

# Summary of

## Complaint to Ofcom Regarding “The Great Global Warming Swindle”

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## 1. Overview

The documentary film *The Great Global Warming Swindle* was broadcast on Channel 4 television on March 8, 2007, and was re-broadcast on More4 on March 12.

This complaint details the ways in which we believe the film makers and Channel 4 have contravened the *Ofcom Broadcasting Code* and the *Communications Act* in both versions of the broadcast, by presenting misinformation and misleading the public. The complaint has been led by three concerned citizens with either professional or amateur interest in anthropogenic global warming science and policy. We have received additional contributions and reviewing by numerous professionals in the climate science, policy, and related fields.

We document a total of 137 of apparent breaches of the *Broadcasting Code*, 105 of which were also apparent breaches of the *Communications Act*. For organisational purposes we have grouped certain similar, repeated breaches – and therefore report 67 transgressions (see section 7, page 6, section 8, page 9 and **Appendix A.4**, page 122 for details).

*The Great Global Warming Swindle* presented the thesis that the science of anthropogenic global warming is wholly incorrect, and is perpetuated to serve anti-capitalist and anti-growth environmentalist interests. As detailed by this complaint, this was done by displaying erroneous or artificially manipulated graphs, and presenting incorrect, misleading, or incomplete opinions and facts on the science of global warming and the related economics. It seems from the format and tone of the programme that its objective was to sway public opinion on global warming science – and to oppose action to reduce greenhouse gas emissions. Public statements by film maker Martin Durkin confirm this view (see for example *The Daily Telegraph*: <http://tinyurl.com/2clgy4> and *Life Style Extra*: <http://tinyurl.com/5hk3h6>).

Subsequent to the broadcast, Durkin acknowledged that the programme contained some “inadvertent errors” (see for example *The Independent*: <http://tinyurl.com/2x7rcc>), but has denied that this wrongdoing was intentional, and stands by the programme’s arguments and overall thesis.

Regardless of whether the errors were intentional, the sheer number of transgressions indicated in this complaint highlight that the film makers and Channel 4 completely failed to ensure that the programme complied with the *Broadcasting Code* and the *Communications Act*. Over the course of the programme, the programme-maker systematically failed to ensure that individual facts and graphs presented were correct, that interviewee’s individual opinions were indicated as such, that narrator impartiality was maintained, and that the consequent overall message of the programme was an accurate reflection of the scientific facts. Most seriously, this was done in the context of a “matter relating to current public policy”, in breach of Section 5 of the *Broadcasting Code* (<http://tinyurl.com/35xfpz>).

In addition, the views of many people were seriously misrepresented by the programme, in clear breach of both Sections 5 and 7 of the *Ofcom’s Broadcasting Code* (relating to “Fairness”, see: <http://tinyurl.com/38x45e>). This applied to two of

the contributors to the programme, but also to the *Intergovernmental Panel on Climate Change (IPCC)*; to many non-governmental organisations concerned with the environment, and their members; to Sir David King (the UK Government’s Chief Scientific Adviser); and to others. These breaches have also been documented wherever they occur in the transcript.

We appreciate that this complaint is rather long. However, we believe it is in the public interest for a detailed examination of the film to take place, and in doing so we have documented a multitude of apparent breaches of the *Broadcasting Code*.

Almost all of the complainants and reviewers are professionals who are well placed to judge that the programme misrepresented the information covered; and we have strong reason to believe that it has misled the public. The two lead authors that are not professionals have studied climate science extensively in their spare time, and they object to media distortions and misrepresentations of science, especially when these concern issues relevant to current public policy.

## 2. This Complaint is Not an Attack on Free Speech

Both *Channel 4* (see: <http://tinyurl.com/yto9y5>) and the film’s producer (see: <http://tinyurl.com/yo4n5v>) have sought to portray the film’s screening as an issue of free speech; and the film maker (and some sections of the press – see: <http://tinyurl.com/28o3sn>) have also sought to portray those who have complained to *Ofcom* as stifling free speech.

