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Thursday, October 10th, 2013

Mr. James Spigelman AC QC
Chairman
Australian Broadcasting Corporation
GPO Box 9994
Sydney NSW 2001

By Registered Post with Delivery Confirmation

Dear Mr. Spigelman:

Re: Your personal responsibility for the ABC's inaccurate and biased reporting

Thank you for the reply dated 26th March 2013 written by Kirstin McLeish on behalf of the ABC's Chairman and Managing Director.

Your Board's reply is demonstrably dishonest. This letter will explain why your Board's response is not honest. As a Director, your inaction currently condones corruption of science by ABC journalists and broadcasts.

According to the ABC's web site page entitled *The ABC Board*, quote: "*The ABC Board is responsible for the ABC's operations. The duty of the Board is to ensure that the functions of the Corporation are performed efficiently with maximum benefit to the people of Australia, and to maintain the independence and integrity of the Corporation. **The Board is also responsible for ensuring that the gathering and presentation of news and information is accurate and impartial, according to recognised standards of journalism,** and that the ABC complies with legislative and legal requirements.*" (emphasis mine)

As discussed below, ABC-TV producer Matt Scully's letter to me portrays as scientific facts his unfounded and false opinions. That epitomises the ABC's plight and the culture over which you preside and for which you are responsible.

My letter to you responds to the Board's letter of 26th March and presents further relevant timeless data. It introduces new material to further substantiate my original complaint.

My initial letters to the ABC Chairman and Managing Director were followed by letters to remaining Directors as at 7th March 2013. My complaint stated, quote: "*Due to the breadth and depth of bias and misrepresentations of climate science in ABC broadcasts I hereby complain to the Board as the ABC's governor.*"

The reply on behalf of the ABC Chairman and Managing Director failed to address my core complaint: the ABC's (systematic) bias and misrepresentation of climate and climate science over many years including specifically 2011 and 2012. As part of my complaint ABC Directors were provided specific evidence in support of my complaint.

Firstly, I acknowledge that the ABC contains many fine people working for our country.

Since lodging my complaint with all Directors as at 7th March 2013 ABC programs and staff have continued the ABC's fundamental dishonesty that I documented.

To accurately demonstrate ABC bias and inaccuracy, data was collected and quantified from many ABC Radio and TV programs over almost two (2) years. The assembling of data proving the ABC's bias and misrepresentations did, by its nature, extend more than six weeks. It's deeply disappointing that Kirstin McLeish, and presumably the Board, chose to bypass my complaint by wrongly treating it as a complaint about individual programs.

My complaint was never about individual programs. Data on more than five programs provided evidence for my overall complaint about ABC bias. That Kirstin McLeish and the Board chose otherwise raises questions as to her motives and the Board's motives.

My complaint is about corporate governance. That is the Board's responsibility. My complaint is not about individual ABC programs. Collecting data over a period of two years requires two years. It is absurd to claim that each set of data and information be presented within six weeks of each program. The Board's reply seems to me to be an attempt to avoid scrutiny and accountability for the ABC's misreporting of climate and climate science. That misreporting has been documented as fundamentally dishonest.

In that individual ABC Directors presumably condoned the Chairman's and Managing Director's response, individual Directors are responsible. If they did not, why not?

As a Director, you are personally responsible for the continuing dishonesty and/or negligence of the ABC contradicting and ignoring empirical scientific evidence and documented facts. It could be reasonably concluded that the Board's choice to avoid governance responsibilities supports and enables continued bias and misrepresentations by the ABC and thereby endorses corruption of climate science and journalism.

I feel concerned that the ABC and/or some of its staff are ignorantly, irresponsibly or possibly knowingly abetting corruption of science and fraud.

Please refer to extensive facts documented in my report entitled "*CSIROh! Climate of Deception? Or First Step to Freedom?*" All ABC Directors at the time were sent a copy of this report between February 15th and March 7th, 2013. The report is available at: <http://www.conscious.com.au/CSIROh!.html> I draw to your attention details in 32 appendices and particularly appendices 2, 4, 4a, 13 and 13a to 13g.

