

20 September 2018

To: the Cochrane Collaboration Governing Board
From: Peter C. Gøtzsche

Appeal of my expulsion from the Governing Board and from the Cochrane Collaboration

On 13 September 2018, I was expelled from my role as a democratically elected Trustee of the Governing Board and from my membership of the Cochrane Collaboration.

I appeal because:

- 1) It has not at any point in time been made clear to me what the charges are;
- 2) I have not seen any evidence that I have done anything wrong;
- 3) I have not been allowed to defend myself;
- 4) It has not been explained why I was found guilty;
- 5) I have not had a fair trial, nor have I been afforded procedural fairness during the process;
- 6) I was seriously defamed at the Annual General Meeting.

Violations of rules in the Cochrane process

The transgression of good management practice in relation to my expulsion violates both Cochrane's own rules and Charity Commission rules to such a degree that it caused 4 of the 13 Board members to resign from the Cochrane Governing Board in protest the next day: Nancy Santesso (Canada), Joerg Meerpohl (Germany), Gerald Gartlehner (Austria) and David Hammerstein (Spain).

Charity Commission rules

According to the Charity Commission, when you make a decision, you must:

- ensure you are sufficiently informed, taking any advice you need
- take into account all relevant factors
- ignore any irrelevant factors
- If something goes seriously wrong, the Charity Commission or the courts may look into the way you made the decision. The commission doesn't expect you to be legal or technical experts, but it will consider what you could have reasonably known or found out when you made the decision.

As I shall explain, the Governing Board was not sufficiently informed, and the information sent to the Board was incomplete, misleading and biased against me. In addition, the Board did not have sufficient time to study the issues because the lengthy reports sent to them by Cochrane's Counsel arrived shortly before the meeting, i.e. 12 hours before for Counsel's report, and 1.5 days before for other documents. The documents, which the Board needed to carefully consider, consisted of "Instructions to Counsel" (ca. 400 pages), Counsel's report (38 pages) a submission by the CEO of Cochrane, Mark Wilson (25 pages), and a submission by me (66 pages + 7 appendices of 132 pages), a total of ca. 661 pages. In addition to this, the Board received other documents to consider when judging my case (a total of 61 pages). Thus, the total volume of documents amounted to ca. 722 pages. I attach to this appeal my 66-page report plus its 7 appendices.

According to the Code of Conduct for Trustees, the organisation is effective, open and accountable; the highest standards of integrity and stewardship are achieved; and the trustees ... must avoid actual impropriety and any appearance of improper behaviour. Several Trustees, particularly co-chair Martin Burton, violated these requirements to such a degree that it was defamation.

Cochrane's own rules

"Human resources policy, Grievance Procedure" mentions: Cochrane aims to create and foster a spirit of mutual respect and cooperation amongst colleagues and partners. The organisation maintains a commitment to openness and transparency in relationships, communications and actions to minimize discord in the working environment. Focusing on irrelevant issues or incidents that took place long before the matters in hand is not helpful and can hinder the effective handling of your complaint.

"Cochrane's Charter of Good Management Practice" mentions: Honesty, integrity, and trust, together with the display and maintenance of high standards of professional conduct and competence, lie at the heart of best practice in management and leadership; commitment to transparency, openness, and accountability in our relationships, communication, and actions; a spirit of mutual respect and cooperation; embracing the diversity of thought and perspective represented by all at Cochrane; use power and authority in a fair and equitable manner; show respect for the views and actions of others, ensuring every individual is treated fairly; valuing the contribution colleagues make and recognising their achievements; when communicating, managers will endeavour to be honest, open and truthful in all external communications; when dealing with conflict, managers will endeavour to document key discussions with the employees related to the conflict.

As I shall explain, most of these Cochrane rules were also violated in my case, and indeed, seriously so. Furthermore, I was not allowed to defend myself against the many unfounded allegations raised against me during the 5 hours where I was not allowed to participate in the meeting.

This appeal is therefore a call for a fair trial, with totally new "judges," as those who remain in the remnants of the Governing Board are seriously conflicted because of their inappropriate decisions and actions on 13 September and at the Annual General Meeting on 17 September.

The expulsion

On Thursday, 13 September at 19.59 GMT, I received an email from the Governing Board co-chairs, Martin Burton and Marguerite Koster, which explained that three motions were passed during the day:

- 1. The Governing Board finds that Peter Gøtzsche has breached the Trustee Code of Conduct.*
- 2. The Governing Board requires that Peter Gøtzsche resign as a Trustee with immediate effect.*
- 3. The Governing Board will serve notice on Peter Gøtzsche of their decision to terminate his membership in accordance with clause 5.2.1 of The Articles of Association of The Cochrane Collaboration.*

I would like to know, in detail:

1. What evidence the Board has to verify that I have breached the Trustee Code of Conduct.
2. What evidence the Board has to verify that I have breached clause 5.2.1, which is:

5.2 The Governing Board may terminate the membership of any member without his consent by giving the member written notice if, in the reasonable opinion of the Governing Board, the member: 5.2.1 is guilty of conduct which has had or is likely to have a serious adverse effect on the Charity or bring the Charity or any or all of the members or Directors into disrepute.

3. Whether the Board finds it acceptable that the explanations given about why I was expelled have the character of a moving target. It seems to be that I have brought the Charity or some of its members into disrepute. It must be specified exactly in what way. Co-chair Martin Burton gave other reasons in his speech at the Annual General Meeting, including “bad behaviour” (without specifying what that was despite being asked twice by Cochrane member Jos Verbeek at the meeting) and “harassment and personal attacks” (without specifying what that was, and which I have no knowledge about). Thereby, Burton violated several of the Cochrane rules to a serious degree.

Background for the Cochrane process

In the spring of 2018, two complaints about me and one question were sent to Cochrane’s Executive Office. Cochrane’s CEO, Mark Wilson, resolved that I had broken the Cochrane Spokesperson Policy in relation to both complaints by using my Nordic Cochrane Centre’s letterhead without inserting a disclaimer that any views expressed were my own. I disagreed with Wilson, which meant, according to the agreement I had with him (similar to other agreements between the CEO and other Cochrane centres), that the Governing Board should resolve our differences.

This was a trivial matter that could easily have been resolved, but it quickly blew out of proportion. Instead of adhering to our agreement, the co-chairs of the Governing Board at the time, Martin Burton and Cindy Farquhar, wanted to involve an external law firm to conduct a review.

At a meeting held on 13 June 2018, the Cochrane Governing Board decided to appoint independent (but was paid by Cochrane) legal Counsel to carry out a review to assist the Board with the resolution of “governance issues.” Eight Board members voted yes, 4 voted no; I was not allowed to vote. The

issues concerned disagreements in interpreting the Cochrane Spokesperson Policy, and Cochrane's law firm that handled this case was Harbottle & Lewis LLP.