The authors of this complaint absolutely uphold the right to free speech. The programme was presented on a public broadcast channel, which has important responsibilities in a liberal democracy such as the UK. These responsibilities are detailed in the *Communications Act* and the *Broadcasting Code*, which was itself drafted in the light of the *Human Rights Act 1998* and the *European Convention on Human Rights* (as detailed at <http://tinyurl.com/3ylvo2>). We do not believe that the right to free speech allows the media to practise systematic deception – as we believe has taken place in the programme. As such, labelling this (and other) complaints as an attack on free speech equates to labelling the *Broadcasting Code*, the *Communications Act* and the *European Convention on Human Rights* as attacks on free speech.

## 3. Contributors and Peer Reviewers of this Complaint

With the exception of the lead authors, all of the contributing authors and peer reviewers of this complaint are experts in the subjects on which they are commenting or reviewing, and include two former Chairs of the IPCC. Their details and qualifications are listed in **Appendix I** and **Appendix J**.

### 3.1 Peer Reviewer Sign-off

All of the peer reviewers have stated that the sections of this complaint that they reviewed and that fell within their professional competence are accurate, and that all of their comments and suggestions have been dealt with to their satisfaction – see <http://tinyurl.com/ys3j4r>.

## 4. Structure of this Complaint

This complaint is in the form of an annotated transcript of the programme, detailing how the contents apparently breached *Broadcasting Code* and *Communications Act* clauses. With each “Comment” in the transcript we have indicated which specific *Ofcom* and *Communications Act* clauses we believe have been breached by the preceding statement(s).

In addition the complaint contains 12 appendices, which provide relevant background information.

### 4.1 Referencing

Each breach has been assigned a “Comment number” for ease of reference, and these “Comments” cross-reference each other and the appendices, where appropriate. The page numbers are provided with every cross reference, so that when reading a print-out, you can easily find the cross-referenced passage. The cross-references also contain hyperlinks, so that when reading the complaint on-screen, you can click on the hyperlinks to go to the cross-referenced passage, and then press <Alt> + <Left arrow> when you want to return to the referencing passage.

In addition, the sources for all of the information in our complaint have been given throughout, in the form of clickable links to websites, which allow the verification of factual statements. In the case of the peer reviewed research literature that we cite, we have linked to the papers themselves where possible, and to their abstracts where access to the papers requires subscription. In addition, an alphabetical list of the references used in this complaint to peer reviewed literature is provided in **Appendix K** with sufficient detail to find the cited papers in a public library.

## 5. Relevant Clauses in Ofcom’s Penalty Guidelines

We believe both Channel 4 and the film maker have made contraventions relevant to *Ofcom’s Penalty Guidelines* (see <http://tinyurl.com/3ajn5x>), which we detail in **Appendix F**. When Ofcom makes its ruling on the programme, one factor in particular that should be taken into consideration is the clause that cites “repeated contraventions by the same person”. The track record of the film’s producer Martin Durkin in breaching Broadcasting Codes is described in **Appendix B**.

## 6. Categories of Serious Individual Breaches

*A full analysis of which “Comment numbers” (transgressions) fall into each of the following categories can be found in Appendix A.1, page 116.*

### 6.1 Definition of “Serious”

Our definition of a “serious breach” is one that we feel would justify a complaint to Ofcom even if it had been the only breach that the programme had made.

## 6.2 Falsification or Serious Misrepresentation of Graphs or Data; or of Quotations from Reports, or of Press Articles; or of Film Footage

Presentation of graphs or figures which evidently have been manipulated or fabricated, most likely with the intent of aiding the arguments presented by the programme. Some examples:

1. The programme presented a graph (attributed to NASA) of global temperature over the last 120 years, and suggested that most of the warming in the 20th century actually occurred prior to the post-*World War II* industrial boom. However, the original source of the graph is unclear and, most importantly, it is obsolete as it ended in the mid-80s. Hence, it left out the warming from the last 20 years, the period in which the fastest rate of warming has occurred. The film makers extended the time axis of the graph to cover up this limitation, and later admitted that the original time axis was incorrect. A cursory glance at up-to-date temperature records from NASA would have revealed to the film maker that contrary to the programme’s claims, most of the warming in the 20th century occurred after *World War II*, so this appears to have been an intentional deception (see **Comment 42**, page 35 and **Comment 43**, page 38).
2. The film presents a graph, attributed to Eigil Friis-Christensen (also an interviewee) titled ‘Temp and Solar Activity 400 Years’. The original graph produced by Friis-Christensen and published in the scientific literature included a 100-year gap in the solar data. The graph presented in the film fills this gap (¼ of the graph) with solar activity data which exactly matches the temperature, artificially inflating the correlation between the two. The manner in which this occurred has led even Friis-Christensen to state that it is highly likely that it was filled with artificial data. Martin Durkin claims that this was a mistake (see **Comment 60**, page 55).

