

## Chronology of Tol's Request for Cook et al 2013 Data

### Introduction

Last year, Richard Tol requested John Cook's ratings data, including anonymized rater ID and timestamp. The data recently released by Brandon Shollenberger shows that the majority of ratings (54%) were done by coauthors of the paper and a further 34% by acknowledgees identified in the paper. The data also shows that the rater IDs were anonymized in the native datafiles and that no special processing would have been required to respond to Tol's request. The data also shows that the native datafiles contained timestamps.

### Tol's Request

On May 31, 2013, Tol first wrote to Cook requesting abstract ratings and paper ratings.

I am interested in your recent paper in Environmental Research Letters. Could you kindly send me the data, particularly the abstract ratings and the paper ratings, or explain how I can conveniently download the same?

Cook reverted with abstract ratings (also, according to the journal SI, placed at the journal on May 31), but did not return author self ratings due to confidentiality. Cook observed in passing that Tol himself had been one of the responding authors. (Two of the first seven Category 1 papers in Cook's list are by Tol.)

I've attached all our abstract ratings. I can't share the self-ratings by the paper's authors - as you know having filled out the survey, the survey submissions are private.

Note - I wouldn't disclose this publicly, as the survey submissions are private, but regarding your statement that 7 out of 10 of our ratings of your papers were inaccurate - your survey results actually agreed with half of our ratings. Of course, we didn't expect exact agreement between our abstract ratings and the self-ratings as they measure two separate things. Actually, some of the most interesting results from our paper are how our abstract ratings and the self-ratings differ.

Tol followed up two days later with a request for the first and second ratings, rater IDs, timestamps and anonymized author self-rating

I dug a bit deeper. Can you kindly send me the first and second ratings, 4a and 4b ratings, the rater IDs, the time of rating, and, as per my earlier request, the anonymized author ratings

On June 2, Tol [published](#) his first blog on Cook et al 2013, including in the blog article a link to several drafts of a Comment on Cook et al 2013 submitted to (and rejected by) Environmental Research Letters ([2nd draft](#)) <http://richardtol.blogspot.com/2013/06/draft-comment-on-97-consensus-paper.html>

On June 3, Tol followed up with a third request:

Third request: Can you also kindly send the survey protocol, lab notes, discussions that took place between raters, and so on. I'm particularly interested in information that shows that the 4th rating was planned from the start, that raters did not discuss their ratings with one another, and that the survey administrator (you, I guess) did not take part in the survey.

On June 5, in one of the few unexpurgated sections of the Cook FOI dossier, Cook wrote to an unidentified associate (i.e. almost certainly non-University) saying that he had had a response from ERL (presumably the same response relied on in later correspondence to refuse data). Cook's tone indicates at least some intent to play games with Tol.

Here's the response from ERL. If I get time, I'll send the data to Tol tomorrow. Or perhaps I'll be too busy preparing for Colorado and will have to do it when I come back from USA in a week and a half :). Also after talking to Mark, I realise it is possible to provide self-rating data and preserve anonymity so I sent this response to [expurgated]

On June 7, Cook's promotional website The Consensus Project went live. Among other claims, it proclaimed that "the solutions are within reach".

On June 21, not having heard back from Cook, Tol wrote again:

I understand that Environmental Research Letters has now reminded you of the journal policy that "[s]ource material of experiments and research results should be recorded (and retained) in an auditable manner that allows for scrutiny and verification by other scientists". See <http://authors.iop.org/atom/help.nsf/0/F18C019D6808524380256F630037B3C2?OpenDocument>

I also remind you of other guidelines, such as those of the American Association of Public Opinion Research [http://www.aapor.org/Best\\_Practices1.htm](http://www.aapor.org/Best_Practices1.htm) and the American Statistical Association <http://www.amstat.org/committees/ethics/index.html>, that fully agree with those of the Institute of Physics on data availability.

I thus repeat my request. Please provide me with the data behind your recent ERL paper, specifically:

- 1st rating, 2nd rating, 3rd rating (if applicable), reconciled rating, 4th rating
- Rater ID (1st, 2nd, 3rd, 4th rating)
- Time of rating (1st, 2nd, 3rd, 4th rating)
- Author rating

I also repeat my request for the survey protocol.

In order to guarantee author confidentiality, please provide said data without title, journal, authors.

I will not reveal the identity of the raters or show data in any form that might lead to the identification of the raters by any third party.

Thank you for your cooperation.

On June 22, Cook apologized for the delay and undertook to provide the data when he returned to Sydney:

Apologies for the delay in getting back to you. While I was originally concerned about violating the anonymity of the self-rating survey data, I have since realised it is possible to anonymise it by only including the year, abstract endorsement rating and scientists' endorsement self-rating. So while I appreciate your guarantee of preserving confidentiality, I would actually like to make the properly anonymised self-rating data available online for everyone to download.

Unfortunately this has all come at an extremely hectic time - I've had to prepare for and travel to the AGU Chapman Conference (where I had to make several presentations) shortly followed by several presentations

at a summit in Sydney (which I am currently attending). Consequently, I'm deep behind in my correspondence. Once I get back from Sydney, I will prepare the data and get back to you ASAP.

Tol immediately responded that his data request was for more than author self-ratings:

Thanks John. Please note that my data request extends far beyond the author self-ratings.

On June 30, Tol wrote a reminder to Cook, copying an ERL editorial assistant:

When do you expect to send me the data as requested earlier?

Cook replied on July 3 that he was “hoping this week”:

Hoping this week as I'll be at two conferences all next week.

