

The Cochrane Tapes reveal one of the worst show trials ever conducted in academia

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Introduction

"This is like capital punishment what we're doing" (Gerald Gartlehner, former board member who resigned in protest).

"Industry will be elated. Oh finally, we are offering Peter's head on a platter" (David Hammerstein, former board member who resigned in protest).

On 13 September 2018, the Cochrane Collaboration's Governing Board used a whole day of its business days in Edinburgh to discuss if it should expel the first person ever from the organisation. That person was me. I co-founded the Cochrane Collaboration in 1993 and established the Nordic Cochrane Centre the same year, which became the biggest such centre in the world under my directorship.

To understand what happened that day in Edinburgh, in particular whether the process was fair and accountable, and followed the rules, it is necessary to first describe what the rules are.

The Cochrane Collaboration is a registered charity in the United Kingdom (charity number 1045921). According to the Charity Commission,¹ when you make a decision, you must:

¹ Guidance. [Charity meetings: making decisions and voting](#). UK Government 2013; 23 May (accessed 31 Aug 2021).

- 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.

According to the Code of Conduct for Trustees of a UK charity,² the organisation is:

- effective, open and accountable
- the highest standards of integrity and stewardship are achieved
- the Trustees (also called Directors; those who serve on the Governing Board) must avoid actual impropriety and any appearance of improper behaviour.

According to Cochrane's Charter of Good Management Practice,³ the management of Cochrane is based on:

- honesty, integrity, and trust
- high standards of professional conduct and competence
- commitment to transparency, openness, and accountability in relationships, communication, and actions
- a spirit of mutual respect and cooperation
- embracing the diversity of thought
- using power and authority in a fair and equitable manner
- showing respect for the views and actions of others
- ensuring every individual is treated fairly
- valuing the contribution colleagues make and recognising their achievements
- communicating in an honest, open, and truthful way
- avoiding focusing on irrelevant issues or incidents that took place long before the matters in hand.

As will be clear below, the two co-chairs of the Governing Board and several trustees broke virtually every one of these rules during the board meeting that ended with my expulsion from Cochrane and the subsequent loss of my job as Cochrane Centre Director, which I had held for 25 years, financed by the Danish Government.

The board was not sufficiently informed; the information sent to the board was incomplete, misleading, and biased; the board did not have sufficient time to study the issues because the lengthy reports sent to them arrived shortly before the meeting (12 hours before for the report from Cochrane's hired Counsel, and 1.5 days before for other documents).⁴ The documents, which the board needed to carefully consider, amounted to 652 pages, which corresponds to three books. The discussions during the board meeting revealed beyond any doubt that the board members had not read all these pages or ignored them, both of which constitute charity mismanagement. During the board meeting, none of the board members

² [Code of Conduct for Trustees](#). The Cochrane Collaboration (undated; accessed 31 Aug 2021).

³ [Charter of Good Management Practice](#). The Cochrane Collaboration; 2016; February (accessed 31 Aug 2021).

⁴ [20 September C. My appeal to the Cochrane Governing Board](#). 2018 (accessed 31 Aug 2021).

mentioned any of the crucial arguments I provided in my response to Counsel. Not one. Not even any of my supporters on the board.

Several Trustees violated the code of conduct to such a degree that it was defamatory. For example, two Trustees and a co-chair inappropriately referred to the Me Too campaign. The transgression of good management practice was so serious that it caused 4 of the 13 board members to resign from the Cochrane Governing Board in protest the next day.

My unjustified expulsion was widely condemned in major media and science journals, including *Science*, *Nature*, *Lancet* and *BMJ*.⁵

BMJ's editor-in-chief wrote that Cochrane should be committed to holding industry and academia to account, and that my expulsion from Cochrane reflected "a deep seated difference of opinion about how close to industry is too close."⁶ I was dismayed that Cochrane had published industry sponsored reviews, and I therefore proposed a prohibition on such reviews at a plenary session at the 2003 Cochrane Colloquium.⁷

An associate *BMJ* editor in New York wrote: "This is deeply, deeply disturbing. The scientific process advances through vigorous examination of conflicting evidence and claims. To silence one side undermines this process ... Cochrane's action in expelling Peter Gøtzsche is an ugly stain on Cochrane that will remain for many years to come. It reduces my trust ... Shame on Cochrane."⁸

Cochrane insiders were also highly critical of the Cochrane leadership. Maryanne Demasi published the article, "Cochrane, a sinking ship?"⁹ and Tom Jefferson wrote about "The crucifixion of Brother Peter."¹⁰

All the 31 Centre Directors in Spain and Latin America called for an independent investigation of the process around my expulsion,¹¹ which the Governing Board refused. In their reply,¹² the board congratulated themselves that they were diligent in following "due process" and wrote that, "It has been disappointing to see how many people within and outside Cochrane have jumped to conclusions based on incomplete and biased information".

The incomplete and biased information had been provided by the board itself, and the board also lied about my actions: "since mid-September, Professor Gøtzsche has actively tarnished Cochrane's reputation, and continues to do so, by issuing a series of public statements on his website which have breached his obligations of confidentiality as a Trustee". I took great care not to upload anything before my appeal of my expulsion had been rejected. Thus, I no longer had any obligations as a Trustee, and I have a right to defend myself against defamation and malicious lies, of which there were plenty, concocted by the board. This basic human right overrides

⁵ Gøtzsche PC. [Death of a whistleblower and Cochrane's moral collapse](#). Copenhagen: People's Press; 2019.

⁶ Godlee F. [Reinvigorating Cochrane](#). *BMJ* 2018;362:k3966.

⁷ Moynihan R. Cochrane at crossroads over drug company sponsorship. *BMJ* 2003;327:924-6.

⁸ Lenzer JM. [Rapid response](#) to "Hawkes N. Cochrane HPV vaccine review: *BMJ* journal defends 'inconvenient criticisms.'" *BMJ* 2018;362:k3927 (15 Sept 2018).

⁹ Demasi M. [Cochrane – A sinking ship?](#) *BMJ Evidence-Based Medicine* 2018; 16 Sept.

¹⁰ Jefferson T. [The crucifixion of Brother Peter](#). 2018; 19 Sept.

¹¹ 8 October. [Letter to the Cochrane leadership from 31 centre directors in Spain and Latin America](#). 2018 (accessed 31 Aug 2021).

¹² 12 October. [Cochrane Iberoamerican Network reply](#). 2018 (accessed 31 Aug 2021).

any obligations as a former Trustee. The legal principle is simple: When you are the subject of a public smear campaign, you are entitled to release information to defend yourself.

On 30 January 2019, I published a book about the scandal, “Death of a whistleblower and Cochrane’s moral collapse,”¹³ which describes in detail the process against me where I was not allowed to defend myself against the many fabricated accusations. In the book, I quote what was said at the secret board meeting, which was possible because the meeting was recorded. I suspect that Cochrane’s CEO Mark Wilson and his loyal supporter, Governing Board co-chair Martin Burton had calculated that they could “strangle me in the basement with no witnesses,” as one of my friends colourfully called it, but the recordings were leaked.

The book documents that, attempting damage control, the co-chairs lied about me publicly in the months following my expulsion. Cochrane reacted in the way any business with a dishonest leadership would react. It hid behind confidentiality clauses and continued to defame me, misleading millions of people, including its own members, about what really happened that day in Edinburgh.

I was widely known for my science and integrity, perhaps even *the* most widely known person in the Cochrane Collaboration; certainly, “one of its most high profile scientists.”¹⁴ A journalist found out that I was the only Dane who had published more than 70 papers in “the big five” (BMJ, Lancet, JAMA, Annals of Internal Medicine and New England Journal of Medicine). One of my interviews, where I describe the organised crime in the drug industry, has been seen by over 400,000 people on [YouTube](#). Such revelations and prominence give you many powerful enemies.

In 2008, former co-chair of the Governing Board, Adrian Grant, wrote to the then CEO, Nick Royle: “I advise you to think hard about how you should reply to this. You did finish your email to Peter with an unfortunate sentence and I can understand why Peter considers this discourteous. In many ways, Peter is the ‘conscience’ of the Collaboration. We may find him irritating at times, but we should never ever be dismissive of him.”

My story is much bigger than me. One commentator wrote that Cochrane might not only have shot itself in the foot by expelling me, but higher up.

It is a story about institutional corruption. About the costs of speaking truth to power, defending scientific freedom, which is constantly under attack in a healthcare system dominated by the drug industry and other economic interests.

Throughout my 25 years with Cochrane, I have fought to maintain our freedom and ideals, and to retain Cochrane’s structure as a bottom-up idealistic grassroots organisation, but in the end, I lost the battle. In my report, which I submitted to Cochrane in response to Counsel’s report, the two most important issues I documented were:

1) Serious acts of tampering with evidence by manipulating minutes of meetings and other evidence by the CEO, his staff, and the co-chairs of the Governing Board. I highlighted [how important meeting minutes are](#): “They are the quasi-legal record of proceedings and can be produced in court as evidence of decisions and resolutions

¹³ Gøtzsche PC. [Death of a whistleblower and Cochrane’s moral collapse](#). Copenhagen: People’s Press; 2019.

¹⁴ Newman M. Has Cochrane lost its way? BMJ 2019;364:k5302.

made. Falsifying such a record, for whatever reason, is therefore comparable to committing perjury. Knowingly producing and then passing off minutes as accurate and true, when you know them to be demonstrably false, is not simply a matter of maladministration, but is potentially a criminally fraudulent act.”

2) The spokesperson policy, which Wilson had used to constantly harass me, is so ambiguous that it cannot be used to discipline Cochrane contributors or to tell them that they have violated it.

An excellent book review summed up the damage to Cochrane’s reputation in the wake of the scandal: “This book carefully recounts this dark period in medical science where a once trusted institution carried out one of the worst show trials ever conducted in academia. The CEO and his collaborators went about their task in a manner that mirrors how the drug industry operates.”¹⁵

Over 9,000 scientists and others signed a petition written by one of the resigned board members, David Hammerstein, which asked the Danish Minister of Health to prevent my sacking, and the world’s most cited medical researcher, John Ioannidis, wrote a personal letter to the Minister and published a scathing criticism of the Cochrane machinations.¹⁶ Questions were raised in parliament, but these initiatives had no effect. I was fired. In March 2019, I established the [Institute for Scientific Freedom](#) in Copenhagen.

In 2012, Cochrane employed a new CEO, journalist Mark Wilson, who set the organisation on a downhill course where he was more concerned with protecting the “Cochrane brand” than on getting the science right and keeping the drug industry at arm’s length. Since I wanted to see change within Cochrane, I ran for a seat on the Governing Board. I also naïvely thought that I would acquire some immunity towards Wilson’s many inappropriate attacks on me if I became a board member.

I was elected in January 2017, with the most votes of all 11 candidates. This illustrated the widespread dissatisfaction with Cochrane’s leadership because I was the only candidate that questioned their actions. Wilson and the board were not thrilled that the only person criticising the leaders received the most votes. They had no intention of disclosing the voting results to the public, but in reminding the board that Cochrane was supposed to be an open and transparent organisation, I ensured that the votes became known. As I soon discovered, my board membership would not protect me from Wilson’s unjustified attacks. Wilson was a bully with dictatorial manners who had total control over the board, and, as I detail in my book, he tried to squeeze out some of the best people in Cochrane who could threaten his power.

On 23 April 2021, Professor Ken Stein, Director of the Evidence Synthesis Programme, the UK National Institute for Health Research, spoke at a webinar about the work in the UK Cochrane groups (21 of the world’s total of 52) and their future funding.¹⁷ He criticised Cochrane quite substantially for much the same reasons as I had done and said the writing had been on the wall for 8 years, which is exactly the period when Mark Wilson ruled the organisation and destroyed it. About the failing

¹⁵ Timimi S. [Book review: Death of a whistleblower and Cochrane’s moral collapse](#). Psychosis 2020;12:99-100.

¹⁶ Ioannidis JPA. [Cochrane crisis: Secrecy, intolerance and evidence-based values](#). Eur J Clin Invest. 2019;49:e13058.

¹⁷ Gøtzsche PC. [Cochrane: a sinking supertanker? Funding of UK Cochrane groups in jeopardy](#). Institute for Scientific Freedom 2021; 15 May.

scientific integrity, he noted that “this is a point raised by people in the Collaboration to ensure that garbage does not go into the reviews; otherwise, your reviews will be garbage.”

Wilson suddenly left his job, in the middle of a month, seven days before the webinar where the UK funder announced that a major budget cut was likely in 2022. There was no farewell message from Wilson who was otherwise known to put himself in focus and take credit for what others had achieved through arduous work, as I describe in my book.

I also describe that Cochrane’s moral decline started in the summer of 2011 with the employment of a new director for the UK Cochrane Centre, Martin Burton, an Ear, Nose and Throat consultant. Burton displayed brutal behaviour on several occasions, also toward his own staff, and the other centre directors felt that Burton, the then two Steering Group co-chairs, and from 2012 also the new CEO, had conspired on plans they were not willing to be transparent about.

Several centre directors noticed Wilson’s great thirst for power and admiration and his gross failures in respecting other people in leadership positions. Burton doesn’t respect other people either, so it is no surprise that Wilson and Burton became very close and dominant in Cochrane, and, as I document in my book, they were both untruthful and bent the rules to their own advantage.

I observed on several occasions that when Wilson didn’t get what he wanted when he negotiated with people, he returned one to two months later and postulated the exact opposite of what was said and agreed upon. Sometimes he tried to make people doubt their own memories of the events by being aggressive and manipulative, or by tampering with meeting minutes. Burton also lied repeatedly.

Wilson’s interactions with Cochrane centres were devastating. Directors or other key people in 9 of the 12 oldest Cochrane centres conveyed to me that they were unhappy with the way Cochrane headquarters had dealt with them. Several centre directors felt threatened and were considering leaving Cochrane to become centres for evidence-based medicine because Wilson’s many policies stifled academic freedom and put burdens on them that were not productive.

Wilson’s leadership style involved stepping into centre directors’ territories without their permission; without informing them; without responding to them when they brought it up; and continuing not to copy them on essential emails even after they had complained about this transgression of Cochrane rules. Ever since Wilson was employed in 2012, I was disturbed to see his systematic denigration of those people who had been key to Cochrane’s success.

On [my website](#), I have published several news items about Cochrane, e.g. “The review on antidepressant withdrawal that Cochrane won’t publish.”¹⁸ My PhD student Anders Sørensen and I had tried to get a review of methods for safe withdrawal of depression pills published in the Cochrane Library. In a two-year process, the Cochrane group sent us on a mission that was impossible to accomplish, raising their demands along the way to absurd levels with many irrelevant requirements in a face-saving operation aimed at protecting the psychiatric guild and its false beliefs. These included demands of citing highly biased placebo-

¹⁸ Gøtzsche PC, Sørensen A. [The review on antidepressant withdrawal that Cochrane won’t publish](#). Mad in America 2020; 11 Feb (accessed 31 Aug 2021).

controlled trials and meta-analyses as evidence of benefit, introducing marketing messages about the benefits of the drugs – which is absurd for a review aimed at helping patients who want to come off the drugs and their doctors - accepting and presenting the discarded hypothesis about depression being due to a chemical imbalance, and restricting the inclusion of patients to certain patient populations.

On [my other website](#), I provide an extensive account, with many documents, of the Cochrane scandal.

The main reason for my expulsion was my criticism of psychiatric drugs. I have researched this area intensively, have had several PhD students, and have published numerous scientific articles and [two books](#) about psychiatry. My overall, firmly evidence-based, conclusion, which concords with what the general public thinks, that psychiatric drugs do much more harm than good, and should be used very sparingly, was not popular at Cochrane headquarters. Three of the 52 groups in Cochrane are mental health groups, and even though it might be tolerated if you nibble at the edges of a medical discipline with criticism, it cannot be tolerated that you document that the entire specialty does more harm than good.

My published criticism of the Cochrane HPV vaccine review also played a key role for my expulsion, but the process against me was already in full swing before we published our criticism online on 27 July 2018.¹⁹

The Governing Board lied profusely when it [declared publicly](#) that my criticism of the HPV vaccine review had played no role for my expulsion. On 5 September 2018, a week before the board meeting, Wilson's IT staff working alongside us at the Nordic Cochrane Centre had a conference call with Wilson where he said that action would be taken in Edinburgh because I had criticised the HPV vaccine review.²⁰

The fact that Wilson knew beforehand that action would be taken means that my expulsion was staged and that he was in total control over the board. This was obvious, and board member Nancy Santesso burst into tears during the board only time in Lisboa in March 2018 where Wilson was not allowed to be in the room when she said that Burton was afraid of Wilson. Since Wilson was Burton's line manager, and also given Wilson's bullying behaviour, I assume he could threaten Burton's job security as director of the UK Cochrane centre.

On 3 October, I received a letter from the Governing Board marked "Strictly Private & Confidential," which explained the reasons for my expulsion, and in which the board admitted that our criticism of the HPV vaccine review was a reason for expelling me, although it had fiercely denied this on all previous occasions.²¹

On 4 October, Cochrane's CEO and Governing Board held three webinars for Cochrane members where they lied about the reasons for my expulsion (see my book). The webinar was accompanied by slides with untruthful text (the slides appear in [Appendix 16](#) in my complaint to the Charity Commission).

Exactly three years after the board meeting that expelled me, my co-director at the Institute for Scientific Freedom, Maryanne Demasi, who was present in

¹⁹ Jørgensen L, Gøtzsche PC, Jefferson T. [The Cochrane HPV vaccine review was incomplete and ignored important evidence of bias](#). BMJ Evid Based Med 2018;23:165-8.

²⁰ Gøtzsche PC. [Death of a whistleblower and Cochrane's moral collapse](#). Copenhagen: People's Press; 2019.

