikely that any information meeting to his original description of the information he was seeking was held.
17. The University argued:

*"To fulfil his original request in full, though, would involve soliciting and collating responses from each and every one of the University's 10,845 members of staff (headcount as at July 2015). No bulk email list exists to reach all of these individuals at once and so it is estimated that around 3 hours would be required to compile the relevant email address lists and then, at a conservative estimate of two minutes per respondent, a further 361.5 hours would be required for each member of staff to reply and for a single individual to review they replies, and then a further hour would be required to collate any resulting information..."*

18. The Commissioner considers that the University would not need to contact all of the University's members of staff to determine whether they hold the requested information. In the Commissioner's view staff that work, for example, on a reception or in human resources are unlikely to hold any information relating to Einstein's theory of relativity.
19. However, the Commissioner considers that the University would have to search its libraries and archives for any information falling within the scope of the request. The Commissioner is unable to estimate the length of time that it would take to search these sources of information. However, he is satisfied that complying with this request would exceed the appropriate cost limit of compliance.
20. The Commissioner is therefore satisfied that the University has correctly applied section 12 to the request.
21. As the Commissioner has determined that section 12 applies to the request, he will not go on to consider the University's application of section 14.

## Right of appeal

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22. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)  
GRC & GRP Tribunals,  
PO Box 9300,  
LEICESTER,  
LE1 8DJ

Tel: 0300 1234504

Fax: 0870 739 5836

Email: [GRC@hmcts.gsi.gov.uk](mailto:GRC@hmcts.gsi.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

23. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
24. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Signed .....**

**Rachael Cragg**  
**Group Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**