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**UNIVERSITY OF  
CAMBRIDGE**

**Computer Laboratory**

May 26, 2023

Dear Commissary,

**Case management, ref ECMR/lr**

The Registry, Dr Rampton, has requested a preliminary hearing to determine whether the decision taken at the Council meeting of 20 March 2023 was a decision to sack me and whether, if so, you have jurisdiction. These points will fall to be considered by you in any case and I believe it will be both difficult and repetitive for them to be resolved as freestanding preliminary points. In fact the question of whether the members of Council knowingly sacked me is one of the main issues for the substantive hearing and cannot reasonably be considered on its own. If it is contested that the Council members were unaware, then I will call as a witness at least one of the Council members, and present email logs supporting the fact that I informed 20 out of the 24 members of Council in advance of the meeting. I will be asking you then to determine a key matter of fact which is entirely unsuitable for preliminary argument.

Second, I contest the Registry's request on the grounds that it is obviously a delaying tactic that could well cause the process to run past the time when an effective remedy can be ordered, and may well be designed to have this effect.

When I filed the case with the Registry on May 9th, my cover letter included the following two paragraphs:

I hereby make a Freedom of Information request for the section of the Council papers in March relating to EJRA, and for the notes of the note taker. In view of the urgency of the matter I am not holding back the appeal to wait for that, as I note in section 32 of my complaint. It will be satisfactory for you to provide this along with your reply.

Finally, as a matter of case management in view of the looming deadline, I request that you provide your response within fourteen days, namely by May 22nd. I will then provide

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my response within seven days, namely by May 29th. That way the Commissary can be instructed in May and requested to render his verdict by the end of July at latest, so that appropriate administrative arrangements can be made by September.

The Registry's response to you, which is internally dated 24 May but was sent to me on 26 May, now proposes to provide argument only on the preliminary issue of whether the Council decision on 20 March constituted a decision to sack me and whether you have jurisdiction. This continues a strategy of delay that the University has pursued throughout on the matter of forced retirement. It should have abolished the policy after the Equality Act 2010 came into force, as all but three other UK universities did; it should then have conducted the five-year review in 2021, but did not; it should have given me two years' notice of dismissal, but did not; after we put the VC on notice in December, the matter should have been scheduled for March, but was not; the delayed review should have reported by June 2023 but the aspiration is now for late 2023; and the Employment Tribunal decision should have been considered at the March Council, but was not.

If you order a preliminary hearing, that will presumably mean that after the Registry responds on 2nd June (if she does indeed respond on time) then I reply by 9th June and we have a hearing by the end of June. This hearing would have to tackle much of the substantive material in any case. If a further substantive hearing needs to be scheduled, then that presumably means that I amend my claim by the middle of July, and then presumably the Registry will claim staff holidays or something like that and we'll be scrambling to hold the substantive hearing in August or even September.

The university proposes to sack me in September, and once that happens my available remedy would be an Employment Tribunal hearing, which would probably not take place until 2025; even if I prevail and get an order for reinstatement, the University could invoke the McKinnon case and simply pay compensation instead. So justice requires a substantive hearing before September.

The Registry has already had since May 9th – more than three weeks – to prepare her response. I understand that she is legally qualified and in any case she has an entire Legal Services Division to assist her, while I am conducting this in person. It is understandable that she should seek to decide the case on legal argument where, as a claimant in person, I am at a disadvantage. It is unfair to me and I contest it on those grounds too.

I therefore request that you issue directions for the hearing as follows.

1. The Registry shall file the University's substantive response to you, with a copy simultaneously to me, by close of business on June 2nd;
2. She shall disclose therewith the section of the Council papers in March relating to EJRA, and the notes of the note taker;
3. Two weeks thereafter, I shall file my reply;
4. A hearing date shall be set in July (I suggest the week of the 10th)

Yours sincerely,



Ross Anderson