²¹ 3 October. [The Cochrane Governing Board's official reasons for expelling me](#). 2018 (accessed 30 Aug 2021).

Edinburgh, also when the meeting started, published the article, “The Cochrane Tapes,” which gives a succinct summary of the scandal.²²

Demasi’s article should be read before reading the transcript of the tapes below. As I describe in my book, the two co-chairs did not have a legitimate reason for expelling me. Not even their own hired lawyer was able to produce evidence that could justify this severe sanction. They therefore invented a story about my so-called bad behaviour, which they never defined, not even when questioned by a board member or in public by other Cochrane members.

The Cochrane Tapes reveal that co-chair Martin Burton and board member Catherine Marshall (current co-chair) cooked up a narrative that drew parallels between me and sexual predators, which was also the impression Burton gave the audience at Cochrane’s General Annual Meeting on 21 September 2018 in a speech, which [can be seen on YouTube](#) (starts after 36m20s) and is published as a statement on the Cochrane website.²³ Several of the assertions made in the statement are untrue, and Governing Board co-chair Marguerite Koster repeated some of the lies in an interview two weeks after my expulsion.²⁴

Cochrane’s leadership got away with expelling me for so-called bad behaviour, which they could not define and refused to define when challenged in public. This makes their show trial against me genuinely Kafkaesque.

In contrast, there is plenty of evidence of the Governing Board’s bad behaviour during their secret proceedings and subsequent public announcements. The co-chairs’ arrogance and hubris were second to none and they repeated many of their falsehoods when questioned about their actions. The German Network for Evidence-based Medicine wrote to Mark Wilson: “Ms. Koster and Mr. Burton accuse us of being inaccurate and drawing conclusions on the basis of limited, biased evidence. From our point of view, it is quite evident that the governing board is not presenting any evidence for its accusations but keeps reiterating untransparent and incomprehensible statements which endanger the trustworthiness of Cochrane and damage the reputation of the organisation.”²⁵

The 13 Board members as of 13 September 2018 (all participated)

MB: Martin Burton, co-chair, director, UK Cochrane Centre

MK: Marguerite Koster, co-chair, senior manager, Kaiser Permanente, California

CM: Catherine Marshall, Guidelines International Network

DH: David Hammerstein, director, Commons Network, former MEP for Spain

GF: Gladys Faba, National Institute of Public Health, Mexico

GG: Gerald Gartlehner, director, Austrian Cochrane Centre

JC: Janet Clarkson, editor, Cochrane Oral Health group, UK

JM: Joerg Meerpohl, director, German Cochrane Centre

NC: Nicky Cullum, editor, Cochrane Wounds group, UK

²² Demasi M. [The Cochrane Tapes](#). 2021; 13 Sept (accessed 13 Sept 2021).

²³ [Statement from Cochrane's Governing Board](#). 2018; 17 Sept (accessed 31 Aug 2021).

²⁴ 10 October A. [Cochrane leadership in moral meltdown: miscarriage of justice and lies about the evidence in journal article](#). 2018 (accessed 30 Aug 2021).

²⁵ 30 October. [German Network for Evidence-based Medicine: Second letter to Cochrane](#). 2018 (accessed 30 Aug 2021).

NS: Nancy Santesso, deputy director, Canadian Cochrane Centre

PG: Peter C. Gøtzsche, director, Nordic Cochrane Centre

RL: Raewyn Lamb, journalist, Australia

TH: Tracey Howe, director, Cochrane Global Ageing, UK

Interruptions at the Board meeting

There were no official recordings during the first hour of the seven-hour board meeting, but recordings were made.

The two co-chairs followed philosopher Arthur Schopenhauer's script the whole day: Interrupt the course of the dispute if you observe that your opponent has taken up a line of argument which will end in your defeat.²⁶ Martin Burton interrupted other board members at least 84 times, or every five minutes, and Marguerite Koster at least 36 times. The interruptions were particularly excessive and forceful when other board members:

- said anything positive about me
- were about to prove that an allegation raised against me was false
- were about to prove that an allegation had been rejected, e.g. by Cochrane's hired Counsel in his 39-page report, which exonerated me of all charges.²⁷ This report was labelled "STRICTLY CONFIDENTIAL TO THE GOVERNING BOARD AND MR MARK WILSON. NOT TO BE DISSEMINATED ANY WIDER".
- were about to prove that others had done similar things as me without being censured or punished
- questioned the actions of the co-chairs or Cochrane's CEO, Mark Wilson.

In the following, my comments are in italics, preceded by "PG comment" to make them easy to find. It is of note that "not true" appears 38 times in my comments. Compared to my book, I have tidied up the transcript, e.g. by removing a lot of "..." because they do not indicate that something is missing in the transcript.

Part 1, the first hour

PG comment: According to charity rules, a board member is allowed to bring members of staff to board meetings. I brought three people to the meeting, as I wanted to have witnesses. One of them was Maryanne Demasi, a researcher from Sydney with whom I did research.

00.00.16

PG (to Demasi) – The charity commission rules, they can't bend the rules.

PG – But the charity commission says nothing about the meeting. This is a board meeting. That means that he [Burton] is not allowed to do that. That's the situation.

²⁶ Schopenhauer A. The art of always being right. London: Gibson Square; 2009.

²⁷ [Counsel's report, which exonerates Gøtzsche from all charges](#). 2018; 12 Sept (accessed 31 Aug 2021).

00.01.30

MB – So, Peter, we have established again by consulting our lawyers that this is a private meeting and you do not have the right to invite anyone to the meeting. So, if you don't abide by this decision, the meeting will go ahead without you.

PG – I am entitled to do this according to the regulation, I have talked to the charity commission, so what the lawyer says doesn't matter. I have talked to the charity commission, so you are violating the charity commission rules ...

MB interrupts.

PG – This is a board meeting, it is not a private meeting, Martin.

MB – Peter, it is a private meeting of the trustees where we shall discuss confidential matters. This is not a standard meeting of the charity, not the (undecipherable) general meeting about strategy (undecipherable). So, I'm afraid, what I need to do now is to go into another room with the trustees and explain what information we have received, and we will come back and talk to you again.

00.02.25

PG – Wait a minute, wait a minute...

MB interrupts – I am not going to waste any more time.

PG – Is this being recorded? I want this on the record.

(pause)

00.06.15

PG – (to Demasi) So you asked them to allow me [to have Demasi support me] because it is very stressful for me, and they didn't care? And also said, it is also stressful for us, and this was Marguerite Koster who said that to you, and Martin Burton?

Demasi – (undecipherable) No need to explain.

PG – But Martin said to her that they don't need to explain, ok? So, they are breaking the charity commission rules but they don't care. Look here, they call it a Governing Board meeting, closed session, trustees only. There is nothing in the charity rules that I am not allowed to bring in staff because they call it a closed session, because it is considered a Governing Board meeting, it is a trustee meeting, so they are breaking the rules, there is absolutely no doubt about this. Right, do you agree?

00.07.05

Demasi – (undecipherable).

PG – no, but you can see here, it is a trustee meeting, they can't have it both ways, no, it is not confidential, it's ...

Demasi – (undecipherable).

PG – Well, who defined it as a private meeting? Where did that come from?

(pause)

00.11.30

Demasi (about it being a private meeting).

PG – Nothing. I have searched under Governing Board meetings in my letterbox, on the word "private". There was nothing, which means Martin Burton is inventing an

explanation on the spot, called it a private meeting so I could not bring you, as my staff, there is nothing about it being a private meeting, they just called it a closed session at a Governing Board meeting.

00.13.50

PG – I searched, no matches in three mailboxes, so the idea that this is a private meeting was invented half an hour ago by Martin Burton. He is violating the charity commission's own rules.

(whisper)

00.14.48

PG – I can't get psychological support.

Demasi – I suggest psychological support to help interpret and clarify.

00.15.55

PG – Remarkable how much time they spend on this. I told you that this would be unexpected.

00.18.35

(laughter).

The rest of the board comes back.

00.22.30

MK – Can I have everyone's attention. It's been a while, but I guess I would like to say that before we can start the official board meeting, Peter has brought staff and they will have to leave the room.

PG – I have a question that is very important. According to the charity rules, I am allowed to bring staff to trustee meetings, this is one of my researchers, she is in Copenhagen right now, we work on research. Then Martin Burton said this morning that this is a private meeting. I have looked up all the emails. I cannot see the word "private" anywhere. So, the trustee rules apply, so the board should just be aware that you have now broken the trustee rules ...

MK interrupts – Peter, this is a closed meeting.

PG – Closed just means that Martin Burton [error, should have been Mark Wilson] and his staff are not allowed in. That's the only thing; it is a board only meeting. It has nothing to do with whether the charity rules don't apply ...

00.23.30

MK interrupts – We have consulted with the legal Counsel.

PG interrupts – but ...

MK - and he has agreed that we have the right to ask your, um, your (undecipherable, likely staff) here, and so, we respectfully ask you to leave.

PG – so, the legal ...

MK interrupts – I can call ...

PG – so, the legal Counsel is more important than the charity rules? Cochrane's legal Counsel ...

MK interrupts – We can work that out later, but at this point, I would respectfully like to ask you to leave.

PG comment: The board broke the charity rules before the meeting had even started, and the co-chair deferred this important issue till later, but never took it up again.

00.23.45

PG – so, just one thing left. Is this meeting recorded? Is it recorded? We agreed in Genève that all board meetings need to be recorded so that we ...

Someone interrupts: minutes ...

PG – no,

More interruptions

PG – So that we don't disagree about what was said and agreed. Is it being recorded?

MK – The board meeting has not yet started so we don't want to engage in any such discussion.

PG – No, but I want to know if this meeting WILL be recorded?

MK – ok, I am going ask, and ask you to leave right now, we appreciate that.

PG comment: It was crucial in terms of justice and accountability to record the meeting, but Koster tried to avoid any discussion about this.

(Demasi leaves)

00.24.45

MB – ok, so I am going to start the governing board meeting. The first thing is, item one, to welcome everybody, we will obviously be joined later on by the other members of the governing board. We will await their arrival, and, are there any other declarations of interest at this point?

MB – We agree, and one of the things I have noticed is the fact that we agreed that the code of conduct for trustees will be available at all meetings at the top of the agenda and that explains why it is there. So that ...

00.26.00

JM interrupts – Can I make a suggestion? Just in light of the discussions we have had about previous meetings, I think the general suggestion Peter made to record our meeting would be very ...

MB interrupts – Absolutely and I think, and I think, and I think ...

JM - This is ...

MB interrupts

JM – Should we have had early on, on that basis.

(Both talk)

MB – Can I, can I, respectfully make

JM interrupts –

MB interrupts – Now, we haven't specifically had a discussion about whether we want to physically record the board only time. So, we will now move to ...

CM interrupts – Martin, the code of conduct, we decided that we wouldn't sign ...

Someone else interrupts

MB – Yes, the decision was in having adopted, the board should apply them.

PG comment: The two co-chairs ignored repeated requests from two board members (JM and me) of having the meeting recorded, although it was agreed at a previous meeting that board meetings should be recorded. They clearly did not want to leave any traces behind of what was going to happen.

00.27.15

MB – ok, so in my opinion we now move into the closed session, which is the trustees only part. Prior to the main ...

NS – (undecipherable)

MB – We haven't, so, so, so, we, the first part, but it doesn't matter, we now convene the closed session, and the first item is the approval of the minutes for item 10 [about instituting a legal review]. It actually has happened already.

00.28.38

MB – so, Peter, you voted, but you can't because you weren't there.

PG – Just delete me.

(Many people talk)

00.29.00

MB – So, in the light of the comments made by Joerg, yes, very successful comments, we should ask the question whether or not we want to do something, which we haven't previously done, which is to record the board only time. It is usually only for the main board meeting. I would just say, if that is the case, you would have to take a break while we will provide you, so the question is whether or not we will record the board only time that can help as an aide mémoire for the minutes.

TH – speaks, and there is a lose discussion among several people.

JM – It is better to take more time than ...

MK – We could ask a couple of board members to record so we have something to compare against, so that we make sure that we have accurate (undecipherable).

00.31.00

MB – So, so, I don't want a formal vote on this, just to know what the feeling is, recording devices or not.

JM – Once the minutes are delivered, we could delete the recordings, used as an aide mémoire only, totally internal purpose, that would be my suggestion.

RL – I think that ...

(Pause while they investigate recording possibilities)

00.49.50

MB – Those of you would have Macs, if you open up Quick Time Player, a few of you, so Gladys is recording, I am recording as well, Joerg and Nancy.

00.52.30

MB – Right, so, the meeting will resume, and the closed session of this meeting and we have done item one, the minutes, and I will now hand over to Marguerite.

MK - First of all, I want to thank everyone for your attention. As concerns the report you have not had a lot of time to read things and I appreciate that, because of the time crunch there is a lot to cover on the part of the Counsel and I think they did a very good job and have been as impartial as possible in their assessment, so I just want to say that and thank everyone. And now, just to start the discussion, first there is the question that I want to ask Peter, and Peter, this is, has to do with the content of the report, and I assume you have read it so there is a question I'd like to ask before we discuss the content of this report.

(People talk about recording on their laptops)

00.53.40

MK – So, the first question.

Part 2, the next two hours

00.00.06

MK - Peter will have to recuse himself from the discussion after this, is that Peter, do you accept the contents of the report?

PG – that's a very unspecific question. What do you mean?

MK - Have you read the report and do you accept the conclusions of Counsel. I'm just looking for a yes and no answer.

PG – oh but there are many conclusions, so I can't say yes or no.

MK – But do you accept the report, as is?

PG – no because I think from the report, it's pretty weird, and perhaps that would need to be debated, perhaps we could comment on the report later. For example, I find it strange that the lawyer, being a lawyer, refers to 'authority' and 'eminence', for example, by saying that Martin is an 'eminent professor' and therefore, cannot have done anything wrong.

00.00.55

MK – but Peter without getting into the specifics again, since you don't accept the contents of the report at this point, I'd like to give you five minutes just to make a statement to the board before we ask you to recuse yourself.

00.01.14

PG – well, first of all it is not reasonable to give me such a short time when the matter is so big with 500 pages I should comment on. I have worked day and night on top of my usual job, and I can't see why there is such a hurry. We have been discussing these questions for years, and now the lawyer comes in and looks at the things. As far as I can see, the lawyer agrees with me that I have not broken the spokesperson policy in these three cases, and it was not wrong of me to contact the board. Of course, I am entitled to write to the board in an emergency. So, it seems to me that all of this could have been avoided, these expenses to the lawyer.

00.02.02

PG - and it also raises the question about our CEO whom I suppose was behind all of this, and also whether there is another agenda other than talking about the spokesperson policy. I have good reasons to believe Mark Wilson wants to get rid of me, my Centre, and my place on the Governing Board. And this has not been discussed at all, whether there is an underlying agenda. So, I find the whole thing very, very weird. And recently Mark Wilson and David Tovey [Cochrane's editor-in-chief and deputy CEO] completely exonerated me for everything Mark has told me I did wrong in relation to the spokesperson policy. And I asked Martin Burton yesterday whether these two reports should not be sent to the board, because they were very important, but Martin didn't reply, and I have them here. It's in relation to an editorial where Toby Lasserson [Cochrane's deputy editor-in-chief] wrote about the HPV vaccines where he definitely comes up with personal views ...

00.03.16

MK interrupts – and I don't think we want to get into these because they weren't part of the materials that were given to everyone.

NS – they are.

PG comment: The reason they weren't part of the material sent to the board was that they would have exonerated me, which is why Burton rejected my request to submit this documentation.

00.03.22

PG – just very briefly, they actually say they do not represent Cochrane's official policy unless it is explicit in the text. This is what I always understood what the spokesperson policy should always be about. That it's not Cochrane views that you express unless being in the Nordic Cochrane Centre and if you express official policy, you say so, it's turning the Cochrane policy completely around, and that's what the spokesperson policy should look like.

00.03.53

MK interrupts again - you have stated that it is explicitly the information, the information that you've submitted to Counsel and in your response to them. So, I think that everyone has read that and understood what your position is.

00.04.04

DH interjects - I think you should just allow him to speak; otherwise you're interrupting and making it difficult for him.

MK – alright but it needs to be very brief because we have to ...

00.04.15

PG – one thing, I don't think I should go out of the room because this is at a crossroads for Cochrane. Many people in Cochrane trust me that I can do something for them because they are deeply unsatisfied by the way Cochrane is going under Mark Wilson's leadership. So, this is about much bigger issues than the petty things about the spokesperson policy. It's really about where Cochrane is going, so you

would benefit having me in the room. It's not about me because it's so clear I did nothing wrong from the lawyer's report, so I actually encourage you to allow me to be in here so I can contribute to what I was elected for doing, namely doing something good for Cochrane and that means changing direction from the business-like perspective back to the science perspective, which is our whole reason for being here.

00.05.06

MK – OK, thank you Peter for your statement. At this point I'm going to ask you to recuse yourself and it really is on the advice of our Counsel because there are things we need to discuss as a board, and it would be inappropriate to have you present for those.

00.05.23

PG – well, in that case, I have some questions that I believe I'm entitled to get a reply to before I leave. Questions that are very important, and I'll just find them ...

00.05.39

MK – interrupts again - Peter I'm going to have to ask you to leave at this point. And we can discuss these, certainly, you know, if you want to discuss these things individually with board members later if that's appropriate. But we need to move ahead given that we've wasted a fair bit of time already.

PG comment: I was asked to leave after five minutes with the excuse that time had already been wasted. But over an hour later, at 01.20.20, MK says: Oh, we've got plenty of time (laughs), as much as you want.