The documented evidence of corruption of climate science is compelling. The quantified documentation of ABC bias and misrepresentations is extensive and raises questions as to whether it is systemic and systematic. The ABC's reporting of global warming (aka climate change) is dishonest and exacerbated by negligence and/or deliberate omissions.

Specific new material

1. Please refer to the accompanying copy of a letter dated 10th April 2013 from Matt Scully, Series Producer of ABC-TV's *Catalyst* program and my reply dated Thursday, October 10th, 2013. Matt Scully's letter includes false statements and opinions revealing his ignorance and misrepresentation of the UN IPCC and climate. His serious, large and fundamental errors

likely typify ignorance among ABC journalists. His reliance upon inaccurate claims and opinions in response to my extensively researched and documented facts is troubling.

When a producer of a supposedly science-based TV program portrays unfounded opinions as scientific facts it highlights the ABC's plight. That is the nature of the culture over which the ABC Board presides and for which you are responsible.

What action will you take as a Board to educate and inform ABC journalists and producers so that such errors do not continue to mislead recipients of letters from ABC staff and viewers/listeners of ABC programs?

Matt Scully's erroneous reply gives my initial complaint further grounds.

2. Why is it that the Board through Kirstin McLeish's letter effectively relies upon and cites the unscientific work of Professor Lewandowsky? The latter work was thoroughly exposed as unscientific by Canadian statistician Steve McIntyre. That work was referenced in my comments about Robyn William's Science Show broadcast 24th November, 2012. (Appendix 13). Kirstin McLeish's letter specifically discussed my comments about that broadcast.

It is a low point in ABC affairs that its Head of Audience and Consumer Affairs writing on behalf of the ABC Board accepts and relies upon work publicly proven to be unscientific and tainted. (CSIROh! Appendix 9, pages 70 to 75.) Contrary to the facts, the Board gives that tainted and discredited work unfounded credibility.

Why does the ABC Board cite and rely on a work publicly proven by statistician Steve McIntyre to be, at best misleading and at worst, dishonest?

In its response to my complaint about an ABC-TV *Stateline* program broadcast on Friday, October 29th, 2010, the ABC eschewed responsibility for the content of ABC broadcasts. After seeing Matt Scully's reply I can understand now a likely reason for the ABC's bias and ignorance and its failure to take responsibility. Is the ABC's failure to take responsibility and to hold itself to reasonable community standards for accountability and accuracy cultural? I conclude this to be the case.

Is that why academics falsely fomenting unfounded climate alarm and advocating cutting human CO2 are given relatively frequent opportunities to advocate to ABC viewers and are not likely to be held accountable by ABC journalists?

Kirstin McLeish's response on behalf of the ABC Board demonstrates further that accountability is lacking. Sadly, I conclude that it demonstrates that at the very pinnacle of the ABC's corporate structure, its Board is not willing to hold itself accountable.

Kirstin McLeish claims in the Board's reply that I can take my complaint to ACMA. Yet that is for complaints on broadcasts whereas my complaint to the ABC Board is fundamentally about corporate governance, management and accountability. That is your responsibility.

<http://www.acma.gov.au/theACMA/About/The-ACMA-story/Communicating/the-acma-story>

Kirstin McLeish's response on behalf of the Board states, quote: "... *the fact that the majority of relevantly qualified scientists support ...*". That statement is false. Even if it were true, science's ultimate arbiter is empirical scientific evidence. Science is decided by observed data. Science takes no note of claimed consensus, whether real or, as in this case, false.

Kirstin McLeish stated, quote: "... *their conclusions are backed up by good quality peer-reviewed scientific research.*" That too is false. Science's ultimate arbiter is empirical scientific evidence and it contradicts her claim. Secondly, peer-review in climate science has been bypassed, corrupted and even prevented by the UN IPCC and some of its contributing scientists. Please see my *CSIROh!* report's Appendix 2.