On July 7, Tol wrote to Cook's supervisor, Ove Hoegh-Guldberg, asking for HG's assistance in obtaining the data:

An employee of the Global Change Institute, Mr John Cook, recently published a study in Environmental Research Letters. I was intrigued and tried to replicate the study. I found, however, that the headline conclusion -- a dissensus rate of 3% -- is not supported by the published data (which has 2%) while an auxiliary conclusion -- abstract ratings and paper ratings give the same results -- is contradicted by the published data. I am sure that the discrepancy can be explained by inspecting the 87% of the data that was not released.

I repeatedly requested the missing data from Mr Cook, specifically:

- abstract rating 1, rating 2, rating 3 (if applicable), reconciled rating, rating 4 (if applicable)
- abstract rater ID 1, ID 2, ID 3 (if applicable), ID 4 (if applicable)
- time of abstract rating 1, time 2, time 3 (if applicable), time 4 (if applicable)
- paper rating (suitably anonymized)

I have not yet received the requested data. I am aware that Mr Cook is not an academic, but I am sure that you agree that it is in GCI's interest to nonetheless hold him to the conventional standards with regard to replication of published results. I expect to receive the data within the next two weeks.

Tol sent an identical letter to Dan Kammen, editor of ERL.

The following day, Cook uploaded <http://www.skepticalscience.com/Consensus-Project-self-rating-data-now-available.html> a file of author self-ratings comparing SKS ratings and author self-ratings from which article ID and author ID had been removed. In the covering webpage, Cook explained:

In accordance with the confidentiality conditions stipulated beforehand, we had to anonymise the [self-rating data](#) in order to protect the privacy of the scientists who filled out our survey.

Tol noticed the webpage and wrote to Kammen that the data remained very incomplete and reiterated his request for the balance of the data:

After I sent my previous email, Mr Cook released a further 2% of the data. This underlines the importance of the release of the remaining 85%: The newly released data reveal a kappa of 8%, where 40% is typically seen as the acceptable minimum. I am looking forward to receiving the complete database.

On July 9, Kammen wrote Tol that Cook planned to release “much of the data”. Kammen’s reply appears to have been pasted from Cook, as evidenced from the possessive pronoun:

Mr. Cook has indicated his plan to release much of the data from his project (while being careful to maintain anonymity of the paper assessors and the participants of my [sic] survey).

Tol replied, hoping that Kammen had put the “right incentives” in place:

Thank you for your reply. I rest assured you have put in place the right incentives for Mr Cook to release the remaining 85% of his data over the course of the next two weeks.

On July 13, Hoegh-Guldberg told Tol (cc Cook) that Cook was “preparing requested data for release” but was delayed by a busy conference schedule:

I have spoken to John who tells me he is preparing requested data for release. He is currently in the middle of the international conference season (seven meetings over two months) and hence is not at his desk and able to do this immediately. The problem is that the data is requested requires anonymising [sic] in order to preserve the privacy of the survey participants and the volunteer raters. Please contact me if you have further questions.

Since the native datafiles only included rater IDs, there was no work required to convert rater names to rater IDs. Cook, who was copied on Hoegh-Guldberg’s email, knew this but does not appear to have informed HG that his statement was false in this respect. Tol immediately responded to Hoegh-Guldberg that a simple search and replace of names of the 24 raters with numbers would take less than half an hour.

If names were stored in the database in the first place, then a simple search and replace will do. With 24 raters, that should not take more than half an hour.

This paragraph was unambiguously about the SKS ratings, not the author self-rating. Hoegh-Guldberg was unable to respond to Tol's obvious point and politely put him off:

I am sure there is a good reason. Thanks for being patient.

Once again, Cook, who appears to have been copied, did not notify either HG or Tol that he had no intention of “preparing the requested data” for SKS ratings.

Hoegh-Guldberg's politeness to Tol was temporary. A week later, he discovered that Tol had independent opinions and his attitude changed dramatically. Hoegh-Guldberg wrote to Cook that he now realized that Tol was "slightly weird in his opinions" and, despite seemingly impeccable credentials, was a "bit of a thorn in the side of the IPCC". He snidely remarked on Tol's appearance.

By the way, I finally woke up to who Richard Tol was. I really noticed fellow who seemed to be pretty full of himself and slightly weird in his opinions – googling “Richard Tol” came up with his face. Ah, now I

understand! Talking around with friends within the IPCC it appears Richard is a bit of a thorn in the side of the IPCC, a mate of [expurgated] although his involvement with the IPCC only goes to show the broad church that IPCC represents. Anyway don't think that you have anything to worry about, which seems to have fairly dodgy representation anyway. I steered clear of him.

Cook's response on July 20 was completely expurgated. HG's changed attitude towards Tol seems to have reinforced or contributed to Cook's increasing intransigence, or, at least, did not mitigate it. Tol wrote to Kammen on July 21 even offering to do the anonymization himself under a confidentiality agreement:

That paper was submitted on 18 January 2013. The data should have been ready for inspection then. All Mr Cook needs to do is replace the names of his raters with an ID. There are 24 raters, so this should be a matter of minutes. Mr Cook has taken months. As I indicated, I would be happy to sign a confidentiality agreement and perform this trivial database operation on Mr Cook's behalf. I look forward to receiving the data on or before 4 August 2013.

With two weeks having elapsed without the data, on July 21, Tol wrote to Professor Paul Hardaker of the Institute of Physics, publisher of ERL, and DVC Max Lu as follows:

On 15 May 2013, an employee of the University of Queensland, Mr John Cook, published a paper in Environmental Research Letters. Intrigued, I tried to replicate the paper's main result. I could not because the released data were incomplete: Only 15% of the data have been made available. I contacted Mr Cook on 31 May, 2 June, 20 June, 30 June and 3 July, each time requesting access to the full data set, but without success.

