

Complaint to University of Queensland's Integrity and Investigation Unit

1. Describe the issue

The Queensland Ombudsman's office advises that a complaint needs to provide at least the following:

- Name, postal address, email address and telephone number of complainant Malcolm Ieuan Roberts, 180 Haven Road, Pullenvale QLD 4069 malcolmr@conscious.com.au Phone: 04 1964 2379.
 - Who was involved? My complaint is about the behaviour of Professor Ove Hoegh-Guldberg, Mr. John Cook, and Professor Peter Høj.
 - What occurred? This is explained below in section 1. *Describe the issue.*
 - When did it happen? See below.
 - Why is the decision or action of the agency unfair or wrong? See below.
 - What steps have you taken to resolve the complaint with the agency? See below and accompanying documents.
 - What was the result of those attempts? See below.
 - What outcome you are seeking? Please see section 2. *What do you expect?*
 - Copies of documents and correspondence you have exchanged with the agency. Please see accompanying documents listed in Section 4.
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This complaint alleges the behaviours discussed below and in the accompanying documentation and presents associated conclusions.

As a graduate from the University of Queensland (UQ), I complained initially in November 2010 about what I allege is Professor Hoegh-Guldberg's unscientific and unethical behaviour. My complaint was to the Senate, including then Vice-Chancellor Professor Paul Greenfield. That was not dealt with adequately and I then complained again to the senate prior to Professor Greenfield's dismissal for unrelated breaches of ethics.

Copies of that correspondence accompany.

After almost eight years independently investigating this issue I can understand and empathise with the Senate's reluctance. The issue is deep and broad with global tentacles reaching far from the university. To people without my eight years of independent investigation it could seem preposterous, yet it's fact.

After Professor Hoegh-Guldberg's behaviour in April 2015 I complained to the current Vice Chancellor Professor Høj. Over the course of four months to July and since then my complaint was not been dealt with satisfactorily. Professor Høj's behaviour in making his responses is discussed below and forms part of this complaint. He failed to respond at all to serious issues I raised and to solid substantiated facts provided to him in response to his requests.

On advice from the Queensland Ombudsman's office, I now make a formal complaint using our university's complaint management system. I understand that if I am not satisfied with the result of UQ's investigation of my complaint I can invoke an internal review process within UQ.

I understand that if that does not satisfy, I can apply to the Queensland Ombudsman to review the University's decisions that are among other reasons,

unlawful, unfair, unreasonable, based on mistake of fact or law, taken on irrelevant grounds or simply wrong.

Having said that, I hope that this complaint will be investigated to my satisfaction based on facts presented and subsequently obtained. Given the issue's seriousness and significance to our state and to science, I submit my complaint and offer my assistance to you with your investigation.

To ensure fair, thorough and timely investigation of this complaint I include extensive accompanying documents. I trust this will enable this investigation to be made satisfactorily in discussing what has become a politically and emotionally charged topic that has been skewed in the public psyche: climate.

My declaration of personal interests has been freely available since 2009. It is here:

http://www.climate.conscious.com.au/_documents/additional%20material/Personal%20declaration%20of%20interests.pdf

I note our university's code of conduct. It states:

The University is committed to comply with applicable laws and Standards, to promote a culture of fair and ethical behaviour and to encourage the reporting of corrupt practices, breaches of the law, and matters detrimental to the University or its reputation.

With this in mind, my complaint is about the behaviour of these people:

- Professor Ove Hoegh-Guldberg, Director Global Change Institute,
- Professor Peter Høj, Vice-Chancellor,
- Mr. John Cook, Climate Communications Fellow.

After reading many University of Queensland documents advising on complaint procedures, my specific complaints about the three individuals' behaviour are detailed as follows.