The UN IPCC is thoroughly documented to be corrupt. It is a political body. It's destroying science. (*CSIROh!* Appendix 2). Your staff and in particular Wendy Carlisle have repeatedly been made aware of this documented fact.

The ABC's endorsement from your Board through to reporting staff is telling. ABC endorsement of the UN IPCC reveals the ABC to be incompetent, negligent and/or dishonest.

3. On 11th March, 2013 ABC Environmental Reporter Sarah Clark was sent a copy of my report entitled *CSIROh!*. She was invited to specify any errors in my report or the appendices it encompasses. She failed to do so.

On Wednesday, 3rd April, 2013 on ABC-TV 7:00pm news she spoke about global warming and implied human carbon dioxide to be the cause. As she did so, scenes of billowing water vapour/condensation/steam were shown and implied to be carbon dioxide. Yet carbon dioxide is invisible. This misrepresentation has been repeated by the ABC and misleads viewers.

Brisbane resident, Mr. Bob Brock complained to the ABC about similar misrepresentation of water vapour/steam/condensate as "*carbon*". A copy of the relevant correspondence accompanies. It's noteworthy that on this occasion the ABC eventually admitted on 27th May, 2013 that such scenes are, quote: "*misleading*".

These are fundamental errors. Yet they continue and further undermine the ABC's credibility. You may wish to understand more from this three-minute video made for laypeople:

https://www.youtube.com/watch?v=NOv_4-KeeKI&feature=c4-overview&list=UU2UkS2qtu7L3krRTF6bQIw

Sarah Clark's presentation is not balanced. It misrepresents climate, science, Nature's carbon dioxide and water vapour/steam/condensation. Will you be holding her and other staff accountable for seemingly deliberate implied misrepresentations of carbon dioxide? Will you be ensuring such misrepresentations across the ABC cease?

4. ABC reporter Wendy Carlisle's methods and motives are questioned as a result of her behaviour and her falsities and misrepresentations. I conclude that some of her misrepresentations and implied misrepresentations and inaccuracies are either deliberate or reflect shoddy and negligent journalism. Her work and program contradict and misrepresent material she was given and subsequently independently substantiated by at least one other reliable and informed source responsible for events she falsely reported.

Please refer to my *CSIROh!* report's appendices 13 (pages 21 and 22), 13a and 13b and to the recording of our phone conversation made with her permission:

http://www.galileomovement.com.au/media/WendyCarlisleABC_BackgroundBriefingResearch_23_06_11%204_22PM.mp3

In her radio program Wendy Carlisle manufactured:

- 22 instances of creating or implying likely misrepresentations by omission and/or unfounded association;
- 18 false statements;
- 6 instances of ignoring key arguments countering the position taken by Wendy Carlisle;
- 2 sweeping inaccurate catch-all generalisations based on personal value judgment;
- 2 questionable or dubious comments including likely false statements.

Why has the ABC's army of investigative journalists failed to unearth the massive, publicly documented extensive corruption of climate science? Please refer to *CSIROh!* and appendices 2 to 13. Wendy Carlisle failed to report on that corruption despite being introduced to documentation of extensive corruption of climate science.

My conclusion is that Wendy Carlisle's misrepresentations amount to an abuse of privileged power as a reporter. Why do they remain apparently unexamined? Based on facts presented in *CSIROh!* report's Appendices 13, 13a and 13b and on my personal interactions with Wendy Carlisle I conclude that her work is advocacy and propaganda disguised as investigative reporting. Her work misrepresents and distorts by stating falsities, making omissions, putting only one view and implicitly smearing those whose view differs. She makes or implies false associations that misrepresent others and/or misrepresent facts and reality.

By falsely and sometimes implicitly smearing those whose view differs from the previous government's view Wendy Carlisle's work pushes fear of dissent. That can silent dissent.

