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The Secretary,
Senate Finance and Public Administration Committee.
P.O. Box 6100,
Parliament House.
CANBERRA. ACT. 2600

Dear Sir,

**Re: - Inquiry into the Native Vegetation Laws, Greenhouse Gas Abatement
and Climate Change Measures.**

1. The Effect of the Legislation.

The enactment of a series of pieces of legislation purporting to "protect" the environment by in effect making the clearing of land illegal (the native vegetation legislation) has caused widespread loss in the farming community - and is widening the city / country gap in assets, income, services, - and- antagonism.

The various Native Vegetation Acts impinge almost solely on farmers, who receive no compensation for what is in effect statutory theft. The green movement is united in declaring that there should be no compensation and that farmers have a "duty" to make this sacrifice of assets and income.

The legislation is itself almost certainly unconstitutional, and is in breach of many aspects of the common law - not to mention latter-day antidiscrimination law.

In 2003 the Productivity Commission held an inquiry into the Native Vegetation Legislation. It invited submissions, and heard evidence at two public hearings.

The following is a commentary on the Commission's Draft Report.

The Commission's report makes it clear (although it does not set out to do so) that there has been no attempt to engage with scientific and historic reality in the drafting of the current legislation. False emotion, ideological bias and black armband attitudes toward nature have been the driving forces, together with political correctness, behind each piece of such legislation. For example the Victorian government wants the "... transferring [of] power from land holders to the community". There speaks the authentic voice of the ideological left.

The existing legislation has brought serious loss, of both capital and income, to farmers and their dependants. This has been shown by numerous submissions and by the Commission's own investigations in the Moree and Murweh Shires.

The capital loss to land holders has already reached the land valuation system. For example, over the last valuation cycle (1998-2002) land in the Bathurst area with a significant

proportion of tree cover has been reduced in value by 20 per cent; while cleared land of a similar nature has continued to appreciate in value.

Local areas are also being, and will continue to be, disadvantaged. The Moree and Murweh Shire studies have shown this, without the other evidence before the Commission.

There has been and there will continue to be an increase in vermin and noxious weeds in timbered country sequestered by this legislation. Evidence for this is abundant in national parks, and already in some freehold land. There is plenty of evidence of the propagation of noxious weeds from National Parks; and of the Parks being used as a harbour for vermin, from which they prey on livestock in adjacent properties.

In addition, it is notorious that the failure of the National Parks and Wildlife Service to undertake fuel reduction burning has created a hazardous environment which has and will continue to be the source of costly bushfires, which all escape from National Parks and burn private property.

Claims by the proponents of the legislation have not been substantiated by any factual evidence. Most of it consists of dire predictions about what might happen at some indeterminate time in the future. For example, ".....the long term adverse economic and environmental effects which could result from land degradation if native vegetation and biodiversity are not protected." (Tamborine Mountain Landcare) "Urgent action is required to prevent further degradation of our natural resource base and natural heritage." (Senator Bartlett)

There are serious flaws in what little quantitative "evidence" has been produced to support the basis for the legislation. Among other things, the base from which the extent of clearing has been postulated can best be described as a figment of somebody's imagination. Even so, on the basis of this very tendentious data more than two-thirds of the "intensively used areas" are still tree covered. There is very good reason to believe that this is very little, if at all, less than at the time the first settlers arrived.

Farmers have been affronted by native vegetation and biodiversity legislation. They, quite properly, perceive it to be based on false premises and totally biased and unfair. Furthermore, it cuts across all established legal, constitutional and familiar rights; many of them centuries old.

The result is quite likely to be that farmers will become estranged from the environmental process. For example, if some of their land is sequestered by a blanket prohibition of clearing, it is more than likely that they will simply neglect it. Or at the best, only do what is absolutely necessary to protect their remaining property.

"Green" propaganda consistently casts farmers in the role of villain - polluters, destroyers of the natural environment, razers of trees etc.,etc. When a section of the community; constituting less than five per cent of the total; which provides 25 per cent of the community's export earnings and provides the rest of the community with the cheapest food in the world; is attacked in this way, it is naturally resentful.

In contrast to farmers, the "green" movement is intransigent, biased and closed minded. It's attitudes are at best emotional and at worst ideological.

