

Climatic Research Unit email controversy

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The [Hubert Lamb Building](#), which houses the Climatic Research Unit

Date 17 November 2009

Location [Climatic Research Unit](#), [University of East Anglia](#)

Also known as "Climategate"

Inquiries House of Commons [Science and Technology Committee](#), reported 31 March 2010.^[1]

The **Climatic Research Unit email controversy** (dubbed "Climategate" in the media) began in November 2009 with the [Internet leak](#) of thousands of emails and other documents from the [University of East Anglia](#)'s (UEA) [Climatic Research Unit](#) (CRU). According to the university, the emails and documents were obtained through a server [hacking](#). Allegations by [climate change sceptics](#) that the emails revealed misconduct within the climate science community were quickly publicised by the media.^{[2][3][4]} The UEA and CRU issued rebuttals of the allegations,^[5] and the [Norfolk Constabulary](#) is conducting a criminal investigation of the server breach.^[6] Subsequent inquiries rejected allegations that climate scientists had colluded to withhold scientific information, interfered with the peer-review process to prevent dissenting scientific papers from being published, deleted raw data, or manipulated data to make the case for global warming appear stronger than it is, but the UEA was criticised for a "culture of withholding information."^[7]

Three [independent reviews](#) into the affair were initiated in the UK, two of which were concluded by the end of March 2010, with the remaining review releasing its findings on 7 July.^[8] The CRU's director, Professor [Phil Jones](#), stood aside temporarily from his post during the reviews, then was reinstated in a newly reorganised position as Director of Research after the reviews cleared him of the most serious charges.^{[8][9]} Reports by the [House of Commons' Science and Technology Select Committee](#) and an independent Science Assessment Panel commissioned by the UEA concluded that there was no evidence of malpractice on the part of the CRU and Phil Jones,^[10] though they did find that there was room for improvement in some of the CRU's working practices.^{[10][11]}

The [scientific consensus](#) that "global warming is happening and that it is induced by human activity"

was found unchallenged by the emails^[12] and there was "no evidence of any deliberate scientific malpractice in any of the work of the Climatic Research Unit."^[10] Although the CRU's use of statistics was generally commended, some of their methods may not have been the best for the purpose.^[10] The reports concluded that Phil Jones had no case to answer^[7] and that better statistical methods might not have produced significantly different results.^[10] The CRU's detractors were also criticised, with one of the reports deploring the tone of their criticism and finding that some of the criticism had been "selective and uncharitable".^[10] The question of alleged failure to comply fully with the Freedom of Information Act was left to the third review, published on 7 July, which found that there was "unhelpfulness in responding to requests" and that "e-mails might have been deleted in order to make them unavailable should a subsequent request be made for them".^{[13][14]} A separate review by [Penn State University](#) into accusations against [Michael E. Mann](#) cleared him of any wrongdoing, stating that "there is no substance" to the allegations against him.^[15]

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Timeline of the initial incident

The incident began when someone accessed a server used by the Climatic Research Unit and copied 160 MB of data[2] containing more than 1,000 emails and 3,000 other documents.[16] The University of East Anglia stated that the server from which the data were taken was not one that could easily have been accessed and the data could not have been released inadvertently.[17]

The breach was first discovered on 17 November 2009 after the server of the [RealClimate](#) website was hacked and a copy of the stolen data was uploaded.[3] According to [Gavin Schmidt](#) of RealClimate, "At around 6.20am (EST) Nov 17th, somebody hacked into the RC server from an IP address associated with a computer somewhere in Turkey, disabled access from the legitimate users, and uploaded a file *FOIA.zip* to our server." [18] A link to the file on the RealClimate server was posted from a [Russian IP address](#) to the [Climate Audit](#) blog at 7.24 am (EST *i.e.* at [2009-11-17 12:24Z](#)) with the comment "A miracle just happened." [19] Schmidt discovered the RealClimate hack minutes after it occurred. He temporarily shut down the website and deleted the uploaded file.[20] RealClimate reported that they had notified the University of East Anglia of the incident.[21]

On 19 November an archive file containing the data was uploaded to a server in [Tomsk, Russia](#), [6] before being copied to numerous locations across the Internet. [2] An anonymous post from a [Saudi Arabian](#) IP address [22] to the [climate-sceptic](#) blog [The Air Vent](#) [3] described the material as "a random selection of correspondence, code, and documents" and stated that climate science is "too important to be kept under wraps". [23] That same day, [Steve McIntyre](#) of [Climate Audit](#) was forwarded an internal email sent to UEA staff warning that "climate change sceptics" had obtained a "large volume of files and emails". The climate-sceptic blog [Watts Up With That](#), which had obtained a copy of the files, also received a posting from the hacker complaining that nothing was happening. Its moderator Steve Mosher replied: "A lot is happening behind the scenes. It is not being ignored. Much is being coordinated among major players and the media. Thank you very much. You will notice the beginnings of activity on other sites now. Here soon to follow." Shortly afterwards, the emails began to be widely publicised on climate-sceptic blogs and subsequently in the media. [24]

The Norfolk police subsequently confirmed that they were "investigating criminal offences in relation to a data breach at the University of East Anglia" with the assistance of the [Metropolitan Police's](#) Central e-Crime unit, [6] the [Information Commissioner's Office](#) (ICO) and the [National Domestic Extremism Team](#) (NDET). [25] Commenting on the involvement of the NDET, a spokesman said: "At present we have two police officers assisting Norfolk with their investigation, and we have also provided computer forensic expertise. While this is not strictly a domestic extremism matter, as a national police unit we had the expertise and resource to assist with this investigation, as well as good background knowledge of climate change issues in relation to criminal investigations." However, the police cautioned that "major investigations of this nature are of necessity very detailed and as a consequence can take time to reach a conclusion." [26] The investigation is as yet unresolved.

