



THE UNIVERSITY OF
WESTERN AUSTRALIA

Achieve International Excellence

10 October, 2012

BY EMAIL AND POST

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Courier Address: Ground Floor G.54
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SIMON TURNILL

Dear Mr Turnill

Re: Freedom of information Application

On 4 September, 2012, The University of Western Australia validated your Freedom of Information (FOI) request on receipt of the \$30.00 application fee for access to documents relating to a paper by Professor Stephan Lewandowsky *et al* titled *"NASA faked the moon landing – therefore (climate) science is a hoax: An anatomy of the motivated rejection of science."*

I attach a Notice of Decision which outlines your request, together with a Schedule of Documents which lists all documents falling within the scope of your application.

For the reasons set out in the decision, you have been granted access to 23 documents, consisting of 54 folios.

If you wish to discuss this application, please call me on (08) 6488 4759 or email vittoria.wilkin@uwa.edu.au.

Yours sincerely

V. Wilkin
Vittoria Wilkin
FOI Co-ordinator

NOTICE OF DECISION
(Freedom of Information Act, 1992 'the Act' Section 30)

APPLICANT: SIMON TURNILL

DECISION MAKER: VITTORIA WILKIN
FOI CO-ORDINATOR
THE UNIVERSITY OF WESTERN AUSTRALIA

DATE OF DECISION: 10 OCTOBER 2012

DECISION:

For the reasons set below, I have made the following decision in relation to your access application:

Edited Access:

Folios: 1-15, 17-20, 22-30, 35-39, 47, 48

Full Access:

Folios: 31-34, 40-46, 49-54

Outside the Scope of Application:

Folios: 10-12, 14, 16, 18, 20, 21, 23-25

1. **BACKGROUND**

The FOI application was emailed on 1 September, 2012 and validated on receipt of the \$30.00 application fee on 4 September, 2012, requesting access to documents referred to in Para 3 'Annexure A'.

2. In our acknowledgement letter dated 5 September, 2012, it was noted that the information provided in your application relates to a paper by Professor Stephan Lewandowsky *et al* titled '*NASA faked the moon landing – therefore (climate) science is a hoax: An anatomy of the motivated rejection of science.*'

3. **Annexure A**

UWA Area: Faculty of Life and Physical Sciences – Psychology

Dates: 1 January 2010 and the date of this letter

Names: Prof Stephan Lewandowsky
Klaus Oberauer
Gilles Gignac

any person acting on behalf of any of the above.

Documents requested: All correspondence, whether in the form of emails, letters, facsimiles or otherwise, including transcripts of telephone conversations (if any), which:

- a) relates to the subject matter of the Paper; and
- b) is in the possession or control of UWA; and
- c) was sent to or received from the following entities between the dates set out above:
 - the 8 websites (blogs) referred to in the Paper on which links to the survey were posted; and
 - the 5 'skeptical' websites (blogs) referred to in the Paper which were 'approached' but which failed to post such link; and
 - any other climate websites not included in the above categories

Form of access required: Please provide copies of the documents requested.

Personal information: These documents will contain personal information relating to the sender and receiver of the correspondence in question.

I authorise the redaction of personal information of those third parties, such as names and email addresses, provided that the names of the sender's and receiver's organisations or websites remain for identification purposes.

4. On 5 September, 2012, you requested an amendment to the ambit of application and accordingly, reference to '*any administrative assistant of any of the above*' was amended to '*any person acting on behalf of any of the above*'.

5. On 12 September, 2012, another request was made by you for '*a copy of the HRE application for this study as submitted to and approved by the HREC and/or HREO, together with a copy of the approval*'. Whilst this request would normally require a fresh FOI application and fee, I agreed to include the additional documents with your original application.

6. As a result of your application, a search for documents falling within the scope of your application was conducted with staff at the Faculty of Life and Physical Sciences – Psychology and the Human Research Ethics Committee. This resulted in 23 documents consisting of 54 folios being made available to this office for evaluation.

