

Statement from Cochrane's Governing Board – 26th September 2018

With Gøtzsche's comments in italics

The Cochrane Collaboration's Governing Board of Trustees voted unanimously on 25th September to terminate Professor Peter Gøtzsche's membership of the organization, and his present position as a Member of the Governing Board and Director of the Nordic Cochrane Centre.

First, a 'unanimous' vote from a heavily conflicted Board is both unsurprising and mischievous. Expecting that the remaining Board members would fairly assess my appeal and impartially vote on a situation, in which they have been embroiled, is nonsensical.

Second, I am head of department at Rigshospitalet that hosts the Nordic Cochrane Centre. This is not something the Cochrane Governing Board has power to "terminate." The Centre is not funded by Cochrane but by the Danish Government.

Last, the events of the last few weeks has prompted our group to seriously reconsider whether we would even want to operate under Cochrane as it currently stands, given the lack of transparency and poor leadership. We would not be the first centre to reassess our goals. Many centres are dissatisfied with their interactions with Cochrane's CEO, and the US Cochrane Centre closed for this reason in the spring. Several centres are considering leaving Cochrane because of its shift towards a commercial business model approach, away from its true roots of independent, scientific analysis and open public debate, and the growing top-down authoritarian culture, with a serious democratic deficit. Our centre is on government funding, and we believe we would benefit Denmark more by focusing on evidence-based medicine rather than Cochrane under its current leadership.

Cochrane is a collaboration: an organization founded on shared values and an ability to work effectively, considerately and collaboratively. The Governing Board's decision was based on an ongoing, consistent pattern of disruptive and inappropriate behaviours by Professor Gøtzsche, taking place over a number of years, which undermined this culture and were detrimental to the charity's work, reputation and members.

This has resulted in multiple complaints to the charity and damaged its credibility within the research community.

Firstly, this is an invention. At no point has Cochrane demonstrated to me, or Counsel, that I have damaged the "the charity's work, reputation and members". In fact, I have done the opposite. I have contributed to robust debate on important scientific issues, which has only served to strengthen Cochrane's reputation. It is to a considerable extent because of the work that emanated out of the Nordic Cochrane Centre, that scientists around the world debate issues on breast cancer screening programs, psychiatric drugs and most importantly have greater access to clinical trial data from the European Medicine's Agency (EMA). It begs the question; is my "disruptive and inappropriate behaviour" a result of consistently and resolutely challenging an opaque system, plagued with conflicts of interest and corruption? The world has revered Cochrane, partly because of the scientific contributions from my Centre. To claim that I have undermined Cochrane is both offensive and mendacious.

This is why people all over the world are outraged about my expulsion from Cochrane. I am only the messenger. Cochrane is now in a moral free fall. The international conversation over the recent

unjust and dubious decisions of the current Board members is what has irrevocably damaged Cochrane's reputation.

Secondly, the Board has conflated its baseless allegations about my 'bad behaviour' with the legal investigation. The minutes from the teleconference on 13 June where the Board decided to establish an independent review states: "In brief, after MW [Mark Wilson, Cochrane's CEO] referred the matter of an alleged breach of the Spokesperson Policy by PG [Peter Gøtzsche] to the Co-Chairs, and in the light of PG's complaint directly to the Board about actions taken by MW [he planned to write to two complainants that I had broken the Spokesperson Policy, although this was not the case; and although Cochrane's Counsel later agreed with me that I had not broken the Policy], the Co-Chairs made a proposal to both MW and PG. The proposal was that an Independent Review be undertaken, with the Reviewer making recommendations to the Board in the form of a confidential Report."

So, the Board instituted a legal review because of disputes between Cochrane's CEO and me about the interpretation of the Cochrane Spokesperson Policy. It had absolutely nothing to do with "disruptive and inappropriate behaviour." This excuse was only invented after Counsel had exonerated me. It was a show trial.

Professor Gøtzsche has also repeatedly represented his personal views as those of Cochrane, including in correspondence with members of the academic community; in the media; and when acting as an expert witness for a criminal trial.

Again, it has been clearly stated by Cochrane's Counsel that these allegations could not be substantiated. I have never presented any personal views in a way that could be honestly interpreted as if they were those of Cochrane as an organisation. Cochrane's own law firm exonerated me in relation to these false allegations, which I have explained elsewhere on www.deadlymedicines.dk. For example, in my appeal to the Board from 20 September in relation to my role as expert witness I quoted from Counsel's report: "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."

The Counsel does not in any single case agree with the Board and Cochrane's CEO that I have broken the Spokesperson Policy.

Cochrane's strength and independence rests on our ability to engage in frank, open and transparent debate about health evidence and Professor Gøtzsche, like every other Cochrane member, has the right to express his views. However, as a leader of Cochrane – a Director of a Cochrane Centre and a trustee of the charity – he had a special duty of care to the organization about the way his views were expressed; particularly those made in a personal capacity.

On the contrary, Cochrane has not demonstrated that it engages in "frank, open and transparent debate". It still has not even explained what it means by my alleged 'bad behaviour', and it misled everyone, both within and external to Cochrane, into believing that Cochrane's legal investigation was about an assessment of my 'repeatedly, seriously bad behaviour'. This was a complete fabrication.

For full transparency, I have decided to waive my right to privacy, and make Counsel's report accessible, as the public interest in this report must override any attempts at keeping it secret by people who have exposed me to a witch-hunt over four years and a show trial now.

Despite numerous attempts to engage with him on this topic and warnings about his behaviour, he consistently failed to exercise this care.