Professor Ove Hoegh-Guldberg:

Based on my interactions with Professor Hoegh-Guldberg, on my observations of his behaviour and on his public statements and advice, I conclude that he demonstrates the following:

- Serious misconduct in his position as a scientist, in presenting himself as a scientist, in supervising scientists and students, and in representing our University. Specifically, this involves:
 - His serious dereliction of duties and apparently wilful misrepresentation of climate and climate science. Specifically, he claims or implies publicly, in court under oath/affirmation and privately that carbon dioxide from human activity causes damaging global warming and global climate variability including climate change. This misconduct is evidenced in his contradiction of empirical evidence that he should reasonably be in a position to know before making or implying his public claims and that he continues to contradict after being advised of the empirical evidence;
 - His repeated inability to provide **empirical evidence and logical explanation of causation** to support his core claim that carbon dioxide from human activity causes global warming and/or global climate variability including claimed global climate change. He has

advised publicly, in court and privately to me that the position he publicly advocates is supported by and implicitly based on the United Nations Intergovernmental Panel on Climate Change (UN IPCC) reports yet that body has no empirical evidence and causal logic proving that carbon dioxide from human activity affects global temperature or climate. He has repeatedly been made aware of this and his responses to requests have never specified the evidence or its specific location in UN IPCC reports. It is known that the UN IPCC's reports contain no such evidence and he has been advised of that fact yet continues to make his claims, always without substantiation. Further, it is a fact that neither CSIRO nor our country's Bureau of Meteorology (BOM) has ever presented empirical evidence and logical reasoning proving that carbon dioxide from human activity affects global climate. Their claims, echoed by Professor Hoegh-Guldberg are appeals to authority. Indeed, the 15 February 2007 Land and Resources Tribunal Queensland ruling (Suttor Creek mine) stated that the objectors to a mining company's claim for establishing the mine had relied upon UN IPCC reports. The Tribunal correctly concluded that no evidence had been presented to support the claim that human production of carbon dioxide affects climate. That is because there is no such evidence. In that regard, the situation has not changed in that there remains no such evidence. There has been an advance though in that understanding of empirical evidence now proves that human production of carbon dioxide can have no discernible impact on atmospheric carbon dioxide levels and further that carbon dioxide has no effect on global climate or climate variability;

- His contradiction of the scientific method. He claims to be a scientist and presents himself as a scientist. As such he therefore should know that empirical evidence decides science, yet he has no empirical evidence for his core claim that carbon dioxide from human activity affects global climate. Nor does he have the logical causal reasoning necessary for explaining the causation he claims;
- His ongoing endorsement of the UN IPCC after being made aware with documentation and evidence showing the fact that the UN IPCC is politicised and corrupts climate science. His behaviour amounts in my view to corrupt conduct as our university defines it:
- Corrupt conduct adversely affecting our university's conduct of science, public bodies that he influences including the Great Barrier Reef Marine Park Authority (GBRMPA) with which he is closely associated and the former federal government Climate Commission where he was a member of the Science Advisory Panel and other bodies. His influence is exerted in a way that is not honest and is not impartial. It appears to be a wilfully reckless or negligent and possibly knowing breach of trust and a misuse of information. In doing so he benefits from perceived academic status and funding, both directly and indirectly from various federal government bodies and activist organisations promoting action against the use of hydrocarbons, and especially coal. This amounts to a breach of our university's code of conduct and ethics. Further corrupt conduct appears in:
 - Possible fraud in that his behaviour contradicting and misrepresenting empirical evidence enables him to directly and indirectly benefit financially through consulting fees, payments from activist political organisations and research grants for ongoing work associated with or enabled by his core claim that carbon dioxide from human activity detrimentally affects global climate.