There are many instances in the report of the "green's" irrational and selfish attacks on farmers. The A.C.F., for example, is totally opposed to the giving of compensation to farmers for the loss of potentially productive land. "The payment of compensation for regulating land use or water access would be an unreasonable burden on the public purse." they say, "The high cost of compensation would leave governments in a position where they could no longer afford to enforce environmental laws or social responsibilities." In other

words let the farmers suffer, we're all right. It is also enlightening to note that they at least recognise the "high cost" to farmers that is the inevitable result of this legislation. Nevertheless, they are quite satisfied to leave the farmers to bear that cost.

On the other hand the Commission noted at page XXII of its Draft Report: -- *"The community should pay for the provision of environmental services, such as biodiversity conservation, that it demands. To meet wider community demands, governments should buy additional conservation services from landholders..... Payments to landholders for public good conservation also would lead to increased scrutiny of costs and benefits. There may be significant budgetary implications, but the community should be prepared to pay for the environmental services it demands, if it believes the benefits outweigh the costs."*

Needless to say, nothing has been done to compensate farmers for the statutory theft of their land.

2. The Basis of the Legislation.

This legislation has been largely based on the hysteria resulting from the rantings of the global warming fanatics. As is well known, they claim that catastrophic warming will ensue from the increase in carbon dioxide resulting from the burning of fossil fuels. These claims are largely based on the several reports of the IPCC, which have been shown to be fraudulent. (See below.) In fact there is no probative evidence that man-made carbon dioxide (or for that matter any other gas) has caused or is likely to cause serious, much less catastrophic, increase in global temperature. What has been shown is that, as always, the climate is changing; and in fact, as we emerge from the last ice age temperatures have been increasing very slightly. There is a general consensus that the global average temperature increased by about 0.5 C° during the 20th century; but by no means in a uniform manner. On the other hand, all the methods of determining temperature have shown that this increase ceased in 1998, and since then the temperature has fallen by about the same amount. The most that can be said of anthropogenic carbon dioxide is that it *may* have contributed a negligible (and hardly measurable) amount to the warming.

Every claim of the global warming fanatics - from polar bears and Antarctic ice to sea level rise and disease has been *proved* wrong. Every method of measuring temperature, whether on land, in the sea, or in the air, has shown cooling in the last decade; as mentioned above. I am happy to provide you with references if you want them, and most of them can be found in my submission to the Garnaut enquiry, a synopsis of which is attached herewith.

One of the most disturbing things about the global warming fraud is the way in which its protagonists demonise those who oppose them. These people also indulge in the most extraordinarily fraudulent practices to fabricate evidence, and to suppress opposing evidence. Any hypothesis whose proponents have to rely on fraud, manipulation, fabrication of evidence, suppression of opponents and downright lies *must* be suspect. When, added to this is the fact that the whole edifice of alarmist propaganda is based on computer modelling which itself is fraudulent; at least to the extent that it cannot "predict" past events when the programs are run in reverse using known data, have failed to predict recent events, and have predicted other events which have not taken place; the verdict must surely be that the whole thing is indeed a fraud.

Another aspect of the activities of the global warming fanatics is their use of "peer review" as a weapon. Samuel Johnson once said that patriotism is the last refuge of a scoundrel; well, peer review is the last refuge of the global warming fraudster. In the global warming fraternity it is the self-serving mechanism of approving each other's work.

The media have of course had a field day, and have used their manipulative skills to add to the chorus of lies and half-truths; and have joined wholeheartedly in the demonisation of

opponents and the suppression of alternative views. This has led to a large number of ignorant people embracing this new apocalyptic religion of eco-fundamentalism; hugging to themselves a self satisfying sense of collective guilt and environmental redemptionism.

Apart from the media; all, or nearly all, of those promoting this fraud rely on it for their income, or hope to significantly augment their income from it. From carpetbaggers such as Gore and Flannery, to the plethora of academics and researchers who always end their pronouncements with a demand for extra funds for research. From government employees in the relevant fields, to bankers, consultants, and trading sharks; who all see in it the hope (perhaps their only hope) of increased income. From purveyors of "green energy" to politicians on the extreme left. They all stand to gain from this, the most monumental fraud of all time.