Climate scientists at the CRU and elsewhere received numerous threatening and abusive e-mails in the wake of the initial incidents. [27][28] Norfolk Police interviewed Phil Jones about death threats made against him following the release of the emails, [29] and death threats against two scientists also are under investigation by the US [Federal Bureau of Investigation](#). [27] Climate scientists in Australia have reported receiving threatening e-mails including references to where they live and warnings to "be careful" about how some people might react to their scientific findings. [30]

Content of the documents

For more details on this topic, see [Climatic Research Unit documents](#).

The material comprised more than 1,000 emails, 2,000 documents, as well as commented [source code](#), pertaining to [climate change](#) research covering a period from 1996 until 2009.[31] According to an analysis by *The Guardian*, the vast majority of the emails related to four climatologists: Phil Jones, the head of the CRU; [Michael E. Mann](#) of [Pennsylvania State University](#) (PSU), one of the originators of the graph of temperature trends dubbed the "[hockey stick graph](#)";[32] [Tim Osborn](#)[1], a climate modeller at CRU; and [Mike Hulme](#), director of the [Tyndall Centre for Climate Change Research](#). The four were either recipients or senders of all but 66 of the 1,073 emails, with most of the remainder of the emails being sent from mailing lists. A few other emails were sent by, or to, other staff at the CRU. Jones, Briffa, Osborn and Hulme had written high-profile scientific papers on climate change that had been cited in reports by the [Intergovernmental Panel on Climate Change](#).

Most of the emails concerned technical and mundane aspects of climate research, such as data analysis and details of scientific conferences.[32] *The Guardian's* analysis of the emails found that the hacker had filtered them using keywords, including "Yamal", "tree rings", and "Phil Jones", so that these terms appear in many of the documents.[33] The controversy has thus focused on a small number of emails.[32]

Climate change sceptics gained wide publicity in blogs and news media,[34] making allegations that the hacked emails showed evidence that climate scientists manipulated data.[2] A few other commentators such as [Roger A. Pielke](#)[*not in citation given*] said that the evidence supported claims that dissenting scientific papers had been suppressed.[35]

The *Wall Street Journal* reported the emails revealed apparent efforts to ensure the [IPCC](#) include their own views and exclude others and to withhold scientific data.[36] *Reason* reported that the CRU evidently plotted to remove journal editors with whom they disagreed and suppress the publication of articles that they disliked.[37] The [ICO](#) made a statement that the emails revealed that freedom of information requests were 'not dealt with as they should have been under the legislation' but that they could not prosecute due to [statute of limitations](#). [38] Academics and climate change researchers said that nothing in the emails proved wrongdoing, and dismissed the allegations.[39] Independent reviews by [FactCheck](#) and the [Associated Press](#) said that the emails did not affect evidence that man made global warming is a real threat, and said that emails were being misrepresented to support unfounded claims of scientific misconduct. The AP said the stolen emails showed the scientists had "stonewalled skeptics and discussed hiding data." [4][40] In this context, [John Tierney](#) of the *New York Times* opined: "these researchers, some of the most prominent climate experts in Britain and America, seem so focused on winning the public-relations war that they exaggerate their certitude — and ultimately undermine their own cause." [41]

Many commentators quoted one email referring to a "trick" used in Mann's graph to deal with the well-known tree ring [divergence problem](#) to "hide the decline" that particular proxy showed for modern temperatures after 1950, when measured temperatures were rising. These two phrases were taken out of context by climate change sceptics including Senator [Jim Inhofe](#) and former Governor of Alaska [Sarah Palin](#) as though they referred to a decline in measured global temperatures, even though they were written when temperatures were at a record high.[34] In his review comments on the report, [Stephen McIntyre](#) objected to this graph being truncated, and said that the whole reconstruction should be shown with comments to deal with the "divergence problem". [42] And John Tierney wrote in the *New York Times* that "the graph adorned the cover of a report intended for policy makers and journalists. The nonexperts wouldn't have realized that the scariest part of that graph — the recent temperatures soaring far above anything in the previous millennium — was based on a completely different measurement from the earlier portion. It looked like one smooth, continuous line leading straight upward to certain doom." [43] In their inquiry into allegations of research misconduct, Penn State reviewers concluded "[t]he so-called 'trick' was nothing more than a statistical method used to bring two or more different

kinds of data sets together in a legitimate fashion by a technique that has been reviewed by a broad array of peers in the field."^[44] The Parliament of the United Kingdom select committee inquiry concluded that "[Trick] appears to be a colloquialism for a "neat" method of handling data," and "[hide the decline] was a shorthand for the practice of discarding data known to be erroneous".^[7]