On 7 July, I contacted the director of the Global Change Institute, Professor Ove Hoegh-Guldberg, to solicit his help in obtaining the data, but again without success.

I therefore turn to you as the Deputy Vice-Chancellor for Research. Could you kindly ask Mr Cook to release the following data for purposes of replication:

- 1st rating, 2nd rating, 3rd rating (if applicable), reconciled rating, 4th rating (if applicable)
- rater ID 1, rater ID 2, rater ID 3 (if applicable), rater ID 4 (if applicable)
- rating time 1, rating time 2, rating time 3 (if applicable), rating time 4 (if applicable)
- author ratings (N=2142)
- survey protocol

As I indicated repeatedly to Mr Cook, I am happy to sign a confidentiality agreement to protect the identity of the raters and the authors. I look forward to receiving the data on or before 4 August 2013.

On July 21, Kammen (who had been copied on the email to Hardaker) wrote to Cook requesting an update on progress in releasing the data:

I am checking the email record and I see that Mr. Cook indicated that data release is in progress. With this email I am requesting an update on the status of that process

Hardaker noted Kammen's inquiry in his response to Tol:

Many thanks for your note of yesterday. I see the Editor has responded with a request for an update and so I will await the update and ensure the IOP is meeting its commitments.

On July 22, HG told Lu that Cook was "preparing the data sets", but needed to "respect interviewees":

Here is the sum total exchange. Does the university have a policy of data release (i.e. by a certain data)? John is preparing the data sets but wants to do this properly given the importance of respecting interviewees.

On July 22, Cook wrote to Kammen and Hardaker as follows, now using the term “data agreed upon with the ERL editors” (whereas previous undertakings e.g. by Hoegh-Guldberg had referred to the “requested data”). None of the other parties had any reason to believe that the “data agreed upon the ERL editors” differed from the “requested data” and did not notice Cook’s sly change in wording.

As I indicated to Richard Tol several weeks ago, I am in the middle of an intensely busy conference period. Yesterday, I completed a 30 hour flight to Germany where I will spend the next 20 days presenting at 3 consecutive conferences and in the preceding month, gave 7 presentations at 4 conferences in Melbourne, Sydney and Colorado. I mentioned my intense schedule to Richard several weeks ago **when he set an arbitrary 2-week deadline for all the data**. I intend to publish the data agreed upon with the ERL editors when I complete the European conferences. His patience would be appreciated.

In the above note, Cook complained about the “arbitrary 2-week deadline”, but it had been Cook himself who had undertaken to provide the data in two weeks. Tol acknowledged Cook’s note and reiterated his expectation of within two weeks as extended:

Thank you for your note. I look forward to receiving the full dataset on or before [4 August](#).

Hardaker wished Cook well:

Many thanks for the update and hope the tour goes well, sounds a busy schedule.

Cook wrote back to HG that Tol was also “hassling” the publisher of the paper:

BTW, Ove, he’s also hassling the publisher of the paper, the Institute of Physics.

Cook wrote again to HG:

Ove, just a heads up. Richard Tol has also been leaning on the Chief Executive of the Institute of Physics (publisher of ERL) Paul Hardaker. I explained the situation, they’re cool with it.

Later on July 22, HG wrote to Cook saying that Tol was a “strange fellow” and wondering about his “motive”:

He is one strange fellow. What do you think his motive is?

Tol also wrote to Michael Kelly of the University of Cambridge, who wrote to Peter Knight of the Institute of Physics on July 22 supporting Tol’s request:

Richard Tol’s patience is being tested beyond reasonableness. Please confirm to me and to Richard Tol that John Cook is being given a firm date by which to reply and indicate what sanctions will follow if he does not oblige.

On July 26, DVC Lu wrote back to Tol with the University’s position as follows:

Thank you for your email, and I have consulted the people involved. Below is our response.

The author has consulted Environmental Research Letters (ERL) and was advised that data on the first and second ratings and on the randomly selected 1000 “no position” abstracts would be sufficient to reproduce the methods, but the other data would not be required to reproduce the methods. The author intends to release the data as stipulated by Environmental Research Letters. However, as he has advised you earlier, there will

be a short delay as properly anonymizing the data takes time and your request came in an intensely busy conference period for him. So your patience would be appreciated.

It is also worth noting that the amount of data already released is substantial. Upon publication of the paper, the entire dataset of abstract ratings was released online, along with a search form allowing users to easily examine the data in a user-friendly fashion. In the spirit of reproducibility, the authors also created an interactive feature encouraging users to rate the papers themselves and compare their ratings to ours.

Lu does not appear to have fully understood what Cook was planning as his answer is not entirely consistent. The ratings datafiles (as later produced) contained third and tiebreaking raters in addition to first and second ratings and, as written, the required production seems to be limited to the “first and second ratings” for no clear reason. Lu says that Cook intends to “release the data as stipulated by Environmental Research Letters” and that Cook needed time to properly anonymize the data. As noted above, the native datafiles had already been anonymized to rater IDs and this was a red herring. While Cook later relied on ERL as authority for not releasing rater IDs, at this time, neither Tol (nor Lu for that matter) had any reason to expect that rater IDs would not be in the eventual release.

Tol did not accept further delays and re-iterated his expectation that the data be ready for August 4,

Such a limited data release would not take away the existing concerns about the study and would fall short of the accepted practice in survey research. A further delay for release of the entire data is unfortunate and unnecessary. After all the data file was ready for inspection when the paper was submitted for review on 18 Jan. All Mr Cook needs to do is upload that file. I look forward to receiving the full data set on or before 4 August.

