

## Defamation and editorial misconduct in a Wiley journal

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### Abstract

It is a serious offence to fabricate and publish defamatory lies about a colleague in a medical journal and even worse when the journal and the publisher cover this up. This happened to me. I discuss here my futile attempts to get the truth out and to rebut a mendacious essay published by Oxford professor Trisha Greenhalgh and three colleagues in a Wiley owned journal, *Journal of Evaluation in Clinical Practice*. They purported to have analysed the current Cochrane crisis that resulted in my expulsion from Cochrane in a disinterested fashion, which they did not. Wiley has a conflict of interest, as it also publishes the Cochrane Library. The editor should resign. No one should work for a publisher like this. I needed to publish my rebuttal in the *Indian Journal of Medical Ethics*, a staunch defender of scientific freedom and editorial independence not owned by a publishing company.

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On 18 March 2019, Oxford professor Trisha Greenhalgh and three colleagues published a seriously defamatory article about me in *Journal of Evaluation in Clinical Practice*.<sup>1</sup> They purported to have analysed the current Cochrane crisis that resulted in my expulsion from Cochrane in one of the worst show trials ever conducted in academia<sup>2</sup> in a disinterested fashion, which they did not. There are many lies in their article<sup>3</sup> and the worst is this one:

"In a further strand in the 'bad behaviour' narrative, Gøtzsche was suspended in October 2018 from his position at the Rigshospitalet and University of Copenhagen, allegedly for mixing his private expenses with those of the Nordic Cochrane Centre and failing to comply with independent financial audits."

They gave a reference that says absolutely nothing to this effect. As I have detailed in a book, I was fired from the job I had held for 25 years for no good reason.<sup>4</sup> In my capacity as a democratically elected Governing Board member, I had challenged Cochrane's CEO's, Mark Wilson's, virtually total control over the board, his mismanagement of Cochrane, and the direction in which he was taking the organisation towards scientific censorship and too close relations to the drug industry. Freedom of Information requests revealed that the CEO went well beyond his brief to demand my removal from the Nordic Cochrane Centre, resulting in my sacking.<sup>4</sup>

I immediately wrote to Mathew Mercuri, the Editor-in-Chief of the journal, who copied Danielle Chilvers, Journals Publishing Manager at Wiley, on his reply. Initially, he accepted my concerns: "I understand how you might feel that this article was an attack on you ... The editorial team and the publisher take very seriously the need for constructive dialogue." He invited me to respond to Greenhalgh et

al.'s paper in as much space as I needed, even more than the usual 5000 words.

On 28 March, I explained to Mercuri that the issue was grave because Greenhalgh et al.'s paper was seriously libellous, and that I considered to sue for defamation. I suggested he asked Greenhalgh where - precisely - she got the wrong information from and sent her reply to me. I noted that an erratum in the journal would not be enough. He would need to retract the paper and explain to the readers in some detail why. I also confirmed my interest in publishing a rebuttal because many readers knew about the paper. Finally, I explained that the fraud could have consequences for me as my income as an independent consultant depends on people having trust in me.<sup>4</sup>

### "All the appropriate procedures have been carried out"

Mercuri responded that they took the issue I had raised very seriously, as they could not have libellous claims in the journal. However, 11 days later he wrote: "We will not be taking any further action. We have gone through the standard procedures when accusations are made of this type and we believe all the appropriate procedures have been carried out. On the basis of our examination of the issue we believe there is no case to answer here. I have cc'd Danielle Chilvers on this email, as she can attest to the publisher's position on the issue you raise."

Clearly, Wiley didn't care that seriously defamatory lies were propagated in one of their medical journals. I wrote to Mercuri that, "It doesn't matter what your standard procedures are. What matters is that you did not detect that the reference offered for the defaming and false comment that I was fired because I abused public funds says absolutely nothing to this effect. The *BMJ* would never have allowed such a comment to be published; they would have consulted with their lawyers and they would have found out that Greenhalgh's accusation is baseless and that the reference is erroneous, too."

I reiterated that this was very serious, as no one would want to hire a person they think have abused public money. I repeated that Mercuri should ask Greenhalgh from where she got the false information and also publish an erratum. I also asked whether the journal had an Ombudsman and was a member of the Committee on Publication Ethics. Mercuri never responded to these questions but he did contact Greenhalgh who provided him with three additional references regarding the defamatory statement.

As Mercuri did not forward the additional references to me, I asked him to do so. None of the three references provided any support to Greenhalgh's mendacious statement. Mercuri wrote that he had "gone through the articles (and many others) in detail and I have forwarded your point that none of the sources state that you got fired because as a result of what is stated in the allegation. I have asked about that and other questions of my own to the authors."