- That is, he benefits financially and in academic status from his misrepresentations of climate, science and carbon dioxide;
- Perverting the course of justice through testimony in court contradicting empirical evidence, and through testimony that he implies is scientific evidence;
 - Possible loss of state revenue through possible loss of coal royalties and from reduced taxes through reduction of Great Barrier Reef tourism as a result of Professor Hoegh-Guldberg's false claims that carbon dioxide from human activity is hurting the reef through his claim that it is causing global warming and global changing climate;
 - Research misconduct. Professor Hoegh-Guldberg's contradiction of empirical evidence and his lack of empirical evidence and logical causal reasoning proving his claim that carbon dioxide from human activity detrimentally affects global climate amounts to being research misconduct. His supervision of Mr. John Cook's fabrication of a 'consensus' that contradicts his own data is evidence of misconduct and his acceptance of a supposed consensus shows that Professor Hoegh-Guldberg does not understand fundamentals of science because empirical evidence, not consensus, decides science. In using a 'consensus', Professor Hoegh-Guldberg is undermining science. His use of an unfounded fabricated 'consensus' is research misconduct. Professor Hoegh-Guldberg is involved with the Australian Research Council (ARC) and its projects and prominently displays his status as an ARC Laureate Fellow. Despite this it appears that his behaviour breaches ARC's *Australian Code for the responsible conduct of research*. These could include: 1.6, 1.7, 4.5, 4.12, and 7.2. In his report to the Land Court, Professor Hoegh-Guldberg did not disclose payments he has received from political activist groups Greenpeace and/or WWF received over a period extending more than two decades. Greenpeace and WWF are waging campaigns against the coal industry that is at the core of the land court case in which Professor Hoegh-Guldberg testified;
 - Breach of Public Sector Ethics Act. Professor Hoegh-Guldberg's behaviour in this matter appear to breach all four ethics values:
 - Integrity and impartiality (Section 6). Professor Hoegh-Guldberg's behaviour and claims breach all five clauses (a) to (e);
 - Promoting the public good (Section 7). His behaviour and claims breach the first four clauses (a) to (d);
 - Commitment to the system of government (Section 8). His behaviour and claims breach sub-section (1) clauses (a) and (b)
 - Accountability and transparency (Section 9). His behaviour and claims breach the first three clauses (a) to (c);
 - Apparent breach of the Queensland Professional Engineers Act, 2002. A complaint has been lodged with the Board of Professional Engineers, Queensland because Professor Hoegh-Guldberg has provided advice on engineering topics and thereby provided an engineering service. He did so without engineering qualifications and without registration as a professional engineer. Further, in providing his advice he contradicted empirical evidence. My understanding is that breaches of the Professional Engineers Act are criminal offences;
 - Perceived conflict of interest in receiving payments from political activist groups Greenpeace for over two decades and WWF for a decade, as Canadian investigative reporter Donna Laframboise discovered and reported. Both activist organisations have been identified as corrupting UN IPCC climate reports and using false and

unfounded climate claims for their political agenda. Both organisations contradict empirical evidence;

- Maladministration and specifically through conduct that is unlawful, arbitrary and improper and that discriminates against empirical data and those presenting such data. Professor Hoegh-Guldberg's misrepresentation of science and contradiction of empirical evidence and the consequences of his unfounded emotive claims equate to significant waste of public resources;
- Breach of our University's Code of Conduct. Specifically, Professor Hoegh-Guldberg's behaviour breaches the following provisions:
 - Ethical Principle 1 – Integrity and impartiality, specifically:
 - His behaviour is not in accord with ethical standards;
 - He makes claims that are not objective, are unfounded, contradict empirical evidence and documented facts, are not independent, and that are biased. Further, in public he has made statements on political matters while speaking on behalf of our university without qualifying that they are his opinion;
 - On 9 November 2010 he publicly discredited geologists and mining engineers after people from those professions challenged his claims. His unfounded discrediting serves to stifle debate that is essential to science and scientific progress. Further, in his email dated 4 April 2014 in response to my request for evidence for his climate claims, Professor Hoegh-Guldberg responded with only one sentence, quote: "*Is it true that you believe in a Jewish conspiracy to take over the world?*" His question followed disgraced reporter Mike Carlton's dishonest smear of Andrew Bolt, Alan Jones, The Galileo Movement and myself. Through his question diverting attention from yet another failure to provide the empirical evidence, Professor Hoegh-Guldberg does not show respect towards all persons and to the general public. His behaviour is not committed to honest, fair and respectful engagement with the general public. Please refer to accompanying copies of our email interactions;
 - Ethical Principle 2 – Promoting the public good:
 - Professor Hoegh-Guldberg's contradiction of empirical evidence, his neglect of data and his neglect of documentation contradicting his position show his lack of proper diligence, care and attention on a topic that affects our university's official position and its decisions in allocating research funds. Professor Hoegh-Guldberg has likely detrimentally affected the funding of other UQ researchers;
 - He is not accountable for his conduct and decisions;
 - In misrepresenting climate, he misappropriates university, government and community resources and threatens industry;
 - His contradictions of empirical evidence show that he does not exercise duty of care, particularly where others such as the Great Barrier Reef Marine Park Authority (GBRMPA), state parliament, federal parliament, schools, and ABC broadcasts rely on his advice or information he offers;
 - Ethical Principle 3 – Commitment to the system of government:
 - His behaviour breaches the Queensland Public Sector Ethics Act, the Queensland Professional Engineers Act, misrepresents climate and the UN IPCC under oath/affirmation in court;

