

Ridd's disagreement with JCU: Some background.

Summary:

- Science is in the midst of a “Replication Crisis” in which high powered replication studies are finding flaws in around 50% of recently published important research.
- Ridd believes that much of the science claiming damage to the GBR has serious flaws, and that there is insufficient Quality Control (QC) of the science for the public to have confidence in its scientific institutions.
- Ridd believes that peer review is insufficient QC upon which to make decisions on the GBR worth billions of dollars and made a comment on Sky TV that work of some important institutions was unreliable because of the reliance on peer review.
- For this statement JCU alleged serious misconduct against Ridd, for which a possible penalty is dismissal.
- Ridd was offered legal assistance by the Institute of Public Affairs to fight these allegations because of the clear freedom of speech and academic freedom implications of the case.
- JCU used its surveillance powers to read all of Ridd's email correspondence and used information gained to allege 25 new misconduct allegations – mostly because Ridd refused to be silent about the existence of JCU's allegations. Even emails to his wife were alleged to be further misconduct.
- Ridd launched legal action in court.
- JCU found Ridd to be guilty of serious misconduct and given a “final censure”. He has also been told to remain silent about the matter.
- Ridd has also had his public lecture presentations vetted by JCU, and been given instruction not to say certain comments or use particular powerpoint slides.
- Ridd feels that his ability to do his job as an academic has been severely compromised and will continue with legal action to 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

Details:

Prof Peter Ridd, who has worked on the Great Barrier Reef (GBR) for over 30 years, is of the view that the threats to the GBR including from climate change and pollution are considerably overstated. This is not just an obscure academic debate as legislation to “save the reef” is affecting every major industry in North Queensland; Coal and minerals, sugar, cattle and [tourism](#). On the other hand the GBR is precious and must be vigorously protected.

In mid 2017, Ridd contributed a [chapter](#) in the book “Climate Change: The facts 2017” where he argued that thermal bleaching from climate change was a very unlikely threat to the GBR. He also made the point that much of the science that claims damage to the reef has been insufficiently checked, tested or replicated. He pointed out that there is a widely acknowledged “[Replication Crisis](#)” in science in general where replication tests are finding around half of the recent important scientific literature has serious flaws. In a follow-up

interview with Alan Jones, Ridd commented (<https://player.whooshkaa.com/episode?id=113918> (start at 32 minutes 40 seconds) that in the light of the “Replication Crisis” it is not possible to trust the results of some important scientific institutions including some that work on the GBR.

On 28 August 2017, JCU alleged that Ridd’s comments about the trustworthiness of work of these institutions was not collegial and that he had committed serious academic misconduct for which he could be dismissed. JCU also instructed Ridd not to talk to anybody about the existence of their allegations, or the details of the allegations. When Ridd asked if he could mention them to his wife, he was not given permission. Ridd ignored the direction not to talk about the existence of the allegation and significant media reaction ensued.

Ridd was prepared to the apparently inevitable outcome that he would be fired especially as JCU’s senior administration are effectively the accuser, jury and judge on the matter. In a similarly case in 2016 JCU had already found him guilty of academic misconduct and censured him. In [that case](#) he had exposed a very famous piece of science, which claimed massive damage to inshore reefs, to be wrong and questioned the quality assurance systems used in GBR science.

Fortunately legal help was offered from the Institute of Public Affairs (IPA) which completely changed Ridd’s prospects. JCU’s case was technically carelessly prepared . For example the exact wording that JCU alleged he had used in the interview was wrong in addition to the fact that the words had been taken outside their original context.

Perhaps due to indications that JCU’s case would fail if challenged in court, and because JCU was annoyed that he had not kept quiet, in October 2017 JCU hit Ridd with a new 128 page document listing details of 25 further allegations of misconduct. These new allegations were compiled by reading all of Ridd’s JCU email correspondence. Most of the new allegations related to email exchanges with his students, friends, wife and colleagues about the existence of the allegations. They also claimed that Ridd had denigrated JCU in these emails and had no respect for the disciplinary process being mounted against him (See table 2 for details). Even emails to his wife were regarded as yet another misconduct breach.