[Computer source code](#) and a [readme file](#) included in the documents were the subject of discussion in [the media](#).^[45] The readme file indicated to some that "the coder, supremely frustrated with the poor quality of his data, simply creates some [data]."^[46] [John Graham-Cumming](#), a computer scientist interviewed by the BBC, said that the coding divulged was "below the standard you'd expect in any commercial software."^[47] In an editorial, [Myles Allen](#) wrote that contrary to its treatment by some commentators the code was entirely pedagogical and was not used for any research or analysis associated with the scientific publications showing the existence of global warming.^[45]

Responses

In the United Kingdom and United States, there were calls for official inquiries into issues raised by the documents. The British [Conservative](#) politician [Lord Lawson](#) said, "The integrity of the scientific evidence ... has been called into question. And the reputation of British science has been seriously tarnished. A high-level independent inquiry must be set up without delay." Bob Ward of the [Grantham Research Institute on Climate Change and the Environment](#) at the [London School of Economics](#) said that there had to be a rigorous investigation into the substance of the email messages once appropriate action has been taken over the hacking, to clear the impression of impropriety given by the selective disclosure and dissemination of the messages.^[48] [United States Senator Jim Inhofe](#), who had previously claimed that global warming was "the greatest hoax ever perpetrated on the American people,"^[49] also planned to demand an inquiry.^[50]

University of East Anglia

The [University of East Anglia](#) was notified of the security breach on 17 November 2009, but when the story was published in the press on 20 November they had no statement ready.^[51] On 24 November, Trevor Davies, the University of East Anglia pro-vice-chancellor with responsibility for research, rejected calls for Jones' resignation or firing: "We see no reason for Professor Jones to resign and, indeed, we would not accept his resignation. He is a valued and important scientist." The university announced it would conduct an independent review to "address the issue of data security, an assessment of how we responded to a deluge of Freedom of Information requests, and any other relevant issues which the independent reviewer advises should be addressed."^[52]

The university announced on 1 December that Phil Jones was to stand aside as director of the Unit until the completion of the review.^{[53][54]} Two days later, the university announced that Sir [Muir Russell](#) would chair the inquiry, which would be known as the Independent Climate Change Email Review, and would "examine email exchanges to determine whether there is evidence of suppression or manipulation of data". The review would also scrutinise the CRU's policies and practices for "acquiring, assembling, subjecting to peer review, and disseminating data and research findings" and "their compliance or otherwise with best scientific practice". In addition, the investigation would review CRU's compliance with Freedom of Information Act requests and also "make recommendations about the management, governance and security structures for CRU and the security, integrity and release of the data it holds."^[55] In June, the publication date for the Independent Climate Change E-mails Review report was confirmed as 7 July 2010.^[56]

On 22 March 2010 the university announced the composition of an independent Science Assessment

Panel to reassess key CRU papers which have already been peer reviewed and published in journals. The panel did not seek to evaluate the science itself, but rather whether "the conclusions [reached by the CRU] represented an honest and scientifically justified interpretation of the data." The university consulted with the [Royal Society](#) in establishing the panel. It was chaired by [Lord Oxburgh](#) and its membership consisted of Professor Huw Davies of [ETH Zurich](#), Professor Kerry Emanuel at the [Massachusetts Institute of Technology](#), Professor Lisa Graumlich of the [University of Arizona](#), Professor David Hand of [Imperial College London](#), and Professors [Herbert Huppert](#) and [Michael Kelly](#) of the [University of Cambridge](#). It started its work in March 2010 and released its report on 14 April 2010. During its inquiry, the panel examined eleven representative CRU publications selected by the Royal Society that spanned a period of over 20 years, as well as other CRU research materials. It also spent fifteen person days at the UEA carrying out interviews with scientists. [\[10\]](#)

Climatologists

Among the scientists whose e-mails were disclosed, the CRU's researchers said in a statement that the e-mails had been taken out of context and merely reflected an honest exchange of ideas. [Michael Mann](#), director of [Pennsylvania State University's](#) Earth System Science Center, said that sceptics were "taking these words totally out of context to make something trivial appear nefarious", [\[16\]](#) and called the entire incident a careful, "high-level, orchestrated smear campaign to distract the public about the nature of the climate change problem." [\[57\]](#) [Kevin E. Trenberth](#) of the [National Center for Atmospheric Research](#) said that he was appalled at the release of the e-mails but thought that it might backfire against climate sceptics, as the messages would show "the integrity of scientists." [\[3\]](#) He also said that climate change sceptics had selectively quoted words and phrases out of context, and that the timing suggested an attempt to undermine talks at the December 2009 [Copenhagen global climate summit](#). [\[58\]](#) [Tom Wigley](#), a former director of the CRU and now head of the US [National Center for Atmospheric Research](#), condemned the threats that he and other colleagues had received as "truly stomach-turning", and commented: "None of it affects the science one iota. Accusations of data distortion or faking are baseless. I can rebut and explain all of the apparently incriminating e-mails that I have looked at, but it is going to be very time consuming to do so." [\[27\]](#) In relation to the harassment that he and his colleagues were experiencing, he noted: "This sort of thing has been going on at a much lower level for almost 20 years and there have been other outbursts of this sort of behaviour – criticism and abusive emails and things like that in the past. So this is a worse manifestation but it's happened before so it's not that surprising." [\[59\]](#)

