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26 March 2013

Our ref: FOI 2013/17

Malcolm-Ieuan: Roberts
180 Haven Road
Pullenvale Qld 4069

Via email: malcolmr@conscious.com.au

Dear Mr Roberts,

Notice of intention to refuse FOI request - request consultation process under s 24AB(2) of the Freedom of Information Act 1982 (Cth) ("FOI Act")

Your FOI request, dated 12 February 2013, revised on 4 March 2013, requested access to the following documents:

- (1) Copies of all scientific advice to the federal government (date range 2005 – onwards) proving human production of carbon dioxide, CO2 as cause of global warning or climate change;*
- (2) Copies of empirical evidence and logical scientific rationale held by the CSIRO and scientifically proving human CO2 to be causing global atmospheric warming (date range of publication from 2000 onwards).*

This is a notice of an intention to refuse access to the documents you have requested because a practical refusal reason exists under s 24(1) of the FOI Act. I am issuing this notice under s 24AB(2) of the FOI Act.

The practical refusal reason is that the work involved in processing the request would substantially and unreasonably divert the resources of CSIRO from its other operations as specified in s 24AA(1)(a)(i) of the FOI Act.

Request is substantial

Following initial and preliminary search and retrieval results, I estimate that there are at least 1117 pages which would result in an estimated 205 hours (approximately 5.5 working weeks) being undertaken to process your request, I note that a further 780 pages were deemed nominally relevant until your revised request (they have now been deemed irrelevant and are not included in the total). I further note I have not included the CSIRO's submissions into various parliamentary inquires and committees (both houses) in the page count, as such submissions are publicly available from www.aph.gov.au.

This estimate includes the consideration of the material to confirm its status as exempt or releasable, including internal consultation with officers involved, it does not include potentially numerous external consultations with a number of stakeholders. Taking the estimate into account, I am satisfied that the diversion of resources is substantial.

Request is unreasonable

For the purpose of providing you with this notice, I have considered that the substantial resource burden would be unreasonable, having regard to:

- the need to ensure that other FOI applicants are afforded an opportunity to have their requests dealt with in a timely way
- the public interest in not diverting officers involved in the subject matter of the request away from performing their usual duties for an excessive duration
- The fact that request item (2) is so broad as to capture thousands of pages of drafts of publicly available and published journal papers, articles, conference papers, books and reports which include 'empirical evidence and logical scientific rationale' collating the causes of climate change (including anthropogenic causes).

What you should do

I am the agency officer with whom you may consult with a view to making the request in a form that would remove the ground for refusal. You can contact me via email, FOI@csiro.au.

However, I will assist you, as far as possible, to revise your request so that the practical refusal reason no longer exists.

For example, you could limit the scope of your request, by removing particular request items. In particular, revising your request to remove request item (2) would assist in removing the practical refusal reason.

You could also consider revising request item 2, so that it is significantly narrowed in scope in order to capture identifiable documents. For example, you could request access for documents containing data held by CSIRO in relation to atmospheric carbon monoxide (CO) at Cape Grim (for specified years) as measured by CSIRO or a similar sort of targeted request.

I would be pleased to discuss with you in greater detail how your request might be appropriately revised. Please do not hesitate to contact me, via email.

You have 14 days from the date you receive this notice to either:

- withdraw your request
- make a revised request
- indicate you do not wish to revise your request.

If you do not respond in one of these ways within 14 days your request will be taken to have been withdrawn pursuant to s 24AB(7) of the FOI Act. If you indicate you do not wish to revise your request, I will proceed to make a decision on whether to refuse your request on resource grounds under s 24(1). If you need more time to respond, please contact me within the 14 day period to discuss your need for an extension of time.

Under s 24AB(8) of the FOI Act, the time for processing your FOI request is suspended from the day you receive this notice until the day you do one of the things listed above.

I note, for your information CSIRO has published a book entitled, "Climate Change: Science and Solutions for Australia" (2011). You can download a full version of the book for free at <http://www.csiro.au/Climate-Change-Book>. CSIRO and BOM have also produced the 'State of the Climate' report which is available at <http://www.csiro.au/State-of-the-Climite-2012>.

Moreover, CSIRO has published thousands of articles relating to anthropogenic causes of climate change; CSIRO's online publication repository contains records of more than 80 years of CSIRO research publications, such as journal articles, conference papers, books and reports. You can source some of the

publications (2011 onwards) from the CSIRO.au online publication repository at: <https://publications.csiro.au/rpr/home?execution=e1s1>. Please find attached some of the articles located at the repository (published in various journals) for your assistance. I also note publications with CSIRO authors (and therefore peer reviewed internally within CSIRO) published in various national and international journals are available through online search tools, e.g. Web of Science.

I also note that the Australian Climate Change Science Program (ACCSP) co-funded by CSIRO, the Department of Climate Change and the Bureau of Metrology publishes a list of ACCSP researchers peer reviewed papers or articles in the ACCSP Annual Report available online at: <http://www.cawcr.gov.au/projects/climatechange/publications.shtml>. I have included the list from the ACCSP Annual Report 2011-2012 and the ACCSP Annual Report 2010-2011, for your information.

If you are particularly interested in raw data surrounding climate change, you may also wish to review the publicly available data available at CSIRO's data access portal <https://data.csiro.au/dap/home?execution=e1s1> or the Australian National Data Service <http://ands.org.au/> both data portals can be searched by key words, e.g. 'climate change'. I also note <http://auscope.org.au/> which is an Australian orientated site. Observed greenhouse gas concentrations, as measured by CSIRO and the Bureau of Meteorology at Cape Grim, Tasmania, can be easily explored at <http://www.csiro.au/greenhouse-gases>.

I also note Dr Andrew Johnson, Group Executive Environment of the CSIRO provided information relevant to this request and in response to your queries, in his email correspondence of 14 March 2011.

Kind regards,



Beth Maloney
Legal Counsel
CSIRO