According to "Instructions to Counsel" from 2 July 2018, the complaints Gøtzsche and Wilson had raised against each other should be subject to a formal consideration and legal review, and Counsel was asked to establish the facts; identify the legal basis of the issues in dispute; and make recommendations in order to try and find a resolution amenable to all parties involved.

The process before the verdict

The "Instructions to Counsel" were straightforward and did not reveal what was to come.

I was therefore highly surprised when I received documents related to the disagreements in a binder of about 400 pages from Cochrane's law firm. It is not clear who assembled these documents. As I showed in my 66-page report to Cochrane's law firm (attached), they were a seriously biased selection of documents that favoured Wilson and disfavoured me (see, for example, page 28 in my report). They also contained many inaccuracies and misleading statements, and I was initially given only 8 days to respond to this, a monumental task, with no legal assistance, and in a period where I had no time to spare, as I was travelling and had planned to do research with a guest researcher from Australia, Maryanne Demasi.

Some of the allegations raised against me regarding the breach in the Spokesperson Policy actually pre-dated its existence. It is incredulous that I would be expected to abide by a Policy that did not even exist at the time. This adds weight to the thesis that the plan to have me expelled from the Board was pre-determined, and independent of Counsel's assessment.

I submitted my preliminary report to the law firm on 30 August and explained that I needed more documentation before I could provide a final report. I also requested additional information. Counsel asserted in his report, more than once, that he had not had sufficient time to write it. He had already declared previously that:

Counsel has been asked to provide his initial report on the review in advance of the Board Meeting on 13 September. The Board will then consider the initial report at the Board Meeting.

Counsel will then be asked to respond to any questions that arise from the Board Meeting and the consideration of the initial report.

The intention is that Counsel then finalises his report for submission to the Board.

The Board will then consider and debate the final report.

Based on this information from the Counsel, and the fact that the Board had received over 700 pages to read and digest just before the meeting, I trusted that no decisions would be made at that meeting, and that the process would take some time. I therefore was deeply shocked when I was told I had been expelled the same day the Board met. This kind of decision making violated most of the Charity and Cochrane rules described above.

Counsel's report

Counsel's report contains several inaccuracies, e.g. "it is clear that health professionals had expressed concern to Cochrane that PG [Peter Gøtzsche] was voicing controversial opinions in a way that suggested that he was speaking as a representative of Cochrane Nordic." This was not a concern expressed by them. The Danish Psychiatric Association had asked the Cochrane Schizophrenia Group and the Cochrane Depression-Anxiety Group: "How do you, with the specific knowledge you have on antipsychotics and antidepressants respectively, evaluate Peter Gøtzsche's statements as presented in his article"? There was not any doubt that the views I expressed in that article were my own, and Wilson confirmed this in his reply to the Association.

In my report, I noted that:

"According to Cochrane's "Human resources policy, Grievance Procedure," it is mismanagement that the co-chairs asked Cochrane's law firm to consider events involving me as far back as 2003, and only stopped there because electronic records are missing beyond this year. I have never heard of any such investigation going 15 years back in time when there are current problems in the working relationships between two people and when one of them has only been employed for 6 years."

About events in 2003 that I felt I needed to comment on, as they were described in the binder from Cochrane's law firm, I noted that they had occurred when a Spokesperson Policy did not exist: "A policy, introduced in 2015, cannot be applied retrospectively."

Counsel agreed with me that this was unfair:

"my view is that all these events are historic and the parties resolved them at the time, or decided to let them lie. I do not believe that it serves any useful purpose to go over this old ground, other than to consider whether they support PG's complaint that they demonstrate that MW [Mark Wilson] is antagonistic towards him etc. Further: (1) I am not sure whether it would fair on PG to come to conclusions on matters which lie in the past; and (2) in any event I do not have time to deal with these issues in the time constraints imposed upon me."

Counsel also had reservations about dealing with the two recent complaints:

"I am currently not proposing to make any determination adverse to PG in respect of them. Moreover at the time of these issues the Collaboration Agreement was not in force."

Counsel wrote:

"I presume that the core functions set out in the "Functions of Centre" document do not permit Cochrane Centres to carry out whatever research they choose to do" and "In my view the Cochrane letterhead or the Cochrane designation can only be used for communications or work which promote the functions of the Centre as defined."

None of this is correct. Cochrane Centres can do whatever research they choose to do and often do this, among other reasons because it can be an avenue for getting funding that could help further

Cochrane objectives. According to the Spokesperson Policy, the Cochrane letterhead can be used for such purposes, and for other non-Cochrane issues as well.

Even though Counsel misunderstood the key issues, Counsel nonetheless provided some very helpful thoughts and recommendations for Cochrane:

"I am not sure that PG deserves censure for what I think are breaches of the Collaboration Agreement. It is not clear to me that his position has ever been analysed in the way I have endeavoured to do so above and I am sure that PG has not thought about it in this way. Further it seems to me that the matters I have discussed above involve a fundamental question as to the limits of what Centres and Centre directors can do. It may be said that the "Functions of Centres" document is not exhaustive of function. My respectful view is that the issues raised by this review require the Governing Board ultimately to come to a conclusion about what are those limits and set them out clearly in a policy. The philosophy of PG and the policy which MW has articulated and followed are at odds; rather than see this as a disciplinary matter it may be more constructive to treat it as a crossroads at which the Board must decide its vision for what Centres/Centre directors can and cannot do. One way or the other that vision needs, I believe, to be articulated in a clear way which provides PG (and others) with very clear guidance."

In contrast to Wilson, Counsel did not conclude that I broke the Spokesperson Policy. In fact, he expressed sympathy for my views:

"PG makes an initial point that the Spokesperson Policy is highly ambiguous (p.3, Submission). He supports that point through an empirical study he has undertaken which yielded a diversity of responses, albeit the majority tended to think that in each case PG had not violated the Policy, and near unanimity that the Policy was difficult to interpret and could be improved (pp 3-9 and passim). I must say that I have some sympathy for PG's position here ... One of the rhetorical questions PG poses at p.9 of his Submission is "What is a Cochrane-related issue? It is not possible to distinguish sharply between Cochrane-related activities and other activities." I have some sympathy with this point. It is not absolutely clear to me that when he wrote the letter to Dr Torrey PG was "expressing a view about Cochrane-related issues." I think the phrase "Cochrane-related issues" needs closer definition."

"On p.1 of the Spokesperson Policy it states that "This Policy clarifies who can represent, write and speak officially on behalf of Cochrane and how they should do it." PG might well say that this has nothing to do with what he was doing in that letter to Dr Torrey. He was not speaking or purporting to "speak officially on behalf of Cochrane" ... I do not think that PG can be clearly said to have acted in breach of the Spokesperson Policy when he wrote to Dr Torrey."

