

fracking inquiry

From: Mark Fraser [REDACTED]
Sent: Friday, 16 February 2018 12:11 PM
To: fracking inquiry
Subject: Submission by Mark Fraser
Attachments: Submission for
Draft Final Report of the Scientific Inquiry into Hydraulic Fracturing in the Northern Territory - 2.pdf

Hydraulic Fracturing Taskforce,

Please find OCPL - Submission regarding LTGA unreserved apology attached

Regards,

Mark Fraser

HP: [REDACTED] | E-mail: [REDACTED]

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15 February 2018

Justice Rachel Pepper - Chairperson

Scientific Inquiry into Hydraulic Fracturing in the Northern Territory

GPO Box 4396, Darwin, NT 0801, Australia

Email: fracking.inquiry@nt.gov.au

Dear Justice Pepper,

As the managing director of Oilfield Connect Pty Ltd (OCPL), a local Territorian company severely affected by the lack of local business activity from a stalled shale gas industry, which has been paused due to the ongoing moratorium and Inquiry, I would like to respond to the recent media announcements made 15th Feb-18 that state that Lock The Gate Alliance (LTGA) spokesperson Naomi Hogan has made an unreserved apology.

NT NEWS - *"We apologise unreservedly to the inquiry panel and Origin for alleging there was a cover up of the casing deformation at the Amungee NW-1H well. We want to make it clear that in raising the issue we did not intend to impugn the integrity of the panel."*

I feel that this apology made by LTGA is entirely disingenuous in nature as it has taken LTGA just over a week to retract their false allegations despite being given clear and irrefutable evidence to the contrary of their false allegations within a few short hours of having made them, and has at the same time maintained a media release online which continues to display the same falsehoods.

LTGA supporters may well admire what appears to be a somewhat intentional strategic decision to leave these false allegations hanging for the public minds to absorb over this last week, before making a partial strategic retraction (only to the Inquiry panel), however such an underhanded tactic can heavily distort the balance in public discussion and influence those who were previously either supportive, agnostic or undecided to either change or cement their views against a safe well-regulated shale gas industry.

This makes it much harder, if not impossible, for those who do understand that the allegations by LTGA were indeed false and who also support balanced factual information being shared and discussed collegially with mutual respect, from now being able to be heard fairly and their evidence understood, due to the chorus of people who will believe and repeat the false allegations by LTGA.

One theme that has been presented to the Inquiry over and over again, which has been expressed through the word 'TRUST' or more correctly a 'lack of trust'. Some people seem to have expressed an inherent mistrust to all businesses and government agencies, whether there is any factual basis to support their lack of trust or not.

What LTGA false allegations does for these people who usually hold little trust towards businesses and government agencies, is to feed any preconceived concerns they may already have, by portraying a false example of 'businesses', 'NT government agencies' and the 'Inquiry panel' as being



collectively guilty of doing something unethical to warrant their belief that there could be or was a concerning breach of public 'trust' in the form of a scandalous cover-up.

This issue should be viewed very seriously, as this form of misinformation with a delayed partial retraction can be a very powerful tool for affecting public perceptions and without doubt will negatively affect any efforts to restore social license however you measure it to be.

With regards to the false allegation of a threat to well integrity made by LTGA, in stating that a casing deformation (ovality) midway in the production casing, between the perforated sections, would in any way constitute a breach of well integrity, LTGA should have had sufficient competency on this key subject to understand clearly the details represented within the illustration, and to understand the basic difference between what is 'production casing' which is intended to be perforated and the upper 'multi-staged casing' which is designed for well integrity, and not made such an obvious non-technical error.

With regards to the separate yet more serious false allegations of a conspiracy between Origin and the NT government to intentionally cover-up any details relating to the deformation of production casing in the Amungee NW-1H shale gas well, which was based wholly on LTGA's false belief that the details of the well were being intentionally withheld and hidden from public record, this aspect of the false allegation exposes LTGA's complete failure to thoroughly examine the publicly available documents in greater detail over the last 8 months or so, as all the details were posted in the Inquiry submission library, rather than just have a last minute sloppy skim through on the Sunday before presenting on Tuesday.