00.05.54

PG - But what are you going to discuss in relation to me because the lawyer actually exonerates me?

00.06.00

MK – Peter that's your impression of it. We are going to be discussing the report as it was sent to us, and the conclusions, and we were advised by Counsel that you must recuse yourself from this discussion.

00.06.13

DH – excuse me, I think, given this is a long process with hundreds of pages, and everything and given that Peter has not been able to speak more than 30 seconds without being interrupted, wouldn't you at least allow him to ask a few questions? This is such an important thing, I don't think it's too much to allow him and I would ask you to, please, as chair, not to interrupt him and let him speak for at least 5 minutes without being interrupted with the questions he wants to ask, before he leaves the room. I don't understand what the problem is.

00.06.48

GF – I think we need to hear Peter's questions.

00.06.49

MK interrupts - So Peter, well, very briefly because we have to make up for some of the time that we've lost already.

00.06.54

PG – OK, so I have used months on this and then you ask me to use just 5 minutes here. Thank you, a lot, that's very kind of you. You must understand Cochrane is in deep trouble and the world is watching what you're up to. Not least against me but against people in similar situations. Cochrane is in crisis. And you have no idea about this. Editors from the BMJ and elsewhere, they're watching what happens in Cochrane right now. So, it's not prudent of you to treat me this way. I'm just the messenger. You haven't realized that. OK?

00.07.35

PG – I'm surprised that when 400 pages were sent to the lawyer, these were compiled by Martin Burton, and he did not involve me at all.

MK – interrupts, OK, this is ...

PG - Did you involve Mark Wilson in compiling all these papers Martin?

MK interrupts again – Peter, this ...

PG – That's a relevant question.

MK – Peter, this is all in the documents,

PG – No, it's not here whether Martin Burton involved Mark Wilson in compiling the 400 pages, that's not stated anywhere. I am asking, did you or did you not.

(Martin nods).

PG – You did. OK, that's for the minutes.

00.08.10

MB – I've said nothing. And I intend to say nothing. I wish as the chair to record my objection to this, the line we're taking here. I don't agree, after all the effort that has gone into all these pages, that Peter, the lawyers advised that we should ask him the question we've asked him, give him 5 minutes and it is now 10 or 15 minutes and I think this is an abuse of process. Sorry.

PG comment: Burton talks about an abuse of process that I ask a highly relevant question about how the documentation was compiled. Burton refuses to answer it, which is an abuse of process.

00.08.41

PG – Why don't you want to answer such a simple question, which is important for whether this process has been fair and equitable?

00.08.48

MK - Peter, I think I'm going to have to ask you to recuse yourself.

00.08.51

Peter interjects - This is looking more and more like a Kafkaesque process; don't you realize that? And now you've involved lawyers, so this is a semi-legal process, and yet you forbid me, against Charity rules, to bring my scientist who is very good at advising people. She has advised the Minister in Australia ...

MK interrupts again – Peter, this is not a legal process, this is not a trial.

PG – It's a semi-legal process. Yes, it definitely is. And I also want to know about my report that I sent to the lawyers on the 30th of August. When was that seen by the co-chairs? Was it seen before everybody else saw it yesterday, or when it was, did you receive it immediately when I submitted it to the lawyers?

00.09.39

MK interrupts - Peter I don't even want to get into a discussion about this. We are definitely going to have to ask you to leave at this point.

PG – This is relevant because remarkably similar letters came from senior figures, came to me from the board, a few days after I delivered my report to the law firm, so my suspicion is that there is a connection there, that this is actually some kind of show trial I've been exposed to.

00.10.03

MK – Peter that may be your suspicion, but it is not the truth, I'm going to have to ask you to leave at this point because we're getting into issues that are irrelevant to this conversation.

PG – Of course you think it's irrelevant ...

MK interrupts again - if you would please excuse yourself now, I would appreciate it. We need to move on with this discussion.

PG comment: My highly relevant question about when the co-chairs saw the report that I submitted to Cochrane's hired Counsel is dismissed as being irrelevant. After I was forced to leave the room, Koster admitted that she saw my report before the rest of the board did, which strengthens my suspicion that Burton [orchestrated letters of complaints](#) (page 15 in my appeal to the board after they had expelled me) as soon as he had seen my report.

00.10.23

PG – One last thing. The lawyer suggests that we should not use our letterheads if we correspond about non-Cochrane matters. That would kill the Cochrane Collaboration, at least the Cochrane centres. We apply for funding for other projects which help us survive and if we don't use our Cochrane affiliation and letterhead, people would laugh at us, so it's harmful for Cochrane. A lot of what the lawyer suggests is harmful for Cochrane. And I am not allowed to say anything about this, so I hope the rest of you will when you have thrown me out the room.

MK interrupts – Peter, when you have an opportunity to discuss these issues ...

PG - When will I be allowed in again?

MK – You will have an opportunity to address this report in writing, if you choose to do so.

PG – I will.

MK - That definitely is your right, and that information can then be shared with the board.

00.11.16

JM – Marguerite, um, can we agree that we have a discussion without Peter about the report, I'm totally with you on that, but when we start discussing general problems within Cochrane, that we give room to that which Peter raises, and that is part of the report, but I think in the discussion, it will be good to have him in the room ...

MK interrupts.

JM - I think Peter is entitled to join in that discussion.

00.11.40

MK – There are some issues about the spokesperson policy but (indecipherable) that are well beyond what we are doing.

JM – OK.

MK – Thank you Peter (Peter begins to leave the room) – Peter, we will call you if anything needs discussing.

00.12.15

Door closes.

00.12.22

MK — There are some questions that Peter did raise ...

MB interrupts – I'm very happy to answer any questions you have; would you like me to answer the questions he posed to me?

Yes, says one member.

00.12.31

MB - The lawyers put together the papers, we sent them everything they asked for, they asked for all the emails relevant to this, we asked Mark, Lucy, everybody with emails to send them in, and they chose which of those papers would be sent to Counsel. Mark had absolutely nothing whatsoever to do with it, so this has all been done, despite what he says, in a fair and transparent way. There was something else he asked?

NS – Sorry, who sent the papers, or who ...

CM – You've had one group of lawyers who have advised you and the Counsel whose separate ...

MB – Yes, the lawyers had everything we could think of. The lawyers, as in the solicitors, had everything we could think of and I made a particular point that no one had the time or the energy to go forensically through every email, every co-chair, Mark, they received everything and we said, this is what we've got, we haven't been able to go through every little thing, what we should, everything about this, it was their instructions to Counsel, it was all done by them. And Mark had absolutely nothing to do with this.

PG comment: Burton admits that the collection of documents for Counsel was biased, and he also admits that the other part in the conflict, Mark Wilson, submitted material as he pleased while I was not asked to contribute anything.

00.13.43

JM – Just for clarification, but you, Mark had the opportunity to submit material in support of what you sent to the lawyers and Peter didn't get that?

MK – No, they both did.

PG comment: This is not true. Wilson was asked to send material to be used by the lawyers. I was not asked. This is not due and fair process since the whole issue was a dispute between us about how the spokesperson policy should be interpreted.

JM – OK, good but at the end, but the initial plan was drafted, and the lawyer got involved, but the initial scope of the work was defined then, as I understand, you and Mark provided material at that point in time. Peter only provided a final report, once he received it from the lawyers ...

MB interrupts – and, and, and, and one reason why I have no problem with that was that if anything was missing, this was all going to be seen by all parties. If any parties said there is something missing here, all they had to do was say here it is. Everyone had the opportunity to produce the evidence, but anyway, the other question was ...
CM - Who saw the lawyer's report?

MB – We saw it exactly when you saw it, we hadn't seen it, nobody else has seen it, none of the people, Cindy, none of the people have seen the results, so it's just imagination, just want to be clear.

PG comment: This is misleading. I did not ask who saw the lawyer's report, I asked who saw the report I submitted to the lawyer on 30 August and when. The co-chairs are beating about the bush. My question is related to my strong suspicion that Burton orchestrated the letters of complaints submitted 3-5 September to himself. Koster admits just below that she saw my submission to the lawyer before other board members. Cindy is Cindy Farquhar, one of the people who complained about me. Contrary to Burton's assertion, she must have known about my submission because she was the outgoing co-chair that Koster replaced (see part 2, 00.56.16).

00.14.53

MK – And also you should know that the documentation submitted to legal counsel, I did not see that till very late – not even when I was co-chair elect, I was not allowed to see that documentation. I didn't see it until essentially, the very last week.

MB - And the reason for that is that there was, that the solicitors, the lawyers were worried about the content issues to do with defamation, so they weren't clear, they only, they would only agree for us to circulate one the Counsel had pronounced on that matter and Counsel only gave permission for you all to receive the bundle with his instructions. Well, you know, we sent it to you as soon as it was available.

00.15.40

MK – And seriously, we were waiting yesterday with bated breath for that report so that we could send it to all of you and as I said, very last minute, we appreciate your patience with that and having to read it with very short notice. I also want to mention that not only has there been a very deliberate process that has been followed but most of the, Martin and I have spent a considerable amount of time, but it's been mostly how to manage the meeting, and how to move forward with the board. We did not expect to have, what would happen this morning, and you know, people showing up with Peter, and our ability to ask them to leave of course, took some time.

00.16.23

MK – and the reason why Peter has been asked to recuse himself from the meetings is that as part of the complaints here, Peter has made some very serious allegations against our CEO, against co-chairs and against other people within the organisation. He has had opportunity to respond to the solicitors on a very extensive level and I'm sure you read his report and he was very thorough in his response, and he had the opportunity to do that. Mark Wilson was also given an opportunity to respond, and you've all seen that as well.

00.16.58

MK - Counsel then wanted to interview in person both Mark and Peter. Mark was interviewed, he accepted, and Peter declined to be interviewed in person. He said that everything he had to say was in his written correspondence. So, everyone was given an equal opportunity to provide their point of view to Counsel. And Counsel was very patient working with them. With Peter, they offered to do it by Skype or any way that he wanted to do it, they would fly him to London to have him there in person. He declined to be interviewed. So that, we just wanted everyone to know that these are the facts going in. So, the report as you've seen last night is the first that we've seen it as well.

PG comment: This is misleading. I declined to be interviewed by Cochrane's hired lawyer because I was not afforded the opportunity of legal assistance or representation during the interview. When a law firm is paid by one of the two sides, it is not impartial – which [Counsel's report](#) demonstrates – and it can be risky to be interviewed because questions that may seem innocent may have been carefully prepared in order to make you fall into a trap. I was very clear with Counsel that I would answer further questions in writing, but they did not follow up with their enquiries. The co-chairs knew this and deliberately misrepresented my position to the board.

00.17.40

CM – There was one other point that Peter was raising, was the letters from senior people like Craig, Farquhar...

MK – No. that is a separate issue that Martin will take over the discussion about that. That has to do with the publication of the HPV, the paper in the BMJ-EBM – that's a separate issue ...

MB interrupts – Well, we will discuss that as one and then we'll bring things together.

MK – Counsel was not asked to review the HPV paper and all the responses, or make a judgment on that, all these kinds of things, so that, we'll be discussing that separate. But in the totality of the discussion, after we've discussed both of these areas, we will be asking for, you know, your input.

00.18.36

MK – First, what I wanted to do, I know the report was a number of pages and difficult to read the night before so I, to go over just some brief comments Counsel gave us, to remind everyone what the conclusions are about and what we're dealing with here. Then we're going to put it out for discussion so if anyone has questions, about what was said in the report, there will be opportunity to do that. Does that seem reasonable to everyone?

00.19.04

GF to CM - Last night?

CM - You haven't seen it?

GF – No ...

MK interrupts – Just as a comment, the H& L report [Counsel's report] was very objective and impartial. I was very pleased to see that, that they, I think, were very impartial about. I'm sorry Catherine.

00.19.20

CM - Gladys hasn't seen it!

GF – I haven't seen it, it was last night? I didn't receive it.

NS – It's in a different email though.

DH – In a separate email.

CM – from GF Beaumont.

GF – I didn't receive it, sorry. I wrote everything from Beaumont, but I didn't see it.

00.19.58

MK – So I think at this point, maybe what we can do is um, Gladys, I hope you will have an opportunity to read it.

GF – I have to do it.

MK – OK, but I'm going to provide a high-level summary of what some of the conclusions are, and cut to the chase with this, rather than having to break down and having to read. Not going to read 147 points; it could take a while.

00.20.19

MK – As I mentioned, I think the report is objective and impartial and I'm pleased to see that. But it does emphasise that these are extremely important issues that are facing the board. There are issues around the breaking of spokesperson policy, collaboration agreements, and probably most importantly, there are a lot of issues around the behaviour of people and what it really means for the organisation. And having a respectful process that protects the members of the charity and allows people to do the business they should be doing for the charity. As the Board of

Trustees, we are responsible for the employees of this organisation. Making sure that they have a working environment that is consistent with being able to get their work done. And as you 'll see and as stated in the report there are some comments about that.

PG comment: This is misleading. MK, and subsequently several other board members, including the other co-chair, MB, deliberately ignored that Counsel's report exonerated me from these charges. Counsel did not say I had breached the spokesperson policy, and he was cautious when discussing the collaboration agreement, which he had clearly misunderstood (see under 00.59.00 below). The co-chairs and several other board members not only ignored this repeatedly during the whole meeting; they claimed the opposite, that Counsel found I had breached the policy and the agreement.

00.21.18

MK – I wanted to do first, a summary about some of the historic issues under the first complaint that was mentioned. Counsel essentially says that Mark Wilson's response was sincere and reasonable. You know, Mark has been accused of a number of things, of being a puppet master, master-mining a whole bunch of things. Counsel did not find that to be the case and looking at all the documents, and taking into consideration Peter's correspondence and Mark's correspondence, and all the other documents they had which was voluminous, they really felt that Peter's approach is misconceived and that he breached the Collaboration agreement when he wrote to Dr Torrey – ok, that's their statement.

PG comment: This is misleading. My letter to the funder that Torrey worked for had nothing to do with the Collaboration Agreement, which is about how the Nordic Cochrane Centre and the Cochrane Collaboration, represented by Mark Wilson, should collaborate. Counsel had misunderstood this agreement, believing that Cochrane centres are only allowed to do Cochrane work, which is not correct. Counsel did not state that I had breached this agreement in relation to Torrey. He presumed I had breached it (see below under 00.59.00). Further, he did not say I had breached the spokesperson policy (see below under 00.22.34).

00.22.03

MK - But they also came to the conclusion that the spokesperson policy is somewhat ambiguous, and that it needs to be reviewed and that changes should be made to make it much more clear about some aspects of the spokesperson policy. So, I think that that has been in most people's minds over the last couple of years, that the spokesperson policy needs to have some work done, and so I assume that is something that the board will decide to do, and I am for a sub-committee at this point.

PG comment: The spokesperson policy was ambiguous, which was acknowledged by Counsel. During the entire meeting, no one mentioned that I had [tested this policy empirically](#) (page 3) and that by far most people did not conclude that I had breached the policy in the two cases that were under discussion. It is not true when MK says I

broke this policy, and it was so ambiguous that it could not be used to claim I broke it in the two cases that were under discussion and which Counsel commented upon.

00.22.34

MK – On the second complaint, no, let me go back to the first one. They did not propose to make any determination that was adverse to Peter, as to whether he breached the spokesperson policy. And so, he says he may have done it in some cases and may not have done it in other cases. And so, at the second complaint as I mentioned was where they said that he had breached the collaboration agreement, which was with the Nordic Cochrane Centre, and also with Cochrane in general.

PG comment: This is not true. [Counsel exonerated me](#): “Even more clearly, it seems to me that acting as an expert witness in a criminal trial ... has nothing whatsoever to do with the promotion of the core functions ... The expert report ... was signed by PG as Director of Cochrane Nordic. I cannot see how that has anything to do with the functions of a Cochrane Centre” (page 25) ... “I do not think it can be said that he was speaking officially on behalf of Cochrane. As a result, I do not think the provision MW [Mark Wilson] expressly relied upon in his 11 April 2018 email (being the same one that he relied upon as regards the Dr Torrey issue) can be said to have been breached” (page 27). “I must say that I have some [sympathy for PG’s position here](#)” (page 26).

00.23.11

JM – When do you want to take comments? Not now I assume, or do you want to take comments?

MK – Why don’t we just go through this first.

JM – No, no, that’s fine.

00.23.24

MK - And then on the second complaint, Counsel made no decision on the minutes or the notes for the closed session of the board about Geneva because they weren’t really there, and they know there has been some disagreement as to whether the spokesperson policy and limitation were lifted to Peter or not. We don’t have sufficient notes on that in order to make that happen.

PG comment: This is not true. The special provisions for me were clearly lifted. I explained in my [report to Counsel](#) (page 38) about the meeting in Genève that the two co-chairs (Burton and Farquhar) either have an extremely poor memory, or they had deliberately tampered with the evidence. I also wrote that a board member was willing to testify about this.

00.23.47

MK - But Counsel wholly rejects Peters allegations in relation to Mark and also to Martin and they felt that Mark Wilson acted properly under those situations in terms of the discussion with Peter. And so, that it is very “important to emphasise” that Mark Wilson was well within his right in his discussion with Peter.

PG comment: This is not true. Wilson did not act properly. Counsel does not explain why he “wholly rejects” my so-called allegations in relation to Mark’s bullying behaviour, which moreover were not allegations but factual observations, witnessed by four people in Lisboa and by other people before this (see under 01.14.30 below).

00.24.13

MK - In the third complaint, they said that Peter was entitled to write to the board, and he had mentioned that this morning and they agreed, and this is in accordance with the dispute resolution procedure in the collaboration agreement. So, they did feel that it was appropriate for him to write to the board.

