

Simon Birkett

From: [REDACTED]@london.gov.uk>
Sent: 21 December 2012 15:18
To: Simon Birkett [REDACTED]
Subject: RE: PERSONAL: Criticism accuracy

Follow Up Flag: Follow up
Flag Status: Completed

Simon

There were no threats, veiled or otherwise meant in my email. The Mayor would never seek to silence anyone - he is a journalist after all! He does, however, think that criticism should be fair and based on fact and I don't know how much more forcefully we can deny the allegation that we are seeking to weaken Europe's AQ laws.

Anyway, I can see we aren't going to agree.

All the best over the Xmas and NY holidays.

[REDACTED]

-----Original Message-----

From: Simon Birkett [REDACTED]
Sent: 21 December 2012 14:59
To: [REDACTED]
Cc: Mayor
Subject: RE: PERSONAL: Criticism accuracy

Dear [REDACTED]

Thank you for your email below.

I do not accept that my tweeting was false or that it may give rise to a claim for defamation by the Mayor as you seem to imply. Thank you for acknowledging that the criticism is one made in good faith.

You say that the Mayor is not seeking to weaken EU limit values or air quality laws but I'm afraid it is the view of Clean Air in London that this is precisely the effect of the Mayor's current efforts to lobby for flexibility in new air quality legislation. As you know, the Memorandum of Understanding (MOU) signed on behalf of the Greater London Authority and dated 10 November 2011 includes:

"AIR emphasises that:

. The revised Directive shall include a degree of flexibility that allows the specific characteristics of our Regions to be taken into account"

The evidence shows the Mayor is lobbying widely with others in pursuit of the aims of the MOU. More "flexibility" in air pollution laws applying to Regions such as London would mean weakening them and result in lesser health protections for Londoners than others. ClientEarth made a similar point in the item aired on the BBC Sunday Politics Show and the BBC London television news on 9 December 2012.

I am sure that you and the Mayor will both agree that public health is a matter of the highest public interest, and that groups such as Clean Air in London play a vital role in lobbying and campaigning for vital improvements. Our media output, including tweets and press releases, makes a very important contribution to the public debate on this subject. If the Mayor disagrees with our stance then he has no end of opportunities and public platforms on

which to challenge it and for our part we have absolutely no concerns about entering into a debate or dialogue with him on the subject.

As a public figure the Mayor must accept that he and his policies should be subject to scrutiny and criticism and there can be no question that he is more than capable of dealing with this in a robust way. As such, I am surprised and more than a little disappointed by your email, which on one reading seems to contain veiled threats of defamation complaints in order, apparently, to silence us, rather than simply to challenge on the record what we have said. I am assuming this was neither your nor the Mayor's intention, but in any event Clean Air in London will continue to lobby in good faith and as it sees fit on any proposed new air quality legislation and otherwise.

With seasonal best wishes. I looking forward to seeing you again in 2013.

Simon

Simon Birkett
Founder and Director
Clean Air in London



Simon Birkett has been presented with a London 2012 Sustainability Ambassadors Award for his outstanding contribution to achieving a truly sustainable Olympic and Paralympic Games in particular for his focused commitment to tackling air quality, climate change and sustainability issues.

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Clean Air in London is a company limited by guarantee, registered in England and Wales, with company number 7413769 and registered office 1st Floor, James House, Mere Park, Dedmere Road, Marlow, Bucks SL7 1FJ. It is responsible for the Campaign for Clean Air in London

-----Original Message-----

From: [REDACTED]@london.gov.uk]

Sent: 19 December 2012 20:38

To: [REDACTED]

Subject: RE: PERSONAL: Criticism accuracy

Simon

I trust you are well.

We have seen that you have widely Tweeted the absolutely false allegation that London along with 11 other European regions, several with Green coalition members, has been "lobbying to weaken air quality" laws. I am sorry to have to refute again in the strongest possible terms this defamation of the Mayor and what he and his officials are trying to do.

I have explained earlier what the Air Group is attempting to do. The first thing is that we absolutely accept the right to our residents to clean air and that we are regions that are stepping up to the mark and are working to address this difficult problem. We are trying our hardest to explain to the Commission the difficulties that there are, some of which the Mayor referred to today in MQTs. I don't need to repeat the difficulties - you are as aware of them as I. And in order to address these difficulties we are going to need EU level engagement and assistance to reduce trans-boundary pollution and some additional resources such as, for example, an urban clean air fund.

What we are NOT seeking to do is to weaken EU limit values and I repeat it is unfair to say that we are seeking to weaken AQ laws. There is nothing to suggest this in the FoI release as any reasonable reading of the material shows. Again I ask you as before not to repeat a falsehood.

I know you feel we are not doing enough to improve further AQ. I know you feel we do not publicise it enough. I disagree but absolutely accept the criticism is one made in good faith. As we have discussed, there is much where we can work together, through lobbying central government and equally, the EU for more resources and levers to address this important human health issue.

However, we will not be able to work together if you continue to play the man and not the ball - most of all based on a falsehood.

Wishing you all the best over the Xmas period. See you in 2013.

All best, 