A total of 9 breaches fell into this category. See Appendix A.1.1, page 116 for details.

## 6.3 Misrepresentations of People’s Views and Other Breaches of Section 7 of the Ofcom Code

1. The views of one of the programme’s participants, Carl Wunsch, were clearly misrepresented by the programme on both climate change and on modelling, through selective editing and use of context to make him appear to the audience to be saying the precise opposite of what he was actually trying to convey: see **Comment 54**, page 49; and **Comment 94**, page 79. In addition, Wunsch has stated publicly that he was misinformed by *WagTV* about the true nature of the programme (see **Comment 53**, page 48), in breach of Section 7 of the *Broadcasting Code*.
2. On April 27, 2007 another of the programme’s participants, Dr Eigil Friis-Christensen issued a joint statement with one of the lead authors of this complaint, Nathan Rive, stating specifically that Friis-Christensen’s views had been knowingly and fundamentally misrepresented by the film (see **Comment 60**, page 55).

3. The UK Government’s Chief Scientific Adviser Sir David King was attacked on the basis of a misquote in the closing statement of the film – see **Comment 137**, page 115 and **Appendix H** page 167.
4. The views of both Non-governmental organisations (NGOs) and of millions of ordinary people who are concerned about the environment were repeatedly misrepresented in a factually inaccurate and extreme way (see **Comment 75**, page 68; **Comment 80**, page 71; **Comment 81**, page 71; **Comment 120**, page 100; and **Comment 136**, page 114).
5. Serious allegations, many of them demonstrably false, were made about the IPCC without any evidence being offered to support the allegations, and without the IPCC being given a chance to defend itself on the programme (see **Comment 17**, page 21; **Comment 113**, page 94; and **Comment 115**, page 96). A passage from an IPCC report was selectively quoted in order to appear to the viewer to be stating the opposite of what it was actually stating (**Comment 112**, page 92) and other passages were seriously misrepresented by the film (for example **Comment 73**, page 66; **Comment 74**, page 67; and **Comment 111**, page 92). A Wall Street Journal article attacking IPCC processes was shown and quoted from, but it was not revealed that the writer of the article has never had any involvement with the IPCC, nor that he runs a lobby group that actively campaigns against greenhouse gas emissions reduction policies (see **Comment 114**, page 95).
6. Serious allegations of misappropriation of public funds, by scientific funding bodies were made by the programme without any evidence being offered in support of the allegations and without any of the bodies being given a chance to defend themselves on the programme (see for example **Comment 117**, page 97).

A total of 25 breaches fell into this category, although we have grouped related breaches if no individual had been named; and for the purposes of this complaint we consider them to collectively constitute 9 serious breaches: see Appendix A.1.2, page 116 for details.

#### 6.4 Use of “Straw Man”, “Ad Hominem” and “Non-sequitur” Logical Fallacies

It is a serious matter if a film shown by a public service broadcaster, that claims to be a “documentary” on a complex scientific subject, resorts to using logical fallacies in an apparent attempt to mislead viewers. The most common logical fallacies used by the programme were *Straw Man* arguments (pretending that one’s opponents are taking an absurd position that they are *not* taking, and then attacking that absurd position); *ad hominem* attacks (replying to an argument by attacking the person making the argument, rather than by addressing the substance of the argument); and *non-sequiturs* (stating conclusions that do not logically follow from what has gone before, for example “because human emissions were not responsible for pre-industrial climate change, it is therefore impossible that they could be strongly influencing climate change now”). For example, see **Comment 23**, page 23; **Comment 79**, page 70; **Comment 80**, page 71; **Comment 35**, page 27.

A total of 13 breaches fell into this category, although we have grouped the *non-sequiturs* into one breach as they seemed less serious than the *Straw Man* arguments and *ad hominem* attacks; so for the purposes of this complaint we consider them to collectively constitute 10 serious breaches: see Appendix A.1.3, page 117 for details.