7. **DECISION**

My decision in relation to your access application is stated above. Reasons for this decision of whether to release information related to your application are detailed below. For your reference, I have attached a Schedule of Documents, which contains a list of all documents falling within the scope of your application. The documents are considered to be *material on which findings of fact* are based.

8. **Folios Released in an Edited Format – Direct Contact Details of Staff and Signatures**

Folios: 1-15, 17-20, 22-30, 35-39, 47, 48

I have applied clause 3(3) of Schedule 1 of the FOI Act to these folios, which states that information is not exempt from disclosure where it consists of prescribed details as outlined in the FOI Regulations, 1993 about an 'Officer of an Agency'.

9. **9. Prescribed personal details (Schedule 1 clause 3 of the Act)**

- (1) *In relation to a person who is or has been an officer of an agency, details of -*
- a) *the person's name;*
 - b) *any qualifications held by the person relevant to the person's position in the agency;*
 - c) *the position held by the person in the agency;*
 - d) *the functions and duties of the person, as described in any job description document for the position held by the person; or*
 - e) *anything done by the person in the course of performing or purporting to perform the person's functions or duties as an officer as described in any job description document for the position held by the person,*

are prescribed details for the purposes of Schedule 1, clause 3(3) of the Act.

10. The exception to this clause are the signatures (folios 36 and 47) and direct contact details of an 'Officer of an Agency' which I have edited, as this information is considered *prima facie* exempt under clause 3(1) of Schedule 1 of the Act.

3. **Personal information**

Exemption

- (1) *Matter is exempt matter if its disclosure would reveal personal information about an individual (whether living or dead).*

11. Personal information is defined in the Glossary Section of the 'Act' as

"information or an opinion, whether true or not, and whether recorded in a material form, about an individual, whether living or dead

- (a) *where identity is apparent or can reasonably be ascertained from the information or the opinion; or*
- (b) *who can be identified by reference to an identification number or other identifying particular such as a fingerprint, retina print or a body sample."*

12. For your reference, the Western Australia Information Commissioner, Sven Bluemmel, reiterated the exemption of direct contact details of an 'Officer of an Agency' in his external review decision of **Malik and Office of the Public Sector Standards Commissioner, Re [2010] WAICmr 25**.

13. Accordingly, I have decided to remove the exempt matter and release the folios in an edited format in accordance with section 24 of the Act.

24. Deletion of exempt matter

If —

- (a) the access application requests access to a document containing exempt matter; and
- (b) it is practicable for the agency to give access to a copy of the document from which the exempt matter has been deleted; and
- (c) the agency considers (either from the terms of the application or after consultation with the applicant) that the applicant would wish to be given access to an edited copy,

the agency has to give access to an edited copy even if the document is the subject of an exemption certificate.

14. Outside the Scope of the Application

Folios: 10-12, 14, 16, 18, 20, 21, 23-25

In accordance with your ambit of application, as you authorised the redaction of personal information of third parties, such as names and email addresses from the documents, this information was removed and not considered (falls outside the scope of your application).

15. In respect to the 'receiver' email address contained in folios 1 to 9, whilst this information would also fall outside the scope of your application, I have retained these details as it is identical to the contact email address published in the respective blogs and already in the public domain.
16. Information concerning these emails are available on the 'Shaping Tomorrow's World' website <http://www.shapingtomorrowsworld.org/lewandowskyGof4.html>.
17. Further, the contents of folios 6-8 are also published in the following website <http://climateaudit.org/2012/09/10/the-third-skeptic/>.

18. Costs and Charges

Application Fee: \$30.00 Paid (Receipt posted 9/5/12)

19. Internal Review

If you are not satisfied with this Notice of Decision, you may apply for an internal review within **30 days** of being provided this notice. There are no charges for requesting an internal review and once a request is received, UWA must review the disputed decision within 15 days.