In Ridd’s view, these emails do not show anything but professionalism in a very difficult situation and there is certainly nothing for which he should feel ashamed.

In the legal to-and fro that followed between JCU high powered legal team and Ridd’s lawyers, JCU was most insistent that Ridd did not communicate about the allegations they had made against him, and made a separate directive to maintain silence.

While this was going on, Ridd was booked to do public lectures at both the Institute of Public Affairs and the Sydney Institute. JCU insisted that Ridd’s public lecture presentations be vetted beforehand and a senior JCU administrator gave him instructions to remove particular powerpoint slides and gave instructions about what could not be said.

Regretfully, in November, Ridd felt he had no choice but to commence legal action in the Federal Court and told *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”.

The legal case will be fought with reference to the JCU “enterprise bargaining agreement” and may be determined by obscure legal technicalities. Although legally Ridd and his lawyers believe his case is very strong, it is always difficult to predict the outcome. However, in the court of public opinion, Ridd believes he cannot lose. In Ridd’s opinions, JCU’s actions will be seen to be unreasonable in any publicity associated with the case.

Ridd’s intention is to fight this matter to a final decision in court because he believes academics should not be prevented from publicly questioning another scientists’ work, or the trustworthiness of work from institutions, especially where there is a public impact as a result of the work. He will not be paid-out to keep him silent and/or to keep his job. He has personally spent \$24K so far in addition to a similar amount by the IPA. He is seeking funds through a crowd funding site to help cover his costs. In contrast JCU is a government funded institution with massive financial resources upon which to draw.

Why are JCU’s actions problematic?

One of the most crucial roles of a university is to encourage debate about the important issues of our time and any action by a university that stifles debate is very serious. Threatening dismissal for the accusation of being uncollegial (i.e. being not polite) will certainly stifle the airing of academic opinions that differ from those considered acceptable by JCU administration.

The treatment of Ridd is a powerful deterrent to other academics not to challenge the established wisdom. Better stay silent. Perhaps unintentionally, JCU’s actions have engendered an atmosphere of fear and intimidation.

The original allegation of non-collegiality made by JCU was bad enough, but the reading of emails to find extra dirt is even more problematic. It means that private comments to old friends and old students, colleagues, and spouses are not beyond the reach of the university disciplinary process. It is reasonable that JCU be able to read emails in cases where illegal activity may be suspected, but in this case its surveillance powers were used in an attempt to bolster a weak academic misconduct case. It also had the effect of being intimidating in the extreme to Ridd and his family which may have been intentional. All academics must be worried that universities with similar surveillance powers to JCU (most universities), not only have the power to read emails, but they will use those powers for circumstances well outside what would be considered reasonable.

There is nothing like surveillance to stifle debate.

Why is it important to North Queensland?

The reliability of the science of the GBR is not an obscure academic debate. On the one hand, the GBR is a world icon that must be vigorously protected. On the other hand, legislation aimed at “saving” the reef and publicity from scientific institutions about the supposed bad state of the reef affects every major industry in North Queensland. Legislation to reduce fertilizer application to [sugar cane](#) farms has potential to greatly reduce the viability of that

industry. Other legislation affects the free range cattle industry, scientists are asking that the [coal industry be closed](#), the entire minerals industry is affected by strict and unnecessary controls on port dredging, and the massive publicity about the supposed bad condition of the reef affects the [tourist industry](#).

The science of the GBR affects directly tens of thousands of people in the NQ region and almost everybody indirectly. It is important that a free debate can exist to make sure that we can rely upon the science. JCU is the ONLY university with a major presence in the remote NQ region and accounts for over 95% of students in on-campus tertiary studies in NQ. From JCU's inception in the 1960's it was set up to serve the NQ region so it has a special obligation to the region. One of the secondary accusations made against Ridd by JCU was damaging the reputation of two of its stakeholder institutions, the Australian Institute of Marine Science and the ARC Centre of Excellence for Coral Reef studies. However, in this case, it may have inadvertently forgotten its major stakeholders – the people of NQ.