Lu wrote back to Tol relatively cordially, but his response shows that he had either been misled or misunderstood about the ethics application and obligations in connection with the SKS ratings. Lu asserted that compliance with Tol’s request would “breach the law in Australia” and that work and time were needed for anonymization. One presumes that Lu was unaware that the SKS ratings had been done without any ethics approval. Nor does Lu seem to be aware that Cook had no intention of providing rater ID numbers (which, as noted above, had already been done):

As I have been advised, the conditions of the ethics approval for the study meant that **some data cannot be simply released as you suggested without breaching the law in Australia. Some work and time to anonymise before release are necessary.** Could you explain why you need the data on or before 4 August?

Lu obviously does not understand that there was no ethics approval for the SKS ratings study nor did he explain how releasing SKS rater IDs might break Australian Law. HG piped up, complaining to DVC Lu that Tol (who still had not been supplied with the requested data) was a “persistent goose”:

Tol is persistent goose!

Tol re-iterated his offer to sign a confidentiality agreement in respect to the existing datafile and argued that two weeks was hardly an unreasonable length of time for Cook to upload the datafile.

However, Hoegh-Guldberg wrote to Lu, opposing any concessions to Tol, still apparently believing that Cook intended to release anonymized data:

I am not sure why he thinks that everyone should march to his drumbeat. You have said that John will come back to Australia and will release the data **once he is happy that he is not violating any laws**. That is a sensible approach as far as our University is concerned.

Privately, Hoegh-Guldberg complained to Cook that Tol was a "persistent goose":

Man, Tol is persistent goose!

Tol wrote back to Lu one more time:

As I indicated I would be happy to sign a confidentiality agreement that binds me not to associate the ratings with the identity of the raters. That can easily be done by showing only means and standard deviations. The data was ready for release on January 18. I have requested data from Mr Cook no fewer than 5 times and once from Professor Hoegh-Guldberg. Mr Cook has been less than forthcoming with his data, to the extent that one may suspect that he is dragging his feet. A firm deadline is therefore in order. Two weeks to upload a file is not onerous. I am sure that U Queensland will cooperate in facilitating me and others to replicate this paper.

On July 29, Peter Knight wrote to Michael Kelly (cc Tol, Hardaker) that Cook had assured them that he will "be supplying the data in a confidential format by the end of August and Professor Tol has already been informed of this".

However, the author has assured us that he will be supplying the data in a confidential format by the end of August and Professor Tol has already been informed of this. The author has pointed out that there are extenuating circumstances due to a travel schedule which is why it has not made it possible to deliver the information required to date.

Tol thanked Knight for his intervention (cc Hardaker, Kelly):

I look forward to receiving all the requested data no later than August 31, in response to a request made on May 31

On July 30, Cook wrote to an associate whose identity was expurgated (thus not Hoegh-Guldberg or Lu) indicating his intent not to provide Tol with the data as requested, the data which so many people had by now reassured Tol to be forthcoming. Cook also noted that he was probably going to show timestamp information even if not required. (Subsequently Cook denied that timestamp data ever existed.)

I was planning on putting the individual ratings online – but not with rater IDs. I asked ERL what we should give Tol and they said I didn't need to give them that. So he won't be able to connect any single rating with a single person. If he didn't do it, plenty of other deniers on the web would. ERL said I didn't have to include time stamp info, but I'm probably going to anyway just to show Tol's fatigue theory is rubbish.

On August 6, events took a very strange twist, covered in contemporary blog posts<sup>1</sup>

In a public directory at SKS Forum (a directory also indexed by Google), Brandon Shollenberger noticed a directory of images, some of which were, to say the least, bizarre, if not

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<sup>1</sup> <http://wattsupwiththat.com/2013/08/06/skeptcial-science-takes-creepy-to-a-whole-new-level/>;  
<http://rankexploits.com/musings/2013/the-sks-nazi-images-thoughts-on-fair-use/>;  
<http://www.volokh.com/posts/1201543498.shtml>



disturbing. One [image](#) showed Watts, Monckton and Delingpole's faces photoshopped onto the bodies of Spartan warriors in loin cloths. Another [image](#) (herrcook.jpg) showed John Cook dressed up in Nazi regalia. Other images ([herrscooterboy2.jpg](#); [herrtankboy.jpg](#)) showed Dana Nuccitelli's face photoshopped onto a Nazi motorcyclist and tank driver respectively. The Nazi and Spartan images created a sensation. But the directory also included three images that Cook had associated with Tol, including [one](#) (shown below) in which Cook compared Tol to the Bride of Frankenstein – here Cook was perhaps responding to cues from Hoegh-Guldberg about Tol's appearance. (Less offensive pictures had drawn sharp criticism in Climategate.)



Richard Tol

Bride of Frankenstein

Tol noticed the offensive picture at [Watts Up](#) and wrote to DVC Lu with considerable annoyance that Cook had time for this sort of activity, but not for providing Tol with the requested data:

You previously indicated that Mr Cook was too busy to anonymize the dataset, even though that would be a matter of minutes. It now appears that Mr Cook has not been too busy to post pictures ridiculing me. <http://www.sksforum.org/images/a11g0n3/> I expect to receive the requested data by return email.

The first part of Cook's response was expurgated by the University. In the unexpurgated portion, Cook unctuously said that "protecting people's privacy" was not something that one could "breeze" through:

As for his arbitrary August 4 deadline, he never did explain how he plucked that date out of the air. I have repeatedly tried to explain that I would look at the data release when I got back from Europe. It is certainly \*not\* a matter of minutes. Protecting people's privacy is not something that you can breeze through quickly in a rushed manner. I make no apologies about being careful about that.