Incidentally, why is it that the "scientists" who declare that the science is settled are always asking for more funds for research?

3. The Frauds.

The list of fraudulent claims and practices by global warming alarmists and opportunists is seemingly unending. I list below a few of them.

- One of the more recent is the claim in the last report of the IPCC that the Himalayan glaciers would virtually disappear by 2035. The provenance of this claim is interesting, and significant. It derived from an article by an obscure Indian scientist (Dr Syed Hasnain) in an equally obscure Indian magazine. Much later this article was picked up by the magazine *New Scientist* (a rag with about as much scientific credibility as *Popular Mechanics* or the *National Geographic* magazine) and by the WWF (a rabid left-wing environmental group like Greenpeace) and on this authority was given a prominent place in the IPCC's 2007 report. The chairman of the IPCC, Rajendra Pachauri, subsequently employed Hasnain; and on the strength of the fraudulent statement about Himalayan glaciers Pachauri's company has received large sums in grants from the Carnegie foundation and the EU global warming fund – and, \$1 million from Kevin Rudd! \$1 million of Australian taxpayers' money has been given to this charlatan.
- The IPCC cited two "experts" to support the assertion that 40% of Amazonian forest is at risk due to global warming. One of the "experts" Dr R. F. Moore is a 'policy analyst' with a background of advising on native vegetation legislation and water pricing amongst other things. The other, A. Rowell, is a journalist with the *Guardian* (formerly known by the soubriquet of the *Moscow Gazette*), and a green activist. Needless to say their assertions were fraudulent.
- The "Climategate". Dr Phil Jones and his colleagues at the University of East Anglia have been shown to have indulged in a years long campaign of fraudulently manipulating data to promote the concept of global warming caused by anthropogenic carbon dioxide. They have been instrumental in falsifying records, in destroying records that didn't suit their purpose, in suppressing contrary data and in black listing scientists who did not accord with their views. The extraordinary thing about this affair is that the IPCC, other protagonists of global warming, and the media have all closed ranks in support of Jones and his cronies and have stated that "the science has not changed". This, in the face of the fact that the so-called science was based on the very same fraudulent data manipulated by Jones et al. There seems to be every reason to believe that the University of East Anglia will do a cover-up in the same way as the State University of New York at Albany did (see below). ['Climategate Analysis' J. P. Costella SPPI Reprint Series, 20th January 2010]

In this context it is worth noting the recent comments of Xie Zhenhua, the vice-chairman of the China National Development and Reform Commission. He said that the IPCC should report opposing views; and that there is a well-established view that climate change was due to the cyclical elements of nature itself. He went on to say that China is not convinced that emissions from industrial development were the cause of climate change.

- Professor W. C. Wong at the State University of New York at Albany fraudulently changed data from a wide range of Chinese weather stations to make it appear that the climate was warming. Dr D. Keenan, on examining this data, found it to be not only wrong but so wrong that it could only have been done purposely, and hence fraudulently. He raised the matter with the University which, after long delays, did a cover-up. Dr Keenan has since alleged criminal fraud in the New York State jurisdiction. It appears that Prof Wong has received as much as \$7 million in research grants from the United States government on the basis of his "climate research".
- Dr Michael Mann and his colleagues produced the notorious "hockey stick" which purported to show declining temperatures until the middle of the 20th century and then a sharp increase in temperature supposedly as a result of man-made carbon dioxide. It has been shown that this result was achieved by not only selecting data that suited their purpose and discarding data which showed the opposite, but by using an algorithm in their computer program which produced a hockey stick graph even if random numbers were fed into it. Dr Mann was one of Dr Jones correspondents in the Climategate affair. He is, as far as I know, still receiving grants for climate research.
- Dr James Hanson, head of the NASA Goddard Institute for Space Studies, who; apart from supporting Keith Farnish who in turn advocates the destruction of Western civilisation; was recently arrested in an attempt to close a coalmine in the US. He has been shown to consistently manipulate data from his Institute to promote the proposition of anthropogenic global warming.
- Kofi Annan - ex UN Secretary General - now in a cosy, and no doubt well paid, job as president of the "Global Humanitarian Forum" (no less!), issued a report last year full of the usual dire warnings, all of them fraudulent; including the assertion that more than 300,000 people per annum were dying because of global warming! All this under the imprimatur of the " Forum".
- William Connelly, a UK "scientist" and green activist, has effectively turned Wikipedia into a global warming propaganda site. He obtained a position as Web site administrator at Wikipedia and wrote or rewrote 5428 articles promoting the global warming fraud. He blocked over 2000 contributors who opposed his views and of course gave free rein to all global warming fanatics who wished to contribute.
- The BBC (wouldn't you know?) recently claimed that the "North East passage" had been opened for the first time ever due to global warming. The North East passage is that strip of water extending from the Barents Sea across the northern coast of Siberia to the Bering Strait between Russia and Alaska. Contrary to the BBC's assertion, it has been in more or less regular use during the summer months for the past 80 years! It had been successfully navigated before then, but only since the advent of more advanced steam propulsion and better navigation aids has it come into regular use.
- Less than two weeks before the US Environmental Protection Agency presented a pro-regulation recommendation to the White House, it quashed a 98 page internal report that said that global temperature was declining and in any case global warming was not due to anthropogenic carbon dioxide. The leading researcher, Alan Carlin, was told that the report "did not help the Agency's legal or policy case".