## 6.5 Recycling of Long Discredited Myths which the Contributors and Film Makers Should have been Aware are Myths

Several well-known myths, that are frequently propagated by individuals and lobby groups critical of greenhouse gas emissions reductions policies, but which were discredited in the scientific literature many years ago, were given considerable air-time. It is difficult to understand how the contributors and the film maker could all have been unaware of the literature on these subjects (and they were billed as “leading scientists” and “an impressive roll-call of experts” – see Appendix C.1.2, page 126); and this therefore appears to have been an attempt to deceive the public. One example of this is the lengthy air-time given in the film to the idea that the presence of vineyards in Britain in medieval times tells us anything meaningful about global average temperatures at that time (see **Comment 38**, page 31). Other similar myths were also given significant air-time (see **Comment 68**, page 62; **Comment 99**, page 82; and **Comment 101**, page 84).

A total of 4 breaches fell into this category: see Appendix A.1.3, page 117 for details.

## 7. Groups of Breaches in which Multiple Interviewee and Narrator Statements, Taken Together, Constitute a Highly Misleading Narrative

Such statements failed to present the true state of the science, economics or other topic being discussed; or presented extraneous facts which misled the viewer as to the true state of the current knowledge. In many cases, these statements did not directly concern the science of global warming but were indirect attacks on environmental objectives, climate policy, and the IPCC, based for the most part on misleading or inaccurate statements.

Some examples:

1. The programme suggests that measures to mitigate climate change are preventing developing countries from using their own fossil fuel resources, and forcing them to use “expensive” renewable energy sources. The only evidence they produce to support this claim is a single rural hospital in Kenya which uses a tiny solar panel to provide refrigeration and lighting. The programme fails to mention that developing countries do not have any requirement to reduce their emissions under the current Kyoto Protocol (see **Comment 123**, page 104).
2. The programme narration, combined with misleading and inaccurate statements from Paul Reiter, criticises the IPCC review of the scientific literature’s conclusions about the potential impact of climate change on malaria in temperate regions – asserting that malaria is not dependent on



temperature, and thus that climate change is of no concern in this regard. This is achieved using a mix of factually inaccurate statements (see **Comment 111**, page 92), and misquoting the IPCC (see **Comment 112**, page 92). In addition, Reiter claimed falsely to have resigned from the IPCC, and to have been an author; and made other false claims about his relationship with the IPCC (see **Comment 115**, page 96) and about the contents of the IPCC’s reports (see for example, **Comment 113**, page 94). It is perfectly legitimate to criticise a body such as the IPCC if one has evidence to support one’s allegations, but to do so using misrepresentations of facts is unacceptable.

3. The programme gives an inaccurate history of global warming science and of the formation and development of the IPCC, in an apparent attempt to discredit both. It is suggested that the “eccentric” theory of the enhanced greenhouse effect originated with Bert Bolin in the 1970s, whereas the theory dates back to the 19th century, and involved subsequent work by numerous scientists and the collection of a huge body of evidence, prior to the 1970s. It is then suggested that the funding for climate change research in the UK (and later, the forming of the IPCC) was a co-conspiracy by Margaret Thatcher and the environmental movement to draw power away from the striking coal miners. This history is wholly incorrect, as the international developments that culminated in the IPCC actually pre-date Thatcher’s interest in global warming (see **Comment 69**, page 63; **Comment 71**, page 65; and especially **Comment 72**, page 65).
4. A schematic graph (not a plot of real data) from a 1990 IPCC report is presented of temperatures over the past 1000 years in which it is suggested that the Medieval Warm Period (MWP) was warmer than current levels. However, the graph presents the year 1975 as ‘Now’, and thus ignores the past 30 years, when by far the fastest rate of warming occurred. Furthermore, the programme neglects a multitude of more recent peer-reviewed studies which clearly demonstrate that current global average temperatures are higher than those of the MWP (see **Comment 35**, page 27 and **Comment 37**, page 29).
5. The programme claims that because satellite measurements indicated that the troposphere is not warming as quickly as the surface, the current warming trend does not support global warming theory. This discrepancy between data and theory has been discussed in the scientific literature for some time. It is largely resolved and determined to be an issue of data collection and analysis, rather than a fault in the theory: a point that has been accepted even by interviewee John Christy. Failing to present the most recent science is highly misleading (see **Comment 49**, page 42).
6. The programme highlights that in the ice core data, CO<sub>2</sub> fluctuations tended to lag those of temperatures. This is used to indicate that CO<sub>2</sub> cannot be the “driver” of climate change. This argument fails to take into account temperature-CO<sub>2</sub> feedback mechanisms, and has been refuted by numerous reputable climatologists and institutes (see **Comment 50**, page 45).
7. The programme made numerous factual misrepresentations regarding the “carbon cycle”, in order to support its thesis that human CO<sub>2</sub> emissions are