Cook had returned to Australia by August 8. DVC Lu wrote to Cook saying that he thought that the University needed to "release the data subject to anonymisation" and sought a date from Cook:

Welcome back and I do think that we do need to release the data subject to anonymisation/sensitisation as you proposed. Would you be able to nominate a timeframe as to when you can release?

Cook's response was partly expurgated, but in the expurgated portion Cook said:

I don't want to rush the anonymization/release process.

Cook's response to HG was completely expurgated. As of August 12, Tol had not received any response to his email of August 6. Tol again wrote to Lu, reiterating his earlier complaint about Cook's supposed lack of time to carry out trivial anonymizing:

You have yet to reply to my email. I alerted you to the fact that, just as Mr Cook claimed to be "too busy" to anonymize a dataset, he did find time to mock me in a place he mistakenly thought was private. I take mockery on the chin. I am less amused however by the University of Queens;and's continued effort to thwart attempts at replication.

Lu replied:

I am advised that John Cook just returned from his overseas trip and will release the data by Friday. Your accusation, by the way, of UQ's "continued effort to thwart replication" is baseless and unsubstantiated. I am not impressed by such a statement.

Tol:

I look forward to receiving the complete data file on August 17, almost 7 months since the same data must have been made ready for peer review. I apologize for accusing you of thwarting replication. Foot-dragging would have been a more appropriate description.

In a mostly expurgated comment to HG, Cook complained to his supervisors that he found Tol's comments "annoying", again emphasizing the supposed need for "meticulous anonymising" to comply with "human ethics applications". (Though, according to documents provided by the University, there was no ethics application for the SKS ratings.)

I must confess, I do find Tol's comment of "almost 7 months since same data must have been ready for peer review" somewhat annoying and off-the-point. Publishing analysis of data in a paper and releasing raw survey data that requires meticulous anonymising in order to adhere to human ethics applications are two different things.

[expurgated paragraph]

HG endorsed Cook's complaint:

This guy is something else, isn't he!

### Cook's Trick

On August 16, Cook finally responded to Tol (see immediately below), but, as too often, there was a trick. Cook finally produced SKS rating, but Cook had deleted the rater ID and date/timestamp information. Cook said that ERL (whose advice was expurgated) had told him that he had to anonymize the author self-rating data (for which Cook had undertaken anonymization as part of his ethics application.) Cook had already provided this information in early July and it was not at issue. Switching to a passive voice (the switch not necessarily being noticed by an unwary reader), Cook asserted that mere rater ID information might "potentially" identify some raters (most of whom were coauthor or named acknowledgees) and, again in passive voice, that timestamp information was "deemed unnecessary" to replicate results. Cook did not explicitly state who did the deeming: unwary reader might presume that it was related to ERL, but ERL is not actually referred to in these bullet points. The "meticulous anonymizing"

for which Cook had required so much time consisted of nothing more than the deletion of two columns of data from the native data file.

Please find attached data related to Cook et al. (2013). Apologies for the delay which was due to the confluence of several factors.

Public release of data requires anonymisation to preserve privacy of participants. This is especially the case with Cook et al. (2013). The high profile of this paper, being highlighted by public figures such as President Obama and the UK Minister for Energy and Climate Change has resulted in intense interest in our research. Our private correspondence has been illegally stolen and published online, resulting in a number of online commentators republishing our private conversations.

This environment underscores the importance of taking the time to properly ensure any publicly released data is properly anonymised. This is necessary in order to adhere to the requirements of human ethics application and to preserve the privacy of participants in the survey. Your request also came, unfortunately, in an intensely busy period, during which my academic obligations required I give presentations and lectures at conferences in Colorado, Sydney, Melbourne, Zurich, Cortina d'Ampezzo, Berlin, Potsdam and Brisbane. However, the busy period has ended (finally) and I have been able to finish the process of releasing the data.

Your request was for:

1. Ratings provided by the authors of the papers
2. The first and second ratings by our team (we rated each abstract independently twice)
3. Data of the randomly selected 1000 "no position" abstracts examined to determine which abstracts expressed an "uncertain on AGW" position
4. The rater IDs of each rating
5. The time stamp of each rating
6. The survey protocol
7. Lab notes & discussions that took place between raters

Upon receiving your request for data, I consulted with the editorial staff at Environmental Research Letters, requesting their evaluation of which data they deemed was of scientific value in reproducing the results of Cook et al. (2013). Environmental Research Letters advised that the following data should be released:

2. The first and second ratings by the Cook et al. team
3. Data of the randomly selected 1000 "no position" abstracts
6. Survey protocol

Regarding other requested data:

1. If anonymity couldn't be preserved, ERL advised the self-rating data shouldn't be released. However, I determined that it was possible to anonymise the data by releasing only the year, self-endorsement rating and self-category rating while omitting 6 papers that had unique combination of those 3 variables. This data was released on 8 July 2013 (<http://www.skepticalscience.com/Consensus-Project-self-ratingdata-now-available.html>)
4. This data would potentially reveal the identity of individual raters (given that private correspondence of the raters had been stolen and published online)
5. and 7. were deemed unnecessary to replicate our results.