"My conclusion is the same in relation to the expert report and the subsequent complaint against Professor Loonen in the Dutch proceedings. PG was there plainly not speaking about "Cochrane-related issues." I do not think it can be said that he was speaking officially on behalf of Cochrane."

"I do not think it would be fair to hold PG in breach of a document which is not crystal clear as to what may or may not be done ... I am not sure it be would fair to censure PG."

“A final point on the extra constraints which were imposed on PG. In general I think it is an imperfect solution to seek to impose ad hoc requirements on individuals, although there they were very well-intentioned. The precise legal status of those requirements is unclear and their ad hoc nature gives rise to the issue which has arisen as to what was or was not agreed in Geneva.”

These extra constraints were about when I should not use my address, the Nordic Cochrane Centre, or its letterhead. For example, in a letter from 9 June 2015, Wilson wrote “We must therefore ask you to no longer use your title of 'Director, Nordic Cochrane Centre' when you are writing and speaking on projects that are not Cochrane reviews or methodology. Instead, we ask that you use your alternate title of 'Professor of Clinical Research Design and Analysis, University of Copenhagen'. Meeting minutes from 1 August 2015 say: “Mark advised that Peter could, when presenting scholarly methods research papers, use his 'Director, Nordic Cochrane Centre' title (as in this example); but because of the continued controversy in relation to his views on this particular issue, when he writes or speaks about psychiatric drugs in other ways or in other fora he should use his University of Copenhagen title.”

I wrote in my report that such constraints that apply to only one person in Cochrane are unfair. I furthermore documented that I was liberated from these constraints at the Board meeting in Genève in April 2017 (pages 38 and 39 in my report).

In my view, Counsel handled my complaints about the process and the actions of Mark Wilson and the two co-chairs in a superficial way, and he draws conclusions that mainly built on personal impressions of their character rather than facts. He draws unwarranted conclusions as well:

Counsel wrote:

“I am satisfied that MB [co-chair Martin Burton] (and, although I have not interviewed Professor Farquhar [also co-chair] I have no reason to distinguish her position from that of MB) is wholly impartial ... I wish to make it clear immediately that although PG has at various stages impeached MB's conduct in various ways, during my interview with him I was impressed by MB's obvious integrity and impartiality. Moreover every document I have seen corroborates my view ... I should say here that over well in excess of four hours of interviews with MW I was impressed by his fairness, objectivity and open demeanour. Nothing I read undermined that impression ... Similarly I reject the suggestion that MB has engaged in "deliberate misrepresentation of the evidence". This is a very serious allegation against an eminent figure which I wish to make clear I unequivocally reject.

In my report to Counsel, I documented serious breaches of good management practice, tampering with the evidence, and also that the 400-page binder delivered to Cochrane's law firm was biased against me while it favoured Wilson. I therefore have difficulty understanding how Counsel could conclude as he did. He furthermore wrote about a very hostile email Wilson sent to me on 11 April that, “In my view that email was a perfectly proper email to write, regardless of the correctness or otherwise of its conclusions.”

This is not how the Board members I consulted at the time saw it. They felt Wilson's email was highly inappropriate and disproportionate. In that email, Wilson threatened to close my centre, if I failed to comply with the Spokesperson Policy and the special requirements for me, which do not apply to other members of Cochrane, and which did not apply to me either after the Board meeting in

Genève in April 2017. Moreover, I had complied with the Spokesperson Policy (see above). I called this “Management by fear” in my report and gave other examples of this.

Although I had done nothing wrong, Wilson threatened to close my centre if I did not do as he wished. Counsel exonerated me of Wilson’s accusations of wrong-doing. I find this an example of serious mismanagement, particularly considering that we might lose government funding, if Wilson closed my centre, which would mean that my staff would become jobless.

Counsel dismissed my observations of tampering with meeting minutes far too easily. He wrote:

“In my view, and having long experience of disputed meetings, it is very easy in such meetings for two people to come away with differing perceptions of what was agreed.”

This is correct but, as I have documented in my report (see references to tampering on page 1), it was much more than “differing perceptions.” Some of the tampering seemed intentional, and, as far as I can see, it was always in Wilson’s favour.

Counsel dismissed other evidence I presented in my report:

“At p.9 he says that MW “virtually always finds me guilty.” I have found no evidence to support these suggestions.”

I presented plenty of such evidence in my report and will therefore not repeat it here. External, and, I believe, neutral observers have concluded that I have been exposed to a formidable witch-hunt, led by Mark Wilson and his leadership team. This might not have been Wilson’s intention, but it is nevertheless how they see it.

Counsel wrote:

“I mention in passing a point made by PG at p.34 that the letterhead on PG’s 26 April letter at Tab 21 has been deleted and so the document has been “tampered with.” I see nothing sinister in this at all.”

It is not sinister, but why did Martin Burton (I assume, as he seemed to be the one who assembled the documents) take the trouble to delete my letterhead before he sent this particular 15-page letter as part of the 400-page binder to Cochrane’s law firm? The deletion involves three separate actions, so it is not something that is done accidentally.

I wrote in my report that, in legal matters, it could be considered a serious offence to tamper with the documentation, and when the letterhead is gone in a Word document, one wonders whether bits have been left out elsewhere. In fact, they have. As I also documented, Burton wrote to me that a document included in the binder I got from the law firm was the minutes from the Board meeting on 13 June. However, although I was a member of the Board, they were not the same minutes as those other Board members received. What was missing in my version was the identity of those who voted “yes” or “no” to the launch of a legal review. Counsel did not comment on this act of tampering. Burton furthermore misled me when I asked whether I had received the same minutes as everyone else. I continued to ask questions about this, and, ultimately, Cochrane’s law firm admitted that the minutes were not the same (my report, page 53).

It felt as an insult that the letterhead had been removed since this was the key issue in the many petty disagreements between Wilson and me about the interpretation of the Spokesperson Policy.

Counsel wrote:

"I unequivocally reject the suggestion made by PG that he "assumes" (p.35) MW tampered with the minutes. This is tantamount to saying that MW consciously and dishonestly ensured that the minutes recorded statements by PG which he knew PG had not made or excluded material statements which he knew PG had made. This is a very serious allegation which I think it is important I make clear I wholly reject ... The precise details of PGs' objections to the minutes are immaterial. During fluid discussions people have different perceptions and recollections."

It seems to me that Counsel "wholly rejects" my allegation mainly because it is serious. I documented in my report (page 35) that the minutes from a meeting about the Spokesperson Policy look very much like a precise, verbatim transcript of what was said. However, this is not the case and two very important bits that are incriminating for Wilson were left out. I also noted that, "It can be verified by listening to the recording and by calling upon witnesses that it is true that I said this during the meeting."