- Ethical Principle 4 – Accountability and transparency:
 - His continued contradiction of empirical evidence and continued reliance on appeals to authority in the form of citing the UN IPCC after documentation of its corruption show that he is not accountable for his actions and decisions. That he has done this for many years, raises questions about accountability within UQ;
 - Contradicting empirical evidence and relying on a demonstrably corrupt organisation in the UN IPCC reveals that Professor Hoegh-Guldberg does not carry out his duties in a professional, responsible and conscientious manner.

Instead of providing empirical evidence, in his public responses and his responses to me, Professor Hoegh-Guldberg has used many diversions. He has at various times relied on:

- False and misleading claims of consensus,
- Appeals to authority,
- Invocations to peer-review despite the scientific literature lacking empirical evidence for his position that carbon dioxide from human activity causes dangerous global warming and global climate change,
- Portrayal of natural weather events and inherent natural variation as process change,
- Broad and generalised yet unsubstantiated claims contradicting empirical evidence,
- Implied or explicit fearful projections contradicting science,
- Emotive statements that distract from the lack of empirical evidence,
- Output, directly or implicitly from erroneous, unvalidated computerised numerical models that the UN IPCC admits are erroneous and based largely on factors with very low levels of understanding and that omit or downplay significant natural drivers of climate variability known to control climate,
- Use of UN IPCC schematics that depend for validity on the implied assumption of the existence of unusually high temperatures that are not occurring,
- Presentation of the UN IPCC's qualitative and politically driven allocation of levels of uncertainty that contradict empirical evidence and known facts and that are not statistically valid and that misrepresent science and climate,
- Smears of those who disagree with his views,
- Invocations of morality.

Although these appear scientific to some journalists and members of parliament and to many members of the public, this is not science. That our university allows and defends such behaviour is of concern and undermines science.

Given my interactions with Professor Hoegh-Guldberg beginning on March 2010 and since, his behaviour constitutes what seems to be a pattern of misconduct.

In connection with, and in support of, my complaint about Professor Hoegh-Guldberg's behaviour, please refer to the accompanying documents as listed in section 4, *Evidence and documentation*.

Mr. John Cook:

Professor Hoegh-Guldberg supervises Mr. John Cook's work. Based on my interactions with Mr. John Cook and on my observations of his behaviour and public statements and advice, I conclude that he demonstrates the following:

- Serious misconduct in his position communicating science and representing our University. Specifically, this involves:
 - His serious dereliction of duties and apparently wilful misrepresentation of climate and climate science. Specifically, he claims or implies publicly that carbon dioxide from human activity causes damaging global warming and global climate variability including climate change. This misconduct is evidenced in his contradiction of empirical evidence that he should reasonably be in a position to know before making or implying his public claims and that he continues to contradict after being advised of the empirical evidence;
 - His repeated failure to provide empirical evidence and logical explanation of causation to support his core claim that carbon dioxide from human activity causes global warming and/or global climate variability including claimed global climate change. He advises publicly that the position he publicly advocates is supported by and implicitly based on the United Nations Intergovernmental Panel on Climate Change (UN IPCC) yet that body has no empirical evidence and causal logic proving that carbon dioxide from human activity affects global temperature or climate;
- Corrupt conduct adversely affecting our university's conduct of science through his co-writing and promotion of an unscientific fabrication that there exists a claimed 97% consensus of climate scientists claiming carbon dioxide from human activity adversely affects climate. Further, it appears that he has arranged or allowed to be arranged for his co-authored paper to be reviewed by the Environmental Research Letters group discredited with dishonest behaviour at its senior level and tainted by apparent conflicts of political and financial interests supportive of Mr. Cook's fabrication. Further, in a scientifically peer-reviewed paper an international team of scientists, statisticians and investigators revealed and discredited the faulty methodology and conclusions in Mr. Cook's co-authored paper. They reveal that instead of John Cook's claimed 97% consensus, the 'consensus' amounts to only 0.3%. Additionally, his reliance on any sort of claimed consensus misrepresents science since science is decided by empirical evidence not claims of consensus. More disturbingly, Mr. Cook's public claims contradict empirical evidence and the logic needed to prove human activity causes detrimental effects on global climate;
- Research misconduct. Mr. John Cook's contradiction of empirical evidence and the lack of empirical evidence and logical causal reasoning proving his claim that carbon dioxide from human activity detrimentally affects global climate amounts to being research misconduct. His fabrication of a 'consensus' that contradicts his own data is evidence of misconduct and his acceptance of a supposed consensus shows that Mr. Cook does not understand fundamentals of science because empirical evidence, not consensus decides science. In using a claimed consensus, Mr. Cook is undermining science. In fabricating a false consensus Mr. Cook shows misconduct.
- Mr. Cook's treatment of those who disagree with his view as "deniers" is disrespectful and deters scientific debate. Given the reality that he contradicts empirical evidence, his use of the label 'denier' is not honest.