20. An application for an internal review must:

- 1. be in writing;
- 2. set out the particulars of the decision that you wish to have reviewed;

3. give an address in Australia for correspondence, to which notices under the FOI Act can be sent; and
 4. be lodged at an office of UWA (see below).
21. An internal review request may be sent by email to vittoria.wilkin@uwa.edu.au, delivered in person or by post to the following address:

FOI Coordinator
Legal Services Office M461
University of Western Australia
35 Stirling Highway
CRAWLEY WA 6009
22. Should you require further information or assistance in preparing an internal review application, please contact the FOI Coordinator on 6488 4759. Reference can also be made at:
<http://www.legalservices.uwa.edu.au/iso/foi/applications> for access to documents.
23. External Review

If you are not satisfied with this Notice of Decision, you have the right to lodge a complaint with the Information Commissioner, requesting an external review. The complaint must be lodged within **60 days** of being provided the Notice of Decision.
24. A complaint to the Office of the Information Commissioner must:
 1. be in writing;
 2. have a copy of the Notice of Decision attached to it;
 3. give an address in Australia to which correspondence can be sent; and
 4. be lodged at the Office of the Information Commissioner.
25. There is no charge for lodging a complaint with the Office of the Information Commissioner. The postal address is:

Office of the Information Commissioner
Albert Facey House
469 Wellington Street
PERTH WA 6000
26. Should you have any further queries or require further clarification regarding your external review rights, you can contact the Office of the Information Commissioner on (08) 6551-7888.
27. Information is also available on the Information Commissioner's website at:
<http://www.foi.wa.gov.au>.

Yours sincerely

V. Wilkin
Vittoria Wilkin
FOI Co-ordinator

DOC.	FOLIO	DATE	DOCUMENT DESCRIPTION	DECISION [E OR F]	EXEMPTION CLAIMED
1	1	23.09.10	Email from Charles Hanich, Research Assistant, Research Section, School of Psychology to a Third Party - Subject: Attitudes Towards Science Survey	E	Exempt Matter - Personal Information Clause 3(1) Schedule 1
2	2	23.09.10	Email from Charles Hanich, Research Assistant, Research Section, School of Psychology to a Third Party - Subject: Attitudes Towards Science Survey	E	Exempt Matter - Personal Information Clause 3(1) Schedule 1
3	3	23.09.10	Emails between Charles Hanich, Research Assistant, Research Section, School of Psychology to a Third Party - Subject: Re: Attitudes Towards Science Survey	E	Exempt Matter - Personal Information Clause 3(1) Schedule 1
4	4	23.09.10	Email from Charles Hanich, Research Assistant, Research Section, School of Psychology to a Third Party - Subject: Attitudes Towards Science Survey	E	Exempt Matter - Personal Information Clause 3(1) Schedule 1
5	5	06.09.10	Email from Charles Hanich, Research Assistant, Research Section, School of Psychology to a Third Party - Subject: Survey Link Post Request	E	Exempt Matter - Personal Information Clause 3(1) Schedule 1
6	6-7	06.09.10	Emails Between Charles Hanich, Research Assistant, Research Section, School of Psychology to a Third Party - Subject: Re: Survey Link Post Request	E	Exempt Matter - Personal Information Clause 3(1) Schedule 1
7	8	06.09.10	Emails Between Charles Hanich, Research Assistant, Research Section, School of Psychology to a Third Party - Subject: Survey Link Post Request	E	Exempt Matter - Personal Information Clause 3(1) Schedule 1
8	9	06.09.10	Emails Between Charles Hanich, Research Assistant, Research Section, School of Psychology to a Third Party - Subject: Survey Link Post	E	Exempt Matter - Personal Information Clause 3(1) Schedule 1
9	10	30.08.10	Emails between Professor Stephan Lewandowsky, School of Psychology and a Third Party - Subject: Re: Survey	E	Exempt Matter - Personal Information Clause 3(1) Schedule 1 & Outside the Scope of the Application (Please refer to Para 9 in the Notice of Decision)

