

Mark Wilsons svar til Sundheds- og Ældreministeriet og til Per Jørgensen

From: Lene Brøndum Jensen <lbj@sum.DK>
Date: Thursday, 27 September 2018 13:31
To: Mark Wilson <MWilson@cochrane.org>, Martin Burton
<mburton@cochrane.org>
Cc: Søren Jensen <sje@sum.dk>
Subject: Conc. the Nordic Cochrane Center

Dear Mark Wilson and Martin Burton,

The Danish Ministry of Health has noticed the recent development concerning The Nordic Cochrane Center and its director with great concern.

The Nordic Cochrane Center is financed by the Ministry of Health.

The Ministry would therefore like to request a statement/clarification concerning the recent development and its consequences for the Nordic Cochrane Center and its director, including:

Which consequences does the termination of Peter Gøtzsche's membership have regarding his position as Director of The Nordic Cochrane Center? What does The Cochrane Collaboration's Governing Board of Trustees' unanimously decision 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 entail?
What are the requirements for the Nordic Cochrane Center to continue as a part of The Cochrane Collaboration?

Commented [PG1]: It was not unanimous. The vote was 6 to 5. Four board members resigned the next day in protest over my expulsion. It was after my appeal that the vote became "unanimous" but there were only 6 board members left of the original 13!

Due to urgency of the matter, the Ministry would kindly request to receive an answer by October 1st.

Please contact me if you have any questions.

Best regards,

Lene Brøndum

cid:image007.png@01D4566D.5A62DEC0

Lene Brøndum Jensen
Head of Division, Centre For Hospital Policy

--

From: Mark Wilson <MWilson@cochrane.org>
To: Lene Brøndum Jensen <lbj@sum.DK>

CC: Søren Jensen <sje@sum.dk>, Martin Burton <mburton@cochrane.org>, Sarah Watson <swatson@cochrane.org>, "Karla Soares-Weiser" <ksoares-weiser@cochrane.org>

Subject: Re: Conc. the Nordic Cochrane Center

Friday 28 Sept 2018

Dear Lene,

Further to our telephone conversation this morning, this note is to confirm Cochranes position in relation to the impact on the Nordic Cochrane Centre of the termination of membership of Professor Peter Gøtzsches.

Commented [PG2]: Se separat telefonnotat som Brøndum lavede

Professor Gøtzsches membership of Cochrane was terminated on 26th September and, therefore, his position as the recognized Director of the Nordic Cochrane Centre ended at the same time. He cannot act as Director of a registered Cochrane Group when he is not a member of The Cochrane Collaboration. Although not an employee of Cochrane, the right to lead a Cochrane Group is given and can be withdrawn by The Cochrane Collaboration, and this has been done in Professor Gøtzsches case in relation to his leadership of the Nordic Cochrane Centre. In addition to Cochranes Articles of Association and its general principles, policies, charters and processes - and the powers of Cochranes Governing Board to decide on all matters affecting the charity - the mutual rights and responsibilities of the relationship between Cochrane and the Nordic Cochrane Centre, and Professor Gøtzsche, are set out in the attached Memorandum of Understanding (MoU). This was agreed by Cochrane and Professor Gøtzsche on behalf of the Nordic Cochrane Centre in February 2017. The MoU requires the Nordic Cochrane Centre to support Cochranes mission, principles, organizational strategies and goals as defined by Cochranes Governing Board; and to fulfil the core functions of a Cochrane Centre ... as described on the Centres' portal on the Cochrane Community website and in Cochrane Policies (Paragraph 2, and see attached pdf available on the website here: <https://community.cochrane.org/organizational-info/resources/resources-groups/centres-portal/establishing-geographic-group/roles-centres-associates-affiliates-and-networks>)

Paragraph 4 of the MoU states: The Director of the Cochrane Centre agrees to adhere to Cochranes managerial and performance accountability structures and to all Cochranes policies and procedures. The Director is accountable to the Governing Board (through the Chief Executive Officer) for the Centre's Cochrane activities. These have obviously been incorporated in the decision this week by the Governing Board, whose right to make a definitive decision on dispute resolution and performance management issues is set out in Paragraph 23: The decision of the Governing Board will be final. Some of the possible sanctions are set out in Paragraph 25: Cochrane ... may impose additional measures, including ... suspension or removal of Cochranes endorsement of the Director, dissolution or transfer of the Centre to another location or organization, or deregistration as a Cochrane Group. In this case, Cochranes endorsement of the Director has been removed through the termination of his membership.

