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Are Academics Above The Law?

The most reprehensible corruption often can be found in organisations operating behind a façade of moral rectitude. The ongoing debasement of scientific research in Australia, particularly in regard to the environment and climate, further demonstrates that denial and cover-ups are part and parcel of this malignancy

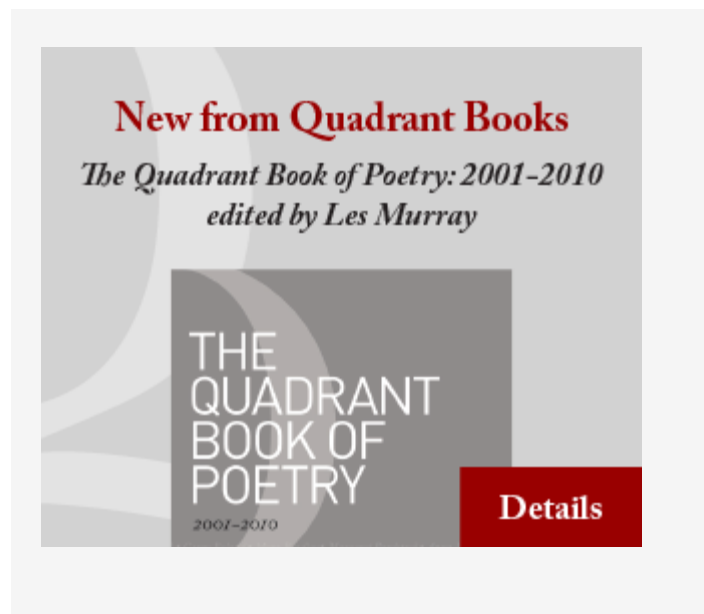


In a recent high-profile court case former Labor MP Craig Thomson was found guilty of fraud and theft in the use of his union credit card to pay for prostitutes and make cash

withdrawals when he was Health Services Union (HSU) national secretary. Labor leader Bill Shorten was quoted by ABC News as saying the conviction shows no-one is above the law.

“I think today has made it completely clear, 100% clear, in Australia that no-one gets special treatment in the law,” Shorten said. “If you are a politician, if you are a businessman or if you are a union rep, that’s it. No-one’s above the law, full stop.”

The Labor leader’s statement is unequivocal and seemingly unarguable. However, there is at least one obvious exception. Academics in their professional capacity regularly violate laws and regulation that would almost



certainly result in arrests and charges if committed by anyone else.

Over time all institutions have a tendency to develop malpractices which become tacitly tolerated. When these come to public attention in healthy societies they are weeded out by legal or administrative house-cleaning in which the corruption is exposed and miscreants penalised. Where this is not done, corruption tends to become endemic, with the sort of toxic socio-economic consequences only too apparent in various Third World nations.

The worst such institutional corruption often develops in organisations which enjoy a façade of moral rectitude. This both prompts and facilitates denial and cover-ups, thus delaying correction and exacerbating the malaise before a necessary cleansing takes place. Child abuse among clergy is a recent example.

While those working on the frontiers of knowledge should, and do have, a broad scope of academic freedom this should not extend to a license for fraud which, in effect, it has become. The consequences are far from academic. Governments spend billions of taxpayer money annually for research and policies of major import are based on the findings and advice.

Science has traditionally enjoyed a high level of public trust, and the corruption of scientific integrity has been especially harmful. The problem has not been uniform across the sciences but is especially notable in the area of environmental studies. It began several decades ago, when researchers found that the probability for approval of research grants could be significantly increased if relevance to an environmental threat was suggested. This might seem innocent, but once money is received on such basis, what starts as a suggestion soon becomes necessary to defend as ‘fact’.

And so a departure from integrity began, one that has now reached the level of outright and widespread fraud. It includes the fabrication of phony threats, gross exaggeration, cherry-picking of data, hiding or ignoring of conflicting findings, misuse of peer review to block publication of opposing studies, unfounded claims of certainty, misleading use of unverified models, unexplained “adjustments” to data, employment of inappropriate statistical procedures to achieve desired results, refusal to permit independent examination of data or methodology and claims that even a moderate level of expertise must recognise as untrue.

Show us the evidence

All this, of course, might just be an extremist’s opinion, so let’s examine some clear, non-trivial examples based on readily verifiable evidence.