Consequently, I have released the following data:

[http://www.skepticalscience.com/docs/tcp\\_allratings.txt](http://www.skepticalscience.com/docs/tcp_allratings.txt)

First and second ratings by our team. Ratings are ordered sequentially (e.g., in order that original ratings were made)

Column 1: Article Id #

Column 2: Original endorsement rating

Column 3: Original category rating

Column 4: Endorsement rating after consultation stage  
Column 5: Category rating after consultation stage

[http://www.skepticalscience.com/docs/tcp\\_1000nosition.txt](http://www.skepticalscience.com/docs/tcp_1000nosition.txt)

Data of 1000 "no position" abstracts that were reexamined for expressions of uncertainty about AGW  
Column 1: Article Id #  
Column 2: Expression of uncertainty on AGW. 0 = no position expressed on AGW. 1 = expression of Uncertainty

[http://www.skepticalscience.com/tcp.php?t=rate\\_papers&a=guidelines](http://www.skepticalscience.com/tcp.php?t=rate_papers&a=guidelines)

Survey protocol (released on May 16)

[http://www.skepticalscience.com/docs/tcp\\_articles.txt](http://www.skepticalscience.com/docs/tcp_articles.txt)

Unique Id, Title and Year of Papers  
Column 1: Article Id #  
Column 2: Year of Publication  
Column 3: Paper Title

Kammen thanked Cook (cc Tol, HG, Lu, Guillaume Wright):

I am very pleased to see these published on these websites.

However, Tol immediately pointed out that the release remained incomplete:

Thanks, John, for releasing more data, albeit with a large delay. The data is still incomplete, though. Please release the full data set without further delay.

Kammen asked what wasn't in the release:

Consistent with the restrictions Dr. Cook identifies in his email, please specify what data is not included on these websites.

Tol replied to Kammen that rater IDs, timestamps and survey protocol had not been provided:

Rater IDs and time stamps are still missing, as are survey protocol (which is not the same as instructions to the interviewees) and lab notes. As I have repeatedly indicated, I have no intention to release the identities of the raters and I am happy to sign an agreement binding me not to do so.

Tol posted up a blogpost<sup>2</sup>, sending notice by email to Kammen, Cook and others:

Some further comments on the paper you so vigorously protect:

Kammen replied to Tol with the following explanation, purporting to justify Cook's refusals. Kammen did not explain why notice was only being given to Tol at this late date. Kammen's answer was also tangential to the issue, since Kammen's response addressed only the question of special disclosure to Tol under a confidentiality agreement as opposed to public disclosure, when Tol's main request was for public disclosure:

Dr. Cook is not releasing the Rater IDs, time stamps and lab notes, which I believe is a reasonable decision given that the point of releasing data should not be that individual NDA [nondisclosure agreement] arrangements need to be organized with individual researchers. A public release of the data is a reasonable standard based on what PLoS and other journals use.

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<sup>2</sup> <http://richardtol.blogspot.co.uk/2013/08/theconsensus-project-update.html>

The release of the codes you have requested is an extra step that a researcher could release, but is not obligated to. That sort of data sharing is generally done between groups that are collaborating with each other, and is a release that goes beyond the reasonable level of public access.

Tol did not accept Kammen's excuse, pointing out that the requested data was standard in survey research:

Please check with the accepted practice in survey research. Time stamps and rater IDs are standard. In fact, best practice has moved to key strokes. Please release the data. There is nothing to hide, is there?

On August 24, Tol published two blog posts<sup>3</sup> on features of the new data. Tol also re-submitted a revised [Comment](#). The Comment included a charge that Cook had refused to provide rater ID and timestamp information.

On August 25, Tol wrote to Peter Knight of the Institute of Physics, pointing out the gaps in Cook's data and saying that the authors' supposed concern about confidentiality struck him as "bogus":

The authors have released only 43% of the data underlying the paper. Two parts in particular are missing: rater IDs and timestamps. Both are crucial to understanding the results. Only 24 people took the survey. Of these, 12 quickly dropped out so that the survey essentially relied on just 12 people. The results would be substantially different if only one of the 12 were biased in one way or the other. The paper does not report any test for rater bias, an astonishing oversight by authors and referees. If rater IDs are released these tests can be done.

Because so few took the survey, these few answered on average more than 4000 questions. The paper is silent on the average time taken to average these questions and more importantly on the minimum time, experience has that interviewees find it difficult to stay focused if a questionnaire is overly long. The questionnaire used in this paper may have set a record for length yet neither the authors nor the referees thought to test for rater fatigue. If timestamps are released these tests can be done.

Could you therefore remind the editor that scrutiny of results is a key part of science? It would be best to release all data to anybody. The authors' concern about confidentiality strikes me as bogus. However if these concerns stand up, data could be released under a confidentiality agreements. The third best alternative would be to tell the authors to perform the appropriate statistical tests themselves and report the results.

On August 26, Tol wrote again to DVC Lu, asking once again for the remaining data:

I am still waiting for the confidentiality agreement that will allow you to release the remaining 57% of the data. Your continued foot-dragging for what should be a routine academic matter is beginning to create the impression that you have something to hide.

Cook continued to resist providing the information to Tol. Cook told HG and Lu that he had "complied with the data release advised by ERL" and that "all the data that ERL advised me to release" had been released. Cook unctuously insisted on the primacy of "preserving the privacy of participants" in human research (other than the subjects of Recursive Fury, of course, where Cook and coauthors felt entitled to diagnose mental disorders). Cook claimed that "several volunteers have directly requested to me that their privacy be preserved". Cook concluded: "I

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<sup>3</sup> <http://richardtol.blogspot.com/2013/08/biases-in-consensus-data.html>;  
<http://richardtol.blogspot.com/2013/08/more-irregularities-in-consensus-data.html>

believe that Tol's persistent correspondence has well and truly crossed the line into vexatious harassment":

Just to reiterate previous emails (and apologies for the repetition but it is necessitated by Tol's persistence), upon receiving Told's original request for data, I consulted with the Environmental Research Letters (ERL) editorial board who advised me what data should be released in order to replicate our results. All the data that ERL advised me to release has been released. None of the data Tol is requesting is required to replicate our results.

Tol's implication that UQ has something to hide is the latest in a long line of insinuations and accusations of deceptions. When an independent blog (whom I have no affiliation or contact with) recently published a critique of Tol's attacks on our research, Tol accused me of secretly creating the blog under a different name in order to give the impression of a third party critiquing him.