### Not a transparent and fair process

Mercuri forwarded my questions to him to Greenhalgh but did not inform me about his questions to her and did not say what his own conclusion was after having read the articles. He also gave me promises he did not keep: "All parties agree that any points that cannot be

substantiated will be addressed ... I promise that regardless of the outcome that your voice will be heard in the Journal."

On 26 May, I submitted my rebuttal of Greenhalgh et al.'s article and reminded Mercuri about my need to know from where Greenhalgh got the false information. I also asked whether he had published an erratum and whether Greenhalgh had retracted her libellous and untrue statement. As this was now ten weeks after Greenhalgh et al.'s publication, it illustrated an incredible disregard for a very serious matter.

Mercuri now admitted, for the first time, that, "We agree that the blogs do not support a claim that you were dismissed due to mismanagement of funds." He noted that they planned to publish a corrigendum linked to the article and an editorial, and that he did not believe it a good idea to present the Greenhalgh paper in an issue (it had so far only been published on the web) without the corrigendum and a response by me (and others) alongside. The only one of these promises Mercuri kept was to publish a corrigendum, but not even that promise was fully kept.

The same day, the journal published a letter that was highly critical of Greenhalgh et al.'s paper:<sup>5</sup> "The authors claim that their analysis is neutral; instead, it appears to privilege one perspective over the other and to support the inclusion of pharmaceutical and device industries in the production of scientific knowledge and in science policy. The disagreement between Peter Gøtzsche and Cochrane's management, which culminated in Gøtzsche's removal from Cochrane's board, centres on Gøtzsche's public statements that industry-related conflicts of interest have permeated Cochrane's supposedly independent scientific processes. Greenhalgh et al claim to 'distil insights on the structural issues ... without taking a definitive position on the accuracy of either narrative.' They do declare, however, that Gøtzsche and the principle of scientific freedom he campaigns for are 'a relic of the past.'"

### No editorial independence

Four days later, Mercuri wrote to me about my submitted manuscript: "Given the nature of this issue, it will need to be cleared by the publisher to ensure that we are not raising the stakes with respect to any legal issues, but rather, this is acknowledged and recognized as a scholarly debate. My brief read gives me some concern about the language with respect to the Greenhalgh paper - for example, we are working through removing any libellous statements. Once those are removed, it will not be correct to target the manuscript on that issue (of course, we will need to pass this through the publisher). I am quite happy that your side of the story will be available to provide context to the discussion."

There were no "libellous statements" in my manuscript. I responded, copying Chilvers at Wiley: "This is not about 'raising the stakes with respect to any legal issues.' My paper is factual, and is a reply to Greenhalgh's paper, which you invited me to submit and would ensure got published (as I have a right to defend myself against defamation). I have been an editor for many years and a member of international organisations for editors, and I know that the approach you suggest is wrong. Greenhalgh's paper is out in the public domain and cannot disappear again, and her libellous and totally false statements have harmed me. Therefore, even if you remove the libellous statements post hoc, I am of course entitled to tell your readers about them and respond to them. This is what we call fair defence and also what charac-

terises an open debate. I ask you to seriously consider your plan of action. You might make it worse for yourself if you pursue it."

Mercuri responded in a way that raises serious questions about editorial independence: "The publisher has a right to weigh in on what they publish. I work for them, so I am obligated to acknowledge their input on all decisions I make. I agree that you have every right to defend yourself."

Wiley seems to have abused their power, both in relation to its Editor-in-Chief and me. It is of course convenient for the publisher to conceal that I was defamed and to ignore my right to defend myself. This was exactly what happened. Still the same day, I clarified my views:

"I was trying to tell the journal that it was embarking on a wrong course ... You cannot remove Greenhalgh's libellous statement and they argue that I do not need to discuss it because you have removed it. This is not how the world functions. It is out there forever. I am confident that the people at Wiley understands how serious this is. Wiley has a conflict of interest in this affair because the Cochrane Library is also published by Wiley. Wiley needs to proceed very carefully and thoughtfully in this matter. I copy Wiley on this mail."

### Wiley shows its true face

On 10 June, Mercuri wrote: "We have completed the process of our investigation into the Greenhalgh et al. paper. Our decision is to issue the corrigendum (which will be linked to the article) as follows:

*The article Greenhalgh et al., [1], was edited to remove a statement that was not directly supported by its stated source, a Danish news article by Løntoft dated 19th September 2018 [2]. The authors wish to apologize for the oversight.*

1. Greenhalgh, T, Ozbilgin, MF, Prainsack, B, Shaw, S. Moral entrepreneurship, the power-knowledge nexus, and the Cochrane "crisis". *J Eval Clin Pract.* 2019; 1- 9. <https://doi.org/10.1111/jep.13124> 2. Løntoft S: *Ellen Trane: Nordisk Cochrane Center skal granskes.* Blog dated 19th September 2018. Accessed at <https://www.altinget.dk/sundhed/artikel/ellen-trane-nordisk-cochrane-center-skal-granskes> on 15.12.18.