5. On 1st August, 2013 at 3:46pm the ABC's Environmental Department entered the recent election campaign by sending a Tweet about a political candidate. A copy accompanies. Without endorsing or opposing the targeted political candidate it seems from the context of events that the ABC Environmental Department was ridiculing that candidate.

Ironically, the candidate's claim as stated by the ABC's Tweet is factually correct and supported by documented evidence. Is the ABC not aware of the Queensland state Liberal National Party motion passed on April 13th, 2013 opposing expenditure on UN Agenda 21? Is the ABC not aware of a growing number of American states banning UN Agenda 21? Is the ABC not aware that South Australian Member of Parliament Ann Bressington has publicly strongly denounced UN Agenda 21 currently being implemented across Australia and that she has called on citizens to stop its spread? Is the ABC not aware of growing public knowledge and concern about UN Agenda 21? Is the ABC not aware of the United Nations' Lima Declaration and its destruction of Australian manufacturing and industry? If not, why not?

Why is the ABC spending taxpayer resources engaging in a public political campaign? Why is it doing so by implicitly ridiculing documented facts?

My letter dated 15th February, 2013 to the ABC Board via its Chairman and Managing Director requests that the ABC cease its biased misrepresentations of climate and climate science unless it can provide empirical scientific evidence and logical scientific reasoning for its position repeatedly supporting, and at times advocating, the claim that human carbon dioxide caused/causes/will cause global warming. The ABC's response has failed to provide such evidence and reasoning yet ABC programs continue to misrepresent climate science.

With the exception of Matt Peacock whose name was not on the ABC Board's web site page on 7th March, 2013 all current ABC Directors were made aware of extensive documented

corruption of climate science and the unsubstantiated and false political claim that human carbon dioxide caused global warming.

Yet the ABC continues misrepresenting climate, science and Nature. Its quantified misrepresentations seem systematic and systemic. Since my complaint and correspondence former ABC Chairman Maurice Newman has again criticised the ABC's misreporting of climate. As Chairman he publicly discussed ABC bias.

Since then, and as quantified in my previous letter and CSIROh! report, bias has betrayed the ABC. Taxpayers are entitled to truth and accuracy from the media we fund. I ask that you as ABC Directors fulfil your responsibilities to Australian taxpayers in accord with the Board's stated responsibilities. Please independently investigate ABC bias and misrepresentations.

Truth is a powerful friend and a destructive enemy. Social media reflects the demise of the ABC brand. For example: <http://www.youtube.com/watch?v=RKChUQ-CskU> Please clean up the ABC and restore independent, accurate and balanced journalism by ending the ABC's current systematic and systemic cultural bias.

In response to my complaint about ABC governance, the Board has backed itself into a corner. In essence it's now supporting falsities. The Board has made itself and thereby all Directors complicit in the ABC's biased misrepresentations of climate, science and Nature.

I will be pleased to meet with you and/or the Board to further discuss and support my claim with empirical scientific evidence and with documentation of corruption currently being supported by the ABC. I can arrange for internationally prominent and highly respected climate scientists to join us. We will be willing to face your scrutiny and the scrutiny of any ABC science reporters and/or investigative journalists.

Yours sincerely,

Originals all individually personally signed

Malcolm Roberts

BE (Hons), MBA (Chicago)
Fellow AICD, MAIM, MAusIMM, MAME (USA), MIMM (UK), Fellow ASQ (USA, Aust)
Independent investigator working pro-bono

Enclosures:

Copy of Matt Scully's letter dated 10th April, 2013 to Malcolm Roberts
Copy of reply by Malcolm Roberts dated 10th October, 2013 to Matt Scully
Copy of email correspondence between Bob Brock and ABC. See second page
Copy of Tweet by ABC Environmental Department, 1st August, 2013

cc:

ABC staff: Kirstin McLeish, Wendy Carlisle, Matt Scully
Ann Bressington, MP South Australia
Senators John Williams and Concetta Fierravanti-Wells

Posted at <http://www.conscious.com.au/letters.html> so you can check links and appendices