

18 February 2010

Independent Climate Change Email Review
Issues for Examination

To the CRU Review Team,

Based on a growing number of reports and commentaries, the November 2009 revelations about the Climatic Research Unit (CRU) have become a cloud over all of us who do climate science. This and the complete independence of the CRU Review Team's examination should be matters of great concern to the Review Team, the University of East Anglia (UEA) and the scientific community at large.

Therefore, pursuant to the invitation you extended for comments under Paragraph 1, Issues for Examination, this is to respectfully suggest that the Team's report be finalized only after allowing for possible revisions and corrections based on suggestions received during a response period of at least 14 days after a draft final report is posted to the web.

This is also to propose consideration of three specific issues during the review of the CRU e-mails and documents.

SUMMARY:

1. Establishing the Authenticity of the E-mails and Documents
2. The HARRY_READ_ME.txt document
3. RESEARCH@UEA: A GUIDE TO GOOD PRACTICE

SUGGESTED ISSUES (Including Authorities and References)

1. Establishing the Authenticity of the E-mails and Documents

An essential task for the Review Team is to establish the authenticity of the released e-mails and documents. Dr Phil Jones acknowledged on 23 November 2009 the authenticity of at least one of the e-mails (<http://www.uea.ac.uk/mac/comm/media/press/2009/nov/CRU-update>), and I am unaware of any claims by him or other authors that their e-mails have been altered. However, on 23 November 2009 the University of East Anglia released a press statement that read, "... The volume of material published and its piecemeal nature makes it impossible to confirm what proportion is genuine." (*Ibid.*) Similar sentiments were expressed in a letter sent to me by the University of East Anglia on 23 December 2009 in which Mr David Palmer wrote that the released documents were not held by UEA and, therefore, could not be verified (see References below). Thus, ascertaining

the authenticity of the relevant documents and e-mails must precede any investigation that relies on them.

Authority: Paragraph 1 of the Issues for Examination states that "The Independent Review will investigate the key allegations that arose from a series of hacked e-mails from the University of East Anglia's Climatic Research Unit (CRU)." This mandate presumes the authenticity of the e-mails, but, apparently, this has yet to be affirmed.

UEA investigation guidelines are discussed in SECTION 4, RESEARCH DEGREES POLICY DOCUMENTS. Section 4.3 provides that "The aim of the Panel shall be to ensure that justice is both done and seen to be done....Both the Complainant and the Respondent shall be asked to produce relevant documentary evidence such as laboratory notebooks, papers, witness statements, computer records etc to support the allegation of misconduct in research and the explanation."

References: Section 4, RESEARCH DEGREES POLICY DOCUMENTS, is at: https://www.uea.ac.uk/polopoly_fs/1.98603!research%20degrees%20policy%20documents.pdf.

The following letter from UEA stated that the contents of the hacked or leaked folder named "FOIA" were not held by UEA and, thus, could not be verified. Yet when the FOI request was sent on 23 November 2009, the full contents of the "FOIA" folder were widely available on the web.

23 December 2009 Fax: +44 (0) 1603 591 010

Web: <http://www.uea.ac.uk>

Dear Mr. Mims

FREEDOM OF INFORMATION ACT 2000 - INFORMATION REQUEST
(Our Ref.: FOI_09-173)

Your request for information received on 27 November 2009 has now been considered, and, pursuant to your rights under section 1(1)(a) of Freedom of Information Act 2000 to be informed whether information is held, this letter is to formally advise you that we do not hold the requested information.

Your request is for the full contents of the 'FOIA folder' and as far as we are aware no person at UEA compiled this folder and therefore we do not now hold, nor ever have held, a FOIA folder. We cannot reasonably be expected to provide the full contents of a folder that was created by someone outside of our organisation and whose contents we cannot verify.

You have the right of appeal against this decision. If you wish to appeal, please set out in writing your grounds of appeal and send to me at:

University of East Anglia
Norwich
NR4 7TJ
Telephone: 0160 359 3523
E-mail: foi@uea.ac.uk

You also have a subsequent right of appeal to the Information Commissioner at:
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow, Cheshire
SK9 5AF
Telephone: 01625 545 745
www.ico.gov.uk

Yours sincerely

David Palmer
Information Policy & Compliance Manager
University of East Anglia

2. The HARRY_READ_ME.txt document

The released CRU document HARRY_READ_ME.txt is especially worthy of careful review, for it illustrates the questionable nature of at least some of the scientific methodology employed at CRU. Data products resulting from this methodology were apparently published or requested under the Freedom of Information Act.

One of the many troubling lines in this document, which was written by a CRU programmer from 2006 to 2009, reads, "It's Sunday evening, I've worked all weekend, and just when I thought it was done I'm hitting yet another problem that's based on the hopeless state of our databases. There is no uniform data integrity. ..."

This and many other frustrated comments by "Harry" were written during a time when some of his CRU colleagues were confidently asserting the validity of their data and ridiculing the findings of those with whom they disagreed.

