



In reply please quote

30/5693

Mr Malcolm-Ieuan: Roberts  
180 Haven Road  
PULLENVALE QLD 4069

**To be sent via email**

Dear Mr Roberts,

***Freedom of information request 30/5693***

I refer to your request for access to documents under the *Freedom of Information Act 1982* (FOI Act) received by the Bureau via registered mail on 20 February 2013.

I, Vicki Middleton, Deputy Director (Corporate), am an officer authorised under section 23(1) of the FOI Act to make decisions in relation to FOI requests.

I am writing to tell you that I believe that the work involved in processing your request in its current form would substantially and unreasonably divert the resources of this agency from its other operations due to its size, complexity, and broad scope. This is called a 'practical refusal reason' (section 24AA).

On this basis, I intend to refuse access to the documents you requested. However, before I make a final decision to do this, you have an opportunity to revise your request. This is called a 'request consultation process' as set out under section 24AB of the FOI Act. You have 14 days to respond to this notice in one of the ways set out below.

***Why I intend to refuse your request***

In your request you sought the following information:

- Copies of all scientific advice to the Federal government proving human production of carbon dioxide, CO<sub>2</sub> as cause of global warming or climate change;
- Copies of empirical evidence and logical scientific rationale held by the Bureau of Meteorology and scientifically proving human CO<sub>2</sub> to be causing global atmospheric warming.

In subsequent correspondence with the Bureau, you have emphasised that only interest in documents which prove causation of global climate change by human production of carbon dioxide, and not information related to climate change more generally.

I have decided that a practical refusal reason exists because giving access to these documents would substantially and unreasonably divert the resources of the agency for the following reasons:

1. *The significant amount of work required to identify, locate and collate documents potentially relevant to your request:*

- The Bureau estimates that it would take a minimum of 475 hours to identify, locate and collate documents that are potentially relevant to your request.
- Preliminary document searches indicate that the Bureau holds approximately 270 Registry files at Head Office (dating back to the mid-1970s) which may or may contain information relevant to

your request. Each of these files would need to be examined to determine whether they are within scope of your request.

- The Bureau has also identified that much of the technical and scientific information you are seeking is held separately to the Bureau's central filing system. It is estimated that approximately 90 Bureau scientists and researchers would be required to undertake document searches across a range of document storage locations and systems to identify additional information relevant to your request.
- Preliminary estimates indicate that some individual staff may hold between 400 and 1,000 documents which may fall within the scope of your request.

#### *2. Determining whether identified documents actually meet the specific requirements of your request.*

- The documents identified by the required searches will be of a highly complex and technical scientific nature. As such, it will not be possible for existing administrative, legal and management staff who normally process FOI requests to adequately determine whether identified documents meet the specific requirements of your request – i.e. that they prove causation of climate change by human production of CO<sub>2</sub>.
- Instead, the Bureau would have to treat this as a special project, and take key climate scientists and researchers offline from existing work to examine the documents in detail for relevancy.
- The Bureau estimates that it could take each of the 90 individual scientists and researchers involved in the document searches up to 130 hours to determine whether the documents they initially identify as potentially relevant actually contain the specific information you require. This is based on a very conservative average of 10 minutes detailed examination of each document.

#### *3. Determining whether in scope documents can be released under the FOI Act*

- In addition to the above, the documents will need to be considered in terms of whether they can be released or not under the FOI Act. At this stage, it is not yet possible to estimate the amount of time which will be involved in this stage of the process as it will be dependent on a number of factors including:
  - whether the documents originated in the Bureau or from external sources
  - the purpose and circumstances in which external documents were supplied to the Bureau;
  - whether the documents are already in the public domain or not
- Noting that your request is not specifically limited to documents produced by the Bureau of Meteorology, extensive consultation with a range of Australian and international third parties will be required on complex issues such as potential impact of release on international relations, Commonwealth-state relations, and business and professional affairs.
- Given this, it is unlikely that such consultation could be concluded within the processing times allowed by the FOI Act, and would probably require a significant extension of time from the Office of the Australian Information Commissioner (OAIC) under s15AB of the Act.
- Given the technical scientific nature of the information involved, Bureau staff with specialist expertise will again have to be extensively involved in this consultation, and consideration of any feedback received from third parties.