In the end this issue boils down to a concern about being polite about two science institutions against the livelihoods of the people of the NQ region. JCU needs to reconsider its priorities.

Why this is a free speech issue?

This is an instance where a respected academic, with decades of experience, is trying to make a well supported argument that is clearly within the realms of his expertise. He not only thinks that much of the work coming from our scientific institutions is wrong, but more fundamentally, the quality assurance methods being used by these institutions is severely deficient (see Larcombe and Ridd, 2018 link). If Ridd is wrong, then let those institutions argue why their work is reliable, and that their quality assurance systems are adequate. Silencing the argument is no way to react.

It is very notable in the documentation around this case that JCU went to great lengths to try to prevent the entire disciplinary process from becoming public. There was no reason for this as Ridd was happy that all the allegations against him be publicly known. JCU is a government funded organization that is making accusations against one of its employees which have clear and important implications for the North Queensland region. The public have a right to know what is happening.

One problem with the use of the “uncollegial” accusation is that it can be very difficult to determine where the boundary is between an “uncollegial” statement and a “vigorous debate”. Should scientists have to worry for their job if they overstep the boundary of academic politeness, a very low bar indeed, and one which could get them fired? Where is the edge of the cliff?

Ridd was placed in an invidious position because he sincerely believes there is a quality assurance problem with GBR science but it is very difficult to say this in a way that may not be regarded as uncollegial. To say to an organisation “your quality assurance processes are inadequate” is always likely to get an adverse reaction. But if Ridd is right and there is a quality assurance problem, for which he gives considerable compelling evidence, silencing free speech could have very serious negative consequences.

Why is it important to science in general?

The “Replication Crisis”, where checks and replication studies are finding that around 50% of recently published important scientific literature is flawed is affecting many areas of science. In the biomedical sciences in particular to state that half the literature is probably wrong is no longer controversial. Other eminent scientists such as John Ioannidis from Stanford University estimate that up to 85% of scientific resources are wasted due to false or exaggerated findings in the literature. Unfortunately the “Replication Crisis” has not yet been accepted as a problem in some other areas of science, especially the environmental sciences, but there is no reason to expect that other disciplines are immune to the same problems that have given rise to the Replication Crisis.

It is important that academics feel free to speak about quality assurance problems in science in general especially in view of the considerable evidence that a problem of monumental proportions exists.

Ridd’s Relationship with JCU

Peter Ridd has been either a student or academic at JCU in every year, except one, since 1978. JCU is his life and he has worked tirelessly for JCU, especially its Physics Department, in this time. He firmly believes that although JCU might not be as flashy as some of the big name universities, it does an excellent job educating the North’s young men and women and is an organization that we can be proud of. He would never do anything to willfully harm JCU and is particularly vexed that he feels he has no choice but to commence legal action.

Table 1: Index of page numbers for 2017 misconduct allegation. Page numbers relate to file “paper work serious misconduct case_Redacted”

Interview Recording is here (<https://player.whooshkaa.com/episode?id=113918> (start at 32 minutes 40 s) .

	Allegation page	Reply page	Breach Category	Notes
JCU’s Original (2017) allegation about Jones and Co interview. “Trustworthiness” statement	5	7 In particular 9 onwards	<ul style="list-style-type: none"> • Not collegial. • Represented views of JCU without authorization. • Failed to uphold the integrity of JCU. • Failed to treat fellow staff members, students and public with honesty respect and courtesy and have regard for the dignity of others. • Failed to comply with a direction from the SDVC. • Acted outside the limits of authority. 	In the light of the Replication Crisis, Ridd questions the trustworthiness of science organisations work including AIMS, and ARCCoE. JCU used a media analysis company summary of Ridd’s interview which is not accurate.
JCU Revised allegation about Jones and Co Interview. (a) “Trustworthiness” statement.	32	91 in particular (a-g) 93 in particular (a-c)	<ul style="list-style-type: none"> • Not collegial • Denigrated AIMS and ARC CoE • Damaged the reputation of AIMS and the universities relationship with AIMS • Damaged the reputation of JCU 	As above except JCU corrects the wording, but still does not include the context, i.e. the “Replication Crisis”. Note that the breaches have changed significantly from the original allegations in the row above.
Additional JCU allegation about the Jones and Co Interview. (b) Scientist are sometimes “Emotional” statement.	32	As above.	As above.	Despite JCU taking offense at this statement, in context Ridd is actually defending his scientific opponents against a suggestion by Alan Jones that they exaggerate claims to secure grant funding. Ridd says they are not corrupt but sometimes emotional about the GBR – an understandable reaction. Despite defending his opponents he is still accused of misconduct.