00.24.30

MK - There are some other key points that I want to emphasize here. And that is, this report is not to be disseminated beyond the Governing Board, Peter and Mark Wilson. OK. This is a confidential report that we cannot share with anyone. They felt that Mark’s response to the core issues was sincere and reasonable in his approach to those.

PG comment: If you pay a law firm to write a report about issues you have with another person, the law firm is not likely to criticize you but the other person.

00.24.53.

MK - They also felt that he was wholly professional in his approach to Peter with respect to historic issues and that means that any complaints that were sent to Cochrane and Mark’s correspondence to Peter about managing those complaints and asking Peter for input if at all suggesting, if and when he breached the spokesperson policy. And I think that you would have read the report that Counsel has found to some degree, yes, he did breach the spokesperson policy, but to some degree he didn’t. So, there were some mixed aspects to that.

PG comment: This is not true. Counsel did not conclude that I had breached the policy, and CEO Mark Wilson’s approach to me cannot be described as professional, far from. He had bullied me for years, had used management by fear, and had called me a liar without apologizing for this (see under 01.14.30 below and in my [report to Counsel](#), page 36 onwards).

00.25.28

MK - And then due to the uncertainty, Counsel cannot proceed on the basis of the, specifically on the requirements on Peter, whether he broke the spokesperson policy was changed and the restrictions were lifted, were still enforced after the meeting in Geneva. So that’s important, that shows that there is disagreement and Counsel is noting that there is disagreement about whether the spokesperson restrictions were lifted on Peter after Geneva.

PG comment: This is misleading. The spokesperson policy applies to all people. The issue was whether the special restrictions that applied only to me were lifted in

Genève, which they clearly were. See above under 00.23.24 and in my [report to Counsel](#), page 47 onwards).

00.25.56

MK – They also feel that the collaboration sets out the specific functions of a Cochrane centre with reference to the Functions of Centre documents and the obligations on Directors pursuant to those functions. So, they felt that that was very clear, in the collaboration document what those functions are. And they felt that Peter had breached his functions under the collaboration agreement. And they refer to paragraph 105 in particular in the report. We can go back. They felt that Peter may not deserve censure for breach of the agreement as he appears to have misunderstood it and its role. So, there may have been some misunderstanding on his part. Counsel suggested a constructive way forward would be to use this opportunity to articulate more clearly the functions of a centre.

PG comment: This is highly misleading. Counsel is very clear that this collaboration agreement was NOT clear and that it is his own interpretations of the agreement he writes about, and that he might be wrong, which he was (see 00.59.00 below). Other board members, who are centre directors like me, supported me on this, see below.

00.26.48

MK – So, apparently, they see that there should be some work done on the centres and what agreements there are between the collaboration and the centres. So, maybe make that more clear – so that will be additional work for us to do.

00.27.02

MK - Um, they also felt the spokesperson policy is a bit ambiguous and that the term “Cochrane related issues” needs closer definition. So, if you are speaking on behalf or not on behalf of Cochrane or Cochrane related issues, then they want to know what was really “Cochrane related issues” mean and it needs to be defined.

00.27.25

MK – But they did feel that Peter broke the spirit of the policy if not the actual letter of the policy. So, that Peter’s attempts to reach out and speak and use letterhead and various things, they felt he breached the spirit of the policy and that he had pushed the boundaries of it. And they felt that the Mark cannot hold Peter in breach when the document is not clear. And they thought that was an issue and that it would not be fair to censure him as a result.

PG comment: When a policy or a law has not been broken, it is irrelevant to speculate whether the spirit has been broken. A spirit is a vague concept that will be interpreted differently by different people.

00.27.55

MK - Next was Martin’s summary document, was made in good faith and that he himself was wholly impartial. So, Peter has made lots of accusations about Martin, sort of master-minding certain things, tampering with evidence, doing various

things. Counsel did not find any credibility to any of the complaints on Peter's behalf based on documentation, statements and interviews.

PG comment: This is highly misleading. I have documented at length in [my report to Counsel](#) (pages 58 to 65) that Burton's summary document was not impartial but biased in favour of his line manager, CEO Mark Wilson, and in my disfavour. Further, in contrast to me, Wilson was involved in collecting the documents (see above, under 00.12.31, which is a serious conflict of interest that should not have been accepted.

00.28.25

MK - They also felt that Mark behaved appropriately, in this letter that was dated April 2018, you're welcome to take a look if you like and they felt that in March 2018, it was really an 'isolated incident'. There was no evidence to support Peter's accusations, of a witch-hunt or bullying behaviour by Mark Wilson.

PG comment: This is misleading. Members of the board I consulted at the time felt it was highly inappropriate for the CEO to give me a two-day deadline and to [threaten to close my centre](#) (page 42) if I did not agree with him that I had broken the spokesperson policy, which I had not done. To dismiss Wilson's bullying behaviour towards two governing board members where he called me a liar (page 37) as an 'isolated incident' is inappropriate. There are many examples of Wilson's bullying behaviour, which we discussed at the board meeting later the same day (see page 43 in [my report to Counsel](#)). I arranged a meeting with Koster and Marshall, both board members, in Seoul in September 2016 because I was very worried that Wilson might close my centre although we had done nothing wrong and had contributed immensely to the Cochrane Collaboration.

00.28.48

MK - They felt that it was inappropriate, and they found that was not legitimate at all. They felt that no-one has tampered with the minutes, of course that is an accusation that Peter has made and continued to make this morning and also, he does not agree with the contents of this report, so we have to keep that in mind. And they really feel like this is a very serious allegation which is important that they make clear and wholly object. So, they think that it is important that those allegations are rejected.

PG comment: Facts are more convincing than feelings ("they felt"). I documented in my report to Counsel that the trio - the co-chairs and the CEO - had [tampered with the minutes on several occasions](#) (page 1). This led to turmoil at the board meeting in Genève, which I documented in my report to Counsel.

00.29.21

MK – They felt that Martin has not been seriously misleading nor has he deliberately misrepresented the evidence. There was no tampering, there was nothing done, to the documentation that was submitted to Counsel, so they feel that that was an inappropriate allegation.

PG comment: This is not true. Martin Burton seriously misled people, e.g. in the way he collected the 400 pages to Counsel, in his instructions to Counsel, and in his rejection of important evidence I wanted to have discussed.

00.29.36

MK – They feel that Martin was right to stop discussions in board only time, at the last meeting after the altercation between Mark and Peter. That we really should not have been discussing that when Peter brought those issues into the board only time, that it was right to shut down that conversation because then, there were serious allegations that were lodged about people, and it should not have been a board discussion at that point.

PG comment: This is not true. It was not me but [board member Joerg Meerpohl who brought up Wilson's bullying behaviour](#) (page 37), as he was also bullied. And it was not an "allegation." It happened, and there were four witnesses.

00.30.12

MK – Ok, and they also felt that Peter's accusations that Mark is bullying and manages by fear are very serious and wholly rejected by Counsel. So that's more of a behavioural issue, it's not scientific facts or anything, but people behaving in certain ways and also making statements about senior executives of the organisation, who we as trustees are supposed to support and make sure there is an environment that, um, that is good for them to work in, as part of the organisation.

PG comment: This is not true. Counsel did not reject that Wilson had bullied JM and me but called it an 'isolated incident' (which it was not).

00.30.45

MK - They also thought that the allegation that Mark tampered with the minutes is also very serious and one which Counsel rejects. That's in line with all the accusations of tampering with evidence and bullying and all kinds of misrepresentations, Counsel wholly rejects all of it. The allegation that Mark and the co-chairs have been collaborating to tamper with minutes is unequivocally rejected. That there is no tampering with minutes, and that they did the best job that they can to try and accurately reflect what has gone on in meetings and that there is no tampering with minutes.

PG comment: This is not true, see above. I documented in my submission to Counsel what MK postulates Counsel "wholly" rejected. Counsel did not reject all of this, and what he rejected, he should not have rejected, e.g. tampering with minutes and bullying.

00.31.24

MK - Counsel explains that he has tried to discharge the review, independently within the time constraints, obviously he did not have a real long time it took to look at the voluminous documents we sent to him, but we think that what he has done is excellent and impartial and very fair. The instructions to Counsel were not partial in

any way, I wasn't involved but those that did submit materials, but those that did, submitted everything that they asked, and there was no tampering with it whatsoever. And that they feel that none of Peter's complaints against both Mark and Martin are well founded, they wholly reject that notion. And that counsel was impressed by both men's professionalism, integrity and dedication to Cochrane, and that both of their positions were reasonably held.

PG comment: These are highly biased views and Counsel was not impartial. It is irrelevant when a lawyer hired by someone to resolve a dispute is "impressed by both men's professionalism, integrity and dedication to Cochrane." Furthermore, MK avoids saying anything about how the lawyer perceived me or my contributions, although he also viewed these as positive.

00.32.19

MK - And then the criticism of Peter in relation to his emails to the board on 11 and 16 April 2018 are not made out, as he was entitled to contact them in accordance with the collaboration agreement. So, you know, his general emails were ok to do.

00.32.39

MK - And this summary was produced by our lawyer, so we want you to know that the statements being made right now are directly from Counsel. And we wanted to go on that basis, rather than us summarizing this report – we did ask Counsel to provide a summary. So, that's essentially what they provided to us, we got this of course at the last minute, and after reading the report, we were grateful to receive that, and that's essentially what they provided to us. So, at this point I'd like to open it up for discussion, and see what others have to say about the report.

00.33.25

NS – I question that I have, is that a lot of comments in here, you know, there's what's written and what's in emails, but there's also what we 'know' that's going on. So, I don't know how to separate that. You know, we hear things from people that we trust ...

MK interrupts – Nancy what do you mean "we know what's going on?"

NS – Not with this, but there's always background information that people know about and I'm just wondering how that information can be used when having this conversation.

MK – Ok, I guess I'm unclear about the background information.

00.34.05

NS – You know there's always, you know, the conversation at the board meeting and you know, what Joerg brought up in the closed meeting also, obviously, they didn't see that information when they made their assessment. But it's the, say for example, Mark's behaviour and how he controls things, so how do we reconcile what we hear from other centres – that type of information is not documented. But we hear that from all of us here, background talk, maybe we're not allowed to bring that stuff up.

MK interrupts – This was specifically based on complaints.

NS – Yes, but conclusions are based on you know, “Mark acted in the best way”.

Well, we have some other information that he didn’t ...

MK interrupts again – Well, these are specific incidences.

NS – The centre’s collaboration is agreed by all centres. Well, we know that it isn’t.

We know that there were big arguments about what was written in those MoUs [Memoranda of Understanding].

00.35.22

NS – So, how do we bring in that other information? Frankly, the counsel didn’t see all that information and they don’t know what’s been going on in Cochrane. So how do we do with that?

MK – What we can do is, let’s focus on this report and the facts here ...

NS interrupts – But that may not be very good, and I agree with what Peter said, you know, there are bigger issues behind just these small little comments here and I don’t know how to, and I think it would be wrong to focus on that specific letter and that specific statement because there are massive issues going on that are not good.

00.36.06

MK – What we plan to do is focus on the generalities ok? But I think we want to take a look at these specific instances here, have a discussion about those and we know for instance, the centre collaboration policy, the spokesperson policy, we know that there are larger issues here that need to be discussed and rectified and so I think that we first need to focus on some of these issues, knowing that there are larger issues here that need to be addressed.

00.36.35

NS– But I guess when they say, he, Peter, did not follow the centre agreements and they say that’s bad because he didn’t. Well, we know that half the centres are not following those agreements. So why are we singling out Peter in this instance and not the rest of the people? So, I think that’s where I’m kind of like, they made a conclusion ...

00.37.01

MK interrupts – I think Tracey wants to respond to that, then Jan, then Joerg then Catherine.

TH – I think we need to be very specific on the documentation that we’ve got. Anything else is hearsay. And also, these are from complaints that have come to Cochrane, and these are our responses to complaints that are external to Cochrane. And what happens (indecipherable) outside of this incident, and this may be a context to that happening. And you can’t take anything else into account because these issues were initiated by complaints.

00.38.00

NS – You could say that Peter is acting in the way that everybody else wants to, but other people haven’t. So that’s why we can’t ignore the context in which we’re functioning.

00.38.23

MK - And I don't think we will. I think we have to focus on the specific behaviour that Peter has and what that means in terms of this. David, I'll get to you, but let's go to Jan, I think you're next, then Gerald, Joerg and Nicky.

PG comment: MK focuses on my behaviour while exonerating Wilson for far worse behaviour (see above). This is not being impartial.

00.38.36

JC- I just want to say two things. One is, I am oblivious to what you refer to in terms of things going on and that isn't anything we should be discussing now. Because what we got is the documentation that has been sent. And in terms of reference to the instance in Lisbon and it is in the documentation and that I reported, I witnessed and commented on what I saw, in terms of body language of Mark, I thought council did address that and it is acknowledged, and I felt satisfied in how it was dealt with in that report.

PG comment: This is one of the four board member witnesses of Wilson's bullying behaviour in Lisboa, which MK postulates does not exist, see 00.30.45 and 00.31.24 above. This is not true.

00.39.37

GG – Well, I'll just say I was reluctant to commission to report but I'm glad we did it. As Nancy said there are some things, they have a very narrow view of the documents they have and the memorandum of understanding, this one of them, and they slightly, and they missed the picture in a way, and it is not legally binding, none of that is legally binding and everyone had different ones, and I don't know what Peter had in his but he never signed it and so it's just the nuances are sometimes just not correct ...

00.40.20

MK interrupts again – Oh, but they did, and it's still in place because he had accepted it even though he did not sign it.

00.40 29

MB – It has been referred to as legally binding, in this instruction, so they determined that it was legally binding.

00.40.55

GG – I just really feel we need to take context into consideration and not take this word for word.

00.41.02

JM – Two quick comments. If you have a summary report of the very long report that would be very helpful for me. You just mentioned now the fact that you gave the summary report to us. It would be helpful for all of us, particularly for processing this information. And second, just in additional information in relation to the centres'

agreement, I think what we were trying at the time, because I was heavily involved in that agreement – was trying to establish the minimum functions of centres in terms of trying to make sure they deliver on what they need to deliver rather than restricting what they're allowed to do. So, I think that is very important. I think when we started off centres, we were doing what they felt was within the vision and mission of Cochrane and to me it's about to find the minimum functions that you are allowed to call yourself a centre. And the final point I'd like to ask is, how do we, what's your plan, are we trying to make a decision today or are we just having a discussion and postponing a decision until Friday, again, that would be important for me to understand.

GG - What are we deciding on?

JM - Whether we are taking any actions of Peter or Mark or whatever. Potentially, I don't know, but I think, is it just for information or is it for a decision?

00.42.28

MK – Well, I think we'll have a discussion about the Counsel's report today. We also have the HPV issues which will be coming and then I think we need to have a discussion about, do we have enough information to make a decision, do we want to think about it for a day or so, and then have another discussion about it. That's a group decision. I don't have any preference for that, so it really is up to the board to decide what's appropriate.

00.42.52

JM – And if I may, a final point with respect to what Gerald said and Nancy said, I think we need to focus on what we have in front of us, that's absolutely sure. But on the other hand, it's a bit like looking at published trials and ignoring unpublished trials. Because (to Nancy) I think that's what you're referring to, there's a lot which I think is somewhere hidden, things going on as you call it, and is not included in that for good reason, but I think as board members our responsibility goes beyond judging what's in front of us, just want to remind everybody.

00.43.32

MK – Yes, yes, just in order, there's Catherine, there's Gladys, there's Rae, Nicky and then David.

00.43.36

CM - One of the things that the Counsel doesn't comment on is whether the allegations against Mark would be in breach of the code of the conduct of the trustees. So, it's silent on that, isn't it?

JC – just explain what that means?

00.43.59

CM – The very first thing that we looked at as we sat down is how we act as trustees and there is a segment in there that says as trustees, we need to treat the staff and Cochrane as professionals, and treat them with respect, and I think that's an area that is our legal obligation and the comments in Counsel's report shine a light on issues of concern. I'm trying to find out where it is, I can't get it up.

00.44.44

GF – First, I would like to ask you all to open this discussion with a very free spirit. I feel a little bit straight to say what is good and what is bad. I would very much like to discuss all these controversial spirits in science and in behavioural issues. We need to open in a very good way in how we are going to strengthen our behaviour as a board, in the whole concept, I am not, I don't have enough information today and I am in sorry I did not receive the final report and I feel very out of the possible discussion because it is so serious, and we need to have the most information we can to analyse and to take from these with a very good opportunity to communicate with each other here.

PG comment: One board member did not see the documentation. I suspect that none of the board members had read the documentation of over 700 pages (which corresponds to three books) delivered to them only 1.5 days before the meeting. An indication of this is that no one took up any of my strongest arguments during the discussions at the board meetings, e.g. my empirical test of the spokesperson policy, which showed it was useless as an instrument for judging whether anyone had done anything wrong by using a centre letterhead, which was the whole reason that this cumbersome "process" was instituted against me.

00.45.48

GF - I think that most of the problem we have here is that we have not strengthened the communication channels frequently. We go after the first board meeting, and I feel absolutely isolated in Mexico with no communication with you and I don't have the change about the process. The way the things have evolved in this period, and I think that it's very important to capture, the way the things are evolving. Not only the written report but also the human communication would be very important to do. I was thinking since I read all the documents sent through to me, that we need to make a very critical section about how we are communicating among us. I think it's a very good point.