Other prominent climate scientists, such as [Richard Somerville](#), called the incident a smear campaign. [\[60\]](#) [David Reay](#) of the [University of Edinburgh](#) noted that the CRU "is just one of many climate-research institutes that provide the underlying scientific basis for climate policy at national and international levels. The conspiracy theorists may be having a field day, but if they really knew academia they would also know that every published paper and data set is continually put through the wringer by other independent research groups. The information that makes it into the IPCC reports is some of the most rigorously tested and debated in any area of science." [\[27\]](#)

One of the IPCC's lead authors, [Raymond Pierrehumbert](#) of the [University of Chicago](#), expressed concern at the precedent established by the hack: "[T]his is a criminal act of vandalism and of harassment of a group of scientists that are only going about their business doing science. It represents a whole new escalation in the war on climate scientists who are only trying to get at the truth... What next? Deliberate monkeying with data on servers? Insertion of bugs into climate models?" [\[61\]](#) Another IPCC lead author, [David Karoly](#) of the [University of Melbourne](#), reported receiving numerous hate e-mails in the wake of the incident and said that he believed there was "an organised campaign to discredit individual climate scientists". [Andrew Pitman](#) of the [University of New South Wales](#)

commented: "The major problem is that scientists have to be able to communicate their science without fear or favour and there seems to be a well-orchestrated campaign designed to intimidate some scientists."[\[30\]](#)

In response to the incident, 1,700 British scientists signed a joint statement circulated by the UK [Met Office](#) declaring their "utmost confidence in the observational evidence for global warming and the scientific basis for concluding that it is due primarily to human activities."[\[62\]](#) Met Office chief executive [John Hirst](#) and its chief scientist [Julia Slingo](#) asked their colleagues to sign the statement "to defend our profession against this unprecedented attack to discredit us and the science of climate change."[\[63\]](#)

[Patrick J. Michaels](#) who was criticised in the e-mails and who had long doubted human influence on global warming, said "This is not a smoking gun; this is a mushroom cloud". He said that some e-mails showed an effort to block the release of data for independent review, and that some messages discussed discrediting him by claiming he knew his research was wrong in his doctoral dissertation, "This shows these are people willing to bend rules and go after other people's reputations in very serious ways."[\[3\]](#)

[James Hansen](#) said that the controversy has "no effect on the science" and that while some of the e-mails reflect poor judgment, the evidence for human-made climate change is overwhelming.[\[64\]](#) [Hans von Storch](#), who also concurs with the mainstream view on global warming,[\[65\]](#) said that the University of East Anglia (UEA) had "violated a fundamental principle of science" by refusing to share data with other researchers. "They play science as a power game," he said.[\[66\]](#)

[Judith Curry](#) wrote that in her opinion "there are two broader issues raised by these emails that are impeding the public credibility of climate research: lack of transparency in climate data, and 'tribalism' in some segments of the climate research community that is impeding peer review and the assessment process." She hoped that the affair would change the approach of scientists to providing their data to the public, and their response to criticisms of their work. She had herself learned to be careful about what to put in e-mails when a "disgruntled employee" made a freedom of information request. Mann described these comments as "somewhat naive" considering that in recent years scientists had become much more open with their data. He said that skeptics "will always complain about something else, want something more. Eventually, as we see, they've found a way to get access to private communications between scientists."[\[57\]](#)

Scientific organizations

The Intergovernmental Panel on Climate Change Working Group I issued statements that the assessment process, involving hundreds of scientists worldwide, is designed to be transparent and to prevent any individual or small group from manipulating the process. The statement noted that the "internal consistency from multiple lines of evidence strongly supports the work of the scientific community, including those individuals singled out in these email exchanges".[\[67\]\[68\]](#)

The [American Meteorological Society](#) stated that the incident did not affect the society's position on climate change. They pointed to the breadth of evidence for human influence on climate, stating "For climate change research, the body of research in the literature is very large and the dependence on any one set of research results to the comprehensive understanding of the climate system is very, very small. Even if some of the charges of improper behavior in this particular case turn out to be true—which is not yet clearly the case—the impact on the science of climate change would be very limited."[\[69\]](#)

The [American Geophysical Union](#) issued a statement that they found "it offensive that these emails were obtained by illegal cyber attacks and they are being exploited to distort the scientific debate about

the urgent issue of climate change." They reaffirmed their 2007 position statement on climate change "based on the large body of scientific evidence that Earth's climate is warming and that human activity is a contributing factor. Nothing in the University of East Anglia hacked e-mails represents a significant challenge to that body of scientific evidence."[\[70\]](#)