*The specific statement that will be removed is the following paragraph:*

*'In a further strand in the 'bad behaviour' narrative, Gøtzsche was suspended in October 2018 from his position at the Rigshospitalet and University of Copenhagen, allegedly for mixing his private expenses with those of the Nordic Cochrane Centre and failing to comply with independent financial audits [5]. The arrangement between the Centre and the Rigshospitalet was unusual: when the former was established in 1993, it was physically located within the latter since Gøtzsche was employed there at the time. The Rigshospitalet received and processed grants for the Nordic Cochrane Centre and formally employed its staff, but it did not, apparently, view itself as overseeing the Centre's academic work [5]. Since the external advisory board of the Nordic Cochrane Centre allegedly never met, Gøtzsche alone appeared to be responsible for setting the Centre's agenda and enforcing standards [5].'*

*I am sorry for the long delay. As you can appreciate, there are many moving parts to this endeavour."*

Many moving parts? Seems to me to be the editor's admission that he does not have editorial freedom,

and that it is important for Wiley to suppress the scandal completely, leaving the readers in total ignorance about the defamation and the lies.

I replied that, "By saying: 'remove a statement that was not directly supported by its stated source', you indicate that, after all, it might be true what Greenhalgh et al. wrote. The use of the word 'directly' implicates this. You should know better, as an editor, how to use language. I request you write something different and I suggest:

'The article Greenhalgh et al., [1], was edited to remove a statement that was not supported by its stated source or any other source, which we have verified after having contacted Greenhalgh. The source Greenhalgh et al. used was a Danish news article by Løntoft dated 19th September 2018 [2]. The authors wish to apologize for the oversight. We have been contacted by Peter C. Gøtzsche who has drawn our attention to the fact that Greenhalgh's allegation is totally groundless. His hospital has declared publicly that they have not found any confusion of private money, government grants and other funds.'

Please respond immediately. You seem not to realise how serious this is but continue to trivialise Greenhalgh et al.'s libellous statement that lacks any foundation. I asked you to ask her from where she got the information, and she sent you other articles which also had no bearing on what she claimed. It therefore seems to me she must have made it up herself."

Mercuri replied: "We will not be incorporating your requested changes into the corrigendum statement. The purpose of the corrigendum is to correct the error. It is not a position statement. The corrigendum can only relate to the particular source in question."

Three weeks later, I wrote: "Since I have been exposed to lies and libel in your journal, I had expected a prompt reply to my email from 13 June, almost a month ago. Will you please respond immediately and in particular state that you will publish my article as soon as possible in order to correct to public record?"

The same day, Chilvers from Wiley sent me the proof of the corrigendum: "This will be published alongside the Greenhalgh et al article imminently." This promise was not kept either. The corrigendum was not published alongside the article.

### **Wiley violates rules for publishing**

I responded: "According to all the guidelines that I am aware of, you are not allowed to remove anything from an article that has been published. Not even if you retract an article, can you remove it from the public record. The prestigious International Committee of Medical Journal Editors notes: 'The text of the retraction should explain why the article is being retracted and include a complete citation reference to that article. Retracted articles should remain in the public domain and be clearly labelled as retracted.' Furthermore, I would like to get an immediate reply to my question below. You should publish my article in the same issue as the one where you intend to publish the corrigendum. I am highly surprised by the lack of professionalism I encounter here."

Still the same day, Wiley threw in a heavyweight, Martin Vinding, Editorial Director, Health Sciences, who wrote: "The decision to correct the article by Greenhalgh et al. has been taken by Wiley and the Editor-in-Chief. As you know, it's not a case of retracting an entire article whereas removing part of an article without a complete citation of the removed part is required under certain circumstances. For more general information see here:

<https://authorservices.wiley.com/ethics-guidelines/editorial-standards-and-processes.html>. The decision to reject or accept manuscripts for publication is the prerogative of the Editor-in-Chief."

### **The editor breaks his promises of publication**

As the Editor-in-Chief had told me on several occasions that I would have my say in the journal, there should be no problem with keeping this promise, but this was also broken. When people get in trouble and have no good defence, bad conscience, or both, their emails tend to become lengthy. Mercuri responded three days later, in 1411 words, and, in contrast to all other emails, I was now no longer Peter but Dr. Gøtzsche. It was abundantly clear to me that, no matter what I did, I would never make it to the journal.