Saving the Great Barrier Reef from sundry purported threats has become a moderate-sized industry based almost entirely on corrupted science. A few decades ago genuine reef research was flourishing and significant new understanding of these oldest and richest of life’s communities was being regularly discovered. Today almost the entire research effort on the reef is focused on purported eco-threats, and basic research has largely ceased.

We now have a whole generation of researchers whose entire experience and understanding of reef biology

has been in the context of finding and studying threats. They see everything in this perspective and any fluctuation of nature that departs from an imagined pristine, pre-European condition is seen as evidence of detrimental human impact. Saving the GBR has become self-fulfilling prophesy. When large amounts of money are made available to study a problem the one thing that will never be found is that there isn't one.

GBR Research: Example #1

In 2004 the Great Barrier Reef Marine Park Authority (GBRMPA) greatly expanded the area of the GBR where all fishing is prohibited. The public consultation process involved was fraught with considerable opposition from fishing interests and perceived duplicities by GBRMPA. In the end the fishing bans were imposed, despite the fact that the harvest rate on the GBR was and is less than 1% of the average catch level found to be widely sustainable for reef fisheries elsewhere.

Based on GBRMPA's estimate that any economic losses to the fishing industry would amount "only" to a few million dollars, the government agreed to provide compensation. However, after the restrictions were imposed, the compensation claims blew out to over \$300 million. Needless to say the government was not pleased and GBRMPA faced a strong need to justify itself. In due course it commissioned a scientific review of the effects of the expanded protected areas and of GBRMPA's management more generally. This was published in 2010 in the prestigious Proceedings of the National Academy of Sciences (PNAS) in the US and may be downloaded [here](#).

Accompanying press releases from GBRMPA and James Cook University claimed "extraordinary" benefits from the expanded protection, describing the 21 co-authors involved as being, '*... a who's- who of Australian coral reef scientists...*'. This was picked up by the news media and received widespread publicity, both nationally and internationally.

Despite all the trappings of high quality science this study was replete with misleading statements, omissions and outright falsities. They include:

- PNAS requires that authors declare no conflict of interest; yet, this glowing endorsement of GBRMPA management was funded by GBRMPA and the lead author was a GBRMPA employee. In addition many of the other authors have been recipients of GBRMPA funding and all research on the GBR must obtain approval and permits from GBRMPA. Furthermore, the authors are to a significant extent reviewing outcomes of their own previous findings and recommendations. If all this involves no conflict of interest then the concept itself must be meaningless.
- PNAS requires that all data and materials be made available for independent examination. Yet the supplementary information posted on the PNAS website fails to provide this. (My own written requests to GBRMPA and James Cook University have been ignored.)
- PNAS requires that authors must declare sources of funding. Yet this cannot be found in the report.
- PNAS requires that authors acknowledge and address any conflicting evidence. Not only was this not done

in regard to a number of key claims wherein the conflicting evidence is clear, convincing and, most telling of all, was in some instances authored by some of the same researchers as those in this review.

- The major claim of a doubling of fish on protected reefs appears to rest on a single example.

This is inconsistent with abundant other evidence including that presented in the report itself. Only one reef area of the 8 featured in the report showed a 2-fold increase, and that area had the lowest level to begin with, as well as the lowest difference between fished and unfished reefs! In five of the eight areas featured in the report the protected reefs actually showed a decline in fish numbers. On fished reefs, three areas showed increases in biomass while five recorded declines. This is hardly the “extraordinary” two-fold increase in protected areas being bannered.

- The GBRMPA report states: “The economic value of a healthy GBR to Australia is enormous, currently estimated to be about A\$5.5 billion annually....” “Relative to the revenue generated by reef tourism, current expenditure on protection is minor.” “Tourism accounts for the vast majority of reef-based income and employment. ...income from tourism is estimated to be about 36 times greater than commercial fishing.”

These claims are highly misleading. The economic value cited includes the total value for all tourism in the region when half of all tourists do not even visit the reef. For those who do, the reef component for the large majority is a one-day, one-time participation in a reef tour, the value for which is similar to the wholesale value of commercial fishing. If one also considers the economic value of recreational fishing, retail fish sales and seafood meals in restaurants, the total value of fishing is closer to twice that of reef tours. In addition, the reef-tour industry regularly uses only about two dozen out of the 2500 reefs of the GBR, and even on those reefs the actual area visited would only be about 1% of the reef area. Unfished reefs to optimize scenic value for tourism could easily coexist with an order-of-magnitude greater fishing effort — and no detriment at all to tourism.

