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Ian Plimer and George Monbiot: could litigation sort out their arg

By [Stephen Keim](#) - posted Thursday, 7 January 2010

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Professor Ian Plimer is famous for using litigation to settle disputes going to core beliefs. In the 1990s, P Allen Roberts, an elder of the Hills Bible Church in Sydney, for misleading or deceptive conduct in breach *Act 1974*. The litigation concerned statements made by Dr Roberts in a Christian Science Foundation lec April to June 1992.

In 1997, Justice Ron Sackville of [the Federal Court found](#) that Dr Roberts had made three misleading suggestions that Roberts, himself, had carried out archaeological research on boat like formations in Mt , having won three battles, lost the war when Justice Sackville found that the misleading statements were commerce such that the *Trade Practices Act* had no relevant application. Professor Plimer, in the same y in *Plimer v Roberts* (1997) FCA 1361 when three further members of the Federal Court concurred in Jus the *Trade Practices Act* was not applicable.

English writer, George Monbiot, and the Australian Broadcasting Commission have given Professor Plim return to Court to right some more wrongs. Is Professor Plimer's appetite for litigation still strong some 1: In a [televised debate](#) on the ABC's *Lateline* program, Monbiot, repeatedly, accused Professor Plimer of s fabrication. Monbiot used the phrase "scientific fraud" in respect of Plimer twice; the word "fraud" on its o "fabrication", four times. He also accused Plimer of "lying on national television" and of "making up the fa

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Professor Plimer's prominence in the early 1990s concerned his willingness to take on creationist church the scientific credibility of the theory of evolution and their promotion of a literal interpretation of the bible myths found in the book of Genesis. Professor Plimer wrote *Telling Lies for God*, a book in which he stro arguments. Interestingly, from the present perspective, Professor Plimer was criticised by American relig defender of evolutionary theory, [Jim Lippard](#), for making unsupported claims and dubious ad hominem at an essay called *How Not to Argue with Creationists*. Lippard followed up his criticisms of Plimer and ano Price, with an essay called *How Not to Respond to Criticism*.

Professor Plimer is now much better known for his attacks on those who argue that the world is experien experience dangerous levels of human caused global warming and climate change. He has also written : claims on this subject, *Heaven and Earth*. On this topic, also, Professor Plimer has been criticised by per Monbiot for making unfounded and dubious claims.

[The debate before Tony Jones was a long time coming](#). In a column in *The Guardian*, Monbiot, last July, for publishing uncritically an interview with Professor Plimer on the occasion of the publication in the Unit *and Earth*. In the column, Monbiot set out scientific criticism of the book after its publication in Australia a errors identified by those critics.

Plimer responded by [challenging](#) Monbiot to a debate. Monbiot responded by [agreeing to a debate](#) cond answering the questions raised about "errors of fact and misrepresentations" in the book.

In subsequent correspondence, Monbiot elaborated upon and raised the number of questions to be answered provided links to the sites where scientists had raised such questions in commenting upon *Heaven and Earth* correspondence is fascinating with Professor Plimer producing his own set of questions which were discarded largely irrelevant and incoherent by **scientists** some of whom had previously raised questions about the evidence. Professor Plimer, at all times, studiously avoided answering charges that he had made unreferenced claims which misstated his cited sources in *Heaven and Earth* which he presents as a serious scientific study of causes of climate change.

In the excitement and hype of Copenhagen, Tony Jones and *Lateline* leapt to the rescue and programme both men accepted without pre-condition. Monbiot was in Copenhagen and Plimer was in the studio with say, as the words and phrases enumerated above indicate, Monbiot repeated his allegations of “error on all spades. As it turned out, Professor Plimer continued to avoid, assiduously, responding to the criticisms but **felt he had done well**. I was unable to discover Professor Plimer’s opinion.

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May the solution for Professor Plimer lie in a return to litigation? After all, though he lost the war in 1997, Plimer had proved Dr Allen’s lecture statements wrong in three respects. The climate change denialist movement, times, resorted to litigation to prove its factual points. In *Dimmock v Secretary of State for Education and Employment* 2288, an attempt to prevent distribution of Al Gore’s *An Inconvenient Truth* resulted in a finding by Justice that statements in the film did not represent mainstream scientific thinking at that time. The application was successful in distribution of the film to schools but did result in some amplification of teachers’ discussion notes which was a fair result all round.

So, what can Professor Plimer do to stop people accusing him of scientific fraud? He could sue George Monbiot what Monbiot said in the *Lateline* interview. The ABC and Monbiot could plead “fair comment” and “truth” but the Court could look at all the evidence and decide who was correct.

I suspect, however, from watching, listening and reading Professor Plimer that, on this topic, “a fair fight” is the last thing he would want to be involved in.

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Stephen Keim has been a legal practitioner for thirty years, the last twenty-three of which have been as a Senior Counsel for the State of Queensland in 2004. Stephen is book reviews editor for the Queensland magazine *Hearsay*.

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