- In June 2009 one of the world's leading experts on polar bears, Mitchell Taylor, with a record of more than 30 years of academic research and fieldwork - who stated that polar bears were not at risk and that anthropogenic carbon dioxide was not the cause of global warming -was barred from the UN's Polar Bear Specialist Group.
- The subsequently disgraced US conglomerate Enron was one of the first corporations in the field of carbon trading and "environmental" activities. It paid large sums, totalling millions of dollars, to groups such as Greenpeace, WWF, Worldwatch etc.; and to individuals, such as James Hanson (op. cit.), in influential positions. It became an adviser to the Clinton administration, and was instrumental in the development of the Kyoto Protocol. Until its final disgrace and the gaoling of members of its senior management it accrued billions of dollars from its "environmental" enterprises. Lehman Brothers, whose collapse many believe precipitated the global financial crisis, enthusiastically embraced the idea of carbon trading. In its 2007 report it claimed that its aim was to become a prime brokerage for emissions permits. Presumably it meant to make money not only from dodgy mortgages but also from trading in thin air.

The people of Australia; the electors of the Parliament; need to be told the facts that I have set out above, and the many more that can be told. They need to be told that if the perpetrators of the frauds described above were Australian company directors they would be in gaol. They need to be told of the enormous cost that would be incurred by any emissions trading scheme or tax which might be introduced, ostensibly for the purpose of reducing emissions of carbon dioxide; and they need to be told that this cost would effectively destroy the Australian economy and reduce their standard of living to a degree that would turn Australia into a Third World country.

In the meantime the world's largest private sector coal business, the Peabody Energy Company (PEC) has filed a mammoth 240-page "Petition for Reconsideration," a full-blown legal challenge against the U.S. Environmental Protection Agency (EPA). This action, in the Supreme Court of the US, will be much more shattering to the global warming fraud than the English High Court case which found Gore's film on global warming to be false on at least nine counts.

Moreover, PEC is demanding that the EPA shall convene a full evidentiary hearing as a part of such reconsideration. If this element of the petition were granted it is highly probable that the weight of the new evidence now freely available since Climategate would expose the criminal and fraudulent component within the science of man-made global warming, and would most likely succeed in having all the EPA's findings on carbon dioxide invalidated.

Thereby, from accomplishing their civil task Peabody will lend further weight to the likelihood of criminal charges being brought against those individuals implicated in international fraud on the largest scale never known.

4. Land Holders Have Been Robbed.

Landholders in Australia, most of them farmers, have been robbed of a considerable portion of their assets by the prohibition of clearing which is part of the various Native Vegetation Acts.

What is worse, the Australian government has gained an advantage under the terms of the Kyoto protocol which has not been passed on in any way to farmers or other landholders affected by the legislation. That is to say it has fraudulently exploited the fact that it has legislated against clearing.