Overnight, he sent an email to Environmental Research Letters claiming our concerns about preserving the identities of volunteers was bogus. On the contrary, preserving the privacy of participants is of extreme importance to human research and in fact, several volunteers have directly requested to me that their privacy be preserved. I have complied with the data release advised by ERL and Tol has all the data required to replicate our results. I believe Tol's persistent correspondence has well and truly crossed the line into vexatious harassment.

Tol replied to Cook (cc Lu, HG, VC) that problems could be readily solved simply by releasing the remaining data:

I am sorry if you are feeling harassed. If you had just followed custom and released all data at the time of publication, none of this would have been necessary. As it stands, you continue to suppress some 57% of the data needed to understand your paper. I am glad that you insist there is nothing to hide. I therefore expect that you will release the remaining data later this week.

Lu replied, now fantastically moralizing that Cook's disclosure of rater IDs would even break Australian law:

My understanding is that John Cook has released all the data he can release **according to the editorial policy of the journal and what his ethics approval allows him to do**. To further perusing[sic] him for data is unreasonable demand. No one want to see him breaking the law by disclosing data that he is not required or permitted to release. As far as I am concerned this is crystal clear and conclusive and this is the last official email.

Lu's reply manifested an almost total misunderstanding of Cook's trick. Lu asserted that Cook's ability to release data was limited by policy of the journal and his "ethics approval", though, as we now know, there was no ethics application or approval governing the SKS ratings. It also seems unlikely that the journal would prohibit the release of SKS rater IDs, even if they acquiesced in Cook's refusal (and we don't have documents showing what they actually agreed to or required. At this point, nearly three months after his original request, Tol realized that DVC Lu had no plans to require Cook to release the data:

Thank you for an unambiguous statement. I will appeal the decision with your board.

On August 27, Tol protested to Vice Chancellor Høj (copying the Chancellor, Lu, HG and Cook), reiterating the long story and again asking for rater ID and timestamp information and the survey protocol (which had likewise not been provided). Tol also posted the letter at his blog.<sup>4</sup>

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<sup>4</sup> <http://richardtol.blogspot.com/2013/08/open-letter-to-vice-chancellor-of.html>

I was struck by a recent paper published in *Environmental Research Letters* with John Cook, a University of Queensland employee, as the lead author. The paper purports to estimate the degree of agreement in the literature on climate change. Consensus is not an argument, of course, but my attention was drawn to the fact that the headline conclusion had no confidence interval, that the main validity test was informal, and that the sample contained a very large number of irrelevant papers while simultaneously omitting many relevant papers.

My interest piqued, I wrote to Mr Cook asking for the underlying data and received 13% of the data by return email. I immediately requested the remainder, but to no avail.

I found that the consensus rate in the data differs from that reported in the paper. Further research showed that, contrary to what is said in the paper, the main validity test in fact invalidates the data. And the sample of papers does not represent the literature. That is, the main finding of the paper is incorrect, invalid and unrepresentative.

Furthermore, the data showed patterns that cannot be explained by either the data gathering process as described in the paper or by chance. This is documented at <https://docs.google.com/file/d/0Bz17rNCpfuDNRIITUWlzb0ZJSm8/edit?usp=sharing>

I asked Mr Cook again for the data so as to find a coherent explanation of what is wrong with the paper. As that was unsuccessful, also after a plea to Professor Ove Hoegh-Guldberg, the director of Mr Cook's work place, I contacted Professor Max Lu, deputy vice-chancellor for research, and Professor Daniel Kammen, journal editor. Professors Lu and Kammen succeeded in convincing Mr Cook to release first another 2% and later another 28% of the data.

I also asked for the survey protocol but, violating all codes of practice, none seems to exist. The paper and data do hint at what was really done. There is no trace of a pre-test. Rating training was done during the first part of the survey, rather than prior to the survey. The survey instrument was altered during the survey, and abstracts were added. Scales were modified after the survey was completed. All this introduced inhomogeneities into the data that cannot be controlled for as they are undocumented.

The later data release reveals that what the paper describes as measurement *error* (in either direction) is in fact measurement *bias* (in one particular direction). Furthermore, there is *drift* in measurement over time. This makes a greater nonsense of the paper.

This is documented here <http://richardt01.blogspot.co.uk/2013/08/the-consensus-project-update.html> and <http://richardt01.blogspot.co.uk/2013/08/biases-in-consensus-data.html>.

I went back to Professor Lu once again, asking for the remaining 57% of the data. Particularly, I asked for rater IDs and time stamps. Both may help to understand what went wrong.

Only 24 people took the survey. Of those, 12 quickly dropped out, so that the survey essentially relied on just 12 people. The results would be substantially different if only one of the 12 were biased in one way or the other. The paper does not report any test for rater bias, an astonishing oversight by authors and referees. If rater IDs are released, these tests can be done.

Because so few took the survey, these few answered on average more than 4,000 questions. The paper is silent on the average time taken to answer these questions and, more importantly, on the minimum time. Experience has that interviewees find it difficult to stay focused if a questionnaire is overly long. The questionnaire used in this paper may have set a record for length, yet neither the authors nor the referees thought it worthwhile to test for rater fatigue. If time stamps are released, these tests can be done.

Mr Cook, backed by Professor Hoegh-Guldberg and Lu, has blankly refused to release these data, arguing that a data release would violate confidentiality. This reasoning is bogus.

I don't think confidentiality is relevant. The paper presents the survey as a survey of published abstracts, rather than as a survey of the raters. If these raters are indeed neutral and competent, as claimed by the paper, then tying ratings to raters would not reflect on the raters in any way.