On Tuesday 6th Feb-18, LTGA had been given ample time and opportunity to review the veracity of the counter statements made by both the Inquiry chair and Origin's representative, that all the information LTGA was claiming to be omitted and covered-up, was indeed publicly available in the submission library for the entire world to see and the deformation of production casing was not related to a well integrity issue and for LTGA to have taken this special opportunity provided by the Inquiry chair to make a timely retraction and/or unreserved apology.

Remarkably LTGA failed to correct the record right there and then and as a consequence of their failure to act promptly has now caused the erroneous claims to be given much time and opportunity for these false allegation to be viewed and distributed through their own eNGO website, and that of any eNGO affiliates, mainstream media & social media, talk-back radio, word of mouth, to negatively influence the unwary public with this misinformation.

I feel it is woefully insufficient for LTGA to simply make an unreserved apology only to the Inquiry panel over a week later, and that for LTGA to be seen in any way as being genuine in making an 'unreserved apology', they should be required to also make an unreserved apology to the other parties they falsely accused and to take all necessary measures to remove any/all misleading media releases that could continue to misinform the public, particularly that observed by their followers.

It would be more fitting, considering the seriousness of the false allegations made by LTGA, and the affect that can have on swaying public views or concerns, and the far reach that LTGA has into grassroots organisations and remote communities, that LTGA should be required to do much more

than just issue an 'unreserved apology', they should also take such actions as is necessary to 'make good', whether that means:

- removing all traces of the misinformation from;
 - their own LTGA website;
 - any other online presence (Facebook, Twitter, etc.); and
 - formally request all affiliates to do the same;
- publish full-page statements to clearly and unambitiously retract their accusations in all mainstream media;
- release a TV media statement which demonstrates an 'unreserved apology';
- distribute flyers with the retraction to all communities they regularly target; and
- any other such actions as necessary to reverse the affect this misinformation may have caused.

In summary, LTGA spokesperson Naomi Hogan, by way of delaying an apology to the Inquiry for over a week, by failure to apologise to Origin, by failure to apologise to NTG (the public services), by failure to remove false media releases from their eNGO website, by failure to take measures that ensure their followers are clearly advised of the facts ... has impugned the credibility of herself and LTGA, but this might be a strategic price Naomi and LTGA are willing to pay to influence or manipulate public debate.

Although it is well outside the scope of the Inquiry, it should be noted that this type of scandalous action (and inaction) by the LTGA is a prime example of why this organisation and others which seem to do nothing but advocate for their own particular ideology, be subject to Australian Consumer Law (ACL) which applies to all registered businesses in Australia, but is not applicable to the not for profit sector (includes eNGO's). Under ACL, such action (and inaction) would need to be justified by LTGA as it is akin to false and misleading advertising and deceptive conduct.

The Inquiry panel should consider very carefully the totality of the perversion of public perceptions that this incident is already having on some members of the public as witnessed by the Inquiry panel itself at recent community engagements, and in particular to the fact based development of 'trust' which is a critical element to forming better social license, and thus this has negatively impacted on the entire process by undermining the efforts of the Inquiry panel to maintain a scientific & fact based engagement with the public.

The Inquiry panel may consider that there needs to be a new recommendation to the NT government for a 'post-Inquiry public awareness campaign', which more clearly articulates the facts learned by the Inquiry panel about the onshore shale gas industry, and also point out the many non-factual misinformation and false allegations, such as evident in this incident by LTGA.

This should include visiting remote communities and rural town-hall meetings, the cost of which in my opinion should all be fully reimbursed by LTGA as a part of their penance to 'make-good' for their wrongful actions.

LTGA describes itself as “a national grassroots organisation made up of over 120,000 supporters and more than 450 local groups [including] farmers, traditional custodians, conservationists and urban residents.”

LTGA have continued to maintain a media release article on their own website which perpetuates the false allegations as being factual to a large base of followers.