Authority: Paragraph 1.1 of the Issues for Examination states that "other information held at CRU" will be examined.

Reference: HARRY_READ_ME.txt can be found at:
http://www.anenglishmanscastle.com/HARRY_READ_ME.txt For some of the more troubling aspects of this document, search on "rg" to find numerous variations of "Aarrggghh!" and then see the associated text.

3. RESEARCH@UEA: A GUIDE TO GOOD PRACTICE

Of particular relevance to the Issues for Examination is the document RESEARCH@UEA: A GUIDE TO GOOD PRACTICE, in which the University of East Anglia outlines its expectations for proper and ethical scientific conduct and investigations of alleged misconduct. Adherence to these guidelines would have prevented the ongoing scandal now under investigation.

While guidelines such as these are standard at research universities, the problem of scientific misconduct at universities in various countries suggests that ethical guidelines are insufficiently promoted to staff and not enforced by management.

Was the CRU staff made aware of and required to assure University of East Anglia administrators that it had periodically reviewed the principles of scientific ethics described in various UEA policy guidelines?

Would enforcement of the guidelines by university staff have stopped some or all of the controversial and improper actions by the CRU?

What steps can be taken to assure the general public and the scientific community that the inappropriate practices revealed in the CRU documents and e-mails will no longer take place?

Answers to these questions will provide important guidance for how best to avoid a future science scandal at UEA and other research universities.

Authority: Paragraph 1.2 of the Issues for Examination states "Review CRU's policies and practices for acquiring, assembling, subjecting to peer review and disseminating data and research findings, and their compliance or otherwise with best scientific practice." As CRU is a unit of East Anglia University, its research practices are governed by UEA policies.

Reference: RESEARCH@UEA: A GUIDE TO GOOD PRACTICE is found in "SECTION 4, RESEARCH DEGREES POLICY DOCUMENTS" at https://www.uea.ac.uk/polopoly_fs/1.98603!research%20degrees%20policy%20documents.pdf. Some of the applicable guidelines in this guide include:

Honesty, openness, accountability and integrity are vital qualities for any academic researcher no matter what their discipline or level of experience. UEA needs to ensure that all research it supports is carried out in a climate where the highest standards of personal conduct are encouraged and expected. As a member of a research-led University you should:

- *Maintain open and honest professional standards*

- Document your results
- Question your findings
- Acknowledge the contribution of others
- Ensure data is stored and disposed of responsibly
- Publish your results
- Protect any intellectual assets
- Follow best current professional and ethical practice

Professional Standards

Honesty At the heart of all research is the need for you to be honest in respect of your own actions in research and in your responses to the actions of other researchers.

Openness While protecting your own research interests you should be as open as possible in discussing your work with other researchers within and out-side the University and with the public.

Accountability You must ensure that your research is consistent with the terms and conditions agreed between the University and the Funder.

Integrity You must be open and honest about any conflicts of interest, whether real, potential or perceived, at the earliest opportunity and at all stages of your research. Plagiarism, deception or the fabrication or falsification of results is regarded as a serious disciplinary offence.

Research leadership

Academic leadership from the Vice-Chancellor, Pro-Vice-Chancellors, and the Heads of Schools is important in order to cultivate good research practice.

Research leaders should create an environment of mutual co-operation, in which all members of a research team are encouraged to develop their skills and in which the open exchange of ideas is fostered. Responsibilities in conducting research should be clearly allocated and understood.

Responsibility for ensuring that new researchers understand good research practice lies with all members of the community, but especially with research leaders.

Training and supervision of researchers

Researchers should receive appropriate supervision and should not be put under unwarranted pressure to produce results at any cost. Research leaders should ensure that all new researchers get appropriate training including supervisory skills where appropriate.

Research results

Researchers should always be prepared to question the outcome of their research – it is important that research ideas can be challenged and tested once published. Throughout their work researchers should keep clear and

accurate records of the procedures followed, of the sources of research material where archives, collections etc. are researched and of the results obtained, including interim results. Primary data which is the basis for publication should be securely stored for an appropriate time in a durable form. Research should be published when appropriate and wherever possible. In order to ensure a high standard of publication, researchers should seek an appropriate form of peer review prior to publication.

Disclosure. During 2008 I exchanged several e-mails with Dr Jones regarding data disclosure, heat islands and water vapor. Dr Jones wrote that CRU provided gridded data and not raw data. I earn a living as a science writer and have included a brief section about the CRU affair in a book to be published in 2010 by a university press. I also practice observational climate science and since 1990 have made numerous measurements of atmospheric parameters (ozone layer, optical depth, total column water vapor, UV-B, etc.) at or near solar noon on all days when the sun was not blocked by clouds and published various findings from this research in the scholarly literature.

Disclaimer. The views expressed herein are my own and do not necessarily represent the views of any persons, agencies, organizations or publications with which I am now or have been associated.

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