It is surprising that the Counsel, given this evidence, opined that the crucial deletions of what I had said were "immaterial" and that "During fluid discussions people have different perceptions and recollections." They were certainly not immaterial for my defence against Wilson's never-ending attacks on me.

Counsel wrote about Martin Burton that, "I reject the notion that he either has an extremely poor memory or is deliberately tampering with evidence." I cannot see any other possible explanations than these. This was about an important issue we discussed at our Board meeting in Genève in April 2017, namely Wilson's special provisions for me, which were discussed at length at the meeting, and which I also informed the Board members about before I left the room (see my report, page 38). I find it very serious that our two co-chairs deny in a summary to a law firm what was so clearly said at a meeting only 16 months earlier. A Board member whose memory is not impaired is willing to testify and confirm that this was discussed.

Counsel tried to reject the observations made not only by me, but also by other Board members, that Wilson operates a style of "management by fear" (page 44 in my report). One of the Board members said at the Board meeting in Lisboa in March 2018 that co-chair Martin Burton is afraid of Wilson. Since Wilson, who is based in London, is the line manager for Burton, who is Director of the UK Cochrane Centre, this construct creates an unhealthy conflict of interest, which the Board must avoid in future. Counsel argued:

"I have spoken to MB and MW at some length about these very serious accusations and my clear view is as follows: (1) MB (amongst other distinguished positions) is an eminent Professor of Otolaryngology at Oxford University. The idea that he should intentionally set aside or subordinate his independence is inherently unlikely. (2) Without intending any disrespect to MW I cannot see how anyone could be frightened of him; least of all PG."

There are several issues with this. It is a non-sequitur that because one is an eminent professor, one cannot possibly subordinate one's independence facing one's boss who, moreover, can sometimes be a bully (which several Board members have noticed; see my report, page 37). And what is a non-eminent professor? And how can Counsel conclude, based on an interview with Wilson, that no one can be frightened of him? This is very naïve. None of us are likely to show our worst manners when being interviewed by a lawyer. Further, I have all the reasons in the world to be frightened of Wilson, as he has threatened to close my centre for no good reason several times. Finally, my disagreements with Wilson over petty issues have now led to my expulsion from the organisation I co-founded.

Counsel continued with his unsubstantiated opinions:

"I am in any event absolutely satisfied that there is no substance in these points. MW explained to me his perception of his role as the "servant of the board"."

This is not how I, and the four Board members who resigned in protest, see it, and the Counsel cannot know anything about this, as he has never attended a Board meeting. Wilson exercises firm control of the Board, although it should be the other way around (see my report).

Counsel opined that he had "not been persuaded that the Instructions are not impartial" even though I had documented over 8 pages in my report that they are (pages 58 to 65). Given the evidence, such a blanket statement by a lawyer is unconvincing. He continued to refer to eminence in his superficial line of reasoning, although we have always said that, in Cochrane, we prefer evidence-based medicine for eminence-based medicine (where no one looks up the evidence but where conclusions are based on "daddy knows best"):

"Based on everything I have read and heard I have come away impressed by MW and MB's professionalism, integrity and dedication ... It occurs to me that many of the criticism of them may have made by PG in "the heat of the moment" and that he may, on reflection, wish to resile from them. I feel obliged to record my surprise at the tone adopted by PG in his Submission and that he felt able to level multiple allegations of bad faith against professional persons."

If we adopt this line of reasoning, it is not possible for professional persons to do anything wrong. But as I am such a person, this faulty reasoning would also apply to me. Further, I find it inappropriate for a lawyer who is on a fact-finding mission to talk about the "tone." Police detectives do not consider the "tone;" they look at the facts and take them seriously, which Counsel repeatedly failed to do in his report. Finally, I used the Charity Commission's definition of "bad faith" when I wrote on page 46 in my report:

"Acting in bad faith includes mischaracterising events and misrepresenting minutes of meetings at someone's expense. I have given many examples in my report of how co-chair and Director of the UK Cochrane Centre, Martin Burton, has favoured the position of his line manager, CEO Mark Wilson, over mine. I find it reasonable to conclude that at least some of these actions were intentional and might be explained by the fact that Burton feels safer to side with his superior over me."

Counsel makes an observation, which is highly important for Cochrane Centre Directors. They have expressed great dissatisfaction with Wilson's micromanagement of them, which he practices even

though they are not his employees and need to find their own funding. As far as I can see, according to Counsel, Wilson's micromanagement of Cochrane Centre Directors is inappropriate:

"At para 40 of the Instructions it is said that the enquiry into the complaints made against PG was being undertaken by MW as PG's "line manager" in accordance with Cochrane's Charter of Good Management Practice dated February 2016. That document is at Tab 8. Having looked at that document I do not think it imposes any duty on PG, who I do not think could be described as a Cochrane manager, though it seems to impose duties on MW."

A complaint Wilson made about me about my actions as a Trustee was rejected by Counsel:

"I should also say that I agree with PG's point at the top of p.59 of his Submission. I do not think he breached his obligations as a Trustee by involving the Governing Board in "personal matters." Indeed I agree with him that these were not "personal matters"."

The Board meeting on 13 September

We - the four Trustees who resigned and myself - were all convinced that matters would be resolved amicably at the Board meeting because Counsel had exonerated me on all counts. However, the verdict had clearly been pre-determined and what unfolded was the worst kind of a show trial one could imagine.

I had taken three people with me to the meeting to support me, which I was entitled to do according to Charity Commission regulations:

Trustee meetings. *If you employ staff, you might invite them to these meetings to advise or inform you but they won't be able to vote.*

We arrived early, and when the two co-chairs, Martin Burton and Marguerite Koster, entered the room, panic arose. Burton marched immediately towards our group and said he recognised one of my staff as being a film-maker. She explained that she had made a film about me and that she was not going to film in the room.

Burton said that my staff should leave. I said that, according to Charity Commission regulations, I was allowed to bring staff to Board meetings. Burton then argued that they needed to leave because it was a closed meeting. I explained that the Charity regulations did not distinguish between types of Board meetings. The meeting was announced on our software, Convene, as "Governing Board Meeting – Closed Session (Trustees only)," and I added that "Closed Session" only meant that the CEO and his staff were not allowed to participate, something we also call "Board only time."

Burton's third argument was that the meeting was private. I replied that I had searched in my email boxes, and that the word "private" did not exist in any of the emails I had received about this meeting. And I repeated that Charity regulations did not distinguish between types of meetings.

Tensions were running high. Koster was very hostile and aggressive, particularly towards Maryanne Demasi, with whom I did research and whom I had invited to the Board meeting as my staff. The situation was hectic and confused, to say the least. Burton went into another room with other Board

members, I think most or all of them. When he came back, he said he had talked to Cochrane's lawyer (probably Cochrane's in-house lawyer) who had told him that my staff must leave.

