

THE AUSTRALIAN**James Cook University slapdown of Great Barrier Reef science critic heads to court**

James Cook University professor Peter Ridd in
Townsville. Picture: Cameron Laird

GRAHAM LLOYD THE AUSTRALIAN 12:00AM November 22, 2017

Outspoken James Cook University professor Peter Ridd has taken Federal Court action claiming conflict of interest, apprehended bias and actual bias against vice-chancellor Sandra Harding.

Professor Ridd wants JCU to drop a misconduct investigation launched following his interview with Alan Jones on Sky News on August 1 in which he criticised the quality of Great Barrier Reef science.

In the interview, he said research findings by major institutions could not be trusted. "We can no longer trust the scientific organisations like the Australian Institute of Marine Science, even things like the ARC Centre of Excellence for Coral Reef Studies.

"The science is coming out not properly checked, tested or replicated, and this is a great shame."

JCU responded in late August by launching a formal investigation for misconduct which could result in Professor Ridd's employment being terminated.

Professor Ridd engaged legal counsel, with new accusations being made by JCU and Federal Court action being lodged by him.

JCU has said Professor Ridd's comments were "not in the collegial and academic spirit of the search for knowledge, understanding and truth". It said his comments had denigrated AIMS and the ARC Centre and were "not respectful and courteous".

In letters lodged with the court, JCU said Professor Ridd's comments could damage the reputation of AIMS and the university's relationship with it.

In a letter to JCU on September 7, Professor Ridd's legal team, Mahoneys, called on JCU to drop the case. They said the university suffered a conflict of interest in its investigation.

"The vice-chancellor is a council member (akin to a director) of the Australian Institute of Marine Science," Mahoneys said. "The vice-chancellor is in a position of conflict between her duties and office to the AIMS and to bringing an impartial mind to a decision on the allegations (against Professor Ridd)."

JCU responded on September 19 that it was "not satisfied that there has been no serious misconduct or that the allegations are unsubstantiated". It said Professor Ridd "must not disclose or discuss these matters with the media or in any other public forum".

Mahoneys responded on September 27, repeating concerns about conflict of interest: "There are only two conclusions our client can reach as to why the complaint is continuing to be prosecuted: incompetence or actual bias, neither of which is satisfactory or tolerable to our client."

JCU then engaged law firm Clayton Utz, which on October 6 wrote to Mahoneys to say: "The matters you have raised are not matters that prevent JCU from addressing your client's conduct and JCU's expectations of your client as a JCU employee."

Mahoneys responded on October 13 that the Utz response was "evasive and inadequate".

On October 17, Clayton Utz wrote "further allegations and concerns" had been raised against Professor Ridd. "These matters related to allegations of similar conduct and/or a pattern of insubordination and denigration of the university," Clayton Utz wrote. It rejected the allegation of bias, apprehended bias, or inability of the officers of the university to address Professor Ridd's conduct.

JCU again wrote to Professor Ridd on October 23 highlighting comments made to Jones. In the Jones interview, Professor Ridd said: “I think that most of the scientists who are pushing out this stuff — they genuinely believe that there are problems with the reef; I just don’t think they’re very objective about the science they do, I think they’re emotionally attached to their subject.” In its letter, JCU said it “is not satisfied that the principles of academic freedom excuse or justify your comments”.

The university said it did not accept a conflict of interest or apprehended bias existed.

On November 7, Mahoneys said “new evidence” was “entirely separate”. “The revised offending conduct cannot reasonably have had any effect on the relationship of trust and confidence between employer and employee, that is, of course, unless the employer was hypersensitive in the extreme and determined to find slight in every action,” Mahoneys responded.

Professor Ridd said in correspondence to *The Australian* he hoped the court action would “draw attention to the quality assurance problems in science and the obligation of universities in general to genuinely foster debate, argument and the clash of ideas”.

“I think it is right to challenge our science institutions about whether their work is reliable and trustworthy,” he said.

A JCU spokesman said “it is not appropriate to comment on confidential matters”.



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