#### *4. Data, modelling output and other empirical evidence*

- Noting the definition of a document in section 4 of the FOI Act, the Bureau also holds massive volumes of highly complex data, model output and other non-standard information which may provide empirical evidence within the scope of Part 2 of your request.
- If these types of information are indeed within scope of your request, the Bureau would have to devote significant additional expert data management resources to the identification and decision making process. Such a diversion of key operational resources would represent a further significant diversion of Bureau resources away from providing front line services to the Australian community.

- Depending on the particular data involved, specific licensing and reuse issues would need to be addressed in consultation with providers of third party data and products.
- The logistics of how to provide you with access to particular climate datasets and modelling output would also need to be considered by expert staff.

The causes of climate change, such as human produced CO2 emissions, have been a significant issue within the scientific community for decades. The Bureau has been actively involved in understanding and analysing the causes and effects of climate change since at least the mid-1970s. This has been done through the Bureau's:

- observations program (including monitoring levels of atmospheric greenhouse gases via the joint Bureau / CSIRO Baseline Air Pollution Station at Cape Grim Tasmania);
- climate change analysis and research undertaken with a range of national and international partners;
- engagement with World Meteorological Organisation, and other relevant international agencies, committees and conferences; and
- provision of expert scientific advice to government and the wider community.

The Bureau, CSIRO and other Australian Government scientific agencies have already made significant volumes of critical advice and information about climate change publicly available. Key examples include:

- The 2007 Climate Change in Australia Technical Report prepared jointly by the Bureau of Meteorology and CSIRO:  
[http://www.climatechangeinaustralia.gov.au/documents/resources/TR\\_Web\\_FrontmatterExecSummary.pdf](http://www.climatechangeinaustralia.gov.au/documents/resources/TR_Web_FrontmatterExecSummary.pdf)
- The 2010 and 2012 State of the Climate reports prepared jointly by the Bureau of Meteorology and CSIRO: <http://www.csiro.au/Outcomes/Climate/Understanding/State-of-the-Climate.aspx>
- The Bureau's recent update to the national climate record:  
<http://www.bom.gov.au/climate/change/acorn-sat/>
- Data and reports from the joint Bureau /CSIRO Cape Grim BASP:  
<http://www.bom.gov.au/inside/cgbaps>
- Other Bureau data, information and publications about climate change:  
<http://www.bom.gov.au/climate/change>
- Other CSIRO data, information and publications about climate change:  
<http://www.csiro.au/en/Outcomes/Climate.aspx>
- Information published by the Climate Commission: <http://climatecommission.gov.au/>
- Information published by the Department of Climate Change and Energy Efficiency:  
<http://www.climatechange.gov.au/>

A range of other leading national and international organisations have also made key reports, data and other information publicly available, including:

- the Intergovernmental Panel on Climate Change (IPCC): <http://www.ipcc.ch>
- The Australian Academy of Science: <http://www.science.org.au/policy/climatechange.html>
- The Royal Society: <http://royalsociety.org/policy/climate-change/>

There are also other collaborative sites which publish significant contributions from working climate scientists. Two notable examples in this category are:

- Real Climate: <http://www.realclimate.org/>
- Skeptical Science: <http://www.skepticalscience.com/>

### ***Request consultation process***

You now have an opportunity to revise your request to enable it to proceed.

Revising your request can mean narrowing the scope of the request to make it more manageable or explaining in more detail the documents you wish to access. For example, by providing more specific information about exactly what documents you are interested in, our agency will be able to pinpoint the documents more quickly and avoid using excessive resources to process documents you are not interested in.

Before the end of the consultation period, you must do one of the following, in writing:

- withdraw your request
- make a revised request
- tell us that you do not wish to revise your request.

The consultation period runs for 14 days and starts on the day after you receive this notice.

During this period, you are welcome to seek assistance from the contact person I have listed below to revise your request. If you revise your request in a way that adequately addresses the practical refusal grounds outlined above, we will recommence processing it. (Please note that the time taken to consult you regarding the scope of your request is not taken into account for the purposes of the 30 day time limit for processing your request.)

If you do not do one of the three things listed above during the consultation period or you do not consult the contact person during this period, your request will be taken to have been withdrawn.

### ***Contact officer***

If you would like to revise your request or have any questions, the contact officer for your request is the Bureau's FOI Coordinator, Patrick Ferry, who can be contacted via phone: (03) 96694319 or email: [FOI@bom.gov.au](mailto:FOI@bom.gov.au)

Yours sincerely



Vicki Middleton

Deputy Director (Corporate)

08 March 2013