

**Stephen McIntyre**  
**Climate Audit**

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Dear Sirs,

I hereby file a complaint concerning multiple violations by Stephan Lewandowsky and co-authors of Section 2.6.1 of the UWA Code of Conduct for Responsible Research and sections 2.3.1, 2.3.2 and 2.3.4 of the National Statement, including the following:

- (1) In August 2010, Lewandowsky actively concealed his association with the survey subsequently reported in Lewandowsky et al 2013 (Psychological Science) (“*Hoax*”) from me and other bloggers even though there were suitable alternatives including disclosure of Lewandowsky’s association with the survey, in breach of NS section 2.3.1(a) and 2.3.1(b).
- (2) Lewandowsky made false representations to the UWA Ethics Committee in his application for active concealment.
- (3) Following conclusion of the Hoax survey, Lewandowsky did not disclose his association with the Hoax survey to me or others, in breach of NS sections 2.3.1(e) and 2.3.2(b).

After publication of the preprint of Hoax, I was asked by Jo Nova whether I had been contacted by Lewandowsky. A search of my 2010 emails for the term “Lewandowsky” did not have any returns, a result that I reported to Jo Nova by private email. In that email, I did not exclude the possibility that I had received a communication but had not retained it. As it turned out, the reason why my search for “Lewandowsky” was unsuccessful was because Lewandowsky’s

association with the Hoax Survey had been concealed from me and others at the time of the original invitation and because I and others had not been subsequently notified of Lewandowsky's association with the *Hoax* Survey pursuant to NS policies.

- (4) In early September 2012, Lewandowsky knew that I and others were unaware of his association with the Hoax Survey and ought to have immediately remedied his prior breach of NS sections 2.3.1(e) and 2.3.2(b). His failure to do so constituted a second breach of NS sections 2.3.1(e) and 2.3.2(b).
- (5) Worse, instead of trying to mitigate the damage by providing required notice, Lewandowsky took steps to actively harm (through ridicule and embarrassment) the very people that had he had previously deceived in breach of NS sections 2.3.1(c) and 2.3.2(a). These breaches include but are not limited to:
  - a. Lewandowsky's STW blog post of September 3, 2012
  - b. Lewandowsky's STW blog post of September 4, 2012
  - c. Lewandowsky's statement to desmogblog published on September 5, 2012
  - d. Lewandowsky's STW blog post of September 7, 2012
  - e. Lewandowsky's STW blog post of September 10, 2012
- (6) In August and September 2012, Lewandowsky began the "research" program resulted in the publication of Lewandowsky et al 2013 (Frontiers in Psychology) ("*Fury*"). Stimuli from taunting by Lewandowsky and his co-authors (Hubble-Marriott and Cook) was an integral component of the program, but Lewandowsky failed to apply to the UWA Ethics Committee for permission in breach of section 2.3.1, 2.3.2 and 2.3.4.
- (7) Lewandowsky aggravated all of the above breaches, including a fresh breach of NS sections 2.3.1(c) and 2.3.2(a) through publication of Lewandowsky et al 2013 (Frontiers in Psychology) ("*Fury*").
- (8) In breach of UWA disclosure policies (<http://www.hr.uwa.edu.au/policies/agreements/academic>), in *Fury*, Lewandowsky, with intent to deceive or with reckless disregard for the truth, failed to disclose his acts of active concealment and breaches of NS policies.

### **Applicable Policies**

Section 2.6.1 of the UWA Code of Conduct for Responsible Research requires compliance with the National Statement: (see <http://www.research.uwa.edu.au/staff/research-policy/guidelines>) as follows:

2.6.1 Research must comply with established guidelines such as the National Statement on Ethical Conduct in Human Research (2007) and the Australian Code of Practice for the Care and Use of Animals for Scientific Purposes (2004).