00.46.51

GF - And the second point is I think we need to difference very well the scientific issue from the behavioural issue. I think that we need a very free environment to discuss scientifically. This is an organisation that is producing knowledge. It's an organisation that is a leader in knowledge that we transmit to the world, and we need to capture that. But this behavioural issue, we haven't touched this in our meetings. We need to have a code of conduct, but also, an agreement of how we're going to relate to each other. Some people here are so aggressive in some sense, it doesn't facilitate the way we need to decide things and I wouldn't like to be here to vote whether something is good or something is bad. We need to open this discussion in how we open this discussion on how we grow, to strengthen communication, to make the possibility of diversity of people, diversity of thoughts, we need to, I would like to ask for that. In that sense we will have a very good result, I think. If we think that the diversity here must be respected. And every one of us has

a different way to think and a different way to capture. And I think we need to be the most tolerant and receptive of the way everyone here is going to be behaved.

PG comment: Faba observed, already this early in the meeting, that some board members are aggressive (while they complain about my behaviour, see more below). She also states the obvious: We are different in the way we behave, and this must be respected, which it was for Cochrane's CEO but not for me.

00.48.48

MK – Thank you Gladys, I'm going to go to Rae and then to Nicky.

01.42.11

RL – I just wanted to come back to Nancy's point. I understand why she would raise it, but I completely agree that we need to focus on the complaints that we have at hand, and you alluded to other things that are going on and of course that would be the case, and I think how we are going to use those things will depend on one's perspective, whether it comes from a centre perspective, author perspective, we're all going to have a different sense of all the other things that are going on and our perspectives may be different. So, I just wanted to place that down, that even with you just saying that it's put a bit of a marker down, that I'm not signing up to, so I'm very much in favour of keeping these things very separate and I think your point Gladys very well made is that we all have very strong opinions and that we have a free and open and respectful discussion.

CM – and that is in the code of conduct about being open, respectful and ...

00.50.13

DH – I have a few points, but I think Joerg has brought them up. The report refers to, at the beginning of the report, two different paradigms for the future of the organisation. That, between Mark and Peter, that they have two very different points of view, it's a paragraph at the beginning of the report. So, we're talking about, I think this conflict of paradigm that one is about a more centralized point of view of the organisation, with one official very clear point of view with a lot of control of the parts, and another point of view which is maybe more pluralistic, and I think this is something we need to talk about, I think this is the underlying key issues that is behind a lot of this.

00.51.06

DH - On the other hand, there's a lot of these behavioural issues, and I totally object to what Peter has done, with these personal accusations, and even what others have done with these personal accusations, personal ideas about behaviour, psychological behaviour, emotional things, and I think it's a big mistake because it distracts us away from the key issues that are before us. And I even think the Counsel, in a few instances, falls into this trap of having to defend the good reputation of Martin or the good reputation of Mark, whether they're eminent professors, I think it's kind of beside the point. I am kind of surprised because my experience with counsels in Spain and even in the US is that they don't go into these "personal value judgments", so if I could make one criticism of the Counsel's report it would be that. They kind of

caved into the general idea of the 'personal evaluation', which I do not think is the role of the Counsel ...

00.52.34

MK interrupts - David, they were asked to do that because they were serious accusations that we lodged against the CEO and others within the organisation and would that become a charity commission issue, and we needed guidance on what to report and what not to report.

00.52.47

DH - But to respond to the accusations is to talk about the contents not to the (laughs) "he's a respected professor at Oxford" or "eminence" – with respect, not that I'm saying it's not true, with all due respect, or this "person is level minded", and honest, and I think it's not about that. If I were Counsel, I probably would not have carved into these kinds of personal evaluations of character because that doesn't have to do, some wonderful, fantastic eminent people can still do some very bad things, with great characters, and they're very nice to their family and I think that was one mistake.

00.53.37

DH - And then what needs to be dealt with here – on the concrete content there – I think it's very, very clear and I think that probably the report is right, the spokesperson policy is different things to different people. It's difficult to analyse. That's one thing. The centre collaboration agreement is also understood in very different ways by different people and this needs to be defined. So, this is part of the problem. And obviously the underlying issue, and the different directions of the organisation.

PG comment: Counsel also found that both the policy and the agreement needed to be made clearer and were not suitable to be used to conclude that I had breached any of those.

00.54.25

DH - And then I would like to criticize the people involved. The first is Peter, whom I've criticized heavily for personal references and things like that which goes against his other arguments which I think are very rational and backed by evidence. I've told him many, many times that you're weakening your evidence arguments by going into these other issues, and it takes away from a better debate on these issues.

00.54.51

DH - And I also think the interview with Mark Wilson also went in this direction of a lot of personal things and personal evaluations – I mean we're not psychologists and we're not going into a court, and you ask a psychologist or a psychiatrist to give [an opinion], is this person rational and honest? I don't think we're in there for making, then we have to try to moderate people and put up with each other's idiosyncrasies and neuroses that we all have, and we have try to put up with it, and it's not easy,

and we have to learn to put up with it, and I think that's what Gladys says, we have of ways of managing all of that better as well.

MK – Without being babysitters.

00.55.35

TH – I think the most important thing we should remember is that we are the Cochrane Collaboration around this table, and we set the direction of travel for the organisation. Not the executive team, it's all of us around this table. So, I think that is something we really need to consider, and carefully, because all of these accusations have been at Mark in terms of direction, and it's not Mark that sets the direction, it's us, so actually, the accusations are at the board and about the board, and we really need to be mindful of that, in all of our decision making, and we are the face of Cochrane and how we behave as a board is absolutely critical and I feel saddened with what you said, Gladys, in terms of feeling isolated and that is something we seriously have to address, and UK charities are moving to a model of six meetings, rather than the business of two, and so I think that would go partly toward addressing the issue of having a fully functional and operational board, and that goes if we meet on a more frequent basis.

00.57.44

MB – I'd like to make two small points and one more substantive one. In making the smaller points I think you will all recognize the criticisms leveled at me and you've read Counsel's response, but I think it's dangerous sometimes taking Counsel's comments out of context and only characterizes it me as a distinguished professor in the context of whether I would be subservient to Mark or not. There is no relationship between being a distinguished professor or my professional behaviour or my integrity – those two things are not linked together. I believe I've heard suggestions that those two things are linked together, and I believe that is a misinterpretation of Counsel's report.

00.58.35

MB – But I'd also would like to say it would be wrong to criticize Counsel for forming any view about me and Mark when he didn't interview Peter. Part of what Counsel does is testing the veracity and probity of witnesses and this is what they say, this is to form a view. And, in fact, to criticize Counsel for having done so, when in fact all three parties could actually be assessed in such a way, it's not appropriate.

00.59.00

MB – I just want to reinforce, is the one that I think Tracey has very eloquently made. It's not Mark's view versus Peter's, it's this governing board, as constituted now by our predecessors, versus Peter's views. And there is clearly an enormous gulf between those. If you turn for example, to paragraph 104 of the report, this is where Counsel himself respectfully disagrees with Peter's approach in saying what he does and cannot do. At the very heart of this report, particularly in this paragraph and the ones that follow, it is clear evidence of a fundamental disagreement between what Peter would like to do or what he thinks he can do versus what he acts. Somebody said earlier, Peter acts like everyone else wants to - and if that is true, and I'm not

the one that said that, the reason that other people don't is that there are rules and Peter doesn't act within them. Counsel believes he doesn't understand what the current rules and regulations are about centres. Now, there's a potential conflict because I am a centre director here, and I'm not the only one around this table, but I believe it's the board that should tell me what I should do. My institution, not me personally, my institution is bound by an MoU because I agree and expect to be bound by the collaboration agreement.

PG comment: This is not true. I have acted within the rules and Counsel did not find I had breached the rules. In paragraph 104, Counsel merely says: "I respectfully disagree with PG's articulated approach concerning what he, as director of Cochrane Nordic Cochrane, and Nordic Cochrane itself, can and cannot do." He furthermore writes, "I presume that the core functions... It seems to me... as I read the "Functions of Centre" document... In essence Cochrane Centres can only fulfil the functions defined in the "Functions of Centres" document." Counsel assumes many things, without knowing about them, and gets it totally wrong when saying that centres are only allowed to do what is listed in the "Functions of Centres" document. Centres do many things that are not Cochrane-related, which Burton knows perfectly well, and which centre directors on the board reminds the board about (see, for example, 01.28.30 below).

01.00.31

MB - I also finally say, if there are multiple instances of non-compliance with the agreements, and I would expect those to be brought to the attention of the CEO, and if the CEO didn't respond to them, to the board. So, the argument that says 'oh lots of people are breaking the rules' I would say, with great respect, please accept this respectfully, I am, I think for a trustee to say that there are multiple instances where people aren't following the rules, and for the first time, we as a board to be hearing that within the context of this discussion is wrong. I'm sorry, that's my personal view. I'll leave that to your final judgment. But I'll leave you with one last point which is the one that Tracey raised here. This isn't Mark's point of view versus Peter's, it's the views of the board as articulated. Mark is a servant to the board, he's done his best, there's nothing in this report saying he hasn't done his best and the Counsel has identified that it is a fundamental disagreement between what Peter thinks he should and shouldn't do and what Mark, following our instructions, did.

PG comment: This is not true. There are no "multiple instances of non-compliance with the agreements"; in fact, there isn't a single one.

01.01.42

GF – One point I heard from Peter, and it's related to what you're doing and saying, that we have here two points of view – one the scientific one and one the business one. I think that this has to be separated. If this board has members that come with a business point of view, they have to be welcome as well as those from the scientific field. We have to learn to interact with both points of view, of these two points of view. I think it's not healthy for a board that has to have to push out one of them, and I think we need to make an interaction of these two points, the business

one and the scientific one, and this is the way we're going to be most tolerant about this business point of view that is more restrictful perhaps and emphasise more in the discipline, in the practical things, also the scientific point of view; it's so it makes us think more about the mission.

01.03.30

CM - Can I ask a question about the process because I think Counsel's report says it's an interim one and that he wants to continue to progress other points. What is our role now in accepting it, do we ask questions, do we ask for further clarification?

01.03.50

MB - The short answer is we can ignore it; we can do whatever we want. He does make some comments about the proportionality of digging deeper and further, but we thought when we were, we thought when we started this that the report would come out 4-6 weeks before this board meeting, we would have had questions after reading it, we would be more informed, but unfortunately, the way the timetable worked, the Counsel did have to work hard to get it out by last night and there are obviously some caveats for that, and we can go back to Counsel and ask him to further as a question he himself, if we want him to do that, we can ask him to do that or, should I say, pay him to do that, or we can ask him new questions, [he is] at our disposal.

01.04.53

NC – So, I don't understand the dichotomy you've just made between something called business and something called science.

GF - It was Peter's opinion.

NC - OK, so I don't understand that at all. If you or he or whoever signs up to this 'business metaphor', if it means business-like in approach, it means having structures, it means having governance, it means having process, having written down and agreed, if that's what's meant by business, then I just think we might need to be clear. Because to some, "business" might mean "pharma" and "profit", no? So, so I mean, then we absolutely need to be business-like about the governance and what we do and communicate around the science, and I recognize no particular tension between science and being business-like within the Cochrane Collaboration.

01.06.08

DH – I think there is a tension because the way the business-like for defending the brand as I've heard at this board before is expressed, is often in radical contradiction with scientific practices, which are open democratic debate, pluralism, and the idea of defending on the brand is having, one towards the world, one unified point of view of Cochrane on an issue. And this contradicts the whole history of science, all the favours and science, and I think with efficiency and organisation and rules to run the organisation well, and the other thing is to extend this idea of financial competition or vying for resources into the scientific debate, which necessarily in the whole history of science - this has been considered many, many times – so I think there is - and it's obvious, especially because we're in the medical field, we're in the pharmaceutical field – there is no field in the world where there is higher levels of

profits and pressure and conflicts of interest, so I think it's very, very careful about this overlap between business and a scientific method that needs to be plural for replicability and possibility, I've actually written about this, I'll send it to you, so I think we always have to be careful and conscious of this tension.

MK – Nancy, Nicky, Joerg and Tracey.

01.07.47

NS – Yeah, I think the business idea, what you were just talking about, even with the centres, it changed the, the contract, the MoU changed from "I'm going to control what you're doing" to "these are the minimum standards that you must follow", so it's a very different perspective of what business, branding or whatever it is, is. Yes, we want systems in place, we think that people should be following, you know, certain ways of conduct, etc., but I think there is, there is this tension in controlling what people do and setting some minimum standards.

01.08.25

MK – Thanks Nancy, we have Nicky and Joerg and Tracey.

01.08.31

NC – Well, I come from a different perspective, we're going to have different perspective on things, but I don't recognize what you said David about needing 'one voice, one truth'. My perception of what's happened to Cochrane over the years and what's happened within it is that there's just been a need to be much clearer, spokesperson policies and when we're supposed to, because not all of us work in Cochrane, this isn't everybody's only life, nor is it Peter's only life and I think problems arise when those boundaries become very blurred, and that risk happens to all of us, and so we always have to be very clear, and this is only a very recent thing to worry about what the spokesperson policy is – or even have one - to be very clear about when you speak on behalf of Cochrane, and when not. And clearly the policy needs (indecipherable), none of this is perfect, it's a million miles from where we were 15 years ago when we had nothing and people just did their own thing, it is a work in progress. But I feel very strongly that we need to in this conversation, separate out the behaviour and the science, and let's focus on the ...

MK interrupts – Exactly.

DH – I agree it should be made clear, yeah.

GF – Absolutely.

01.10.07

JM - I think very keen and it is our responsibility to protect the brand of Cochrane, but I also think we need to keep in mind the way this brand was built was a loose network without any roots, and it was successful. And it might be due to diversity, and respect, and so I think it's just important to keep the perspective and maybe it is not such a big risk to the brand by people like Peter and that's the first point I want to make.

01.10.37

JM - The second point, I think Peter is behaving unprofessionally. I have no sympathy with that. I have some sympathy with his history because he has always been, for many, many years, the person sticking out his head. Not only within Cochrane, within Cochrane and not only within Cochrane, within Cochrane boundaries, but also to EMA [the European Medicines Agency] whatsoever, that's just his personality. And just picking up on Nicky's point, you're absolutely right, we're building the rules now, they're imperfect, we know that, and it's proved by the Counsel's report, so trying to push people to adhere to rules that are clearly imperfect, and Peter has been the subject of that many times, even before Mark. I think that's a little bit of background of why he is so sensitive now, and even paranoid sometimes, but I think that's where I have a little sympathy for Peter. And I think that's important to keep that in mind.

01.11.37

TH – Can I just get back to our duties and responsibilities as a board, and the issue about business, business-like, and science, we have a structure in place that should advise us as a board on those issues. For example, we have a scientific committee, we have a Council, we have a whole raft of other things, we have executives all who should be working for us as a board and on issues that we send out to them, but equally on issues that they send to us. And what I feel is that it might not be necessarily working as well as it should be, but I feel that's us as a board to sort out, it's not for the people to sort out. That's our responsibility as a board to enable us to make appropriate decisions about the future direction of Cochrane but also our responsibility to ensure what's happened within the organisation meets the legal requirements of a UK charity, and a final point about the sustainability of the organisation, which is one of the legal requirements of the charity that we must ensure that we can meet the sustainability of the organisation and if not, we have to apply an exit strategy, a wrap up, etc., and that is, again, the responsibility of those around this table.

01.13.20

MK – We have Rae and then Martin and then Jan.

01.13.23

RL – I think there has been a lot of good commentary, so I just want to thank everybody around the table. It has been very helpful. But me just trying to work it through, I guess as someone coming very much as an outsider, I really echo what Tracey is saying. I think we really have to cut through the noise. We're going to cut through only what I can describe as the best terms in Australian terms, "the vibe", which is everybody's individual experiences at the centres and what they think about Cochrane and about Mark and about all of that, which will influence the way people will come to this, as Nicky said.

01.13.55

RL– But I also think, I have great respect for Peter, too, I can see just how much he's done but we can't be coloured by that.

JM interjects – I agree.

RL - I've been on this board for a year now and this has dominated the time. Everyone around the table here is saying what the hell are we going to do and we're spending all this time doing this and not the stuff that we're on this board for. So, we need to get our house in order, and we need to sort out the things that need clearing the policy, the agreements with centres, all of that urgently. And I think this has shown us about good governance and because all of this is our chickens that have come home to roost and yes, we might be much better than Cochrane was ten years ago, but there's still some way to go.

01.14.30

RL – And I also think we have to do something about Peter's behaviour. We cannot let that behaviour continue, it's too costly apart from anything else, apart from the charity commission, we have to meet our obligations as employers. The stuff that has been said about Mark, and Martin, even though he's not an employee, but particularly about Mark, if there are problems with Mark's performance as CEO, we need to deal with it through the proper channels as his employer. Not in the way that this has been unfolding. So, I just think, let's call time, if we achieve nothing else in the next three days, this has to be worked out for a way forward.

PG comment: JM brought Wilson's bullying behaviour up at the board meeting in Lisboa, and GG wanted to tell the board about other such instances, but was [immediately stopped](#) by MB (page 38). Since one of the board's tasks is to govern the CEO, and to fire him if needed, the problems with his bullying behaviour WAS dealt with "through the proper channels", but MB, who has Wilson as his line manager, did not want any discussion about this.

01.15.04

DH – What's the way forward?

10.15.06

RL – Well, I have to think more about that, I don't think I have the answer. But I think whatever we achieve here, one thing is clearing up and cleaning up, as a matter of urgency, the collaborative agreements, the centre agreements, the spokesperson policy, and we have to find a way to address Peter's behaviour.

PG comment: Again, a board member admits that these agreements and the policy are not fit for purpose, which is also Counsel's view, but they were nonetheless used against me throughout the whole board meeting, which is not a fair or due process.

MK – OK, we have Martin, Catherine and I think Gerald and then Jan.