I informed Burton that this was a clear violation of the Charity rules, and that Cochrane's lawyer could not overrule these, but he maintained that they must leave.

During my 18 months on the Governing Board I have observed several times that Burton either bends the rules or seems to invent them on the spot, to his and his line manager, Cochrane's CEO's benefit. I believe this also happened on this occasion.

Two of my staff left, leaving only Demasi. She explained to the co-chairs that these months had been very stressful for me and asked them to re-consider allowing her in the room to support me, both psychologically and with the English language. Koster was very defensive and said: "We are all stressed, should we then also take people to the meeting?" and furthermore argued that my written English was 'perfect', although I have great trouble with legal English language.

The co-chairs asked Demasi to leave, and I asked if the meeting was being recorded. I reminded the Board that we decided 18 months ago that all Board meetings would be recorded. After some discussion, Burton said something about that it would be recorded but he came back a while later and said it would take a good deal of time to arrange.

There was no recording, but Burton asked those who had a Mac to record if they so wished and also encouraged members to take minutes so that they could be compared afterwards.

The two co-chairs were very rude and hostile towards me. Koster started by asking me: "Do you accept the contents of Counsel's report, yes or no?" As Counsel's report was of 38 pages, it was meaningless to ask such a question because the answer was not black and white – I agreed with some aspects of the report and objected to others. However, Koster continued to pressure me into giving an answer. I asked: "What parts of it?" Koster responded: "The conclusions." I said: "There are several, you must be specific."

Koster gave me 5 minutes to explain myself. Joerg Meerpohl and Gladys Faba supported me in my plea that I should have more time than this. Koster argued that it was a very serious matter and that we had already wasted time and needed to go on. I said that it was not serious, it was just about the disagreements over the Spokesperson Policy, Wilson and I had had for years, so why all the hurry? I also said that I had used months preparing for this - days, nights, evenings, and weekends - and that I had been very stressed. I tried to ease the extreme tension a little by joking that I was grateful that I had been allotted 5 minutes for my defense. I said the following:

It is very strange that a lawyer can say that Burton could not have done anything wrong because he was an eminent Professor. Counsel had exonerated me; the issues were petty; we had much bigger issues to discuss; Cochrane was at a crossroads; the world was watching what would happen next; I was just the messenger that something was wrong at the Cochrane leadership; we needed to change direction from business to science; and Cochrane was in crisis, but the Board had not realised this.

As it was a semi-legal process, I argued that I had needed the support from Demasi, who had been advisor to the Minister of Science in Australia. Koster interrupted me repeatedly.

As the documentation with the 400 pages in the binder I got from Cochrane's law firm was biased, I asked if Burton had consulted with Wilson when assembling the package. Burton refused to reply. I said that Burton had not consulted with me and asked again. Again, Burton refused to reply and became very annoyed. I said that this looked like a show trial, a Kafkaesque process, and asked whether there was a hidden agenda about getting rid of me and my centre. No reply.

I asked when the co-chairs received my report from 30 August to the lawyers, pointing out that the complaints about having my position on the Board revoked, which the Board had received in the early days of September, were remarkably similar in content. No reply.

I said that I felt I could remain in the room because the lawyer had exonerated me on both counts; there was no violation of the Spokesperson Policy, and I was entitled to write to the Board. Koster indicated that she was not so convinced and that the Board would need to discuss this.

I said it would benefit themselves to have me in the room, as this was not about me but about much bigger issues, e.g. that it would be wrong to require that directors could only use their centre's letterhead for Cochrane issues because we apply for funding as a Cochrane centre, also for non-Cochrane issues, which is important for Cochrane issues.

My plea was rejected. I was asked to recuse myself and left at 9.35, after one hour where most of the time had been spent on discussing Charity rules and whether and how the meeting would be recorded. I asked when I would be allowed to come in again. "We will call you." So, I took my phone and left.

The emails from the co-chairs leading up to the Board meeting were of such a character that I dared not send anything to the Board on my own initiative, as one of the two groundless accusations I had faced was that I was not entitled to send the two emails I sent to the Board in April.

On 12 September, early in the morning (7.58 Danish time), I asked Burton to send the following documents to the Board, as they were important for my defense:

"It is very important that you upload also:

1. My response to Farquhar. Why do you say, "We are not able to send you his [mine] response to the Farquhar letter."? I sent my re[s]ponses the same day, 7 Sept, to Craig, Macdonald and Farquhar to you. The Board must of course see my reply to Farquhar, and I cannot understand why this would pose a problem. I can also send it directly to the Board, if you have problems.

2. Tom Jefferson's complaint about Toby Lasserson' possibly having broken the Spokesperson Policy in a Cochrane editorial about the HPV vaccine review from 4 August.

3. The reply to Jefferson by Wilson and Tovey [Cochrane's Editor in Chief] from 3 September.

These two letters are crucial for understanding how Wilson interprets the Spokesperson Policy."

Burton responded the same day: “We have acted at all times on the advice of our lawyers.” Burton avoided explaining why he did not want to include Jefferson’s complaint and the reply from Wilson and Tovey, which were crucial for my defense. In fact, so crucial, that I had photocopied a page I intended to hand out to the Board.

There was no good reason why Burton should refuse to upload these two important documents on Convene, our Board meeting software. We all got access to Counsel’s report, which arrived 12 hours later the same day. The only reason I can imagine for Burton’s refusal is that these two documents would totally undermine the idea that I should have broken the Spokesperson Policy at any time.

Jefferson had alleged that Toby Lasserson, an employee with Cochrane’s Editor in Chief, David Tovey, might have broken the Spokesperson Policy because he had not declared that his views in an editorial about the Cochrane review of the HPV vaccines were his own (see appendix 8).

In their reply, Wilson and Tovey exonerated Lasserson, although he had done precisely what Wilson accused me of doing. It seems that some are more equal than others, as George Orwell wrote in *Animal Farm*, and it was very important for the Board to know that this was the case. Wilson had consistently punished me for doing the same thing that wasn’t a problem when one of his own staff did it. Here are extracts of the two letters:

Jefferson wrote:

The editorial may breach the spokesperson policy. The editorial states “We hope that this review [Arbyn] will be used to support policy or personal decision-making about HPV vaccination that is informed by the best current evidence, balancing facts rather than opinions” Ever since I have been involved in Cochrane we specifically avoid making any statements on policy. That is not our job. Here we have statements on both personal and general policies. Given the visibility and the role of the authors this seems to infringe the spokesperson policy statement “we can protect against this by clarifying when we are speaking on Cochrane’s behalf or in a personal capacity”. The policy suggests two ways of doing this. By saying (or writing) “in my opinion...” or adding a statement such as “The views expressed are my opinions and not the expressed views of any organization to which I am affiliated.” No such disclaimers or qualifiers were visible in the editorial, leaving readers to assume the statements represented the views of Cochrane.