Table 2: Index of Affidavit page numbers for second set of allegations showing the offending article or email, JCU allegation, Ridd’s lawyer’s reply, and category of allegation. Page numbers relate to file “paper work serious misconduct case_Redacted”

Offending email, article or comment by Ridd	Offending Email or article page	Allegation page	Reply page	Breach Category	Notes
Reply to email from ex JCU colleague .	43	33 and 38	93top of page	Denigrating AIMS	Email has nothing to do with the case and "Knighthood" winner does not refer to AIMS scientists.
Comment to Townsville Bulletin.	44	34	93 para (a)	failure to be silent	Ridd spoke about existence of allegations
Reply to email from colleague and Ex PhD student	46	34	93 para b)	Denigrating JCU	Ridd mentioned the case
Reply to email from a group of Teacher friends	47	34	93 para (c)	Denigrating JCU	Ridd mentions the case and says he has offended some powerful organisations
Reply to email from Ridd’s PhD supervisor and very old friend Dr John. Nicol	51	34	93 para (d)	Denigrating JCU	Ridd says he is in a “spot of bother” with JCU and that “it is all pathetic”
Reply to email from undergrad student	53	35	93 para (e,f) and 342 (b)	Denigrating JCU	Ridd said he was in hot water and had offended some “powerful and ruthless egos”
Reply to email from to MSc Student	55	35 and 37	93 para (g) and 101 (c)	Denigrating JCU	Ridd defended JCU and said that universities in general were “Orwellian”, a point proven by the monitoring of emails.
Reply to email from Teacher friends	57	35 and 37	93 (para h)	Denigrating JCU	Ridd says his opponents are “fragile flowers”
emails to JCU HR department		35		failure to be silent	
Email sent to one of Ridd’s PhD students.	70	37	95 (h)	failure to be silent	Ridd tells his student that he is in a “spot of bother”
Email sent to Ridd’s wife	71	37	95(i)	failure to be silent	Relaying information to his wife
Email sent to Ridd’s wife	76	37	95 (i)	failure to be silent	Relaying information to his wife
Reply to email from colleague and old friend Dr Piers Larcombe.	79	37	95 (j)	failure to be silent	Ridd says he is in trouble again
Reply to email from friend and ex-Canberra Uni VC Prof Don Aitkin	80	37	95 (l)	attempting to influence disciplinary process	Aitkin asks what he can do to help. Ridd suggests writing a letter to the VC.

Email sent to Prof Ron White (Ridd's direct boss).	81	37	95 (4th last para)	attempting to influence disciplinary process	Ridd was seeking a mutually beneficial solution to avoid pointless legal and public blood letting
Email sent to Prof Ron White and Science and Engineering Dean Prof Marcus Lane.	82	38	95 (4th last para)	attempting to influence disciplinary process	Ridd was seeking a mutually beneficial solution to avoid pointless legal and public blood letting
Reply to email from ex PhD student and friend	83	39		Denigration of Prof Hughes	Ridd says Terry Hughes is not an expert on the weather.
Email with the SDVC in 3 May 2016	86	40		not respecting disciplinary process	Ridd comments about the 2016 censure. Ridd is polite but disparaging.
Email to SDVC 5 June 2016	85	40		Failing to respect the disciplinary process?	Ridd asking for his 2016 censure to be rescinded
Comment to <i>The Australian</i> 4 June 2016	85	40		Failure to be silent	Ridd's on-line comment to an article in <i>The Australian</i>