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Monday, March 11th, 2013

Mr. Neil Plummer
Assistant Director Climate Information Services
Bureau of Meteorology
GPO Box 1289
Melbourne VIC 3001

Dear Mr. Plummer:

LAWFUL NOTICE OF DEFAULT

**SENT BY REGISTERED POST WITH DELIVERY CONFIRMATION
WITHOUT PREJUDICE AND IN GOOD FAITH**

Re: Your reference 30/5699

Thank you for your letter dated March 1st, 2013 in reply to my letter dated February 11th, 2013 accompanying my report entitled *CSIROh!* on climate science and corruption of climate science.

Your letter fails to address my offer and invitation dated February 11th, quote: *"I offer you this opportunity though to identify, specify and justify significant material errors you may perceive in my report. If you consider such errors exist please identify them specifically and provide empirical scientific evidence and/or facts."*

I provided Dr. Vertessy and thereby you with detailed analysis of BOM's climate claims and implied claims. My analysis is supported by empirical scientific evidence and logical scientific reasoning. My analysis was formulated with assistance and material from some of the world's most eminent independent climate scientists. You were asked to specifically refute my analysis and report. Your failure to do so renders judgment by default and thereby endorses my claims. Your failure to respond accordingly makes my report your default answer and the answer to which you agree.

Taxpayers fund you and BOM. Your response thus fails in your duty of care to all Australian taxpayers. You are a public servant and under legislation you are to serve the people and parliament to the best of your ability.

Page 18 of my report together with details in Appendix 7 explains my conclusion that BOM is corrupting climate science. Hundreds of pages of appendices provide evidence supporting my conclusion within the context of agencies and advocates funded by taxpayers.

Although not required to do so, I now give you and Dr. Vertessy a further fourteen days to rebut this notice of default. Failure to do so by Friday, March 29th, 2013 will render my claims factual.

Failure by you to provide by March 29th, 2013 a detailed factual rebuttal will trigger a Notice of Acceptance that you have accepted my claims to be true by way of judgment of default.

I note that you have personally signed your letter dated March 1st and made yourself personally liable as the officer representing BOM and replying on behalf of Dr. Vertessy. Your failure to specifically refute my analysis is a personal failure.

Your letter fails to respond to my request of Dr. Vertessy, quote: *“Please simultaneously declare your personal financial interests in advocating the claim that human CO2 should be cut.”*

By default your letter dated March 1st confirms the following points and many others made in my report and its appendices:

- Dr. Vertessy is aware that his previous correspondence with me on climate failed to provide empirical scientific evidence for his claims and implied claims that human carbon dioxide (CO2) caused Earth’s latest modest cyclic global atmospheric warming period that ended in 1998;
- Dr. Vertessy is aware that he and BOM have failed to provide empirical scientific evidence that human CO2 caused global warming and he is aware that he and BOM contradict empirical scientific evidence;
- Dr. Vertessy endorses my report’s Appendix 4 and facts therein on empirical scientific evidence and logical scientific reasoning being the framework for confirming that human CO2 did not and cannot warm the planet.

Your reply dated March 1st, 2013 relies on two implied appeals to authority. Quoting from your letter they are:

- *“We do however routinely subject our work to peer review by technical experts in the field, so you can be assured that our findings on global warming and its causes are sound”*. In addition to being an unfounded, hollow and unscientific appeal to authority your statement invokes the unscientific claim of scientific consensus. Scientists know that science’s ultimate arbiter is empirical scientific evidence. Scientists understand that consensus determines politics not science. My report details the known corruption of scientific peer review. Your response confirms my report’s findings about BOM;
- *“The Bureau of Meteorology’s own observations have contributed to compelling evidence that the Earth’s atmosphere and oceans are warming and that sea levels are rising. Our findings accord with those published by virtually all of the world’s science institutions and learned societies. This consensus reflects the findings of decades of research published in the peer reviewed scientific literature. Research conducted at the Bureau of Meteorology has made a significant contribution to that body of work”*. If the BOM has such observations why do you choose to avoid providing observations proving that human carbon dioxide (CO2) caused global warming? In addition to the fact that empirical scientific evidence falsifies your claims, nowhere do you or BOM provide any logical scientific reasoning that human CO2 caused what you falsely claim. Please refer to Appendices 4, 4a, 7, 8, 9 and 10 in my report and to my preceding point on consensus and peer review. Note the August 2012 report by the Inter Academy Council, the world’s peak academic scientific body. The body of that report calls into question all 800 statements of certainty made by the UN IPCC. There exist no reports providing empirical scientific evidence that human CO2 caused warming.

Given your comments it should be easy for you to provide the empirical scientific evidence and logical scientific reasoning to support BOM’s claim that human CO2 caused warming. That you fail to do so is a glaring omission. That omission supports my conclusions about BOM.

There is no evidence for your claim about the impact of human production of so-called 'greenhouse gas levels' in the atmosphere. Humans are producing record and growing amounts of CO2 yet global atmospheric temperature has not risen for 15 years and ground-based temperatures reveal no warming trend since 1997. This is well accepted. Your implied claim is false and contradicts empirical scientific evidence. This is detailed in my report's Appendix 4.

Your letter states, quote: "*The Bureau of Meteorology will continue to provide observations, analysis, research and future projections, so that decisions relating to Australia's safety and prosperity are informed by science of the highest quality.*" Why then do you fail to provide empirical scientific evidence and logical scientific reasoning that human CO2 caused global warming and climate change. Your failure follows Dr. Vertessy's failure detailed in my report's Appendix 7.

Given your claims, Mr. Plummer it should be easy to refute my report and provide the information requested. Refutation simply requires empirical scientific evidence contradicting my claims together with logic identifying fallacies in my reasoning. Both the evidence and reasoning that are the basis of my claims and conclusions in Appendix 4 are provided.

I've learned that you have reportedly, quote: "*held positions on various World Meteorological Organization expert teams and management committees and has been a coordinating author with the Intergovernmental Panel on Climate Change.*" Please refer to appendices 2 and 7 of my report. Both the World Meteorological Organisation and the Intergovernmental Panel on Climate Change fail to provide empirical scientific evidence that human CO2 caused global warming. Experts document both as corrupt. This is detailed in my report and its appendices.

I made my report and asked my questions of Dr. Vertessy in good faith. If you presented empirical scientific evidence it would end the debate. Yet despite claiming to have such evidence you fail to provide any. Your behaviour fails to meet my need for trust.

Mr. Plummer, are you not aware of the serious humanitarian and environmental consequences of cutting human CO2 output? You are aiding and forcing detriment to my family without my consent. Why are you doing so without empirical scientific evidence and in contradiction of empirical scientific evidence and logical scientific reasoning?

With sincere intent to assist, Mr. Plummer, I encourage you and Dr. Vertessy to respond honestly, factually and specifically to my invitation and to do so with supporting empirical scientific evidence. Truth and honesty liberate.

In the interests of accountability and transparency this letter and any response(s) from you will be posted on the Internet and federal parliamentarians will be advised.

Yours sincerely,

Original personally signed

Malcolm-Ieuan: Roberts.
BE (Hons), MBA (Chicago)
Fellow AICD, MAIM, MAusIMM, MAME (USA), MIMM (UK), Fellow ASQ (USA, Aust)

cc: Dr. Rob Vertessy, Director BOM