01.15.36

MB - For me the issue of the changing nature of the relationship between the bits of Cochrane out there and the centre has always been at the heart of this. I have seen this organisation in the last few years, we've been on a governance journey to try and tighten things up in response to changing governance environment, and to make

us more compliant with the legislation in the UK. And this, I'm just repeating myself because I've said it before. But I really do believe we're on a journey here.

01.16.10

MB – We started out as people have said as a Federation of pretty much autonomous bits that did what, people could do what they wanted to do, but that was then, this is now. One of the things that the lawyers already suggested is that very early on in this, we will need another governance review, and we do need to specifically deal with this issue of what people can do around the world, in the world, in the Cochrane name. This is a critical issue.

01.16.40

MB - Now, if you're going to be a Cochrane "anything", you have to behave in a certain way. This board is the board that defines that way, within the limits of legislation and everything else and people will have to comply with that. Now, if people can't comply with it, if there's a fundamental disagreement about what that should be and what that is, then we have a problem, but it's a problem that can be solved by tightening up still further, these MoUs. Getting them signed by the right people in the organisation that are binding it.

01.17.17

MB - I know that we have not had in the past, and we may not now, have a united view of what this should be, but we do have, by majority view, this board has made decisions over the years and we're simply trying to abide by those. Not everyone might agree with those, but the board has to be properly constituted and make decisions about these things, and we have to abide by them. And I will continue to argue that tightening up the MoUs, tightening up the relationship between every bit, every part of Cochrane that uses Cochrane name on the Centre, is a critically important part of that.

01.17.54

MB - So, yes, there is a tension, I can feel the tension always, I'm very aware of it, I think Peter's behaviour in a way embodies that tension, and it's there but it's resolvable, we simply have to say, "people must follow this, if they want to be in the club and part of Cochrane, they must follow the rules". That's my basic understanding of this. I can't find anything else. Peter referred to the fact that the world is watching. Well, yes, the world is watching, because the expectation is that these Trustees at this board will do the right thing as we should.

PG comment: This is misleading, as I did follow the rules. MB admits that the Cochrane Collaboration is a kind of club. This is very dangerous for a scientific organisation because it is considered more important to ignore the scientific issues that arise from fellow club members than it is to get the science right. This attitude also reflects the scientific censorship that now exists in Cochrane, see below.

01.18.35

DH – And what's the right thing?

01.18.37

MB - The right thing is to follow the governance arrangements under which we are constituted, as a British charity, we have firm relationships in place to make decisions here in a proper way after reasonable discussion, there's a whole list of things. I mean, none of us should have to ask what their responsibilities are. In fact, we could always plan to have training in this for later, today, and that's still there. But we've all been inducted, we've all been around this lots of times, we know what our responsibilities are.

MK – Thank you Martin, we've got Gerald, Jan and Catherine.

01.19.12

GG – Well, I respectfully disagree that tightening up the MoU will improve things, I think part of Cochrane's success is that there are 'free spirits', people don't fit into the medical system, and if you tighten it up you will lose these people. And I think it will hurt Cochrane, but that's just a side note.

PG comment: The Memorandum of Understanding is the agreement between the CEO and centres that is in focus at the board meeting. GF agrees with GG (see 00.46.51 above) that making rules even stricter will not be helpful. We should respect diversity, as stated in one of Cochrane's ten key principles: "Enabling wide participation in our work by reducing barriers to contributing and by encouraging diversity." The board acted contrary to this principle.

01.19.37

MK interrupts - But what do you mean that tightening up will ...

01.19.38

GG - We've had these discussions over a couple of years, discussions about the MoUs for the centres. The result was that each centre was a different one and although you explicitly say it's not legally binding, and, and there was just no way getting one MoU for all because people would leave. Centres raise their own money; they can join and leave. But I wanted to propose is, that we've made a lot of great general statements, but if we could pick a few specific statements that we discuss before we run out of time?

01.20.20

MK – Oh, we've got plenty of time (laughs...) as much as you want. OK, so we've got Jan then Catherine, Joerg did you want to say something?

JM – Yes.

PG comment: It is interesting that the board has plenty of time, and that the co-chair even laughs about this, given that I was only offered five minutes to defend myself at the beginning of the meeting, officially because of time constraints.

01.20.33

JC - I'm not sure that this is going to come out right but on one level, I think we need to just cut to the chase actually and we need to decide what is the decision that we have to make, and in terms of going back to Counsel doing more, I actually think it's a total waste of time and money.

01.20.58

JC - I actually think what for what Counsel has done, with incredibly professionalism, I envy the guy who has written this document, in terms of how he has been able to express himself, it's beautiful. And I think it does tell us what the issue is, and I think everybody, I believe, in Cochrane, wants to make Cochrane the best that it is, and it can be a powerful force for good and change and, yeah, there's opportunity of individualism and creativity but there comes a point where you've got to decide what is damaging or what behaviours are damaging. And I think that we've all said it. We've got a love-hate relationship with Peter. He can be absolutely wonderful, challenging, charismatic, innovative, incredibly intelligent but what the hell is he doing in this precise moment in time.

PG comment: If the board had followed the agreement between the CEO and me, which the board talked so much about during the meeting, the show trial would never have taken place and I would still have been a member of the board and of Cochrane.

01.22.10

JC - I don't understand. I don't know where the grand criticisms of Mark, of Martin, came from, we can't function and certainly can't function and we've got people around the world to come together and what we're talking about is Peter's behaviour, and how much is this costing? How much is it actually costing emotionally to people involved, to the people involved? And we have to got to start making decisions, and they're really straight forward decisions.

01.22.50

DH - Like what?

JC - We'll, we do nothing - we've had a closed meeting - we can say everything carries on as normal. The issue though is that Peter's behaviour will not change. And there will continue to be a focus and continued criticism and allegations of, particularly Mark, the team in general, the direction of Cochrane. So, if we do nothing and invite Peter back in that's one thing. But I believe that too, the sequence of events in Geneva, and I was there, not everyone here was there, but we did discuss the spokesperson policy, and I thought it was clear and we joked about Peter, saying to him 'you're not going to do this again?' and he said "Yes".

PG comment: JC seems to argue that we should no longer discuss the direction of travel in Cochrane or criticise its CEO. This dangerous view goes against what a board is supposed to be doing. Further, I have not criticized "the team in general," and JC confused the last sentence. I agreed that I would adhere to the spokesperson policy.

CM – That's right.

JC - And so we experienced that and like, Counsel I thought, put it really well, you know, people do have a discussion, as we will, and come away with different things. So, we have got to do something.

01.24.29

JC - And so, one level let's terminate - or whatever the expression is - and members can be asked not to be members anymore. So that's one level. The issues for Peter are, we have got to consider the issue as membership, as a board, and there is a bigger issue. There is a membership function, position within Cochrane, he is currently director of a hugely influential Nordic centre. Really powerful and important and I think they're the decisions we need to make. We're not going to get any further.

PG comment: I believe we have contributed more to Cochrane than other Cochrane centres, both in terms of research and in finances. I donated over 4 million Euros over the years to Cochrane for its software development team, which Mark Wilson took over a couple of years before my expulsion [against the wishes of my hospital and the Danish government](#). We therefore asked for at least some economic compensation, but we got none. These facts make it difficult to understand that the board wished to exclude from Cochrane the person who achieved all this. The board did not consider appropriately the balance between benefits and harms by expelling me, even though several board members warned that it would be unpredictable what would happen if I was expelled and that it might harm Cochrane immensely (see below).

DH interrupts – So, just let me clarify, you're proposing to exclude Peter from the board and take away accreditation of the Nordic Cochrane Centre?

01.25.18

JC – No, I'm not proposing anything, what I'm trying to do is articulate the decisions we have to make. I think there are not that many decisions and we've got to make one.

01.25.33

MK – Jan, let me just clarify, the options are here, has he breached the code of conduct of the Trustees? And as a result, should we ask him to resign from the board? Has his behaviour warranted that? OK, and the second one is, has he really breached the contract with Cochrane, and due to his behaviour, is he violating essentially being part of this organisation and what he needs to do? At that point, could or should his membership be revoked? Those are really the couple of those decisions that need to be made.

01.26.15

NS - Can we write down, this is a bit confusing actually, so there's the board level, the centre level, there's also the spokesperson policy.

MK – It's just board and membership really.

NS - The membership period. Which is even as a director or authors?

CM – Yes.

NS - And there's the breaking of the spokesperson policy – the code of conduct – and there's even the Cochrane collaboration MoU for centres, because that's how they laid it out.

01.26.50

MK – There's the Trustees issue, and then there's everything that involves the membership, which means directorship of the Cochrane Centre, breaking of the spokesperson policy, all that falls into ...

NS interrupts – It's been written out as - the first one was the spokesperson policy, the second one was the collaboration centre agreement, and the third one was having points about Mark. So, should we follow that.

MK – Why don't we hear from Catherine because she wanted to speak.

01.27.30

CM - We have legal obligations that have changed since Cochrane was born and the legislation from the charity commission is quite different to what it was 15 years ago. We have employment law, which is probably different too, and as a board, we are Mark's employers too, and as a board we are obliged to keep him safe, and we are obliged to give him a good working environment, and we must think about what this impact, of questions on his reputation, has had. And that's a legal issue that this board needs to take into account, and it's also raised in the other correspondence that follows on from this Counsel's report and I think that's a huge thing we can't move away from.

PG comment: It is not true that a board is obliged to keep a CEO safe. The board is obliged to assess the CEO's performance, and if unsatisfactory, to fire him. None of the board members say this at any point; it is all about protecting the CEO from any criticism of his work or behaviour. This "clubbiness" shows a bias and also that the board is dysfunctional and unprofessional. My criticism of Wilson was, at this point, entirely internal, and it is my duty as a board member to convey my concerns to the other board members, also as a means of defending myself against Wilson's many unfounded bullying attacks on me and my centre, which I felt must stop.

01.28.30

JM – If I may, a little background again to the centres' MoU discussion, I think that the issue we observed at the time when we tried to draft something is that the funding structure for centres varies across regions. Here it is in the UK and maybe even an independent legal entity, I don't know, it's possible to have a contract. Within many universities across many countries, it's the university department that's the employer, the funding comes from the university and the thing that's of the highest value in any university, in Germany at least, is freedom. Academic freedom. As an appointed professor, I am entitled to do and research whatever I want to and I think that's where we struggle when Mark was trying to implement and put those MoU's in place that many centre directors argued, if you want to do that, then we are going to lose our funding. We would have to set up a separate entity which then takes over the role of a centre director. And I think that's just something that we

have to keep in mind when we have a discussion on which way we want to travel. And while I totally agree with you Rae, in terms of we need to move on and make a decision about Peter, the reasons we are having this discussion is that there are always two sides, and two people push things forward, and if some allegations weren't made against Peter, maybe Peter wouldn't have raised anything, so it's a defense situation, so we need to have a balanced view here.

PG comment: JM demonstrates very clearly why Counsel was wrong when he assumed that centres were only allowed to do Cochrane work, and JM also explains that centres might be forced to close down, if this became an accepted principle.

MK – I'll just ask Martin to respond.

01.30.32

MB – Let's just respond to the part about academic freedom. Peter, from what you say, can say whatever he wants, as a professor at the university of Copenhagen. As an individual, I would fight to the death for Peter to say what he wants, anywhere, within the bounds of decency, defamation and hate speech. But the question is, what can you say as director and member of Cochrane. And if there's any ambiguity, Peter has been asked to distinguish what hat he is wearing. So, I think it's a false argument with respect to this issue of freedom of speech, which will come up again, because there is a world that Peter lives in where Peter puts freedom of speech, is so paramount and it is completely unfettered and scientific truth and completely is the sort of thing, and because of that he can say or do or print whatever he wants. Now, as an individual, I completely agree with him, but as a Trustee of Cochrane, as a member of Cochrane, as a senior centre director of a very eminent centre, you can't. He can't. There are restrictions, restrictions is not the word, but there are limits based on how we can say things because of his involvement with Cochrane, that's what I'm saying.

PG comment: Burton says that I can say what I want "within the bounds of decency, defamation and hate speech." Some are more equal than others in Cochrane. Only four days later, on 17 September, Burton delivered a formidable hate speech about me, which was seriously misleading and defamatory, at the Annual General Meeting for Cochrane members. It is on [YouTube](#) (starts after 36m20s and ends 10 minutes later), and I have shown [how misleading it is](#). Burton claims that, as a member of Cochrane, as a centre director, or as a trustee, I am not allowed to say or print scientific truths if I reveal my Cochrane affiliation. This view is detrimental for Cochrane, and it is also scientific censorship. Further, it seems that I am the only target for this, although many others in Cochrane have done precisely the same as I have.

01.31.30

MK – Joerg, did you want to respond?

JM – Yes, very quickly, I mean, I just want to flag it that there is tension between what would be the obligation to my funder, the university, and the working environment which they provide, at least in Germany, and whether they would be

prepared to sign a legally binding agreement which puts restrictions on a professor, and I would say that is not going to happen.

PG comment: JM, a centre director, strongly opposes the views of Burton, another centre director.

01.31.55

MB – Well, they are not putting any restrictions on his role as professor of the University of Copenhagen. He's completely unrestricted. They define that. In the same way that we say what you can say as part of Cochrane. The University of Copenhagen says what he can say at the University of Copenhagen. Peter Gøtzsche as a private citizen can say anything.

JM – I'll let it rest, there is a tension, maybe I'm not expressing myself.

01.32.30

TH – My heart sank when all this came in because I thought this could be the start of the death of Cochrane. And I think so seriously about if we don't get a grip on this, this could tear Cochrane completely apart. It's that serious. And, in this instance, this whole situation is about one person. Versus, however many tens of thousands of other people who are involved in Cochrane. This is occupying so much time and effort, to the detriment to all of those other people in Cochrane who look after Cochrane and Cochrane activities. I feel really sad about that. We're not really doing what we're sitting around this table to do.

PG comment: It is not about one person; it is about very important principles of freedom of speech that affect everyone in Cochrane.

01.33.23

TH – We need to make some difficult decisions, but we have to make some decisions. All agree and then move on. Whatever those decisions they are. But we have to be in unison, and we all have to believe in that, and we all have to deal with the, whatever consequences there are on what decisions are made, and we also have to take into account the possibility that the entire CET [Central Executive Team] could resign (chatter).

PG comment: Again, a board member dismisses her obligation to govern the CEO, which she repeats just below.

01.34.08

DH – Is that threats on the table. Is that blackmailing? I don't know what it is.

01.34.15

TH – No, our responsibilities, we have a duty of care and responsibility to our employees. I said previously, we have a duty to maintain the sustainability of the organization, so we have to take all of those things into account. And I think, yes, we have some obligation to other members around the world, but our specific legal

responsibilities are to the actual people who we pay – our employees. So, we have to take that into account as well.

MK – David, Gladys, Joerg and then I think we ought to take a break (chatter – David says he'll go after Nancy).

01.35.11

NS - We seem to be focusing on Peter for some reason and it's a bad thing (people laugh). No, I mean, Peter's actions always seem to come to this board but other people's actions within Cochrane don't seem to be. And they're doing the same thing, just as Toby Lasserson did when he wrote about HPV or whatever, so it, I think, sometimes this might be a little bit of a biased presentation of who is doing what. Because there are other people in Cochrane that are doing, some people doing some crazy things and it just doesn't make it to the Board.

PG comment: People are not being treated equally in Cochrane, which NS points out. I was not allowed to present my documentation at the board meeting that showed that Cochrane's CEO and deputy CEO had exonerated a member of their own staff, Toby Lasserson, when he did the same as the CEO has repeatedly punished me for doing. This is grossly unfair and unjust. I described this in my [appeal to the board](#).

01.35.49

MB interrupts – And if you knew that as a Trustee, why haven't you brought it to the board before?

01.35.52

NS – Well, as soon as I saw that thing from Toby Lasserson, I thought: what? Why hasn't this been brought to the board?

PG comment: Again, people are not being treated equally in Cochrane.

01.35.58

MB interrupts again.

01.36.03

MB – Can I just tell you; this is the other thing that I didn't answer in Peter's presence. So, Peter sent me an email the other night. He said he wanted to know why I had not uploaded his response to Cindy Farquhar – well, because I had shown all the responses to the lawyers and the lawyers believed it would be wrong if we uploaded - so we haven't, you haven't got Peter's response to Cindy's letter because the lawyers prevented me from disseminating it. Ok, so I'll leave you to draw your own conclusions. He also wanted me to upload Tom Jefferson's complaint about Toby Lasserson, having possibly broken the spokesperson policy. So, it was Tom Jefferson's complaint, it was made appropriately to Mark and David, they're his line managers and the right person to deal with the complaint and that complaint was answered. This was trying to introduce new material, this is Wednesday the 12th of

September 7 a.m., so this was yesterday morning, so he tried to introduce new material, on an issue which is not pertinent to the ...

PG comment: This shows how biased the whole “process” against me was. Jefferson’s complaint about Lasserson was answered but this answer was not part of the documents the board were allowed to see. The board members could have seen for themselves that I and others within Cochrane were doing exactly the same thing as Lasserson did. Furthermore, it was not true that there was a plausible legal reason – as Burton asserts – for why my reply to previous co-chair Farquhar should not be part of the documentation, particularly not considering that Farquhar’s complaint about me WAS included. This is injustice: If my reply wasn’t there, her complaint should not have been there either. My reply to Farquhar’s letter is on my website (my complaint to the Charity Commission, [Appendix 10](#), pages 66 to 70; the Charity Commission never replied). I cannot see any legal reason whatsoever for excluding my reply to Farquhar, and what I wrote, I also wrote in my [report to Counsel](#). Perhaps Burton felt that my concluding sentences went against his own interests, as [he very likely orchestrated the letters of complaint himself](#). The three most recent letters were sent to the board on 3 and 5 September. It could be investigated if this was related to the fact that I sent my report to Cochrane’s law firm on 30 August where I document serious mismanagement at the top of the Cochrane Collaboration.