“not important. For example, the programme claims that volcanoes annually produce more CO<sub>2</sub> emissions than humans. This statement is completely incorrect; their emissions are approximately 1% that of humans. The producer Martin Durkin has subsequently admitted that this was untrue, but has failed to explain why such a clearly false claim was made in the first place (see **Comment 52**, page 47). For another example, see **Comment 54**, page 49.

8. The programme presented graphs and interview statements from Eigil Friis-Christensen regarding the link between solar activity and temperature over the last 100 and 400 years. The programme fails to mention that Friis-Christensen’s apparent Sun-temperature correlation breaks down after 1975, indicating that another agent (such as greenhouse gases) must be subsequently at work to warm the globe. Ignoring this, the film makers go on to erroneously rule out a contribution to warming by man-made CO<sub>2</sub> – a conclusion that Friis-Christensen himself states cannot be drawn from his work. Finally, the film makers failed to mention that other researchers have challenged the research of Friis-Christensen, and find a weaker correlation which indicates a lesser contribution of the Sun to past climate changes (see **Comment 59**, page 53; **Comment 60**, page 55; **Comment 62**, page 57; and **Comment 63**, page 57)
9. The programme suggests that anthropogenic global warming theory is promoted as a means for environmentalists to reverse industrial growth. This is achieved in part by showing only extremist anti-capitalist viewpoints and implying that their views represent the views of mainstream economists, political scientists and environmentalists, who are mostly not anti-capitalist and who believe that climate change can be mitigated with current and future energy technologies, and without catastrophic economic consequences (see **Comment 75**, page 68; **Comment 76**, page 68; **Comment 77**, page 69; **Comment 78**, page 69; **Comment 80**, page 71; **Comment 81**, page 71; **Comment 82**, page 72; **Comment 120**, page 100; and **Comment 136**, page 114).

The programme also gives a highly distorted and factually inaccurate account of the media’s coverage of climate change and of the contributors to the programme, in an apparent attempt to portray their views as having been given insufficient coverage and thus to justify the programme’s existence. As shown in **Appendix E**, page 158, the contributors to the programme have enjoyed privileged access to some of the most influential news publications in the UK and US. See **Comment 11**, page 16; **Comment 13**, page 18; **Comment 33**, page 26; **Comment 66**, page 61; **Comment 82**, page 72; **Comment 96**, page 80; **Comment 97**, page 81; **Comment 98**, page 81; **Comment 100**, page 84; and **Comment 107**, page 87.

10. The programme presents a distorted view (in the narration, and unchallenged interviewee statements) of the science of climate modelling.

Firstly, it suggests that because weather can’t be predicted accurately, climate can’t either. This is incorrect, as it confuses weather and climate, which are subject to different constraints (see **Comment 88**, page 74); and because climate scientists do not in any case make predictions, they make projections (see **Comment 92**, page 77).

Secondly, it is suggested that climate model parameters are set arbitrarily, often in a way to produce the most exaggerated predictions. This is wholly incorrect, and it is made sure that models are able to reproduce the past and current climate before they are used to make projections (see **Comment 87**, page 74; **Comment 89**, page 75; **Comment 90**, page 75; **Comment 91**, page 76; **Comment 92**, page 77; **Comment 93**, page 78; **Comment 94**, page 79; and **Comment 95**, page 80).

A total of 129 breaches fell into this category, although we have grouped related breaches; and for the purposes of this complaint we consider them to collectively constitute 32 serious breaches: see Appendix A.2, page 118 for details.

## 8. Grouping of Breaches which, Considered Individually, May be “Minor” but which, when Considered as a Group, are Serious Breaches

There are three categories of breach in which, if each code transgression in these categories were to be considered in isolation, they might be considered too minor to justify their inclusion in this complaint: yet each breach is misleading and together they create an overall misleading picture.