The editorial states that “all but very rare harms would be captured during large randomized controlled trials.” This is misleading, as not a single trial included in the Arbyn review had a control group where participants were treated with a placebo. They all received a hepatitis vaccine or the adjuvant, and if these cause similar harms as the HPV vaccines, such harms would be overlooked in the trials.

Wilson and Tovey replied on 3 September to Jefferson:

“The Editorials represent the views of the authors ... They do not represent Cochrane’s official policy unless that this is explicit in the text.”

Considering this message, Wilson has no basis whatsoever on which to criticise and discipline me when I do not have a disclaimer that the views I present are my own. Counsel shared my opinion.

This also means, at least in retrospect, that there was no basis for asking a law firm to try and find a resolution amenable to all parties involved in relation to the disagreements in the interpretation of the Spokesperson Policy. This harmful policy, which invites censorship, should be removed.

During my short presence at the Board meeting, I was not given the opportunity to deliver my one-page photocopy and to have it discussed. This was a gross act of injustice that also meant that the Board violated Charity rules about making sure the Trustees are sufficiently informed, take any advice they need, and take account all relevant factors.

Since the Board was denied access to these two small but vitally important documents, and Burton denied me the possibility of having them uploaded together with other material for the meeting, or even just to have them discussed at the meeting based on the photocopied page I brought to the meeting, this should be enough to declare the Board process invalid.

I did not hear any more from Burton before the next day in the evening when he sent an email telling me that I was expelled from the Board and as a member of Cochrane.

After I had left, Nancy Santesso asked Burton if he had encouraged people to write letters of complaint about me, which I strongly suspected was the case. Burton got red in his face and starting stuttering and said “no.” Santesso then said that she could prove that Burton had done this.

When someone pointed out that I had done many good things, a Board member referred to the #MeToo campaign and said that even successful, prominent men had abused people and should be punished. Another Board member accused me of defending a mother who had murdered her two children, merely because I was called as an expert witness in a murder case which required my testimony about a psychiatric drug.

Burton claimed that I had said or written that Tovey had sold out to the drug industry. This is not true. I wrote that others had ventilated such suspicions because of Tovey’s attacks on me when I criticized psychiatric drugs. Burton and Rae Lamb put the blame on me for the fact that two of the three Cochrane review groups based in Denmark had not delivered Cochrane reviews of good quality. This was a highly unfair comment and had nothing to do with the allegations raised against me. The comment therefore violated the Charity rules, which specify that Board members must ignore any irrelevant factors. It has never been part of a centre director’s job to ensure that reviews from a review group are of good quality. Nonetheless, I have tried to help these two groups on many occasions, and I held two international workshops for Cochrane editors in Copenhagen, which they also attended. Furthermore, I recently provided invaluable assistance to Cochrane’s Deputy Editor in Chief, Karla Soares-Weiser, with sorting out the problems, to her great satisfaction. We have restructured the two groups, with new leaderships, which would have been very difficult to achieve without my knowledge of the people, and local and political circumstances.

There were other comments of this character. Threats were made that anyone who disputed the Board’s decision would be removed from the Board. There also seems to have been a threat from Cochrane’s CEO, and a Board member reminded the other members that the CEO could sue them. One Board member said that the Board was not governing but was rubber-stamping what Wilson wanted.

It seems to me that the Board operates under a kind of dictatorship where divergent opinions and openness are not tolerated.

The Board acknowledged that Counsel had not given them any recommendations about what to do.

The next day, right after four Board members had resigned in protest over the Board's outrageous treatment of me, they received an email from Lucie Binder, Senior Advisor to the CEO (Governance & Management):

"Martin has asked that if any of you recorded the meeting yesterday, you give me the recording when you next meet and delete it from your computers. I have a USB stick if you need it."

Obviously, the co-chairs were determined not to leave any traces behind after their show trial. Although people were aware that the meeting was being recorded, a kind of lynch mood was nevertheless created in the room even though those who resigned did their best to defend me against the diffuse and changing allegations. A lot of what was said was irrelevant, a lot was wrong, but as I was not allowed to defend myself, I could not point this out.

It is disgraceful that the Board of the Cochrane Collaboration can behave in this way, which goes totally against our values and numerous Charity Commission and Cochrane rules (see pages 1 and 2 above). It is so extreme, that people with political experience from many organisations have told me that they have never experienced or heard about a process that comes even close to the witch-hunt I was exposed to.

Annual General Meeting (AGM) on 17 September

This meeting was also disgraceful for Cochrane, and Burton behaved very badly again. Several observers remarked that the meeting was stage managed, carefully set up and rehearsed, in order not to run any risk that the Cochrane members would call for a vote of no confidence in the Board. Several groups had prepared for just that, but the stage management was so skillful that it paralyzed the critics.

I have described in Appendix 9, which is very important for my appeal, how astoundingly misleading, untruthful and defamatory Burton's speech about me was. The way Burton spoke at the AGM sounded to the audience like a 'hate speech,' with undue emphasis on words such as "zero tolerance" (it can be heard on YouTube later).

On 19 September at 10.35 (Danish time), I sent this email to the Board:

The Statement from Cochrane's Governing Board is on Cochrane.org:

<https://www.cochrane.org/news/statement-cochranes-governing-board>

The statement is apparently authored by the Cochrane Governing Board, but as I am one of the 7 Board members and had never heard about the statement before Burton read it aloud at the Annual General Meeting on 17 September, the authorship is false.

This is a serious violation of publishing rules. I therefore wish to know, immediately:

Who wrote the first draft of this statement?

Who subsequently read it and approved it?

Are there other people than me who are false authors of the statement?

I also request that you immediately append your statement with an apology, explaining what happened, who wrote the draft, and which persons are authors of the statement. You might also consider apologizing for the many untrue statements you made about "an individual", me,

So far, I have not received a reply. I sent a reminder today, copying Cochrane's Editor in Chief and his Deputy.

Before we came to this point on the agenda, we had been through the usual tributes to well-known people who had died since the last colloquium. One of these was Doug Altman, a good friend and my most important collaborator, with whom I have published 46 papers, several of which have been ground-breaking and much cited. I co-founded the Cochrane Collaboration 25 years ago with such giants as Altman and I have contributed hugely to Cochrane and to the good reputation it has. This includes providing more than £3 million for Cochrane software development, which I had no obligation to do.

