Response to Independent Climate Change Email Review

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In comparison to previous inquiries by the House of Commons Science and Technology Committee, the Oxburgh Inquiry, and Penn State University, the Report of the ICCER under the direction of Sir Muir Russell has gone further in making a detailed review of the concerns arising out of the CRU emails. Some, but certainly not all, of the concerns, have been brought to resolution.

- For example, with regard to the famous "trick" to "hide the decline", whereas earlier investigations (including Penn State) claimed it was a valid procedure, the ICCER found otherwise, concluding (p. 60 paragraph 26) that the figure published in the WMO Report "was misleading in not describing that one of the series was truncated post 1960 for the figure, and in not being clear on the fact that proxy and instrumental data were spliced together." It is good to finally have agreement that Jones' graph was misleading, and the attempts to explain this away as an innocent turn of phrase are invalid.
- Likewise, the ICCER agrees that the CRU should have disclosed "an unambiguous list of the stations used in each of the versions" of their global temperature products, and their refusal to do so was "unhelpful and defensive" (p. 51 para. 32). This adds to the Science and Technology Committee's criticism of the CRU for their secrecy and failure to attain good scientific practice.
- Moreover the ICCER correctly noted that the build-up to the flood of requests for confidentiality agreements in the summer of 2009 was the fault of the CRU: "The Review believes that CRU helped create the conditions for this campaign by being unhelpful in its earlier response" (p. 95 para. 34).

In these cases, however, the ICCER seems unduly concerned to downplay the problems they found and to offer justifications. For instance, with regard to the WMO Report they state that "It does not have the status or importance of the IPCC reports" and it is an annual document, as if this in any way mitigates the publication of a misleading graph in a government report.

There are a number of disappointing weaknesses in the report, however.

• In their dismissal of the "divergence" problem the ICCER made the same error as the Oxburgh panel, by noting (p. 59 para. 23) that divergence has been "openly and extensively discussed in the literature, including CRU papers" while overlooking the fact that the real issue has been how the matter was presented in the IPCC Reports, in particular the deletion of the post-1960 Briffa data. In this regard, their claims in paragraph 21 on page 59, in support of the finding that the IPCC graph was not misleading, are simply untrue. They claim that "the depiction of uncertainty is quite apparent to any reader" and "It presents all relevant published reconstructions we are aware of". But it is *not* apparent to the reader that the post-1960 Briffa data has been deleted (which is why it took many years after the publication of the TAR for the deletion to be discovered), and the graph does *not* present "all" the published reconstructions, since one of them was deleted after 1960. The issue here was whether the CRU staff suppressed information.

Unfortunately the ICCER switched its attention to *defending* the suppression of information, without first acknowledging the troubling facts of the matter.

- In Section 9.3 the ICCER presented a detailed discussion of the issues surrounding the use of my 2004 paper with Patrick Michaels in the preparation of the IPCC Report. Unfortunately the ICCER seemed to lose its way on this issue, making a superficial attempt to pronounce on the scientific controversy (despite acknowledging on p. 76 para 22 that it is not their place to do so) while overlooking the procedural issues that were actually in their remit.
 - o In paragraph 21 on page 75 they ask whether the decision to exclude the information from the IPCC drafts was "reasonable." But they seemed to take the view that *any* decision would be reasonable since the IPCC had the job of making a decision. The ICCER ignored the problem of conflict of interest, and took at face value claims by Professor Jones (page 73, paragraph 15) that were either untrue (i.e. our results are compatible with satellite data, contrary to his assertion) or were unsubstantiated (i.e. his claim that our results are artifacts of ocean circulation patterns, which is the whole point under controversy). Consequently their finding on this point is baseless.
 - On page 76 paragraph 23, they asked whether the published IPCC claim was "invented". In my submission of evidence I asked the ICCER to obtain from Professor Jones the evidence supporting the IPCC claim. Even though they acknowledge that the supporting evidence would consist of a *p*-value (p. 72 fn. 7) they did not receive any such evidence from Professor Jones. The ICCER provides no evidence to support the IPCC text except for reference to unnamed studies showing "that the large scale organisation of atmospheric circulation produces a spatially integrated response to forcing" (p. 76 para. 23), which is completely irrelevant to the discussion and is in any case a specific scientific claim well outside their remit. Despite presenting no evidence to support the claim in question, they write "we see no justification of the view that that this response was invented." This finding is totally unsupported. The conspicuous failure of the ICCER to prove otherwise only reinforces the view that the IPCC claim was invented for the purpose.
 - The ICCER also concluded that Professor Jones did not actually write the paragraph, which I accept. They point out, however, that he supported its inclusion (p. 74, first bullet point) and they do not state who it was that inserted the paragraph.
 - o In light of the discussion in Section 9.3, the claim by the ICCER (p. 77 para 25) that Jones was not biased in his handling of this issue is simply implausible. It does not enhance the credibility of the report for the ICCER to make such a claim.
 - The material in Chapter 6 in which the Review team produced a global temperature series from GHCN archives is largely beside the point, apparently aimed at a straw man claim that GHCN data is inaccessible or fabricated. The ICCER has shown, in effect, that the CRU products are very similar to unadjusted averages from public archives.

The Report covers a lot of ground and no doubt there will be detailed discussions in the days to follow.