The [American Association for the Advancement of Science](#) (AAAS) reaffirmed its position on global warming and "expressed grave concerns that the illegal release of private emails stolen from the University of East Anglia should not cause policy-makers and the public to become confused about the scientific basis of global climate change. Scientific integrity demands robust, independent peer review, however, and AAAS therefore emphasized that investigations are appropriate whenever significant questions are raised regarding the transparency and rigor of the scientific method, the peer-review process, or the responsibility of individual scientists. The responsible institutions are mounting such investigations." [Alan I. Leshner](#), CEO of the AAAS and executive publisher of the journal *Science*, said "AAAS takes issues of scientific integrity very seriously. It is fair and appropriate to pursue answers to any allegations of impropriety. It's important to remember, though, that the reality of climate change is based on a century of robust and well-validated science."[\[71\]](#)

Parliament

On 22 January 2010, the [House of Commons Science and Technology Select Committee](#) announced it would conduct an inquiry into the affair, examining the implications of the disclosure for the integrity of scientific research, reviewing the scope of the independent Muir Russell review announced by the UEA, and reviewing the independence of international [climate data sets](#).[\[72\]](#) The committee invited written submissions from interested parties, and published 55 submissions that it had received by 10 February. They included submissions from the [University of East Anglia](#), the [Global Warming Policy Foundation](#), the [Institute of Physics](#), the [Royal Society of Chemistry](#), the [Met Office](#), several other professional bodies, prominent scientists, some climate change sceptics, several [MEPs](#) and other interested parties.[\[73\]](#) An oral evidence session was held on 1 March 2010.[\[74\]](#) The committee released its report on 31 March 2010.

UK Government

UK Met Office

On 23 November 2009, a spokesman for the [Met Office](#), a UK government agency which works with the CRU in providing global temperature information, said there was no need for an inquiry. "The bottom line is that temperatures continue to rise and humans are responsible for it. We have every confidence in the science and the various datasets we use. The peer-review process is as robust as it could possibly be."[\[48\]](#)

On 5 December 2009, however, the Met Office indicated its intention to re-examine 160 years of temperature data in the light of concerns that public confidence in the science had been damaged by the controversy over the emails.[\[75\]](#) The Met Office would also publish online the temperature records for over 1,000 worldwide weather stations.[\[76\]](#)[\[77\]](#) It remained confident that its analysis would be shown to be correct[\[75\]](#) and that the data would show a temperature rise over the past 150 years.[\[76\]](#)[\[78\]](#)

Information Commissioner's Office

Wide-ranging allegations were made after Deputy Information Commissioner, Graham Smith, told a journalist on 22 January 2010 that "the emails which are now public reveal that ... requests under the

[Freedom of Information Act](#) were not dealt with as they should have been under the legislation. Section 77 of the Freedom of Information Act makes it an offence for public authorities to act so as to prevent intentionally the disclosure of requested information." The deputy commissioner said that the [Information Commissioner's Office](#) (ICO) could not currently prosecute due to [statute of limitations](#) restrictions, but was looking into other time-barred investigations to see if a case could be made to change the relevant law. Following the publication of the news report on 27 January, the university said it had not been made aware of the statement by Smith.^[38] Section 77 makes it an offence for the authority or any person employed by the authority to deface or destroy information which has been requested, and is enforced through the magistrates court, unlike ICO decisions issuing enforcement notices which specify what steps the public authority needs to take in order to comply with the Act and give a timescale for compliance, with ultimate appeal to the High Court. On 29 January the university requested retraction or clarification of the alleged breaches. The ICO declined to retract, and said that "Errors like this are frequently made in press reports and the ICO cannot be expected to correct them, particularly when the ICO has not itself referred to penalties or sanctions in its own statement."^{[79][80]}

In its submission to the Science and Technology Select Committee, the university denied allegations that it had refused to release raw data in breach of the FOI Act,^[81] and said that the Deputy Information Commissioner's comments had been incorrectly reported as referring to such data. The university stated that a letter that the Information Commissioner's Office (ICO) had sent it on 29 January 2010 showed that no breach of the law had been established, and that the ICO's comments to the press referred only to *prima facie* evidence about an FOI request for private emails.^{[73][82]} The university made available the ICO's letter, which said that "the prima facie evidence from the published emails indicate an attempt to defeat disclosure by deleting information. It is hard to imagine more cogent prima facie evidence."^{[83][84]} [Evan Harris](#), a [Liberal Democrat Member of Parliament](#), told [The Times](#) that it would be unwise for the university to attempt to portray the ICO's letter in a positive light, as the correspondence would be examined by the Committee. The UEA told the newspaper that the point being made in their submission was that "there has been no investigation so no decision, as was widely reported. The ICO read emails and came to assumptions but has not investigated or demonstrated any evidence that what may have been said in emails was actually carried out."^[85]