However, despite all my achievements, Burton did not acknowledge any of the work I have done. This is astonishing, considering that my work has been cited over 40,000 times and that I am the only Dane who has published more than 70 papers in "the big five" (BMJ, Lancet, JAMA, Annals of Internal Medicine and New England Journal of Medicine). But Burton was ice cold. It was all about getting the audience's sympathy for Burton's witch-hunt. Giants in Cochrane are always praised at the Annual General Meeting when they have died. I was the first one to be expelled from Cochrane, but none of my achievements was mentioned.

Burton has displayed brutal behaviour before. Jos Verbeek, coordinating editor of the Cochrane Work Review Group, recently wrote to me that he was on the Coeds Executive Board with Burton for about two years. Whenever Cochrane was openly criticized, Burton was the one who always argued loudest that strong action should be taken. When Ian Roberts published a criticism of Cochrane in the BMJ, Burton shouted that he should be expelled. However, as there was no membership scheme at that time, it would have been difficult. When Verbeek suggested that it might be worthwhile to resolve the conflict, for example by talking to Roberts in a constructive dialogue, Burton was not willing to do this. He was not willing to engage either in a public debate with Roberts at the Cochrane Colloquium in Wien in 2015. After Verbeek had mediated, which resulted in a very soft landing, Burton called him a softie who did not know how to lead an organisation.

When Burton took over as Director of the UK Cochrane Centre, he brutally fired those researchers that worked there. Sally Hopewell was also kicked out, even though she did her research on external funding and therefore should not be a problem for Burton. To the great dismay of the other centre directors, Burton argued that Cochrane centres should not do research. Burton even had the

audacity to bring his human resources person who had carried out his orders to the next centre directors meeting. Needless to say, she did not feel she was welcome.

After Burton's hate speech, we expected we could ask questions. But no. There was an intermezzo about financial issues, before the traditional question and answer session, which is often lively. Koster chaired the session, and her intention was to allow only two questions. The first was of a scientific nature. Already after the second question, Koster said that there was no more time for questions. This was outrageous. Once again, it felt like Cochrane had developed into a dictatorship where dissent was not allowed and where no one could question the Great Leader about whether his victims had had a fair trial. At previous AGMs, there was a lot of time for questions, and this is the only time in a year that the members can ask questions of the Governing Board. On top of this, a session that was to follow had been cancelled, so there was plenty of time before the Gala dinner in a museum close by.

The audience protested loudly, and Koster therefore was pressured by the audience to allow more questions.

I talked to many people after this. They were all in shock. This was not the Cochrane they so much treasured. It was very far from what we knew as the Cochrane Collaboration until recently.

The recent letters of complaint

As noted above, there is a strong suspicion that the letters of complaint sent to the Board in early September, just after I had submitted my 66-page report to Cochrane's law firm, were orchestrated by co-chair Martin Burton. My report is highly incriminating for Burton, which explains why he might have engaged in such a deplorable practice; why he fought so hard to convince the Board that they should expel me; why he was very disappointed that, despite all his efforts, the call was close, with 6 versus 5 votes; and why he delivered a formidable hate speech at the Annual General Meeting.

This is the same man as he who could not possibly do anything wrong according to Counsel because he is an "eminent Professor." I am glad that I am just a Professor.

The letters of complaint became very important for the verdict, but they should have been dismissed as evidence, not only because they likely were orchestrated by Burton (similar to when the police illegally plants evidence), but also because Burton refused to let the Board know about my reply to one of the complainants, Cindy Farquhar, who was co-chair till August 2018, and for whom my report to Cochrane's law firm was also incriminating. The evidence related to these letters was therefore deliberately incomplete as well, which is a violation of Charity rules.

As noted above, Burton's excuse for concealing my reply to Farquhar was: "We have acted at all times on the advice of our lawyers." For several reasons, his excuse was invalid. First, I did not write anything in my reply to Farquhar that can be considered a legal problem. Second, I write much the same about Farquhar in my 66-page report, which the Board was allowed to see. Third, the material used at the Board meeting on 13 September is not publicly available but only available to Board members. Fourth, if it was considered a legal problem, this could have been remedied by labelling my reply to Farquhar in the same way as Counsel's report: "STRICTLY CONFIDENTIAL TO THE GOVERNING BOARD AND MR MARK WILSON. NOT TO BE DISSEMINATED ANY WIDER."

The letters of complaint have no merit, which I explained in my replies to their authors. Senior people in Cochrane sent them, and they seem to think that critical appraisal of Cochrane reviews discredits the entire organisation (see Appendix 8, pages 55-70). The opposite is true. Criticism contributes to maintaining a high standard of “trusted evidence,” which is Cochrane’s motto.

The Board members who resigned are worried about the current leadership at Cochrane, and particularly their appeals for scientific censorship of research. Good governance of science requires open debates, and the prestige of a scientific institution has to do with its ability to encourage critical debates, not to censor them.

The complainants argued that if you have a high position, e.g. being a Board member, you should not be allowed to criticise Cochrane reviews. They forget that much of Cochrane’s prestige has to do with the existence of internal (self-) criticism and a pluralistic democratic debate, and that scientists have an obligation to participate in such debates, for the common good. They also ignore that some Board members are full-time scientists.

Officially, Cochrane invites open scientific debate, which includes constructive criticism of each other’s research. We even have an annual prize for it: “Cochrane values constructive criticism of its work and publicly recognises this through the Bill Silverman Prize ... with a view to helping to improve its work, and thus achieve its aim of helping people make well-informed decisions about health care.”

In accordance with this, the Spokesperson Policy, introduced in 2015, states: “Many Cochrane contributors are experts in their field and have every right to discuss their work and express their personal views – this may include expressing opinions on Cochrane policies and Cochrane Reviews. This policy is not intended to infringe Cochrane’s long-standing tradition of rigorous academic and scientific debate.”

However, in practice, neither Cochrane’s CEO, Mark Wilson, nor Deputy CEO, David Tovey, who is also Cochrane’s Editor in Chief, welcome criticism of Cochrane reviews or open scientific debates. In my personal experience, criticism of the drug industry or the establishment, e.g. a specialty like psychiatry with its overuse of many harmful drugs, is particularly unwelcome (see my report). The current Cochrane leadership tries to avoid challenging established dogma, although the basis for founding the Cochrane Collaboration 25 years ago was exactly that: to challenge established dogma.

I describe in detail in my report why I believe we have censorship in Cochrane. Editors of some of our most prestigious medical journals are also deeply concerned about recent developments in Cochrane and follow closely what happens. Censorship is very dangerous for a scientific organisation, as it could lose its reputation fast to the detriment of the Charity’s services and beneficiaries, and it might not be possible to regain the reputation.

What has contributed the most to the general feeling of censorship is the way Wilson interprets the Cochrane Spokesperson Policy that he introduced in 2015 (see my report). It is a gross failure of the Board that it has allowed Cochrane’s CEO to set policies, investigate whether they have been broken, and arrive at a verdict and a sanction, with no effective means of appeal because the Board is powerless against the CEO and his staunch supporter, co-chair Martin Burton (see my report).