DECISION
E = EDITED ACCESS
F = FULL ACCESS

DOC.	FOLIO	DATE	DOCUMENT DESCRIPTION	DECISION [E OR F]	EXEMPTION CLAIMED
10	11-12	30.08.10	Emails between Professor Stephan Lewandowsky, School of Psychology and a Third Party – Subject: Re: (Third Party) Survey Participants	E	Exempt Matter - Personal Information Clause 3(1) Schedule 1 & Outside the Scope of the Application
11	13	30.08.10	Email between Kathryn Kirk, Secretary, Human Research Ethics Committee, Research Services and Professor Stephan Lewandowsky, School of Psychology – Subject: RE: FYI (Advising that the Internet Survey is about to go 'Live')	E	Exempt Matter – Personal Information Clause 3(1) Schedule 1
12	14-15	29.08.10	Emails between Professor Stephan Lewandowsky, School of Psychology and a Third Party – Subject: FW: (Third Party) Re: Survey Participants	E	Exempt Matter - Personal Information Clause 3(1) Schedule 1 & Outside the Scope of the Application
13	16-17	29.08.10	Emails between Professor Stephan Lewandowsky, School of Psychology and a Third Party – Subject: FW: (Third Party) Survey Participants	E	Exempt Matter - Personal Information Clause 3(1) Schedule 1 & Outside the Scope of the Application
14	18-19	29.08.10	Emails between Professor Stephan Lewandowsky, School of Psychology and a Third Party – Subject: FW: (Third Party) Re: Survey Participants	E	Exempt Matter - Personal Information Clause 3(1) Schedule 1 & Outside the Scope of the Application
15	20	29.08.10	Email between Professor Stephan Lewandowsky, School of Psychology and 'Tamino' – Subject: Re: Survey Link	E	Exempt Matter - Personal Information Clause 3(1) Schedule 1 & Outside the Scope of the Application
16	21-22	29.08.10	Emails between Professor Stephan Lewandowsky, School of Psychology and a Third Party – Subject: FW: (Third Party) Survey Participants	E	Exempt Matter - Personal Information Clause 3(1) Schedule 1 & Outside the Scope of the Application

DOC.	FOLIO	DATE	DOCUMENT DESCRIPTION	DECISION [E OR F]	EXEMPTION CLAIMED
17	23	29.08.10	Email between Professor Stephan Lewandowsky, School of Psychology and a Third Party – Subject: Survey	E	Exempt Matter - Personal Information Clause 3(1) Schedule 1 & Outside the Scope of the Application
18	24-26	28.08.10	Emails between Professor Stephan Lewandowsky, School of Psychology and a Third Party – Subject: Re: Data Collection	E	Exempt Matter - Personal Information Clause 3(1) Schedule 1 & Outside the Scope of the Application
19	27-28	13.08.10	Emails between Kathryn Kirk, Secretary, Human Research Ethics Committee, Research Services and Professor Stephan Lewandowsky, School of Psychology – Subject: Re: Approval: Amendment for RA/4/1/4007	E	Exempt Matter - Personal Information Clause 3(1) Schedule 1
20	29-34	13.08.10	Email between Kathryn Kirk, Secretary, Human Research Ethics Committee, Research Services and Professor Stephan Lewandowsky, School of Psychology – Subject: Approval: Amendment for RA/4/1/4007 – Attachments: BCTI.doc; Happ&Sat.doc; H&G&Kahan.doc	E	Exempt Matter - Personal Information Clause 3(1) Schedule 1
21	35-36	21.12.09	Ethics Approval Letter from Peter Johnstone, Manager, Human Research Ethics to Professor Stephan Lewandowsky, School of Psychology – Understanding Statistical Trends	E	Exempt Matter - Personal Information Clause 3(1) Schedule 1
22	37-50	12.12.09	Application to undertake Research Involving Human Subjects – Title of Project: Understanding Statistical Trends - Chief Investigator: Stephan Lewandowsky	E	Exempt Matter - Personal Information Clause 3(1) Schedule 1
23	51-54	12.12.09	UWA Ethics Application – Checklist 1.1, 0 Project Title: Understanding Statistical Trends - Chief Investigator: Stephan Lewandowsky	F	