In its inquiry report, the select committee blamed the university for mishandling Freedom of Information requests, and said it had "found ways to support the culture at CRU of resisting disclosure of information to climate change sceptics". The committee also criticised the ICO, which it said had made "a statement to the press that went beyond that which it could substantiate", and recommended that it should develop procedures to check its public comments, and "swiftly correct any mis-statements or misinterpretations of such statements". It accepted that the six month statute of limitations restriction was insufficient and should be reviewed. It called for a full investigation by the Muir Russell inquiry or by the Information Commissioner to resolve the question of whether there had been a breach of Section 77 of the FOI Act.^{[86][87][79]}

On 7 July 2010 the ICO published a decision in respect of the FOI Act (Section 50) / [Environmental Information Regulations](#) (EIR) concerning requests that retired engineer and climate sceptic David Holland had made of the UEA in which he had asked for information about CRU staff involvement with the IPCC. The ICO found that the university "did not deal with some of [Holland's] requests in accordance with the requirements of the EIR in two respects, by failing to provide a refusal to a request for information within 20 working days and failing to provide a response to two other requests." As Holland was "content not to proceed with his complaint in relation the public authority's failure to provide him with the information he had requested on 27 June and 31 July 2008, the Commissioner requires no further steps to be taken with regard to these requests." The ICO would consider whether the e-mail disclosures indicated that any further action was appropriate to ensure future compliance.

Regarding the question of whether there had been a breach of section 77 of the FOIA or its equivalent in the EIR, the ICO stated "Although the emails referred to above indicated prime facie evidence of an offence, the Commissioner was unable to investigate because six months had passed since the potential offence was committed, a constraint placed on the legislation by the Magistrates Court Act 1980."[\[88\]](#)

Other responses

[Rajendra Pachauri](#), chairman of the [Intergovernmental Panel on Climate Change](#), told the BBC in December 2009 that he considered the affair to be "a serious issue and we will look into it in detail."[\[89\]](#) He later clarified that the IPCC would review the incident to identify lessons to be learned, and he rejected suggestions that the IPCC itself should carry out an investigation. The only investigations being carried out were those of the University of East Anglia and the British police.[\[90\]](#)

[Pennsylvania State University](#) announced in December 2009 it would review the work of Michael Mann, in particular looking at anything that had not already been addressed in an earlier [review by the National Research Council](#) of the [National Academy of Sciences](#) which had found some faults with his methodology but agreed with the results.[\[91\]\[92\]\[93\]](#) In response, Mann said he would welcome the review.[\[93\]](#) The investigatory committee subsequently determined there was no credible evidence Mann suppressed or falsified data, destroyed emails, information and/or data related to the [IPCC Fourth Assessment Report](#), or misused privileged or confidential information. The committee did not make a definitive finding on the final point of inquiry — "whether Dr. Mann seriously deviated from accepted practices within the academic community for proposing, conducting, or reporting research or other scholarly activities". The committee noted that the NAS inquiry had found "that Dr. Mann's science did fall well within the bounds of accepted practice", but in light of the newly available information this question of conduct was to be investigated by five prominent Penn State scientists from other scientific disciplines.[\[44\]\[94\]](#)

The Investigatory Committee reported on June 4, 2010 that it had "determined that Dr. Michael E. Mann did not engage in, nor did he participate in, directly or indirectly, any actions that seriously deviated from accepted practices within the academic community." It noted his success in proposing research and obtaining funding for it, commenting that this "clearly places Dr. Mann among the most respected scientists in his field. Such success would not have been possible had he not met or exceeded the highest standards of his profession for proposing research." Mann's extensive recognitions within the research community demonstrated that "his scientific work, especially the conduct of his research, has from the beginning of his career been judged to be outstanding by a broad spectrum of scientists." It agreed unanimously that "there is no substance" to the allegations against Mann.[\[15\]](#)

Mann said he regretted not objecting to a suggestion from Jones in a 29 May 2008 message that he destroy emails. "I wish in retrospect I had told him, 'Hey, you shouldn't even be thinking about this,'" Mann said in March 2010. "I didn't think it was an appropriate request." Mann's response to Jones at the time was that he would pass on the request to another scientist. "The important thing is, I didn't delete any emails. And I don't think [Jones] did either."[\[95\]](#)

In a series of emails sent through an [National Academy of Sciences](#) (NAS) [listserv](#), apparently forwarded outside the group by an unknown person, scientists discussing the "Climategate" fallout considered launching advertising campaigns, widening their public presence, pushing the NAS to take a more active role in explaining climate science and creating a nonprofit to serve as a voice for the scientific community.[\[96\]](#)

[Jon Krosnick](#), professor of communication, political science and psychology at Stanford University, said scientists were overreacting. Referring to his own poll results of the American public, he said "It's another funny instance of scientists ignoring science." Krosnick found that "Very few professions enjoy

the level of confidence from the public that scientists do, and those numbers haven't changed much in a decade. We don't see a lot of evidence that the general public in the United States is picking up on the (University of East Anglia) emails. It's too inside baseball."[\[97\]](#)

The [Christian Science Monitor](#), in an article titled "Climate scientists exonerated in 'climategate' but public trust damaged," stated, "While public opinion had steadily moved away from belief in man-made global warming before the leaked CRU emails, that trend has only accelerated."[\[98\]](#) [Paul Krugman](#), columnist for the New York Times, argued that this, along with all other incidents which called into question the scientific consensus on climate change, was "a fraud concocted by opponents of climate action, then bought into by many in the news media."[\[99\]](#)