However, we remain committed to support the future work of the Nordic Cochrane Centre (with some important adjustments under its new leadership). Cochranesdispute has been with an individual and his behavior, not with the other staff of the Group of which he is a part. I was delighted to hear from you this morning that the Ministry of Health's grant is to the Nordic Cochrane Centre, and not to Professor Gøtzsche as an individual. If the grant has been, or will be, given to Professor Gøtzsche in his personal capacity, then – of course – whilst not being able to use the name of Cochrane he could continue to lead and run the present Nordic Cochrane Centre under another name and in any way he sees fit.

As this is not the case, we very much want to work with you and the Rigshospitalet in continuing your support to the work of the Nordic Cochrane Centre **under new leadership with Professor Gøtzsche taking no part in that work**. Just as importantly, we would like to confirm the ongoing support for the even more vital work of the three Cochrane Review Groups that the Ministry of Health grant supports: The Hepato-Biliary Review Group – and the Clinical Trials Unit it runs (part of the Cochrane Long-Term Conditions and Ageing Network); The Anaesthesia, Critical and Emergency Care Review Group (part of the Cochrane Acute and Emergency Care Network); and The Colorectal Cancer Review Group (part of the Cochrane Cancer Network – and see the announcement of Professor Jacob Rosenberg from the Herlev Hospital and University of Copenhagen in Denmark as its new Co-ordinating Editor) This is particularly the case because until now it is our understanding that Professor Gøtzsche **decided unilaterally** how much of the total grant received from the Ministry of Health was passed on to the Review Groups, and our records appear to indicate 25% of the grant went to the Hepato-Biliary Group, and 12.5% each to the Anaesthesia and Colorectal Cancer Groups.

Commented [PCG3]: This is not true, I never interfered with the division of the money to the groups, which has never changed

We would greatly appreciate a more detailed meeting with the Ministry to discuss the future financing to the Nordic Cochrane Centre and the Cochrane Review Groups. We have no details of the funding contract, its amount, duration, end date, expected outputs and monitoring and evaluation mechanisms and we would be delighted to work with you on these and any other issues you would like us to be involved with. If this would be helpful, I would be happy to travel to Copenhagen to do so.

Once again, please let me express Cochranes sincere gratitude for the Ministry's long-term support of Cochrane's work in Denmark and around the world (see the screengrab of the appreciation and recognition given on Cochranes funders page and at: <https://www.cochrane.org/about-us/our-funders-and-partners>). Even in these difficult circumstances, we hope that this support will be able to continue under new leadership to be appointed at the Nordic Cochrane Centre. Please do not hesitate to contact me if you have any further questions or require additional information.

With my grateful thanks,

Yours sincerely,

Mark

--

Den 28. sep. 2018 kl. 14.55 skrev Mark Wilson <MWilson@cochrane.org>:

Dear Per,

I'm sorry we were not able to speak last night. Therefore, this note is to confirm Cochrane's position in relation to the impact on the Nordic Cochrane Centre of the termination of membership of Professor Peter Gøtzsche.