This is mendacious. I have never received any "warnings" about my "behaviour" or any explanation about what is objectionable about my behaviour. Again, the only complaints about me have been in response to my scientific critiques, often by those whose science I have disagreed with. Simply publicly disagreeing with someone's science is hardly a basis for complaint about my 'behaviour'.

Cochrane's CEO Mark Wilson has alleged that I had repeatedly breached the Spokesperson Policy, yet Wilson has failed to acknowledge that Cochrane's own Counsel has overruled him on this matter. Notwithstanding, Wilson used this baseless accusation on several occasions, to threaten the future my centre and its employees, if I did not acquiesce to his demands.

Quizzically, Wilson and Cochrane's Editor in Chief David Tovey, recently exonerated a member of their own staff for doing precisely what Wilson accused me of doing (see my appeal from 20 September above). It seems that, in Cochrane, some are more equal than others, as George Orwell wrote in Animal Farm. When I sought the opportunity to explain this double standard to the Board, I was denied the opportunity (see my appeal).

The decision has not been taken lightly and the process has included full Governing Board consideration of an independent legal review of the relevant facts.

Professor Gøtzsche has been given a number of opportunities to make representations and to put forward his perspective on events, both as part of the independent review and subsequently.

This is demonstrably false. First, the Board conveniently ignored the conclusions of the "independent legal review" (paid by Cochrane), which exonerated me, and other crucial evidence. Second, the Board members were only allowed 1.5 days to read and thoroughly assess over 700 pages of documents before the Board meeting of 13 September, a period of time which was grossly inadequate. Third, I was given 5 minutes for an oral defense. Co-chair Marguerite Koster interrupted me several times before she asked me to leave the room. Lastly, the co-chairs refused to take highly relevant evidence into consideration when presenting documents to the Board. It was clear that a decision to oust me from the Board was predetermined by a minority and that no finding from its Counsel would divert them from their objective. A lot was said during the 5 hours of the Board meeting where I was not allowed to participate that was wrong or misleading, but I was denied the possibility to defend myself.

The final decision follows an initial Governing Board meeting on 13th September 2018. At this meeting:

Eleven members of the Board voted that Professor Gøtzsche had breached the Trustees' Code of Conduct as a result of these behaviours;

According to information I have, this is totally false. The Board knew that I had not breached the code of conduct and the Board could therefore not expel me from my democratically elected position as Trustee. Co-chair Martin Burton therefore tried to convince the Board that they should

ask me to resign voluntarily. This was what the Board voted about. The Board also realised at some point that the only way they could kick me out of the Board was to expel me as a member of Cochrane. In that case, I could not remain on the Board.

a majority voted that Professor Gøtzsche should accordingly resign as a trustee;

As just stated, this information is false. It was not according to a breach of code of conduct.

And a majority concluded that Professor Gøtzsche has acted counter to the best interests of the charity as a whole and therefore voted to serve notice to terminate Professor Gøtzsche's membership of the charity, in accordance with Cochrane's Articles of Association.

*No information has been offered to me privately or publicly to support the view that I have acted 'counter to the best interests of the charity'. I strongly deny any allegation. The Board has not been "open and transparent" about its decision, even though these are key Cochrane values. Furthermore, only **six** members voted yes, and five voted no. Thus, a **minority** of the Board (six of 13) voted for my expulsion.*

Professor Gøtzsche was then given the opportunity to provide further representations to the Governing Board, in accordance with the established procedure, which were considered fully by the Board on 25th September before a final decision was made.

In my appeal, I provided very strong evidence and arguments that the Board needed to reverse its decision about my expulsion. I also asked for a fair process. Burton and several other Board members were severely conflicted and should not have been allowed to vote, but in Cochrane, some are more equal than others.

In summary, my appeal was:

- *to 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, with no time constraints;*
- *alternatively, to simply 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 oral deliberations, like in a court case, and to contest any explicit reasons for my expulsion on 13 September.

In making its decision, the Governing Board has also taken into consideration events since the independent review began: in particular, a series of public statements by Professor Gøtzsche which have breached his obligations of confidentiality as a trustee and continued the pattern of behaviours which led to the Board's initial decision.

*It was only **after** my expulsion that I made public statements about this process because it was the only way to shine a light on the gross injustice I suffered after being expelled on 13 September, and after Martin Burton had read aloud his seriously defamatory and misleading 'hate speech' at the Annual General Meeting on 17 September. Therefore, I made it clear that I waived my right to confidentiality. I must be allowed to defend myself against defamation, mendacious allegations*

and insinuations, and I have documented how misleading the Cochrane Board Statement from 17 September is.

We are committed to the highest standards of governance and to ensuring that Cochrane is a welcoming, open, dynamic organization, that lives up to its values, and has a working culture which attracts the best researchers, clinicians and others interested in healthcare evidence.

We continue to lead and support the organization to deliver our Strategy to 2020, which aims to put Cochrane evidence at the heart of health decision-making all over the world.

The Board's self-praise, is in stark contradiction to its recent actions. The Cochrane Governing Board, instead of providing a good example for others to follow, has distorted evidence, and censored information that does not support its narrative. This has resulted in the dissemination of misleading and defamatory information about me. I have devoted 25 years of my life to Cochrane, including many evenings and weekends, and got elected to the Board with the most votes of the 11 candidates because I wanted to change Cochrane's current direction of travel, which contradicts its fundamental values. I feel sadness for the thousands of unpaid volunteers who have worked tirelessly to create the wealth of Cochrane, only to be under the cloud of the current leadership. This must change. If not, the moral downfall will continue and Cochrane will wither.

Cochrane's Governing Board

Wednesday 26th September 2018

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