The National Statement on Ethical Conduct in Human Research ([http://www.nhmrc.gov.au/\\_files\\_nhmrc/publications/attachments/e72.pdf](http://www.nhmrc.gov.au/_files_nhmrc/publications/attachments/e72.pdf)) sets out a variety of requirements and procedures governing limited disclosure (2.3.1) and active concealment (2.3.2), including demonstration that there are no suitable alternatives to the concealment and that a full explanation will subsequently be made:

2.3.1 Where limited disclosure does not involve active concealment or planned deception, ethical review bodies may approve research provided researchers can demonstrate that:

- (a) there are no suitable alternatives involving fuller disclosure by which the aims of the research can be achieved;
- (b) the potential benefits of the research are sufficient to justify both the limited disclosure to participants and any risk to the community's trust in research and researchers;
- (c) the research involves no more than low risk to participants (see paragraph 2.1.6, page 18), and the limited disclosure is unlikely to affect participants adversely;
- (d) the precise extent of the limited disclosure is defined;
- (e) whenever possible and appropriate, after their participation has ended, participants will be: (i) provided with information about the aims of the research and an explanation of why the omission or alteration was necessary; and (ii) offered the opportunity to withdraw any data or tissue provided by them.

2.3.2 Where limited disclosure involves active concealment or explicit deception, and the research does not aim to expose illegal activity, researchers should in addition demonstrate that:

- (a) participants will not be exposed to an increased risk of harm as a result of the concealment or deception;
- (b) a full explanation, both of the real aims and/or methods of the research, and also of why the concealment or deception was necessary, will subsequently be made available to participants; and
- (c) there is no known or likely reason for thinking that participants would not have consented if they had been fully aware of what the research involved.

2.3.4 Only a Human Ethics Research Committee (HREC) can review and approve research that:

(a) involves active concealment or planned deception;...

UWA policy on academic misconduct (<http://www.hr.uwa.edu.au/policies/agreements/academic>) further states:

A researcher or reviewer shall not with intent to deceive, or in reckless disregard for the truth:

- state or present a material or significant falsehood
- omit a fact so that what is stated or presented as a whole states or presents a material or significant falsehood.

### **The Events**

On August 12, 2010, Lewandowsky submitted a total re-framing of his approved project (Understanding Statistical Trends), a project that involved a plaza survey of the public about statistical trends, to a completely different project involving an online attempt to associate skeptics with conspiracy theory. The survey was approved in less than a day by Kathryn Kirk.

On August 13, 2010, surprised by Kirk's quick approval, Lewandowsky sought permission to conceal his association with the survey from bloggers, an application that contained a material misrepresentation and which failed to properly consider available alternatives or potential harm to recipients:

Hi, Kate – wow, thanks for the quick approval. One question: would it be possible to mention only my assistant's name, Charles Hanich, on the online survey (with full contact details, plus the usual HREC address of course)? The reason for this is that I have been writing on the climate issue in public e.g. abc and **my name alone routinely elicits frothing at the mouth by various people** e.g. . not to mention the hate mail I receive.

Because I am interested in soliciting opinions also from those folks, I would like to withhold my name from the survey as I fear it might contaminate responding.  
Thanks Steve

As matters unfolded, I was one of the people from whom Lewandowsky's association was concealed. At the time, I had never heard of Lewandowsky and it was untrue that mention of his name would have "elicited frothing at the mouth" by me. There was no valid reason for withholding Lewandowsky's association with the survey. I note in passing that, despite Lewandowsky's stated concern that disclosure of his name "might contaminate" responses, Lewandowsky immediately proceeded to disclose his association with the survey to various activist bloggers.

Subsequently, in September 2010, I was contacted by a Charles Hanich, seeking my participation in a survey about attitudes to science. I did not know Hanich (nor, at the time, of Lewandowsky) and paid no attention to the survey.

After completion of the Survey, as noted above, Lewandowsky had an obligation to notify me and others of his association with the Survey, but neglected to do so.