01.37.02

NS – But, but, but ...

Martin interrupts, talks over Nancy – But you’re mentioning something here that’s new and Toby is not here to fight his name.

PG comment: This is hypocritical and reveals once again the double standards in the board. Lasserson had nothing to defend, as he was exonerated. I had things to defend but was not allowed to defend myself.

01.37.15

NS persists – We continue to have things about Peter being brought up to the board and having to deal with it, but it’s so unusual, actually. I don’t understand it. And I know that Lisa Bero [a former co-chair of the board] couldn’t stand Peter, from past history, so maybe that’s why it was brought to the board. I don’t know. I don’t know why it’s ...

MK interrupts – I think ...

NS - I don’t know why other people, I mean, a bad review was published, why wasn’t that brought up to the board? I feel like there’s selective bringing up of information to us, actually. I don’t know why or how but we have to be careful. Peter is taking a lot of our time, but it is unusual that it is all about him.

RL – He is a board member.

NS – Yeah, but are those things, there are a lot of people who are writing inflammatory things about Cochrane or against Cochrane that are in Cochrane and doing that, but we aren’t ...

PG comment: NS says again that people in Cochrane are not treated equally and flags that it is OK to criticize a poor Cochrane review. RL thinks board members are not allowed to be scientists and criticize Cochrane reviews publicly.

01.38.24

TH interrupts – That’s because we have complaints.

NS – Well, whether the complaints have been sought ...

GG – And one is the type of complaint, I mean we have this one guy that writes complaints to everyone.

CM – Board members have a particular duty.

PG comment: Some board members, in addition to the co-chairs who do it all the time, consistently derail the discussion when anything in my favour is brought up.

01.38.46

NS – And that’s why I’m thinking that we have to deal with, we have to go through some sort of decision making process, whether as a board member, as a centre person, whether you just are making allegations against Mark, that has to be separated out.

01.39.10

DH – I think an issue that is much more important than the central executive staff, much more important than Peter, which is the social perception of Cochrane and the credibility of the work that Cochrane does. Whether you like it or not, work by Peter and other people who have similar points of view like John Ioannidis and Tom Jefferson are extremely well known and prestigious around the world, and every single conflict between the central executive board and Peter is about an issue where the central executive board takes an issue, obviously – where objectively speaking – is the side of the pharmaceutical industry. And I can document this 100,000%. Where all of Peter’s remarks are put into doubt, the profits, psychological drugs, mammography screening, even the clinical trial transparency where many people in the whole Cochrane world are coming to me and saying, “Cochrane has lost its soul”. There’s a total objection of any type of advocacy, defense of things besides anything that is very marginal, and it’s weakening its conflict of interest policy, I’ve seen recent things that haven’t come out yet (indecipherable), and it wants to broaden its funding to people who have a different conflict of interest. Now this may all be untrue; this may all be unsubstantiated. But the social perception of Cochrane – if the people who made the bird flu vaccine, the top intellectuals, the people who are the most well-known - are kicked out of Cochrane, to censor them and to squash them and we’re only going to have one point of view, this will have catastrophic, catastrophic results on Cochrane. Catastrophic.

PG comment: DH describes accurately how the outside world sees the conflict in Cochrane and what the consequences will be of expelling me.

01.41.06

DH - Given Peter's behaviour, and its often very, very bad, and all these personal attacks takes away from other issues and I agree with that, it's often unprofessional. But looking outside of this, out of our level of the little bubble here in the governing board, what people think out there, what thousands of medical students, or the group of medical doctors in Spain that I'm in contact with, No Gracias, and all the Cochrane members who are reading this who have 2.5 million entries onto the webpage. How are they going to respond to this?

01.41.46

DH - What are they going to mean for the credibility of Cochrane. Oh, with all the explanations, oh, he made accusations about Mark Wilson that aren't true, and he's behaved badly, he didn't respond to this or that, that won't mean anything because what's going to really be seen is the people representing the pharmaceutical industry, the psychiatrists are very, very upset, they write a complaint to Cochrane and then Cochrane caves in under the pressure. I am talking about the perception.

PG comment: Cochrane's CEO does not dismiss vexatious complaints but instead, considers all of them to be serious and concludes that I did something wrong because he is prejudiced against me. This is very bad behaviour on part of a CEO, particularly because Cochrane is a scientific organisation and because the complaints often come from people with a vested interest in defending the drug industry.

01.42.10

DH – I'm not saying this is true. And the head of the psychiatric association seeing their sales to thousands of children is reduced, and it has gone down by 40% in Denmark thanks to Peter, and ADHD or countries considering mammography screening for lack of evidence, they will be elated, industry will be elated. Oh finally, we are offering Peter's head on a platter, and we'll be able to open up ourselves to a unified brand and more funding.

PG comment: Wilson's harassment of me has been very beneficial for the drug industry and has damaged Cochrane's credibility.

01.42.45

DH – I'm not saying this is true. And many people are going to see, and the perception that "Cochrane has gone over to the dark side, they've given in to pluralistic, scientific, democratic debate - they want one point of view". And I'm just saying colloquially what thousands and thousands of people around Cochrane are going to think. So please consider this in your decisions about Peter. Forget about all of the stupidities and personal stupid things that Peter does, against his own best interest. This is more important than what we're talking about right now, the spokesperson policy, the centre collaboration policy.

MK – Thanks David. We've got Gladys, then Nicky and then Joerg and then Gerald and then Jan.

01.43.29

GF - I agree with David, I don't have the whole information and I don't know many things around the community of Cochrane and the social aspect that you mentioned but, I would like, we need to be careful, the more careful we can as an organization, and we have to be very clear about how we defend scientific positions especially in front of the pharmaceutical industry. I think that this is absolutely important for us. I also think a member of the organisation can't publish an article once a systematic review has been done for members of the same organisation ...

MK interrupts – We're going to get into that next, so ...

PG comment: It is ruinous for a scientific organization if members are not allowed to criticize each other's scientific work. Moreover, [Cochrane policies, e.g. even the spokesperson policy, encourage this.](#)

01.44.27

GF – Ok, ok. What I think is that we need to be careful with the society who is also taking care about what we think. And when different positions are presented publicly, we will be put in a weak position to the organisation, and we need to take care of that. So, Peter is a member of the organisation, so he should be aware that some issues cannot be published outside the organisation putting the organisation in a weak position. That's what I think.

01.45.21

CM – I guess I'm sitting here and reflecting on the Me Too movement and also people who have been fabulous entertainers who have behaved very badly to people who they have compromised but they are brilliant as entertainers or film directors, has somehow meant that their bad behaviour has been overlooked and indulged. And I think that we have a very clear legal obligation to our staff and that while I am personally deeply impressed by the things that Peter has done scientifically, it does not change the fact that he has behaved in a way that I believe breaches our expectations of people around this table.

PG comment: CM refers to the Me Too-movement in the context of my actions, which is grossly inappropriate since I have not been accused of any sexual misconduct or criminal behaviour. Most disturbing is that this false insinuation was reflected in Burton's hate speech at the Annual General Meeting that made some people believe that I had sexually harassed women or committed serial and serious crimes (it is on [YouTube](#); starts after 36m20s). This caused the board to back-pedal at a highly untruthful webinar for Cochrane members on 4 October where they tried to explain why I had been expelled. They [explained on a slide](#) that there were "NO allegations of sexual or physical misconduct, or any other criminal activity."

01.46.32

NC – I, um, I'm going to say something quite inflammatory about Peter, while I totally agree with what you said, he's made a fantastic contribution to science, his behaviour alienates as many people as it charms. And actually, we don't know the balance is of the alienation and the charm. But our current trial is the enemy within

now, and what really distresses me about his behaviour, I think there's a human price to his behaviour, yes, the people are paid to work for Cochrane, but actually as much if not more, the human price of the review authors and their coordinating editors whose work he trashes publicly. The problem with his behaviour, fundamentally, is that he is anti-collaborative.

PG comment: Both NC and GF (see above) seem to argue for scientific censorship. To keep people comfortable, even when they have done a poor scientific job, seems more important than getting the science right.

01.47.29

NC - So a collaborative family member, knowing, and as he clearly did know that the review had been going on and he may have disagreed with the way they were going, would have been in that review process, to have offered some family advice, tried to be involved, not wait until something published and even then, not go to the authors or the coordinating editors. Well, it's about behaviour, its anti-collaboration, I think.

PG comment: This is not true. We did warn people responsible for the Cochrane HPV vaccine review, multiple times. This is clear from the material provided to the board and from [my letters to the relevant people in Cochrane](#): "I have already explained why I could not warn about our upcoming paper. On 30 July, I wrote to the first author of the Cochrane review, Marc Arbyn, and copied David Tovey [Cochrane's editor-in-chief and deputy CEO] and the review group's managing editor, Gail Quinn: 'It is my first day at work after holidays. It seems that a criticism of your Cochrane review we (three researchers from the Nordic Cochrane Centre) have written has just been published as a prepublication over the weekend, so I wish to inform you immediately and attach our paper. We will submit a formal critique via Cochrane's feedback system in due course when we are all back from holidays. I copy the managing editor and Cochrane's editor-in-chief.' On 1 August, I wrote to the same people: "PS. Our paper was prepublished on 27 July. I did not even know it had been accepted. The journal only wrote to the first author and asked him to look at the proofs. He did not copy me, as he knew I was on holiday. I would have wished to inform you earlier but that turned out not to be possible. The first author is a PhD student with me. I will, from now on, ensure that I am always the corresponding author on all papers, which I publish with junior researchers so that I will always know what goes on."

01.48.01

NC - Although he's one of the people that bemoans the fact that 'collaboration' was lost from the name of the organisation, he's anti-collaboration, he's the enemy within. And whilst I totally agree with you, I am not interested in appeasing the pharmaceutical industry one bit, I also think that we have to make sure we don't alienate people who are going to want to do reviews in the future, or run review groups in the future, because the way he launches his criticisms, in fact launches an attack in the public arena, without following the established Cochrane processes for engaging in disagreeing with the science. We have those processes. It's totally fine. Totally up for it. Disagreement about science, ultimately improves science, I don't

think any of us would not think that, but there are ways of doing that, where the price of doing it, isn't bigger than the ...

PG comment: The "established Cochrane processes" often do not work, e.g. it took us 18 months to get our criticism published as part of the Cochrane review of [Ritalin for ADHD](#) (which was then withdrawn because it was of very poor quality). I have also experienced that relevant criticism never gets published, which is a violation of Cochrane rules.

01.49.08

DH interrupts – Can't I just say something, in Spain, the HPV review that you just mentioned, came on the daily news, midday ...

MK interrupts.

DH - No, no, when she was talking about it you didn't interrupt her. So please give me 30 seconds. Please? 30 seconds?

MK – David, I'm trying to manage things and if we go on about the HPV vaccine ...

DH – But she just spoke about it?

MK interrupts but DH persists.

DH - If a review is on television three times a day and you feel them, the BMJ and this opinion of you know, Fiona Godlee, all the heads of the BMJ, it's legitimate when something is already massively on the television, in 25 countries around the world, the internal process might be insufficient.

PG comment: MK tries to prevent a highly relevant discussion of this issue and interrupts twice. The previous speaker was not interrupted and was given all the time she needed.

01.49.55

MK – We need to adjourn at some time, Gerald can you make it short, and we can ...

GG – Yeah, I'll make it short. Yes, we are all frustrated with Peter, but we have to keep in mind that whatever decision we make is much larger than Peter. We are sending a message out to Cochrane and the collaborators and if we're not careful, we will not be able to control this anymore. It can spin out of control. And I couldn't agree more with David, these are petty things to most people, no one cares about the spokesperson policy, it's important for us out there, the 30,000 collaborators, they don't care about these petty things, they see much larger things and we have to be very careful with the message we send with the decision out here.

PG comment: GG focuses on the real issues and not the petty ones, which the world does not care about, but which the other board members use to expel me.

01.50.44

JM – Very quick point of clarification. We said we have a responsibility towards the employees, is that only or primarily include the paid employees, what about members? Formal members like Peter, or volunteers contributing to the collaboration, do we have any responsibilities to their working environments?

01.51.04

MB – So, so, as far as I know, I mean I might need Tracey’s help on this one, but we definitely have a responsibility to employees, we have an obligation to the beneficiaries of this charity, not the members, the beneficiaries are the patients and the public, and of course, we have to treat our members, the way we treat our members has to be proper and that’s one of the things we talk about, we talk about later is trying to make clear what the expectations are of members, what (indecipherable), but also members have an obligation to behave in a certain way in order to be members and implicit in the articles are the way in which members are expected to behave, mainly detailed at paragraph 5.2.

PG comment: It is pretty telling that when JM takes up the board’s responsibilities towards Cochrane members, Burton tells him that there are none. But without all the volunteers there would be no Cochrane Collaboration.

01.52.00

NS – But we are responsible to (indecipherable)?

MB – Well, then, not, would you like to address that?
(chatter)

01.52.20

MK – Just to let you all know that Peter has a film crew outside, he has had a film crew following him around to some degree over the years, and I just want to remind everyone that this is a confidential meeting and that we should not make any comments to the film crew, we should just say, no thank you.

PG comment: It was not a film crew. There was a filmmaker who worked for me, but she did not film and did not intend to film at the board meeting.

01.52.37

CM – Can we do that now?

MK – I think Martin is just going to check on it now.

RL – I don’t know about the rules in the UK, but you can film in a public place.

MB – Ok, so do you want me to fill you in on, so, Peter has a film crew with him, so we have sought legal advice on this as well. So, firstly any film crew needs a license to be on any premises. So, they need to produce a written signed license from the conference centre, from anywhere at all, so they need a license to be here. But they all need written agreement to film anybody, so if they film anybody and post that material anywhere at all, without your permission, then there is a problem, even in public places, and it’s probably because of data breaches, so even out on the public street, they can’t film you and then without your permission, show that. So, the best thing to say, just as if a hawker is trying to sell you something, just say no thank you. So, they are on the premises now and we are trying to verify whether they have a license to do it. But I put it to you that there is a pattern of behaviour here, and I’m going to speak to you very strongly when we get on to these two matters.

PG comment: They worked for me, and they were not on the premises to film anything but to support me.

01.54.15

MK – I just want to thank everyone for a very good robust discussion and I'm glad that we've all been able to give our opinions and I hope that we will continue to in the second session when we discuss the same thing.

JC – We're going to have coffee, where are the crew?

MB – They're actually in the café which is somewhere else at the moment. So can I, it doesn't need to be said, because all of these discussions are confidential (indecipherable). Jo Antony advised us last night and so did Gerrard (H & L lawyers), so we did know this was a possibility. But we will come back to you with any further information, but you do not need to say or do anything, and no one can put pictures of you on the internet or film you without your specific permission.

CM - Can we get to the loos without going past them? Yes. My god, this is like Cape Town.

JC – You can turn the recording off.

Part 3, the next 1.5 hours

00.00.00

MB - We put these as three separate items here. I'll be guided by you whether you want to discuss each of them as separate items. I think perhaps, actually, let's deal with them individually (chatter).

JC - Hold on here, we're just struggling here with our recording devices.

DH – Is this part of the Counsel thing? Or is this something else?

MB – What HPV thing?

00.00.45

NS – So, we're going to do the HPV thing, and then we're going to (chatter).

00.00.53

MB - We're now going on to item three which is the discussion of the letter of complaint from Jo Morrison [editor of the Cochrane group that published the HPV vaccine review], and the authors of the responses. So, the letter from Jo came in, we wrote to all three of the authors and we asked them to respond. And they all did so and as you know, Peter, and Lars Jørgensen was on holiday, and before the colloquium, in order to give him another chance, I wrote to Lars a week ago and I said, listen, I know you're on holiday and I know it's past the deadline, but if there's anything you want to put to the board, please send it to me. So, let's talk about papers 3.1 through to 3.4. Anyone like to open the discussion or make a comment about this?
(chatter)

00.02.05

MB – So, so, so, the letters in front of us are the letters under item 3. So, 3.1 is Jo Morrison's letter. She referred in that letter to a number of things. So, to make it

comprehensive for you she had it hypertext linked, I asked her to send us the documents separately, so 3.1.1, 3.1.2, 3.1.3 are the documents that she refers to in her letter. There's a copy of the paper itself, which is at 3.2, and two replies that we have received from Peter and Tom Jefferson at 3.2 and 3.4. So, you want to say anything?

00.02.45

JC - So just to clarify, what is the purpose of this?

PG comment: The board should not deal with scientific matters, and as Cochrane policies, e.g. the spokesperson policy, encourages that we criticize each other's work, the board should have refused to discuss the letters of complaint. About the Morrison letter, I wrote to Burton on 21 August: "See my reply. I explain in my letter why I copy David Tovey [Cochrane's Editor in Chief]. He is the one who should handle the complaint, not the Governing Board."

00.02.50

MB – The purpose of this is to, the board was written to by Jo Morrison, and we haven't responded yet.

JC – So, we have to respond.

00.03.09

MB – I'm not for one second suggesting that we try to draft a letter here, but she has written to the board and for fairness, we gave Tom and all the others a chance to put forward their argument, so I'll start again. This is about a paper, you've seen the paper, you understand what the issues are, one of the things that struck me about the responses is that the paper specifically talked about two things. The science and the behaviour - the conduct. And I personally, I personally think we should separate those two things out, now we can argue about the science here until we're blue in the face, I would think we don't argue about the science, except in the sense of acknowledging there's differences, and there was one point of view put by Jo Morrison and another point of view was put by Peter and his coauthors, and that has been rebutted by David Tovey in a more recent article, and maybe there will be another rebuttal ...