My tentative conclusion is that Cochrane wanted to expel me because of my fight for academic freedom in Cochrane and my repeated criticism of the drug industry and the establishment, e.g. a specialty like psychiatry. Cochrane has also shown great resistance and stalling on the part of the central executive team to improving Cochrane's conflicts of interest policy. A year ago, I proposed at a Board meeting that there should be no authors of Cochrane reviews to have financial conflicts of interests with companies related to the products considered in the reviews. This proposal was supported by other members of the Board, and it took me only an afternoon, in September 2017, to write a new draft of the Commercial Sponsorship Policy. However, my proposal has not progressed at all. Currently, Cochrane allows up to half of the authors on a review to have financial conflicts of interest in relation to the drug company whose product they are reviewing, a policy that is largely unknown to the public.

How can I get a fair trial?

It is tragic that the events that led to my expulsion could have been easily dealt with, without harming anyone. If Mark Wilson had not interpreted his own Spokesperson Policy in the odd and harmful way he did (hopefully, this will now be over), or if the Board had resolved the disagreements between Wilson and me, which it should have done according to the agreement Wilson and I have with each other, this situation might never have occurred. Or perhaps it would, if the real issue is about academic censorship; funding from donors like the Bill and Linda Gates Foundation (one of Gates' priorities is to push for HPV vaccination in the whole world); having good relations with the drug industry; and maintaining the crucial funding for UK Cochrane groups from the National Institute of Health Research.

The Cochrane process I have been exposed to is Kafkaesque. I still do not know what the charges are and what I have done wrong. The process constitutes a miscarriage of justice, although it was semi-legal. People have already started to worry that they may become next in line to be expelled from Cochrane if they don't follow the party line, because of its lack of due process.

In court cases, the accused is allowed to defend himself. Furthermore, the jurors need to agree on their verdict. Finally, if the verdict is appealed, it will not be the same judges and jurors. Not so in Cochrane where the same people will be judges a second time, apart from those who resigned in protest over the injustice the first time. This unjust construct gives connotations to regimes we abhor. I nevertheless appeal to inform the world about how unfair Cochrane processes are, and with the meagre hope that the injustice I have suffered will be reversed.

The evidence I have provided above disqualifies Burton completely as a judge of my appeal. It is difficult to think of a stronger conflict of interest than the one he has in relation to me. The other Board members are also disqualified, given that they arrived at a verdict based on flawed evidence and under the leadership of a chair, Martin Burton, who seems to be very persuasive and did his utmost to disgrace me during the Board meeting and at the AGM.

I wrote to Burton and Koster on 5 September:

You should not send the complaints letters to the Board today [Wednesday] and my replies on Friday, as this would not be fair to me. They will be biased after they have read the complaints letters, and there is an overwhelming psychological research literature, which has clearly shown that when

human beings have made up their mind about something, they are almost impossible to sway. In fact, the stronger the counter evidence they are presented with, the more stubbornly will they defend the position they took initially. It is very odd, indeed, but unfortunately, this is how we are.

Given this strong body of research about human beings, it would be very wrong if you do not wait and send both the complaints and my replies simultaneously. Can you please confirm that you will send simultaneously?

Burton and Koster changed their plans and sent both the complaints letters and my replies the same day to the Board. Thus, they seemed to acknowledge the human bias I told them about. Therefore, logically and morally, they would also need to approve of my proposal that none of the Board members should be allowed to judge me a second time.

Clearly, I would not get a fair trial if it were the remnants of the Board that should judge me a second time. Considering how grossly unfairly I was treated the first time, which led to protests from all over the world, Cochrane should not commit the same mistake again. Therefore, whatever the Cochrane rules might be, my appeal should be considered by an independent body where no one has conflicts of interest or have been involved before, just like in a court case. The Board has the power to make such a decision, and it should.

Among the many failures in the Cochrane processes is the lack of mediation, which is otherwise always recommended when conflicts occur in charities. In all types of conflicts, there is evidence for the effect of mediation to prevent further damage to the persons in question and the organisation. It is an opportunity to now involve a qualified external mediator.

Another Cochrane failure is the lack of a totally independent Conflict Committee where people with conflicts of interest, e.g. Burton vis a vis Wilson who is his line manager, are not allowed a seat.

The founding of the Cochrane Collaboration in 1993 was one of the most important events in health care in the last century. As one of the founding members, I opened the Nordic Cochrane Centre the same year. We all treasure Cochrane and do not wish to harm it. However, the Board, through its "bad behaviour," which I have documented in detail in my report to Counsel, and which everyone at the AGM could see with their own eyes, has caused tremendous harm to Cochrane.

Cochrane is a good and healthy organisation, but the Board has disgraced itself. The best thing the Board could do would be to resign; apologize for its wrong-doing; promise the tens of thousands of Cochrane volunteers that they will never run for the Board again; and withdraw its expulsion of me from the Cochrane Collaboration. The Board has brought the Charity into disrepute, and this will worsen if no honourable action is taken now.

We all make mistakes, and the more we achieve, the more mistakes we make. In case my actions have hurt or harmed anyone, I apologize for this. I want Cochrane to prosper, which is why I became a Board member. The Board must go. The four Board members who resigned wrote:

"Governing Board members are expected to publicly uphold and defend all decisions taken. We could not adhere to this obligation in this case in good conscience. We also believe that those of you, who placed your trust in us to represent you on the Board, would not wish us to do so. For this reason, we

have unfortunately felt the need to resign from the Cochrane Governing Board and have done so the day after the decision was taken. It is our hope and deepest desire that this event will encourage all Cochrane members and the wider community to reflect upon where we currently find ourselves and give serious consideration to what we want for the future of Cochrane and its principles, objectives, and ethos.”

In summary, my appeal is:

- A group of trusted people, external to Cochrane, should set up an independent committee of people who have had nothing to do with Cochrane, but who have experience in mediation, law, medical science and medical editing, who should judge my case carefully, with no haste;
- alternatively, the Board should reinstitute my membership of the Cochrane Collaboration, acknowledging the gross injustice and defamation I have been exposed to.

In any case, I must be given the opportunity to participate in any deliberations, also oral ones, like in a court case, and to contest any explicit reasons for my expulsion on 13 September.

According to the Freedom of Information Act, I request a copy of all recordings made at the 13 September meeting by Board members, and the written minutes and drafts for minutes as well, as I suspect there are more violations of the rules than those I have outlined in this appeal.

Although this is not currently the case, Cochrane has declared that it is an open, transparent and accountable organisation. In accordance with this, I do not consider this appeal confidential, even though I do not intend to publicize it at this time.

Yours sincerely,



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