In August 2012, Lewandowsky published a preprint of Hoax, including the report that he had contacted five “skeptic” blogs, all of whom had refused to participate. (This was not exactly correct, since a link to the survey was published at Junk Science). It was readily foreseeable that this disclosure would lead to requests that these blogs be identified and indeed, Lewandowsky was asked by email in early August 2012 to identify the blogs.

At this time, Lewandowsky, knowing that his association with the Hanich invitation had been concealed from me and others, had an obligation to immediately notify me and the others of his association with the Hanich invitation, but failed to do so.

On August 30, blogger Lucia Liljegren asked the identity of the blogs from Lewandowsky, who refused. In his refusal, Lewandowsky added further false information to the record by falsely stating that he had personally requested participation [“my” requests] and the blogs had actively refused [“likely replied”]:

Sorry, no, they likely replied to **my** requests under the presumption of privacy and I am therefore not releasing their names.

I and others were further misled by Lewandowsky’s untrue statement, as we presumed (incorrectly) that the requests had been from Lewandowsky himself [“my” requests] and that there had been active refusal (see <http://rankexploits.com/musings/2012/tweet-your-permission-for-lewandowsky-to-out-you/#comment-102378>; <http://rankexploits.com/musings/2012/tweet-your-permission-for-lewandowsky-to-out-you/#comment-102495>). To my knowledge, Lewandowsky did not apply for or receive permission for this deception.

On August 29, I had been asked by Jo Nova whether I had been contacted by Lewandowsky. I searched my 2010 emails for “Lewandowsky” and did not locate a responsive email. I replied to Jo Nova in a private email saying that I had “no record” of being contacted by Lewandowsky, but did not preclude the possibility that I had received and discarded an email from Lewandowsky. Of course, the reason why my search was unsuccessful was because Lewandowsky had concealed his association with the survey, a fact known at the time by Lewandowsky but not to me and others.

While I had no record of being contacted myself, I presumed that Lewandowsky must have contacted five bloggers: this didn’t seem to me at the time as the sort of thing that someone would lie about.

Under the National Policy, Lewandowsky had a duty not to harm people whom he had previously deceived. However, instead of mitigating the situation, on September 3, Lewandowsky taunted the people that he had originally deceived. (Rather than issuing this sort of taunt, Lewandowsky ought to have notified the people that he had originally deceived.)

In the meantime, I understand that there is a list on the internet of individuals who have declared that they were never contacted. As we are awaiting the decision about release of the names, just a matter of general principle, there can be no harm if those folks were to again check their inboxes (and outboxes) very carefully for correspondence from my assistant at UWA in August and September 2010. I know how difficult it is to locate individual emails among thousands received in a year, and a double check may therefore be quite prudent. (Who knows, it might even prevent some overly trigger-happy and creative people from floating a conspiracy theory about how I just made up the fact of having contacted those blogs, similar to the way NASA faked the moon landing.)

I was attentive to the subtle change in wording from Lewandowsky's email to Lucia Liljegren (in which Lewandowsky had referred to "my" requests) to the reference in the blogpost to his "assistant" and carried out another search using "uwa.edu" and located the 2010 email from Hanich. However, other persons that had been originally deceived by Lewandowsky (Pielke Jr, Spencer, Morano) did not notice this change in nuance and did not carry out a fresh search,

I promptly recorded this at several blogs interested in the topic. Instead of apologizing to me for the misunderstanding occasioned by his original deception, in a September 4 blogpost entitled "Misplaced email in the climate wars? Not again, please!" Lewandowsky ridiculed me at his blog for not finding the original email. Lewandowsky untruthfully and inaccurately accused me of having "denied" receiving a link to post his survey – something that I had not done. (I had only made the limited statement that I had "no record" of being contacted by Lewandowsky.)

**It has come to my attention that one of the individuals who initially denied—yes, folks, that's the correct word, look it up in a dictionary—having received an invitation to post a link to my survey on the rejection of science on his blog, has now found that email.** This is laudable, if entirely unsurprising, and I bear no grudge against that person for having had such trouble finding a message from two years ago among mountains of other correspondence—anyone who has ever had to respond to frivolous FOI requests can share that pain.