*We are therefore treating these categories as being three serious breaches, rather than a much larger number of more minor ones.*

*A full analysis of which “Comment numbers” (transgressions) fall into which of these three categories can be found in Appendix A.3, page 121.*

### 8.1 Lack of Disclosure of Conflicts of Interest

The programme presented three of its interviewees stating that they have never received funding from oil companies (see **Comment 118**, page 98) – and attempted to mislead the viewer into believing that the programme was therefore free from lobby-group bias. In fact *ten* of its interviewees have been funded directly or indirectly by the fossil fuel industry, or work with fossil fuel industry-funded lobby groups *that actively campaign against policies to reduce greenhouse gas emissions* – including Tim Ball, who denied in the programme that he had ever received such funding. Five of these ten have received direct funding from the fossil fuel industry to lobby on its behalf. This information is all in the public domain, and the details are documented here in **Appendix C**, page 126.

In addition, the narrator attempted to mislead viewers into believing that the only funding Patrick Michaels has received from the fossil fuel industry was a research grant from the coal industry; and also that one would have to be a “climate campaigner” in order to object to the industry funding he has received (see **Comment 119**, page 99). In fact he has received direct funding from six fossil fuel organisations to lobby on their behalf and is involved with twelve lobby groups that campaign against policies to reduce greenhouse gas emissions (see Appendix C.11, page 136).

It was also not mentioned that there is considerable peer-reviewed evidence that studies funded by corporations that have a financial interest in the their outcome are much more likely to reach the desired conclusions than those which aren't (see Appendix C.1.3, page 127); so the assertion by the programme that only extremist activists could object to the fact that some of his climate research has been funded by the fossil fuel industry was misleading.

It was also not mentioned that it is not only activists who have criticised Michaels' lobbying activities and the funding he receives, but that such criticisms have come from many distinguished scientists (see Appendix C.1.3, page 127).

This lack of disclosure of conflicts of interest is particularly important because of the strong evidence that has come to light (detailed in Appendix C.1.3, page 127, and Appendix D: page 145) that some sections of the fossil fuel industry, together with the lobby groups that they fund, have been running a very well-funded misinformation campaign to reduce public support for cutting greenhouse gas emissions.

Because of this, although each individual transgression might be considered a relatively minor breach, taken together they constitute a systematic breach of the impartiality and accuracy sections of the *Ofcom Broadcasting Code*.

A total of 16 breaches fell into this category: see Appendix A.3, page 121 for details; although for the purposes of this complaint we consider them to collectively constitute one serious breach.

## 8.2 Misrepresentation or Overstating of the Credentials of the Contributors to the Programme

The interviewees were billed as “leading scientists” and “an impressive roll-call of experts” (see Appendix C.1.2, page 126). Three interviewees were incorrectly described as being “senior climate scientists” (Shaviv, Clark and Corbyn – see **Comment 14**, page 19), and in a large number of cases it was not mentioned that the interviewees are not considered to be experts in the fields they were discussing (especially Lawson, Corbyn, Calder, Stott and Akasofu – see Appendices C.2, C.7, C.6, C.8 and C.15, respectively). In addition, the credentials of several of the interviewees (for example, Stott, Ball, Singer– see Appendices C.8, C.9, C.11 and C.10, respectively), or their associations with the IPCC (Reiter – see **Comment 115**, page 96) were overstated.

As a result of this systematic attempt by the film maker to mislead the public about the credentials of contributors to the programme with respect to the specific subjects that they discussed, it seems likely that viewers may have considered the contributors' statements to carry much more weight than they would otherwise have done. Because of this, while each individual transgression might be considered a relatively minor breach, taken together they constitute a systematic breach of the accuracy sections of the *Ofcom Broadcasting Code*.

It is very important to note, however, that the fact that, for instance, that many of the contributors to the *Channel 4* programme were not climate experts does **not** necessarily make their statements on climate wrong. The ideas they put forward

must stand and fall on their merits, and the extent to which they reflect the scientific evidence. It is for this reason that we have assessed each of the interviewee statements on a detailed, individual basis – regardless of the interviewee. This complaint is about the film maker’s intentional and systematic deception and is *not* an *ad hominem* attack on the contributors themselves.