Reports

House of Commons Science and Technology Committee

The Science and Technology Select Committee inquiry reported on 31 March 2010 that it had found that "the scientific reputation of Professor Jones and CRU remains intact". The emails and claims raised in the controversy did not challenge the scientific consensus that "global warming is happening and that it is induced by human activity". The MPs had seen no evidence to support claims that Jones had tampered with data or interfered with the peer-review process.[\[100\]](#)

The committee criticised a "culture of non-disclosure at CRU" and a general lack of transparency in climate science where scientific papers had usually not included all the data and code used in reconstructions. It said that "even if the data that CRU used were not publicly available—which they mostly are—or the methods not published—which they have been—its published results would still be credible: the results from CRU agree with those drawn from other international data sets; in other words, the analyses have been repeated and the conclusions have been verified." The report added that "scientists could have saved themselves a lot of trouble by aggressively publishing all their data instead of worrying about how to stonewall their critics." The committee criticised the university for the way that freedom of information requests were handled, and for failing to give adequate support to the scientists to deal with such requests.[\[101\]](#)

The committee chairman [Phil Willis](#) said that the "standard practice" in climate science generally of not routinely releasing all raw data and computer codes "needs to change and it needs to change quickly". Jones had admitted sending "awful emails"; Willis commented that "[Jones] probably wishes that emails were never invented," but "apart from that we do believe that Prof. Jones has in many ways been scapegoated as a result of what really was a frustration on his part that people were asking for information purely to undermine his research."[\[7\]](#) In Willis' view this did not excuse any failure to deal properly with FOI Act requests, but the committee accepted that Jones had released all the data that he could.[\[7\]](#) It stated: "There is no reason why Professor Jones should not resume his post. He was certainly not co-operative with those seeking to get data, but that was true of all the climate scientists".[\[86\]](#)

The committee was careful to point out that its report had been written after a single day of oral testimony and would not be as in-depth as other inquiries.[\[100\]](#) In response to the report, Professor [Myles Allen](#), a climate scientist at [Oxford University](#), commented that while it was fundamental to good science to be open about exchanging data, withholding it from non-scientists has been common in the field of climate science. "There was an assumption within the climate science community that we could use our professional judgement to distinguish between professional scientists and activists or members of the public," he said. "The big implication in all this for science is that the [FOI Act] is

taking away our liberty to use our own judgement to decide who we spend time responding to. And that has a cost."[\[7\]](#)

Science Assessment Panel

The report of the independent Science Assessment Panel was published on 14 April 2010 and concluded that the panel had seen "no evidence of any deliberate scientific malpractice in any of the work of the Climatic Research Unit." It found that the CRU's work had been "carried out with integrity" and had used "fair and satisfactory" methods. The CRU was found to be "objective and dispassionate in their view of the data and their results, and there was no hint of tailoring results to a particular agenda." Instead, "their sole aim was to establish as robust a record of temperatures in recent centuries as possible."[\[10\]](#)

The panel commented that it was "very surprising that research in an area that depends so heavily on statistical methods has not been carried out in close collaboration with professional statisticians." It found that although the CRU had not made inappropriate use of statistical methods, some of the methods used may not have been the best for the purpose, though it conceded that "it is not clear that better methods would have produced significantly different results." It suggested that the CRU could have done more to document and archive its work, data and algorithms and found that the scientists were "ill prepared" for the amount of public attention generated by their work, commenting that "as with many small research groups their internal procedures were rather informal." The media and other scientific organisations were criticised for having "sometimes neglected" to reflect the uncertainties, doubts and assumptions of the work done by the CRU. The UK Government's policy of charging for access to scientific data was described as "inconsistent with policies of open access to data promoted elsewhere." The panel was also critical of the CRU's detractors, stating that it "deplore[d] the tone of much of the criticism that has been directed at CRU". It found that some of the criticism had been "selective and uncharitable" and critics had displayed "a lack of awareness" of the difficulties of research in this area.[\[10\]](#)

Speaking at a press conference to announce the report, the panel's chair, Lord Oxburgh, stated that his team had found "absolutely no evidence of any impropriety whatsoever" and that "whatever was said in the emails, the basic science seems to have been done fairly and properly." He said that many of the criticisms and allegations of scientific misconduct had been made by people "who do not like the implications of some of the conclusions" reached by the CRU's scientists. The repeated FOI requests made by climate change sceptic Steve McIntyre and others "could have amounted to a campaign of harassment" and the issue of how FOI laws should be applied in an academic context remained unresolved.[\[102\]](#) Another panel member, Professor David Hand, commended the CRU for being explicit about the inherent uncertainties in its research data, commenting that "there is no evidence of anything underhand – the opposite, if anything, they have brought out into the open the uncertainties with what they are dealing with."[\[103\]](#)