Relying on a consensus is not science. Relying on a falsely fabricated 'consensus' is not honest. Mr. Cook is undermining and perverting the communication of science.

Given Mr. Cook's defiance of solid data contradicting his position and given his defiance of extensive, legitimate and well-founded scientific and public complaints of his work, his behaviour constitutes a pattern of misconduct. Given the behaviour of his supervisor, Professor Hoegh-Guldberg, it appears likely his misconduct is systemic within UQ's Global Change Institute that his supervisor heads as Director.

In connection with, and in support of, my complaint about Mr. Cook's behaviour, please refer to the accompanying documents as listed in section 4, *Evidence and documentation* and note particularly my 2015 email correspondence with the UQ Vice Chancellor.

Professor Peter Høj:

Professor Peter Høj's email letters replying to my letters show that he has implied the clearly false assertion that UN IPCC reports contain empirical evidence proving that carbon dioxide from human activity detrimentally warms earth's global temperature and affects global climate. This contradicts with the reality that the UN IPCC has never presented the necessary empirical evidence and causal logic proving that carbon dioxide from human activity affects climate.

It is possible that Professor Høj is blindly relying on guidance from Professor Hoegh-Guldberg. Nonetheless, that does not excuse his behaviour in making false claims.

Whether Professor Høj's false claims were made knowingly or unwittingly is not known yet given the content of my letter to him dated 21 July 2015 in response to his requests, his behaviour amounts to misconduct.

He has not replied to my response of 21 July 2015 that included my reasonable requests of him. He has apparently not actioned the serious breaches I raised. These actions show that he has not done his due diligence and imply that he will likely not do his due diligence.

Further, Professor Høj is apparently continuing to condone and support Professor Hoegh-Guldberg's behaviour and Mr. Cook's behaviour.

Secondly, he has dismissed data from a scientifically peer-reviewed paper proving that the paper co-authored by Mr. Cook misrepresents the situation. He prefers instead to cite and rely upon a body discredited with dishonest behaviour at its senior level and tainted by apparent conflicts of political and financial interest supportive of Mr. Cook's view. This again shows that he has failed to do his due diligence.

Relying on a consensus is not science. Relying on a falsely fabricated 'consensus' is not honest. Although Professor Høj has science qualifications, his behaviour undermines and perverts science.

Thirdly, Professor Høj's implicit endorsement of Mr. Cook's use of the label "deniers" in referring to those who disagree with the latter's view on climate is disrespectful and deters scientific debate. Given the reality that Mr. Cook's position contradicts empirical evidence, Professor Høj's condoning of the term is not respectful, not correct and not honest.

It is noted that our university depends on extensive funding received directly and indirectly on the topic of climate change and associated topics. This creates a perceived conflict of interest when university management considers such matters as Professor Hoegh-Guldberg's behaviour given that he seemingly attracts large sums of money to our university.

Professor Høj's predecessor as Vice Chancellor, Professor Paul Greenfield did not require my November 2010 complaint into Professor Hoegh-Guldberg's behaviour to be independently investigated. Professor Greenfield was subsequently dismissed for an unrelated breach of ethics yet our university did not reopen its investigations into Professor Hoegh-Guldberg's behaviour. Given the facts surrounding Professor Hoegh-Guldberg's unfounded support of politicised climate change claims from which he benefits and from which our UQ apparently benefits through his Global Change Institute, and given Professor Høj's defiance of solid data and documentation contradicting his position and given his silence in response to my fundamental questions, it raises the question as to whether Professor Høj's behaviour is part of systemic misconduct at UQ on the matter of climate science.