A total of 21 breaches fell into this category: see Appendix A.3, page 121 for details; although for the purposes of this complaint we consider them to collectively constitute one serious breach.

### 8.3 Presenting Contentious Opinions as if they Were Undisputed Facts

The narration on many occasions put forward interviewee opinions as if they were facts, without any qualification or context to make it clear that they were opinions and that they were highly controversial amongst those professionals whose expertise qualifies them to judge their veracity.

Moreover, on numerous occasions, the narrative of the programme also appeared to express the highly contentious views of the film-maker (either directly, or through repeated consecutive interviewee statements that appeared to the viewer to corroborate each other and therefore constituted narration) – despite that fact that it was not made clear to the viewer that this was a “personal view” programme; that it was not “part of a series of programmes” (see section 10, below); and that it concerned “matters relating to current public policy” – in clear breach of the impartiality sections of the *Broadcasting Code* (<http://tinyurl.com/35xfpz>).

While each individual transgression might be considered a relatively minor breach, taken together they constitute a systematic breach of both the accuracy and impartiality sections of the *Ofcom Broadcasting Code*.

A total of 11 breaches fell into this category: see Appendix A.3, page 121 for details: although for the purposes of this complaint we consider them to collectively constitute one serious breach.

## 9. Total Number of Serious Breaches

Given the grouped breaches in sections 6, 7 and 8 above, for the purposes of your investigation and your ruling we consider that this complaint has documented 67 serious breaches as opposed to the total number of 137 individual transgressions of the Codes and Act that this complaint documents.

## 10. There was no “Series of Programmes”

Several clauses in Section 5 of the Broadcasting Code refer to the need for impartiality either within a programme or over “a series of programmes taken as a whole”; and if part of a series of programmes, Section 5 states “that should normally be made clear to the audience on air”. However, it was not announced on Channel 4 at any time that it was part of any series of related programmes. Furthermore, when challenged by George Monbiot (see <http://tinyurl.com/ytogy5>), Hamish Mykura (Head of History, Science and Religion, Channel 4), claimed that it was part of a series with two other films that were not science

programmes. In fact, we are not aware of any recent *Channel 4* programmes that have explained in any detail the science of global warming; and certainly nothing that would counter the arguments put forth in *The Great Global Warming Swindle*.

## 11. Failure to Disclose the Personal Interests of the Producer

Clause 5.8 of the *Broadcasting Code* states: *Any personal interest of a reporter or presenter, which would call into question the due impartiality of the programme, must be made clear to the audience.*

The personal interests of the presenter, which were not disclosed to the audience, are detailed in **Appendix B**: page 123.

## 12. Full Disclosure

1. None of the contributors or reviewers of the complaint have received any payment, either in money or in kind, for their contribution to this complaint; not even to cover their expenses: with the one exception that one contributing author’s internet costs of £15.09 GBP were reimbursed due to their need to use an internet café in order to look up references for the section they wrote.
2. John Shepherd, one of the peer reviewers of this complaint, has submitted a (very short, one page) *Ofcom* complaint of his own; and would also like to disclose that he occasionally undertakes work as a paid consultant to the oil industry (chairing independent peer reviews of the science & engineering studies undertaken in relation to the decommissioning of off-shore installations).

## 13. Acknowledgments

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2. Bob Ward, who until September 2006 was the Royal Society’s *Senior Manager in Policy Communication*, and is now Director, *Global Science Networks, Risk Management Solutions Ltd* ([www.rms.com](http://www.rms.com)): although not a formal peer reviewer, Mr Ward read and made many helpful suggestions regarding the Complaint Summary.
3. Kert Davies, Research Director at Greenpeace US, who set up and co-maintains the *ExxonSecrets* website (<http://tinyurl.com/28n384>), and who provided information and references that were used in **Appendix C** and **Appendix D** of this complaint.

4. Brendan DeMelle, an independent analyst and researcher in climate change and politics, who also provided information and references that were used in **Appendix C** and **Appendix D** of this complaint.
5. Kevin Grandia, Operations Manager of the *DeSmogBlog* website ([www.desmogblog.com](http://www.desmogblog.com)), who also provided information and references that were used in **Appendix C** and **Appendix D** of this complaint.