Attributing the total value of tourism to the reef is no more justifiable than attributing it to the similar numbers who visit the rainforest or who eat seafood meals while visiting the region. Such claims have been repeatedly made and would, if offered by a business, constitute violations of the Trade Practices Act. To see this done in a prestigious scientific journal by leading reef researchers is a sad indictment scientific integrity.

- Another study, published in PNAS on the same day as the GBRMPA report, also examined the ecological effects of marine protected areas. However, this report is much more widely based geographically and in the longer term. Although the observed effects were generally positive, they were decidedly less large, rapid, extensive, and uniformly positive than those reported for the GBR. All also involved areas subject to much greater fishing pressure than the GBR.

One might reasonably expect that increased protection for the least impacted areas would result in a less marked beneficial effect rather than the much more widespread rapid and dramatic benefits claimed for the GBR. For example, Babcock *et al.*, “...found that the time to initial detection of direct effects on target

species ... was 5.13 ± 1.9 years....” Note that this was the time to initial detection, not the even longer period required to reach a doubling of population. When compared to the much greater effects claimed for the GBR over two years, the latter do indeed appear to be “extraordinary”. One might be forgiven for thinking that “unbelievable” might be a more accurate term.

- In total some 40 instances were noted wherein various claims are contradicted by other, more extensive work — often by other research from the same researchers. However, there is no acknowledgement or discussion of any of this even though it is a fundamental requirement of sound science and an explicit requirement of PNAS.

Although this situation was brought to the attention of the editor of *PNAS*, the Chairman of GBRMPA and the Vice-Chancellor of JCU, all chose to brush aside the whole thing as no more than a matter of differences in interpretation. As the JCU VC said, “After consideration, I have determined that there is no prima facie case of research misconduct and the allegations are dismissed.”

A detailed documentation of this matter can be downloaded [here](#).

GBR Research: Example #2

A widely cited and publicised study published in 2012 reported the dramatic finding that that the GBR had lost half its coral in the previous 27 years. It may be downloaded [here](#). The misleading, false and conflicted claims it presents include:

- Citation of highly precise, uniform and ongoing declines in coral cover when in fact the actual data are only highly variable and subjective estimates taken from a very small sample of the reef area in any given year.
- An unsupported claim that, “Cyclone intensities are increasing with warming ocean temperatures....”, when the most definitive recent studies have found no increase in tropical cyclone frequency or intensity.
- A claim that mass coral bleaching events are directly attributable to greenhouse gases when in fact the two significant bleaching events of recent decades have coincided with surface water warming resulting from periods of extended calm associated with strong El Niño events and there is no evidence of a link between El Niños and greenhouse gases.
- The report also cites declining water quality as a threat to the reef but provides no evidence for this and it ignores sound reasons to expect the water quality on the reef has not declined and may well be as good as or even better than it was before European settlement.
- Still another false statement is that, “*Global warming is also increasing rainfall variability resulting in more frequent intense drought-breaking floods that carry particularly high nutrient and sediment loads.*” In reality major Queensland floods were far more frequent and intense in the 19th century than they have been in the past century.

A further dubious claim is that, “Reducing COTS (crown-of-thorns starfish) populations, by improving water quality and developing alternative control measures, could prevent further coral decline and improve the outlook for the Great Barrier Reef.”

This is entirely supposition. There is nothing to indicate the GBR outbreaks are due to anything other than natural causes. They appear to play a beneficial role in the maintenance of coral diversity as they selectively prune the fast growing branching and plate-like species permitting the slower growing forms to catch up during recovery after storms and from bleaching events.

The report concludes that, “...coral cover on the GBR is consistently declining, and without intervention, it will likely fall to 5–10% within the next 10 [years].” Interestingly, this particular claim is directly conflicted by the most comprehensive previous study of GBR coral cover. It was published only three years earlier by the same institution based on the same data and sharing one of the same authors. It, “... found no evidence of consistent, system-wide decline in coral cover since 1995.” (See: Sweatman, H., S. Delean, C. Syms. 2011. Assessing loss of coral cover on Australia’s Great Barrier Reef over two decades, with implications for longer-term trends. *Coral Reefs*. 30: 521-531)

Once again this and all other conflicting evidence was ignored. The authors also declared no conflict of interest despite all being beneficiaries of generous research grants to study purported environmental threats to the GBR and being almost certain to receive future funding should their recommendations for further such research be implemented.