If, on the other hand, this was a survey of the raters' beliefs and skills, rather than a survey of the abstracts they rated, then Mr Cook is correct that their identity should remain confidential. But this undermines the entire paper: It is no longer a survey of the literature, but rather a survey of Mr Cook and his friends.

If need be, the association of ratings to raters can readily be kept secret by means of a standard confidentiality agreement. I have repeatedly stated that I am willing to sign an agreement that I would not reveal the identity of the raters and that I would not pass on the confidential data to a third party either on purpose or by negligence.

I first contacted Mr Cook on 31 May 2013, requesting data that should have been ready when the paper was submitted for peer review on 18 January 2013. His foot-dragging, condoned by senior university officials, does not reflect well on the University of Queensland's attitude towards replication and openness. His refusal to release all data may indicate that more could be wrong with the paper.

Therefore, I hereby request, once again, that you release rater IDs and time stamps.

The next day (August 28), Hoegh-Guldberg wrote to Cook and Lu, suggesting that Cook prepare a detailed response, while he and Lu, following Mann's lead, discussed a potential legal response to supposed defamation:

Will it never end. I suggest that you need to prepare a line by line critique of Tol's letter – just to put the VC's mind to rest. I will then seek Max's suggestion on how to respond to the defamation aspects of this letter.

Lu agreed and asked for a meeting.

Absolutely. We also need to have a face to face meeting to discuss.

Later in the day, Cook sent a lengthy response to HG and Lu, with Lu, in turn, forwarding to University research integrity officers Lawson and O'Brien. Cook's response has been extensively expurgated. Cook's memorandum is very similar to his August 16 email, but there are a few changes. Cook now stated that "survey times were not collected", but that the ratings were in chronological order (according to collection time). Cook also said that it was not merely the editor, but the "Editorial Board" of the journal which had instructed him on the policy.

Since May 16, we have released further data upon Dr Tol's request. However, Dr Tol continues to request the timestamps of individual ratings in order to test his hypothesis of "rater fatigue" and examine survey times. The released rating data is provided in chronological order allowing Dr Tol to already test and disprove his rater fatigue hypothesis. Survey times were not collected and hence timestamps are irrelevant to that request....

Upon receiving Dr Tol's request for data, I consulted with the editorial staff at Environmental Research Letters, requesting their evaluation of which data they deemed was of scientific value in reproducing the results of Cook et al. (2013). The Editorial Board advised that the following data should be released [list as in August 16 letter] ...

Public release of data requires anonymisation to preserve privacy of participants.

[lengthy expurgation]

Dr Tol's request also came in an intensely busy period, during which academic obligations required I give presentations and lectures at conferences in Colorado, Sydney, Melbourne, Zurich, Cortina d'Ampezzo, Berlin, Potsdam and Brisbane. I advised Dr Tol that my academic priorities would delay the anonymisation process and release of the data. Nevertheless over the period of travel Dr Tol persisted in repeatedly emailing Environmental Research Letters and University.



On August 29, University official Lawson advised Cook against engaging in line-by-line response to Tol, but directed Cook to retain all his data in case of future controversy.

On September 3, Cook met with University officials. As a followup to the meeting, he attached a list of documentation of “public statements Tol has made over the past few months” (a document not included in the FOI dossier), including a recent tweet about the journal.

On October 14, not having had any response from the University, Tol wrote again to VC Hoj, but once again received no acknowledgement.

On August 27, I wrote you a letter. You have yet to grace me with the courtesy of a reply. May I deduce that this email's title summarizes your university's attitude to replication?

### The Right to Information Request

Subsequently, Tol submitted a request for his own personal information under the Queensland Right to Information Act (related to but different from FOI). The University heavily expurgated the dossier, with the majority of pages completely blanked. It justified the expurgation on the grounds that disclosure “may result in a person being subjected to an act of harassment or intimidation”, citing as supposed supporting evidence Cook’s efforts to obtain research data which it characterized as “harassing” and “threatening”:

- your behaviour in harassing University staff and other individuals in an effort to obtain research data relating to a published paper in Environmental Research Letters
- your harassing and threatening emails to University staff

In making this ruling, the University disregarded explicit language in the Act saying that potential “mischievous behaviour by the applicant” was a factor legally irrelevant to the decision, not that the evidence provided by the University supported its allegations in any event.

### Postscript: The ERL Rejection of Tol's Comment

Tol's Comment had been rejected by ERL. Tol placed he reviews online at his blog.<sup>5</sup> One of the reviewers stated it was "not appropriate" to cast doubt on the Cook paper in a "peer reviewed venue":

the paper instead seems oriented at casting doubt on the Cook paper, which is not appropriate to a peer-reviewed venue,

Another reviewer noted that Tol had provided a different interpretation of Cook's trend data, but stated that alternative interpretations ought to be presented "informally" at conferences or blogs and not in a "formal comment”.

He also offers an alternative interpretation of the trends – which is fine, it is always possible to interpret data differently. All these things are valid issues for the usual discourse that exists in many informal avenues like conferences or blogs, but they do not constitute material for a formal comment.

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<sup>5</sup> <http://richardtol.blogspot.com/2013/06/draft-comment-on-97-consensus-paper.html>

Neither comment seems appropriate: if aspects of a paper warrant doubt, surely a “peer reviewed venue” is exactly where the issues should be raised. Similarly if data permits an alternative interpretation, surely peer reviewed literature is an appropriate venue. After being rejected by ERL, Tol submitted his Comment elsewhere, eventually being accepted in May 2014 by Energy Policy - see [here](#). Tol announced its acceptance on May 15 [here](#).

Notes by SM  
July 28, 2014