

The Global Warming Policy Foundation

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January 26, 2010

Sir Muir Russell KCB FRSE
c/o Judicial Appointments Board for Scotland
38-39 Drumsheugh Gardens
Edinburgh
EH3 7SW

cc Professor Edward Acton

A handwritten signature in black ink, appearing to read 'Sir Muir Russell', written in a cursive style.

On behalf of the Global Warming Policy Foundation, I greatly welcome the establishment of your inquiry. The integrity of the scientific basis of the global warming debate must be unimpeachable. It should also be recognised that the Climatic Research Unit is not just one among many research centres but is a key contributor to the work of the IPCC.

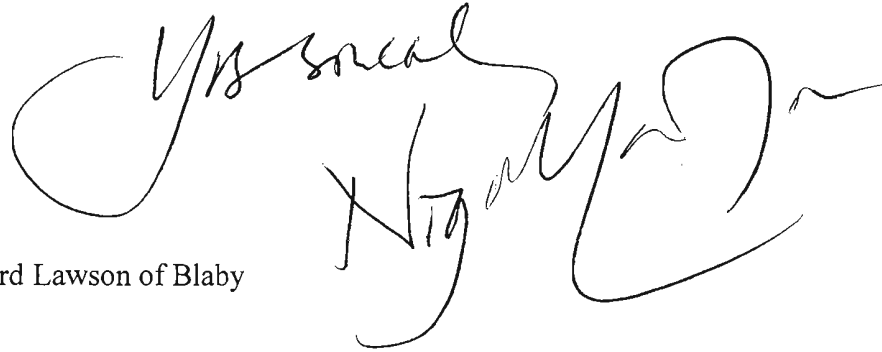
I broadly welcome the terms of reference that have been drawn up, though with some concern that they may be a bit too CRU-centric. I am glad to note that you have discretion to extend them if you wish so that you can follow the trail wherever it leads. It is also right that you are examining not just the published e-mails but also any other relevant e-mails. In this way you will be able to assess the claim that those so far published have been taken out of context but also see if there is other material which sheds light on the accusations. It is essential, too, that your investigation is not confined to what occurred within CRU. As well as taking evidence from those in CRU who wish to clear their names, you should go outside CRU and take evidence from those who feel they or their work have been improperly treated. Some of the published e-mails, for example, suggest a determined effort by CRU scientists to prevent the publication in peer-reviewed journals of dissenting papers by other scientists. The damage to the public interest can be just as much from what was suppressed as from what was incorrectly published.

On process, I recognise that you do not want to turn this inquiry over to the lawyers, with witnesses closely advised or even represented by lawyers. Nevertheless I think you would be wise to take on some legal expertise. First, it is important that the outcome is conclusive and is not subject afterwards to legal challenges as happened, for example, in the OFSTED investigation of the Baby P case. Secondly, it would assist you as chair if someone else experienced in cross examination led the questioning, leaving you free to concentrate on listening to the answers.

I also believe it is essential that you co-opt some statistical expertise. Much of the controversy arose from the statistical techniques used to meld together data from different sources. Were those techniques applied consistently and were they transparent to other scientists? Much of the forensic challenge to the so-called Hockey Stick controversy has come from statisticians.

Finally, there is the question of openness and transparency. It has increasingly come to be recognised that, if the findings of an inquiry are to command public confidence, it is necessary for the inquiry to be held for the most part in public (national security being the most obvious cause for exception), with transcripts of each day's evidence made promptly available. The current Chilcot Iraq inquiry is only the latest in a series of inquiries where this has been the case. It is also the only way of demonstrating fairness towards those under investigation.

We shall be releasing the text of this letter to the press within the next few days.

A handwritten signature in black ink, appearing to read 'Yrs sincerely Nigel Lawson', written over a large, stylized flourish.

The Rt Hon Lord Lawson of Blaby
Chairman