I immediately posted a measured response at Lewandowsky's blog:

In your post, you state:

"It has come to my attention that one of the individuals who initially denied—yes, folks, that's the correct word, look it up in a dictionary—having received an invitation to post a link to my survey on the rejection of science on his blog, has now found that email."

I presume that you are referring to me.

In a post at Lucia's blog, Lucia had said that she did not recollect receiving such an email from you, but did not preclude the possibility that one was in the tide of emails. Hence her permission to you to release her name if she was one of the addressees.

My situation was identical to hers. I did not recollect receiving such an email from you (and hadn't received such an email from "you"). However, I could not preclude receiving one in the tide of emails. Hence I added my name to the list of people who gave permission to you to release such a request. See my comment <http://rankexploits.com/musings/2012/tweet-your-permission-for-lewandowsky-to-out-you/#comment-102397> at Lucia's blog.

Since Tim Lambert's invitation to the survey at his blog referred to a survey being carried out by "Stephan Lewandowsky", I had presumed that your name would appear in or be connected to the invitation and I had therefore searched my 2010 emails for correspondence referring to "Lewandowsky" and did not locate any.

It did not occur to me that the invitation would not be from you, but would not include any reference to you as a participant. When you provided the additional information that it had been sent by a research associate, I carried out a search for "uwa.edu.au" and located an email from a Charles Harnich - an email which made no mention of "Lewandowsky".

Thus, if your post refers to me, it would be accurate to say that I did not recollect receiving the email, but it is not accurate to say that I "denied" receiving the invitation email, since, like Lucia, I did not preclude the possibility of overlooking something in the tide of email.

However, Lewandowsky did not amend his accusation. Further, Lewandowsky continued to misrepresent my actual statement in the following email to the UWA Vice Chancellor

Just for your amusement, one of the people who initially claimed not to have been contacted has now found the invitation email. That rather takes the sail out of this particular accusation of misconduct.

Instead of seeking to avoid or mitigate harm to the other parties that he had deceived, Lewandowsky now clearly showed that his objective was to actually cause them harm, stating that he hoped that these deceived parties would have "egg on their faces"  
<http://www.desmogblog.com/2012/09/05/research-links-climate-science-denial-conspiracy-theories-skeptics-smell-conspiracy>

So now there's a conspiracy theory going around that I didn't contact them. It's a perfect, perfect illustration of conspiratorial thinking. It's illustrative of exactly the process I was analysing. People jump to conclusions on the basis of no evidence. I would love to be

able to release those emails if given permission, because it means four more people will have egg on their faces. I'm anxiously waiting the permission to release this crucial information because it helps to identify people who engage in conspiratorial thinking rather than just searching their inboxes.

Following my discovery that Lewandowsky's name has been concealed from the survey and that it had been sent by a Charles Hanich, other bloggers searched their 2010 emails for "Hanich" and by noon Eastern on September 10, the information that Roger Pielke Jr, Roy Spencer and Marc Morano had also discovered an email from Hanich had been published both at Climate Audit and Jo Nova, which combined with me and the known link posted at Junk Science, appeared to be the five skeptic blogs.

Later on September 10 (Eastern) – after this information had been published on two blogs that Lewandowsky and co-authors were monitoring - Lewandowsky published a derogatory post, in which he claimed to "out" the various bloggers, entitled Bloggers Hall of Amnesia, <http://www.shapingtomorrowworld.org/lewandowskyGof4.html>. Lewandowsky made numerous false claims in this post. First, Lewandowsky asserted that "It will be noted that all 4 have publically stated during the last few days/weeks that they were not contacted." All four bloggers had responded by private email to Jo Nova, but none had made a "public" statement, let alone a sweeping public statement that they had not been contacted by the "researchers". Like me, all of them had been unable to locate an email from or referring to Lewandowsky because of the original deception.