Mercuri opined that my paper was not appropriate for an academic journal, which was amusing, considering how poor the pompous paper by Greenhalgh et al. was, with all its philosophical mumbo jumbo.<sup>3</sup> Furthermore, they had repeatedly ascribed views to us we don't have and consistently used positive terms about Cochrane and negative ones about me and my supporters.<sup>3</sup>

Mercuri wrote that my paper was "incredibly disorganized." Really? I published virtually the same paper three months later in the *Indian Journal of Medical Ethics*,<sup>3</sup> a staunch defender of scientific freedom and editorial independence.

Mercuri asserted that I explained the issues "in the most impolite way possible" and that many of my claims were not supported. This is not true.<sup>3,4</sup> My paper is factual and, in contrast to Mercuri and Wiley, I hold people accountable for what they do wrong.

The oddest of Mercuri's comments was perhaps this one: "We are not here to litigate in public."

### **Further misconduct and cover up**

I did not respond to this, as it would have led nowhere. However, when, on 22 October, I incidentally found out that Greenhalgh et al.'s article had just been published in the journal,<sup>6</sup> I wrote to Mercuri, copying the two Wiley people: "I would like to know immediately why the corrected article is not at all corrected? When I downloaded it today, the mendacious statement was still in the paper and the misleading ref. 5 was still there ... See attached and also tell me where you published the Correction."

Later, the same day, I added that I had noted that the Corrigendum was on page 908 in the October issue<sup>7</sup> whereas the article was on pages 717-25: "Needless to say, people will not know when reading the article that there is a Corrigendum somewhere else in the journal. Further, the Corrigendum is false as it says that, 'The article Greenhalgh et al [1] was edited to remove a paragraph that was not supported by its stated source.' Nothing has been removed. What on earth is going on in your journal?"

Mercuri's email to Wiley was telling: "He is correct. The paragraph was not removed. I also requested the corrigendum be beside the article when I sent the order of papers for the issue. That clearly was not done."

Chilvers from Wiley replied: "My deepest apologies for this. I have confirmation that the section will be removed immediately. As for the positioning of the corrigendum ... Both within the issue table of contents and at the top of the HTML of the Greenhalgh article itself it can be seen that 'this article has been corrected' with the link to the corrigendum. Users will see this when they access the article."

I replied: "I continue to be unimpressed by the standard of your work ... you decided to alert your readers about a very minor issue, on the frontpage of the article, where it still is, about a Wellcome Trust grant, whereas you refused to alert your readers to a much more important issue ... I kindly ask you to make clear on the front page what the Corrigendum says, that you have removed a paragraph that was not supported by its stated source, and that this paragraph was defamatory and libellous."

The minor issue Wiley had added to the front-page was about Greenhalgh's funding: "[Correction added on 23 August 2019, after first online publication: Wellcome Trust Senior Investigator Award to TG, Grant no: WT104830MA has been added in this version.]"

Chilvers responded that users would know that there was a correction, referring to the table of contents page, or if they clicked on a link to the article.

I explained that there still was nothing in the article itself. Therefore, when people send the pdf to others, they are not told that there has been an important correction. I asked why a trivial issue about Wellcome funding was listed on the frontpage of the article already in August while a much more important correction was still not listed.

Chilvers replied on 29 October that Wiley would add a sentence to the HTML of the article. On 9 November, I downloaded the article again, and this time the message about the correction was on the frontpage of the pdf, added only one day earlier: "[Correction added on 8 November 2019 after first online: A paragraph, which was not supported by its stated source, has been removed in this version. Please refer to Corrigendum JEP13227]."

## Conclusions

Censorship in medical journals is a growing problem, which is why I needed to publish my criticism of Greenhalgh et al.'s article in a morally intact journal,<sup>3</sup> not owned by a publishing company. Wiley is a member of the Committee on Publication Ethics but nonetheless removed text from a published article, which is not allowed, and persisted in keeping their readers in total darkness about what the issue was about. I never got an explanation why Greenhalgh, an Oxford professor, fabricated a total lie about my handling of Cochrane related finances, and the Editor-in-Chief did not keep his promise of allowing me to defend myself in his journal, which was clearly not in the interest of Wiley, the publisher of the Cochrane Library. The editor should resign. No one should work for a publisher like this.

**Conflict of interest:** I have dedicated my book about Cochrane's moral collapse to the thousands of unpaid Cochrane volunteers that create Cochrane's wealth and I have cited it in this paper.

**Funding:** none.

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## References

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