The result of these behaviours is that UQ is not providing an environment for research consistent with the Australian Research Council's (ARC) *Australian Code for the responsible conduct of research*. As an institution, UQ appears to be in breach of ARC's Code. This is serious since our university has, in the past, been publicly proud of announcing it led the way with ARC grants. Despite this, our university could be in breach of the following sections of the ARC Code: 1.1, 1.2 and specifically 1.2.1, 1.2.2, 1.2.3, 2.1, 4.1, 4.3, 6 Introduction, 6.1 with emphasis on impartial and 7 while noting the introduction, quote: "A conflict of interest exists where there is a divergence between the individual interests of a person and their professional responsibilities such that an independent observer might reasonably conclude that the professional actions of that person are unduly influenced by their own interests."

I mention this in the context of Professor Hoegh-Guldberg's behaviour and apparent conflicts of interest.

I note that Professor Hoegh-Guldberg prominently displays his status as an ARC Laureate Fellow.

In connection with, and in support of, my complaint about Professor Høj's behaviour, please refer to the accompanying documents as listed in section 4, *Evidence and documentation* and note particularly my 2015 email correspondence with the Vice Chancellor.

Finally, our university's code of conduct begins with:

*The University is committed to comply with applicable laws and Standards, to promote a culture of fair and ethical behaviour and to encourage the reporting of corrupt practices, breaches of the law, and matters detrimental to the University or its reputation. **UQ Senate and senior management will lead by example in actively promoting and complying with this Code of Conduct.***

In all my dealings on the topic of climate and climate science since March 2010 with Vice Chancellors, the Chancellor, Mr. Cook and especially Professor Hoegh-Guldberg, our university has not been honest with me.

A document explaining my qualifications and my intent accompanies.

My interest in this matter is to restore scientific integrity and to protect our state of Queensland and its industry and employment from claims that are not honest and that contradict empirical evidence.

Having been born while my parents were stationed in India and having visited my birth state of West Bengal last year, I have seen first-hand the urgent humanitarian need and environmental needs for clean Australian coal to be used to generate clean electricity to rescue hundreds of millions of Indians from poverty and disease. This issue is humanitarian.

At my complaint's core are Professor Hoegh-Guldberg's breaches of integrity. This is exacerbated through his position as a Lead Author with the UN IPCC that has been proven to be a demonstrably politicised and scientifically corrupt body that contradicts empirical evidence to make its politicised claim about carbon dioxide from human activity.

My needs are for our university to restore the scientific process and to restore honesty and integrity particularly to science. My secondary needs are for our university to demonstrate openness, transparency, clarity, understanding, care and respect for science and people and to restore practical care for genuine humanitarian and environmental challenges.

I am concerned that Professor Hoegh-Guldberg's misrepresentations are diverting valuable attention and resources from real and challenging environmental and humanitarian challenges. His misrepresentations are undermining environmental care since the ability to care responsibly for our environment depends in part on the efficiency of industry that leads to prosperity and in turn to the ability to pay for care of our natural environment and humanity.

His claims and implied claims, if adopted by courts in decisions and /or by politicians formulating policy, will adversely affect our state, state revenues, employment and prosperity.

Please note that in making this complaint I am acting independently and pro bono. I take sole and full responsibility for this complaint.

I have not been requested by anyone to lodge this complaint. I do so of my own volition motivated by my desire to restore integrity to climate discussions and to restore the primacy of empirical evidence in society and science.

I trust that you understand and agree that it is vital that court decisions and political policies are based on empirical evidence whose integrity is beyond question. In the long term this will assist our university.

This complaint is being lodged on-line followed by paper copies sent by registered post with delivery confirmation.

cc:

- Jane Banney, UQ HR: j.banney@uq.edu.au
- www.conscious.com.au website. In accordance with UQ's complaints procedure my intention is to not post anything further on the website in regard to this complaint until the investigation is completed.