Farmers have suffered the loss of productivity, and the increase of hazards such as fire, vermin, and noxious weeds without recompense. The land sequestered by the clearing prohibition has in effect been excised from their holdings. All to appease the lunatic fringe of society that is the green movement, and to buy votes.

At a time when population is increasing, Australia should be bringing more land into production, not sterilising it.

What I have written is the merest summary of all the problems and catastrophes associated with the land clearing prohibitions in the various Native Vegetation Acts.

There are ways to properly ensure, on a scientific basis, that land clearing is appropriately regulated. Blanket prohibition is not only grossly unfair but will, in the long run, have serious consequences for the Australian economy.

I hope that the enquiry will be taking verbal evidence, because, if so, I wish to appear as a witness.

Yours faithfully,

F. S. Hespe.

GARNAUT CLIMATE CHANGE REVIEW

ISSUES PAPER 3

CLIMATE CHANGE : WHAT IS THE SCIENCE TELLING US?

SUBMISSION BY

**F.S. Hespe B.E.(Syd.), M.I.C.E., F.I.E.Aust., M.A.C.E.A., M.A.C.S.E.
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SYNOPSIS

The science underlying the forecasts of the Intergovernmental Panel on Climate Change (IPCC) has been examined from an epistemological point of view. When the evidence of the observed data, the empirical assessment of the data, and the established theory of the physical chemistry of the atmosphere is considered, it can be seen that there is no basis for the hypothesis that emissions of carbon dioxide (or other gases) from man's industrial and other activities will cause, or will be likely to cause, serious, much less catastrophic, increase in global temperature. Yet, this is the expressed view of the IPCC and the coterie of self-serving scientists it supports.

It has been shown that a number of key postulates of the IPCC are not only wrong but are in fact fraudulent. There is clear evidence that a number of the scientists providing information to or working for the IPCC have knowingly changed, altered or adjusted data or results to suit preconceived notions. In particular, a program designed to show that temperature change at the global level had been negligible or falling until the last half of the 20th century, was shown to give the same results even if random numbers were provided as input. This was the notorious 'hockey stick'. The General Circulation Models, the predictive tools used by IPCC scientists, have been shown to be seriously flawed; and, to an extent, fraudulent.

The IPCC, in successive reports, has progressively increased its predictions of catastrophe. In its 2007 report it stated that there was 'observational' evidence both directly from temperature changes and melting snow to the effect that it is *unequivocal* that the planet *is* warming. Yet, the *fact* remains that world temperatures have declined since 1998, levelled out in 2000 and then *have fallen* 0.6C° in 2007.

Other factors than the so-called greenhouse gases have been examined. It is clear that there are a number of natural forces acting on the world's climate which have been shown to materially affect its temperature. Some of these, in particular sunspot activity, have been shown to have been, together, responsible for most of the increase in temperature of the last century. There is evidence that the next sunspot cycle, which is just commencing, is likely to be a low cycle, bringing cool or cold temperatures to the world.

The reasons behind the apparent populist acceptance of the IPCC's claims have been examined. It is clear that the original driving force behind the global warming propaganda was, in Nisbet's words, "that permanent cadre of political and social radicals Western society has nurtured ever since the French revolution." These ideologists of the left are at the core of the environmental and global warming movement. It no longer being possible to promote red agendas, they are promoting the green equivalent. The media has taken up the cause, and together with a number of notorious propagandists (Gore and Flannery for example) have relentlessly promoted it to the masses.

The final result of all this will be, unless reason and commonsense return, the draconian imposition of a reduction in carbon dioxide emissions of 60%. This effectively means a reduction of 60% in power generation, transport, and exports; and the devastation of Australia's economy. The global warming lobby suggests that 'renewable' energy will replace existing coal-fired generators; this has been shown to be absurd. Australia, which produces 1.35% of the world's carbon dioxide is to be asked to destroy its economy by reducing these emissions, while China (16%), India (3.5%), Brazil (5.2%), the Soviet Union (5.6%) and Indonesia (8.7%) will be able to carry on more or less as before; the first three, without any restraint at all. The position of the USA (17 %) is still an enigma.

[Note: this submission was written in April 2008]