The UEA's vice-chancellor, Edward Acton, welcomed the panel's findings. Describing its report as "hugely positive", he stated that "it is especially important that, despite a deluge of allegations and smears against the CRU, this independent group of utterly reputable scientists have concluded that there was no evidence of any scientific malpractice."[\[104\]](#) He criticised the way that the emails had been misrepresented, saying that "UEA has already put on record its deep regret and anger that the theft of emails from the University, and the blatant misrepresentation of their contents as revealed both in this report and the previous one by the Science and Technology Select Committee, damaged the reputation of UK climate science."[\[105\]](#) The UEA issued a statement in which it accepted that "things might have been done better." It said that improvements had already been undertaken by the CRU and

others in the climate science community and that the University would "continue to ensure that these imperatives are maintained."[\[106\]](#)

It later emerged that the Science Assessment Panel was not assessing the quality but instead the integrity of the CRU's science. Phil Willis described this a "sleight of hand" and was not what the Parliamentary Committee he had chaired had been led to believe. There were also questions about the selection of publications examined by the panel.[\[107\]](#)

Independent Climate Change Email Review

In July 2010, the British investigation commissioned by the UEA, chaired by Sir Muir Russell, and announced in December 2009, published its final report saying it had exonerated the scientists of manipulating their research to support preconceived ideas about global warming. The "rigour and honesty" of the scientists at the Climatic Research Unit were found not to be in doubt.[\[14\]](#) The panel found that they did not subvert the peer review process to censor criticism as alleged, and that the key data needed to reproduce their findings was freely available to any "competent" researcher.[\[8\]](#)

The panel did rebuke the CRU for their reluctance to release computer files, and found that a graph produced in 1999 was "misleading," though not deliberately so as necessary caveats had been included in the accompanying text.[\[108\]](#) It found evidence that emails might have been deleted in order to make them unavailable should a subsequent request be made for them, though the panel did not ask anyone at CRU whether they had actually done this.[\[109\]](#)

At the conclusion of the inquiry, Jones was reinstated with the newly-created role of Director of Research.[\[8\]](#)[\[13\]](#)[\[14\]](#)

Media reception

See also: [Media coverage of climate change](#)

A *New York Times* editorial, after the July 2010 reports, called Climategate a "manufactured controversy," and expressed the hope that panel reports clearing the scientists "will receive as much circulation as the original, diversionary controversies,"[\[110\]](#) and in June 2010 *Newsweek* called the controversy a "highly orchestrated, manufactured scandal."[\[111\]](#)

A July 2010 *Boston Herald* editorial said that while the scientists were "given a not-quite-full exoneration ... echoes of the uproar still prompt needed skepticism."[\[112\]](#) A *Wall Street Journal* editorial criticized the Muir Russell study as "a 160-page evasion of the real issues." The newspaper said that "the review assumes the validity of the global warming 'consensus' while purporting to reaffirm that consensus. Since a statement cannot prove itself, the review merely demonstrates a weakness for circular logic."[\[113\]](#)

Senior editor [Clive Crook](#) at *The Atlantic* wrote that, judging by the various Climategate inquiries, "The climate-science establishment ... seems entirely incapable of understanding, let alone repairing, the harm it has done to its own cause."[\[114\]](#) Richard Harrabin of the BBC noted the reviews examined behavior but not science, thus not satisfying sceptics that they were definitive. He identified inconsistencies and said, "Critics suspect a whitewash to hide flaws in climate science, but my own lengthy investigations into the background to the inquiries have found no smoking gun."[\[115\]](#)

The Economist said the Muir Russell report "is thorough, but it will not satisfy all the critics." The magazine said the recent inquiries "raise important issues about how to do science in such an argumentative area and under new levels of scrutiny, especially from a largely hostile and sometimes expert blogosphere."[\[116\]](#) The online edition of *Columbia Journalism Review* criticized newspapers

and magazines for failing to give prominent coverage to the findings of the review panels, and said that "readers need to understand that while there is plenty of room to improve the research and communications process, its fundamental tenets remain as solid as ever." [117] [CNN](#) media critic [Howard Kurtz](#) expressed similar sentiments. [118]

[University of Sydney Emeritus Professor](#) of Government and International Relations [Rodney Tiffen](#) also noted the "common criticism of the media that it prominently publishes allegations, but gives less coverage to the prosaic facts that later refute them" noting however that this specific case was unusual in that "such an edifice of sweeping accusation and extravagant invective [was] constructed on such a slender factual basis." In Australia, the climategate "scandal was one of the pivotal moments in changing the politics of climate change", playing a role in [climate change sceptic](#) [119][120] [Tony Abbott](#) replacing climate change believer [Malcolm Turnbull](#) as [Leader of the Opposition](#) and in ending bipartisan support for legislation introducing an [emissions trading scheme](#). Tiffen particularly lamented that in general the "columnists who gave greatest vent to their indignation have not made any revisions or corrections, let alone apologised to the scientists whose integrity they so sweepingly impugned." He commented that the comparative lack coverage of the findings of reports into the CRU "leaves us to ponder the curiosities of a news media that gets so over-excited by dramatic allegations and then remains so incurably uninterested in their resolution." [121]

See also



[Environment portal](#)

- [Global warming controversy](#)
- [Global warming conspiracy theory](#)

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