A more detailed discussion of these issues can also be downloaded from [this link](#).

Climate Change: The ultimate eco-threat

The mother of all environmental threats is, of course, Global Warming, *aka* Climate Change, *aka* Extreme Weather. As an existential threat to all the planet’s life it incorporates the most noble and righteous of all causes, that of saving the Earth itself. In the view of true believers this makes any scepticism the basest of evils and justifies any means to combat it. Needless to say such an attitude does not accord well with the scientific search for truth whatever it may be and the resulting corruption of scientific integrity has been substantial.

The entire trillion-dollar global edifice based on AGW rests on the flimsy foundation of less than a degree C of warming in a century and predictions from unverified computer models of which independent examination is denied. The temperature record itself is a highly variable, uncertain and erratic global collection of data. It is fraught with sundry errors and biases and has been subjected to various undeclared “adjustments”. The margin of error involved in the average temperature derived from this has not been assessed but must surely be much greater than the amount of purported warming. In addition, no credible effort has been made to determine how much of the supposed warming may be due to natural influences, how much to urbanisation and how much to greenhouse gases. The climate models exist in dozens of different forms no two of which agree and the warming they predict ranges from negligible to catastrophic.

Dr. Roy Spencer's [graph of predictions](#) from some 90 climate models vs. the actual measurement of global temperature for the past 34 years is unequivocal. The models are wrong and the "experts" who still claim they have been accurate are either grossly uniformed or must simply be lying. Either way, what they are now engaged in constitutes a fraud of unprecedented proportions. The evidence is clear. This is no longer just a matter of differences in professional opinion. That the alarmists make no attempt to address Spencer's evidence and simply treat it as if it did not exist is scientific malpractice. Even worse, it is a deliberate misrepresentation which could only be intended to misinform the public and mislead government.

The fall-back claim alarmist researchers that the precautionary principle demands we must still address any uncertainty with full preventative measures is equally misleading as it ignores the fact precaution is not without its own costs and risks.

A broad based consideration of available evidence indicates that the threat of climate change has been greatly exaggerated and any effects over the next century are likely to be more beneficial than harmful. Long before any significant detriment arises from fossil fuel emissions, advances in energy technology and declines in birth rates will most probably render greenhouse gases a non-problem. In the meantime, to get to that point from here, fossil fuels will be essential to a healthy economy and any attempt to force restrictions on their use or to adopt premature alternative technologies will only impede successful development.

The malaise of scientific corruption has become epidemic in climate studies. It includes gross exaggeration, routine cherry picking and exclusion of data, misuse of peer review to block publication of conflicting studies, mathematically invalid claims of high probability, refusal to make data available for independent examination, false defamation of critics, undisclosed "adjustments" to data, presentation of output from unvalidated computer models as evidence and outright fabrications.

Recent examples of widely publicised but misleading climate science in Australia:

Example #1

A joint Bureau of Meteorology/CSIRO report, [State of the Climate 2014](#):

- Claims the Earth is warming when even the IPCC acknowledges no warming trend since 1998.
- Fails to provide any evidence that purported warming in Australia is caused by CO2 or any explanation of why no warming elsewhere.
- Provides nothing to indicate validity of predictions based on models.
- Provides no specific references for claims, sources and nature of data used for graphs.
- Examines the record only since 1910 thus ignoring the extreme heat wave of January 1896 in which hundreds of people died.

Example #2

A widely publicised 2013 [study](#) by England *et al.* claims to have found the reason for the hiatus in global warming since 2001 is an “unprecedented” strengthening of the trade winds, resulting in a build-up of warm surface water in the Western Pacific, with increased diffusion of heat into the deep sea. Unacknowledged conflicts with this study include:

- A direct conflict with Professor England’s own 2012 denial of any pause in global warming and his accusation of lying by sceptics (ABC1, Q&A, 26 April 2012).
- It is also conflicted by another well publicised earlier [study](#) which found that GW was weakening, not strengthening the Trade Winds.
- Most importantly, it is contrary to the most detailed available [analysis](#) of changes in ocean heat content which found a 90% reduction in increase over the period 2004-2011 compared to 1983-2011.