Reference LTGA website – media releases

http://www.lockthegate.org.au/nt_fracking_inquiry_cover_up_origin_s_frack_well_casing_deformation_erased_in_draft_final_report

Transcript in case the offending media release is removed in the interim:

“NT FRACKING INQUIRY COVER UP: Origin’s frack well casing deformation erased in draft Final Report

Published: February 06, 2018

Lock the Gate can reveal today that Origin Energy erased all evidence of a frack well casing deformation in a submission to the NT Fracking Inquiry, making the draft Final Report a false account of the Amungee NW-1H gas well.

Lock the Gate is calling for a full investigation of Origin’s conduct, including how the NT Government and the NT Fracking Inquiry came to be implicated in the cover up.

In April 2017, Origin Energy provided the NT Fracking Inquiry with a diagram which removed all reference to the casing failure at the Amungee NW-1H horizontally fracked well in the Beetaloo Basin.

However, the casing failure was included in Origin reports submitted to the NT Government in February 2017 and in May 2017, and as an attachment to their submission to the NT Fracking Inquiry in May 2017.

Origin’s May 2017 submission attachment to the NT Fracking Inquiry also reveals they had attempted a 12th frac of the Amungee well, but that it was unsuccessful. It also shows a fault line at the point of the casing deformation.

Lock the Gate spokesperson, Naomi Hogan, said:

“Origin have misled the Inquiry with this cover up of a well casing deformation in their much celebrated Amungee frack well in the Beetaloo.

“This type of deformation is likely to be a threat to the integrity of the gas well, vindicating community concerns about the risks of well failure from the gas industry.

“What’s most disconcerting is the fact that the NT Government and the Fracking Inquiry both had versions of the diagram clearly showing the casing deformation, and yet used the version that covered up the casing deformation in the NT Fracking Inquiry draft Final Report.

“This represents a potentially serious breach of trust that the community has placed in the process - how are we expected to trust the NT government and the Inquiry after they have allowed Origin to orchestrate such a cover up?

"Minister Ken Vowles' department knew about Origin's well casing deformation. They had two reports clearly identifying the problem yet failed to alert the NT Fracking Inquiry and put their logo on the version omitting the failure.

"Why did the Inquiry fail to see the Origin submission with the casing deformity, and fail to draw attention to it?"

"A serious cloud now hangs over the integrity of the Inquiry and Minister Vowles' Department of Primary Industry and Resources."

Origin's cover up of the well casing deformation may put them in breach of Section 14 of the NT Inquiries Act.

Timeline:

Please refer to appendix attached for diagrams referenced.

April 2017, Origin Energy provides the NT Fracking Inquiry with a diagram that is reprinted in the draft Final Report. It does not reference the casing failure.

On 28 April 2017, Justice Pepper wrote to Origin requesting more information about their operations.

On 25 May 2017, Origin wrote back to Justice Pepper, including Attachment 1, the Amungee NW-1H Discovery Report (see diagram 2). Origin notes in their letter that the Discovery Evaluation Report was submitted to the NT Department of Primary Industries and Resources in February 2017. This report is filed on the NT Fracking Inquiry's submission page under Origin Submission #283, Attachment 1. This Report clearly shows well casing deformation on page 6.

In December 2017, the NT Fracking Inquiry released its draft Final Report. Page 81 (see diagram 1) uses the April 2017 image from Origin without the casing deformation. The Inquiry ignores the Amungee NW-1H Discovery Report and the figure showing the casing deformation. The page 81 figure in the Inquiry draft Final Report includes the NT Government logo."

Some evidence of mainstream media and LTGA social media influencing the public views with false allegations of failed well and/or cover-ups.

Lock the Gate Retweeted
abcnewsNT @abcnewsNT · Feb 5
The NT Government and Origin Energy have misled a hydraulic fracturing inquiry and provided it with false information regarding a failed well, the Lock the Gate Alliance says #ntpol @abcnews ab.co/2E66O8j



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Lock the Gate @LockTheGate · Feb 5
Origin Energy erased all evidence of a frack well casing deformation in a submission to the NT Fracking Inquiry, making the draft Final Report a false account of the Amungee NW-1H gas well #ntpol
lockthegate.org.au/nt_fracking_in...



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