Lewandowsky then asked rhetorically why these people had "failed to acknowledge" that they had been contacted:

*2. Why would the people who were contacted publically fail to acknowledge this fact?*

Several hypotheses could be entertained but I prefer to settle for the simplest explanation. It's called "human error." It simply means the 4 bloggers couldn't find the email, didn't know what to search for, or their inboxes were corrupted by a move into another building, to name but a few possibilities. The only fly in the ointment in that hypothesis is that I [provided search keys](#) and exact [dates and times](#) of some correspondence.

As noted above, Spencer, Morano and Pielke Jr (and obviously myself) had already publicly reported. They had discovered the email not because of information or notification from Lewandowsky, but because I had discovered Hanich's name. The links claimed by Lewandowsky as a "fly in the ointment" are merely further evidence of his failure to properly notify the parties: the links point not even to his own blog, but to desmogblog, a strident anti-skeptic blog not likely to have been seen by Spencer, Pielke or Morano.

## *Fury*

Lewandowsky compounded his effort to harm the parties that he had originally deceived by publishing a one-sided and inaccurate account of the above events in *Fury*

Speculation immediately focused on the identity of the 5 “skeptical” bloggers. Within short order, 25 “skeptical” bloggers had come publicly forward (<http://www.webcitation.org/6APs1GdzO>) to state that they had not been approached by the researchers. Of those 25 public declarations, 5 were by individuals who were invited to post links to the study by LOG12 in 2010. Two of these bloggers had engaged in correspondence with the research assistant for further clarification...

One blog comment airing the suspicion that “skeptical” bloggers had not been contacted also provided the email address to which allegations of research misconduct could be directed at the host institution of LOG12’s first author. This comment was posted by an individual (SMcI; see Table 3) who had been contacted twice by the researchers’ assistant.

The names of the “skeptical” bloggers became publicly available on 10 September 2012, on a blog post by the first author of LOG12;  
<http://www.shapingtomorrowworld.org/lewandowskyGof4.html>.

As noted above, Lewandowsky’s association with the survey had been concealed from the five bloggers, including me, in the first place. But instead of attempting to avoid and mitigate harm, Lewandowsky is clearly attempting to exacerbate the harm.

Worse, Lewandowsky’s efforts to exacerbate the harm involve further deceptions. Neither I nor the others had come “publicly forward... to state that they had not been approached by the **researchers**”. Lewandowsky’s reference is not to public statements by me or the others, but to a webpage by Jo Nova. I and the others responded by private email to Jo Nova, but did not make a “public statement”. Nor did I (or the others) say that we had not been “approached by the researchers”. I and the others had reported to Jo Nova that we had no record of being contacted by Lewandowsky, an entirely different statement that happened to be true. As noted above, I had notified Lewandowsky of the distinction at his blog but he ignored it.

Nor did I ever “air the suspicion that “skeptical” bloggers had not been contacted. This was not a suspicion that I held. Indeed, in a part of the comment cited in *Fury* that wasn’t shown in the SI, I explicitly discouraged such thoughts.

Finally, Lewandowsky’s allegation that the names of the bloggers did not become “publicly available” until his September 10 post is untrue. Obviously I had identified myself much earlier. In addition, Pielke Jr, Spencer and Morano had all located the Hanich invitation by the morning of September 10 (Eastern) and their names had been published at Climate Audit and Jo Nova by noon September 10 (Eastern), prior to Lewandowsky’s blogpost.

## **Conclusion**

As stated in the introduction, Lewandowsky has committed multiple violations of Section 2.6.1 of the UWA Code of Conduct for Responsible Research and sections 2.3.1, 2.3.2 and 2.3.4 of the National Statement, compounded by violations of the UWA Code for Responsible Conduct of Research.

I request that the University of Western Australia and Frontiers in Psychology investigate these violations according to their policies.

Yours truly,

A handwritten signature in black ink, appearing to read 'S. McIntyre', written in a cursive style.

Stephen McIntyre