Example #3

in May, 2012, May a climate study entitled, “*Evidence of unusual late 20th century warming from an Australasian temperature reconstruction spanning the last millennium*” by Joelle Gergis, Raphael Neukom, Ailie Gallant, Steven Phipps and David Karoly, was accepted for publication in the *Journal of Climate*. It appeared on the journal’s website, and a publicity release from the University of Melbourne alerted the news media, which provided widespread national and international coverage.

The lead author, Gergis, claimed on ABC news that, “there are no other warm periods in the last 1000 years that match the warming experienced in Australasia since 1950.” This was also claimed to be a 95% certainty. What she did not mention was that the difference between the 1961–1990 levels and the warmest pre-instrumental period (A.D. 1238–1267) was only 0.09°C, and that the margin of error for these figures was over twice the difference between them. In other words, the claimed difference was statistically meaningless.

Unfortunately that omission was just the beginning. Much worse was to come. Shortly after the study appeared on the *JoC* website, sceptics found serious flaws in the statistical methodology. A heated debate ensued between the authors and their critics, with inputs from various supporters on both sides. Suffice to say the journal decided the concerns were sufficient to request the study be withdrawn.

A [note](#) on the University of Melbourne’s news-release webpage currently states that, “An issue has been identified in the processing of the data used in the study....” and that “the manuscript has been re-submitted to the *Journal of Climate* and is being reviewed again.” This page is dated May 17, 2012 — and nothing further has appeared on the *Journal of Climate* website. One can only assume that the outcome of correcting the data processing “issue” has not yielded a result acceptable for publication.

In any event, neither the authors nor the University appear to have seen fit to correct the widespread public misperception generated by the initial publicity regarding the importance and alleged certainty of this study.

Fortunately it will not be necessary to burden the reader with more examples of impropriety by climate researchers, as a detailed compendium covering most of the leading climate alarmist academics in Australia has been assembled by Malcolm Roberts and may be freely downloaded at [this link](#). This document is only one appendix of some 19 he has compiled in supplement to his [voluminous report](#) on the malfeasance climate change research in Australia.

Treating the Malaise

The consequences of scientific fraud and misconduct go far beyond mere academic disputes. Government and the electorate spend large sums on research and rely heavily on the findings and advice of researchers in critical decision making. The nation is paying a high price for poor and often deliberately misleading research. This has become especially serious in the area of environmental sciences where the manufacture and promotion of purported threats has led to widespread corruption of the science. Misguided environmental policies have contributed strongly to our rapidly increasing costs for food, electricity and housing which are now among the highest in the world despite our blessed abundance of the resources involved.

The scientific corruption involved in this urgently requires addressing. Fortunately, doing so effectively would not be difficult. Existing legislation relating to fraud, misleading Parliament and business practices is amply sufficient. Universities and research institutes are, in fact, businesses, and through their press releases they are also heavily complicit in the erosion of science's traditional standards and mores.

Although some of the more extreme academic climate alarmists have advocated public show trials and harsh corporal punishment for climate sceptics, they would seem to be less keen on having their own activities subjected to critical scrutiny. Exposing fraud through the normal judicial process, terminating ongoing research funding, and disqualification from future funding would be highly effective in quickly bringing the malpractice to a halt. Being pulled from the government teat and obliged to find an honest way of earning a living would be, in reality, both stern punishment and far less costly, and more appropriate, than simply tossing science's miscreants in jail.

Clear, abundant and readily available *prima facie* evidence exists of both scientific corruption and the damage it inflicts. An effective remedy is apparent. It is now up to government and its relevant authorities to decide if they will act — or if they will remain indifferent to this malignancy, allowing it to grow untreated until it metastasizes and becomes terminal.

ADDENDUM: Professor Peter Ridd, Reader in Physics at James Cook University, has suggested a thoughtful means to greatly improving the integrity of scientific research. His essay, **How to fix the broken scientific system**", may be downloaded [here](#).

Walter Starck is one of Australia's most experienced marine biologists, much of whose professional career has been devoted to the study of coral reef and fishery ecosystems

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