Professor Gøtzsche's membership of Cochrane was terminated on 26th September and, therefore, his position as the recognized Director of the Nordic Cochrane Centre ended at the same time. He cannot act as Director of a registered Cochrane Group when he is not a member of The Cochrane Collaboration. Although not an employee of Cochrane, the right to lead a Cochrane Group is given and can be withdrawn by The Cochrane Collaboration, and this has been done in Professor Gøtzsche's case in relation to his leadership of the Nordic Cochrane Centre. In addition to Cochrane's Articles of Association and its general principles, policies, charters and processes – and the powers of Cochrane's Governing Board to decide on all matters affecting the charity – the mutual rights and responsibilities of the relationship between Cochrane and the Nordic Cochrane Centre, and Professor Gøtzsche, are set out in the attached Memorandum of Understanding (MoU). This was agreed by Cochrane and Professor Gøtzsche on behalf of the Nordic Cochrane Centre in February 2017. These Memorandums of Understanding with other Cochrane Centres also involve the host organization, and are signed by three parties (myself, representing Cochrane; the Centre Director, representing the Centre; and the host institution of the Centre and/or the Centre's main funder). Professor Gøtzsche chose not to include the Rigshospitalet or the Nordic Cochrane Centre's funder in agreeing this MoU. He chose not to sign it but recognized its applicability in an e-mail (attached) which Cochrane's lawyer has since confirmed gives it legal force.

The MoU requires the Nordic Cochrane Centre "to support Cochrane's mission, principles, organizational strategies and goals as defined by Cochrane's Governing Board; and to fulfil the core functions of a Cochrane Centre ". as described on the Centres' portal on the Cochrane Community website and in Cochrane Policies" (Paragraph 2, and see attached pdf available on the website here:

<https://community.cochrane.org/organizational-info/resources/resources-groups/centres-portal/establishing-geographic-group/roles-centres-associates-affiliates-and-networks>

Paragraph 4 of the MoU states: "The Director of the Cochrane Centre agrees to adhere to Cochrane's managerial and performance accountability structures and to all Cochrane's policies and procedures. The Director is accountable to the Governing Board (through the Chief Executive Officer) for the Centre's Cochrane activities." These have obviously been incorporated in the decision this week by the Governing Board, whose right to make a definitive decision on dispute resolution and performance management issues is set out in Paragraph 23: "The decision of the Governing Board will be final." Some of the possible sanctions are set out in Paragraph 25: "Cochrane." may impose additional measures, including "suspension or removal of Cochrane's endorsement of the Director, dissolution or transfer of the Centre to another location or organization, or deregistration as a Cochrane Group." In this case, Cochrane's endorsement of the Director has been removed through the termination of his membership.

However, we remain committed to support the future work of the Nordic Cochrane Centre (with some important adjustments under its eventual new leadership). Cochrane's dispute has been with an individual and his behavior, not with the other staff of the Gro up of which he is a part. We do not know the details of the Nordic Cochrane Centre staff contracts and conditions but hope that the Rigshospitalet and the Ministry of Health would continue their support to the Centre and its staff under new leadership. We have no details of the Ministry of Health's funding contract, its amount, duration, end date, expected outputs and monitoring and evaluation mechanisms; but we were told this morning by the Ministry that its grant is to the Nordic Cochrane Centre, and not to Professor Gøtzsche as an individual. If the grant has been, or will be, given to Professor Gøtzsche in his personal capacity, then - of course - whilst not being able to use the name of Cochrane he could continue to lead and run the present Nordic-Cochrane Centre under another name. In that case, I assume his employment by the Rigshospitalet would continue unchanged with only the Institute's name changed.

As this is not the case, we recognize the potential difficulty for the Rigshospitalet in relation to Professor Gøtzsche's future employment and contractual status as he can no longer be recognized as 'Director of the Nordic Cochrane Centre'. I know that he has other titles (Professor of Clinical Research Design and Analysis, University of Copenhagen) but this is a matter entirely for you, the Ministry and Professor Gøtzsche to agree.

I am ready to have any meetings or teleconferences with you and the Ministry to discuss this situation in more detail. We recognize that the earlier the future arrangements of the Nordic Cochrane Centre can be confirmed, the quicker the present uncertainty for the Centre's members of staff and those in the three Cochrane Review Groups also supported through the Ministry grant can be alleviated. Once again, please let me express Cochrane's sincere gratitude for the Rigshospitalet's long-term hosting of the Nordic Cochrane Centre. We hope that this support will be able to continue under new leadership to be appointed at the Nordic Cochrane Centre and I look forward to working with you on that. Please do not hesitate to contact me if you have any further questions or require additional information.

With my grateful thanks,
Yours sincerely,
Mark G. Wilson