CM interrupts - And other commentators.

MB – So, I just would say, the thing that I was a bit surprised at is that neither Peter or Tom, to my mind, really addressed the issue of conduct here. They focused primarily, to my reading of their responses, on the issue of science, but I don't know what people, well, let's open up to discussions.

00.04.33

CM – I think the thing that concerns me is that it was my understanding that if you were in Cochrane and thought that someone had bugged up a review that there were enough ways to go "arghhhh" this is really bad, we need to have time to look at this, this is so critical for people reading it, ah, that we need to get it right. And so, one of the things that really distresses me about this, is that I thought that if people

had such major concerns about this review that it, it didn't come through Cochrane first and that the first, we as board members, I as a board member saw, was in the BMJ. Because I would've expected, um, and so that's the really critical thing is that I thought that Cochrane wanted people to say when they thought that something that had gone wrong and that we had a shared interest in getting things right and that going external is really cutting out from underneath the people who have spent such a huge amount of time doing the systematic review and that all of the Cochrane process that we have.

PG comment: We have no obligation to go internal and the Cochrane processes often do not work (see part 2, 01.48.01 above). And the argument that because people have used a lot of time on their work, it should not be criticised, is detrimental for science and means that Cochrane is a club, and not a scientific organisation, which also NC indicated above (part 2, 01.47.29 above, where she talked about being a "collaborative family member").

MB – Ok, just so you know we've got Rae, Nancy, Jan and Gerald.

00.06.18

RL – I think that we have to be very careful here, as Martin has alluded, is that you need to separate out the argument about the science and the conduct and so forth. It is about the conduct of the, of a board member, publicly – going public – as a way of causing concern about something within Cochrane and not following any established channels, and I think there is a fundamental responsibility of this board to protect the reputation of Cochrane. I know that Peter will probably argue that what he has done will protect the reputation of Cochrane, but for me, if you are a board member, you have that additional requirement I think, to go through the proper channels and not to go public with those sorts of concerns without having done so. I think that the proper way of dealing with it would be to try and deal with it internally, and then, if he still wasn't happy and wanted to go public, then you should resign from the board.

PG comment: These suggestions are outrageous. They imply that scientists cannot be board members. To prioritize protecting the reputation of Cochrane rather than having a free public debate about the science is detrimental for Cochrane, and this is how the drug industry argues: Its employees are obliged to protect the sales of drugs and therefore cannot criticise the company's research publicly.

MB – Ok, thank you, just a point of note as well, all members of the collaboration are expected to uphold the reputation of the charity ...

RL interrupts – But there's an added expectation for board members.

MB - Yes, thank you. Nancy next.

00.07.25

NS – A couple of things. Are we really saying in Cochrane that if you have a problem, you can't go outside, that you have to do it internally? That's my first question. And then I have a second question.

00.07.40

RL– You should go internally first. That’s established practice in an organisation like this.

NS – Well, internally then .

CM interrupts – And as a scientific process.

RL - But as a board member, I think the threshold is even greater.

NS – Right, ok, so that seems a little bit odd. So that any type of scientific disagreement has to be done internally? OK?

MB – So, so, I’m afraid in paraphrasing what you thought you’d heard, you’re making a statement that Rae has not ...

NS interrupts – Yeah, ok, so it has to be, so Peter has to contact the review group or the authors first.

RL – If you are a board member, or a member of Cochrane, but most particularly as a board member, have a view that something that is wrong that is important to correct, because it’s fundamental in terms of the interests in Cochrane, getting it right and serving the people that we serve, out there, who read the reviews and things, then your first duty is to raise it internally, to try and get it addressed. If you are dissatisfied with the response – I know Peter talked about how it took a long time and all that kind of stuff - then there are other channels, you know, but if you choose to go public, it’s a really big step. And my view is that you don’t do that while you’re still a board member.

PG comment: We do not serve the public by waiting many months before valid criticism becomes known, if it ever does, see my comment under part 2, 01.48.01 above.

00.08.54

NS – So, the second thing is, I just want to understand, he did contact the authors? He did give them a list of, you know, I just want that to be clear. Like, he did contact the authors and he did give them a list ...

MB interrupts – So, so, so, at the time of writing of David’s response, they still hadn’t received the list.

PG comment: This is not true. The list (the index of studies) was sent to them months before this, which is described in the material delivered to the board. Tom Jefferson explains, in his comments to the Morrison letter, that he sent the index to the editor-in-chief for the Cochrane review group on 19 January 2018 and to the Cochrane Scientific Committee on 15 March, but that he received no feed-back from anyone (see [Appendix 10, page 50](#), in my complaint to the Charity Commission).

NS – No, I thought they’d contacted them even when they, in 2016 ...

JM – At that point in 2016, yeah.

NS - They contacted them, they ignored his request and so you know, and then putting this into a little bit of context, I’ve also had some very bad experiences with the senior author on that paper in review meetings. I’m not surprised that it probably frustrated Peter incredibly, they may have been very arrogant and said, you

know, I don't know what happened there but, in any case, they did contact the authors and they didn't listen to what he had to say ...

PG comment: Board members ignore evidence when it is highly important for my defense.

MB interrupts – So, I would point out that the next thing is that if you don't get anywhere with the authors, you go to the coordinating editor, you can go to the network editor ...

JM – Which wasn't there at the time.

CM – Or the editorial board.

MB - And ultimately if you're not happy, you can appeal to this panel one way or another, but the point is that there is a 'process', and I'm, that's all I've got to say and if people want to disagree with me, they can, but at least to my mind, there is a process, that we can appeal to before you actually go public. And could I ask, we have some expertise in the room from coordinating editors, would you understand that that's to be, or have I, the two coordinating editors here, do you, do you think it's reasonable?

00.10.43

JC – I think it's reasonable, I've never encountered anything like it, so I've never had to pursue something to that length. But I would always try internal first. I mean, my sense about this, about having the list, blah, blah, there's a fundamental disagreement about eligibility, so I think that's a slightly separate issue.

00.11.07

NS – I see, it's understanding how frustrating it probably was, sending them this list and probably being ignored, and then thinking, where am I going to on this? If I don't do something publicly, because I'm just going to be slouched again, as being Peter Gøtzsche.

PG comment: NS describes here what is full-blown scientific censorship in Cochrane, with me as the prime example of what will happen if people go public with their criticism: expulsion from the club and disproportionate punishment.

MB – So, the next person waiting is Jan and then Gerald, then Tracey then you.

00.11.30

JC – So, in terms of being a co-ed and we had issues in terms of the oral health grade with, for example, the views published by Public Health. And they were flawed. And yes, the first thing is we contacted the authors, we contacted the editorial base, and they did nothing, then it went to David, and it was then withdrawn. And so, we experience of saying there is a piece of flawed work out there as opposed to going public. And whilst it wasn't HPV, but it was about the care of children in the community and a hugely important issue and associations with obesity, diabetes, etc., and so in the dental world really important.

00.12.25

JC - And so our experiences is one of internally, actually it was managed, and the consequences are that that author group are incompetent. Now it could be that this group are incompetent. And I don't know. But, within the organisation we have mechanisms and my interpretation of the letter from Jo is that she is just so disappointed that you're working within an organisation that you imagine is collaborative, collegiate and people working together and certainly that was the experience, and it is so hard being a co-ordinating editor with these authors' groups, where they are all on their own level and the timeline. As Tom [Jefferson] said, you know he commented two years ago. And that is real. We've got some that have been going on for 10 years. And as well, there is issue of what is routine practice and the drive now in terms of time, there are flaws in how we let these reviews be published. But that doesn't take away, I suppose, the behaviour and the prompting of washing your underwear in public, or whatever the words are (chatter), dirty laundry, oh, sorry, um, and I too understand the point that David [Hammerstein] makes, that this was internationally world attracting news.

00.14.19

JC - And we as an organisation have got to have that responsibility of being able to publish trusted evidence. And that's what it reveals. But the behaviour we're really talking about is how it is communicated to the people who are producing it. And actually, nothing was done when it was published. They didn't, none of the authors actually contacted that review team. They would have read it the day it was published. They would have read it the day it was published. They could've sent a message in saying it was flawed. It could have been retracted. There are so many other things that could have actually been done.

PG comment: The board was not sufficiently informed. As noted above, I wrote in my complaint to the Charity Commission on 9 October (see [Appendix 10](#), pages 56 to 59): "Our paper was republished on 27 July. I did not even know it had been accepted. The journal only wrote to the first author and asked him to look at the proofs. He did not copy me, as he knew I was on holiday. I would have wished to inform you earlier but that turned out not to be possible."

MB – Ok, we need to move on, and the next person was Gerald, and the next person is Tracey.

00.15.21

TH – I think that this has not only undermined not only the author team but the review group and the whole of the Cochrane processes and an external view of how those process could appear. For me that's the fundamental issue, is the undermining of the Cochrane processes. And other people might think that the only way you can do it, those people within Cochrane are doing it that way and that there is no other mechanism. And so, to me, that's an attack on the organisation really. And so that's what I think, sort of, is the real issue.

PG comment: It is not undermining Cochrane processes to go public with a relevant criticism. It is serving the public as quickly as possible about important matters, which should be Cochrane's priority. And we wrote to Cochrane that we would submit a criticism to Cochrane in due course.

00.16.4

JM – It seems to me, it's helpful to make a distinction between the fact that he raised the issue about the HPV vaccine in public, because I think while it's certainly not the way it should be, at least, I'm not aware of any rule where, in a scientific debate, you are bound to submit a response to an article to the same journal the original article has been published. You can submit it to another journal and that's your obligation as a board member.

00.16.39

JM – And what I am totally frustrated about with Peter is that when he decided to do this, the way he behaved. I think that, to me, is totally unacceptable. He should have let those people know, and David [Tovey, Cochrane's editor-in-chief], that I am working on this, I have made the decision to submit it elsewhere for whatever reason, if you think that is more attractive news, because he thinks it's an important topic, that's his view, then that's fair enough. But I think the way he behaved is totally unacceptable to me. He should have involved those people, on the way to that publication.

PG comment: This is not true. JM and the other board members got it wrong because they had not had time to study the material provided to them. The misconceptions were propagated by David Tovey on Cochrane's homepage in bad faith on 3 September, as he was well informed, both by Tom Jefferson and me. Tovey wrote: "We regret that the authors, who are all members and officeholders within Cochrane, did not share their analysis or the conclusions and criticisms contained in the BMJ Evidence-Based Medicine article before publication" (see part 2, 01.47.29 above). Even more unfortunately, these misperceptions played an important role for my expulsion from the Cochrane Collaboration and subsequent loss of job.

MB – So, I've got David, Marguerite, Nicky, Nancy, and Catherine, yep, you're on my list.

00.17.23

DH – Let's look outside the box again. Outside the Cochrane thing. We're talking about a massive worldwide debate about HPV vaccine. I know that Tom Jefferson was testifying in Spanish parliament about this for three days last week. There is a real social debate. And we're not talking about just an ordinary review. And I disagree wholeheartedly that this hurts the reputation of Cochrane. I think it enriches the reputation of Cochrane that there are different points of view.

00.18.00

DH – I don't think it undermines Cochrane at all. The editorial that was published by Cochrane said, "We hope that this review 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". This is an editorial. There was no disclaimer that this was personal opinion. Very few editorials are so clear in calling on people to use a certain treatment and then, as I said before, was picked up on every single television station of the world, hundreds of millions of people saying, 'take the HPV vaccine'. Take it! And maybe they're - and I'm not going to enter into whether they are right or wrong, so I'm go ...

PG comment: DH alludes to the fact that I was treated differently to other people in Cochrane because the person who wrote the editorial was exonerated by the CEO and deputy CEO even though I was constantly punished for not providing a disclaimer in similar situations (see Part 1, under 01.35.11). I was not allowed to present this evidence to the board.

00.19.00

DH - And then there is the issue, which has been accepted by David Tovey, that there is possibly a conflict of interest in some of the external experts who have been used to inform upon this, even to the press. So, there was a tremendous marketing operation for HPV vaccine, which has probably meant billions, or at least hundreds of millions to the pharmaceutical industry of this vaccine. And maybe that's good but on the other side, it's terribly overpriced, in an abusive type of way, and then there are the scientific questions, which we're not going to talk about, you know, that there was no comparison with placebo and secondary effects, maybe these are legitimate.

00.19.48

DH - I'm not an anti-vaccine person at all, or anything like that. Now, could this have been done in another way? Yes, but you're confronting something that is a massive tidal wave, it's on every daily news program of all of Europe, to say, well, I'm going to submit it and we'll see 6 months from now, inside Cochrane, might not be realistic for people who are really on top of this issue and investigating it. So, the undermining has not happened. Because the impact of the BMJ Evidence-Based Medicine article is like 0.1% of the impact of the editorial in Cochrane and the report. It's like 0.1%.

00.20.00

DH - I'm looking from the outside, not from the inside. So, this is that the investigators might feel bad this and that, and the rules, but the reality is that this is a drop in the ocean compared to what is the "knowledge translation" that was done by Jo [Anthony, at Cochrane headquarters]. And I know from some of the members of the Cochrane in Spain that the knowledge translation was done in an exaggerated way, without any doubts, without any uncertainties, and using people as external experts that have conflicts of interest with GSK [GlaxoSmithKline, one of the companies selling an HPV vaccine]. This is worrisome.

PG comment: DH hits the nail. Cochrane has become a marketing machine and those that gain the most from this are the drug industry. Cochrane internal processes for

relevant scientific criticism are totally unsuitable (see under 00.04.33 above). See also the statements just below.

MB – Thank you. Can you re-read the sentence in the editorial that says women should take ...?

00.21.23

DH - “We hope that this review 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”.

MB – So, so, that to me says that this should be used as evidence in making decisions, it doesn’t say that women should or shouldn’t be taking vaccines.

00.21.42

DH – Well, but the Knowledge Translation that was sent to South America was very, very clear in supporting it. And the way it was expressed to the press - I could give you all the examples - Cochrane has done a review that has shown that this is a great vaccine and that everyone should take it.

MB interrupts – So, again, just be clear, because this is slightly further to your point, you’re saying that Cochrane produced some material, which said just what you said or are you saying that other people interpreted it that way?

00.22.06

DH – I’m talking in the ‘knowledge translation’ and the way it’s communicated in the press, and I heard it myself spontaneously, looking at the daily TV news program.

MB interrupts – I, I, I, I’m not doubting that at all, can I just, but I just want to know whether Cochrane issued something which said that women should use this.

DH – I don’t have it in front of me.

NS – I think the point you’re making is that it was picked up (by the news) very, very quickly, so something external needed to be done because it was so important.

CM – So, you’re saying that the end justifies the means. So, you’re saying that whatever the circumstances are, you either have a framework you’re working on ...

NS – I think as he said, once you submit it externally it takes 6 months to go through, and we all know that happens in Cochrane.

00.23.00

JC – But it doesn’t Nancy, it really doesn’t,

NS – It does.

MB interrupts – So, so, so, let’s hold up for a minute, people can make up their own minds about what was or wasn’t said in the editorials, I think they speak for themselves.

DH – OK, so it says, the editorial says, “scientific expert reactions support HPV vaccine”. I could read all the headlines, all of them are calling for people to take, the press headlines ...

JC – Not Cochrane issued press ...

DH – Yes, but if we have a ‘knowledge translation’, we have to be concerned with lots of other. David Tovey has told me, and Karla [deputy editor-in-chief] has told

me, we have to be concerned about how our communication is taken to the press. We have to be concerned about that.

MB – Ok, we'll move on. Nicky, you're next.

00.23.55

NC – I forgot what my initial ...

JC interrupts – When you talk about 'knowledge translation' are you talking about something that has been issued by Cochrane to translate the message?

DH – Yes, what was sent to South America. I'm talking about members of Cochrane, saying, who contacted me about this, I had to leave this because it was tremendously exaggerated the way, it wasn't well presented by the knowledge translation people.

00.24.27

MB – So, was that centrally, the CEU, the people responsible for it or was it ...?

DH - Yes, centrally.

JC – So, that's an important thing and I think we should look into that, but that isn't the review, and we shouldn't shoot the review team for the way a message was translated.

00.24.54

MK - I'm going to speak from a very personal level here. This concerns my relationship over the years. I met Peter, when was it, in 2008. I followed his work. I worked at technology assessment, certainly his work was very well known in the field. I was asked to give a plenary presentation at a colloquium in Freiburg. And Peter was very gracious to me. Took me around and introduced me to people. I thought we had a very good relationship. Subsequently to that, I invited him to speak on several occasions, kept in touch with him and then, when it came to the Seoul colloquium [in October 2016], Peter was very upset about a number of things going on.

00.25.36

MK - He felt that that he was being drummed out of the collaboration and there was a big conspiracy against him to push him out. And I spent a serious amount of time in Seoul talking with Peter, that, if you are concerned - and Catherine was there – that if you are concerned, please continue to engage with the organisation. Run for the board if you want, run for the council, I mean, do something but stay engaged and really try and work with the organisation to change certain processes and procedures. And I really felt like we had a good conversation, and then of course, he decided to stand for, to be a Trustee of the Governing Board. And I thought things are going great. I have always been optimistic about Peter, because he's a brilliant man and I always thought his behaviour, while a bit brusque can turn people off, maybe there's something that can change.

PG comment: This was one of the rare occasions during the six-hour meeting that a co-chair said anything positive about me, but MK quickly reverted to criticism, see just below. Further, there are inaccuracies. I arranged a meeting with MK and CM in

Seoul, which lasted one hour, and I never talked about or even indicated a “conspiracy”. I was very concrete and pointed out that Cochrane’s CEO was behaving unfairly to me and clearly wanted to oust me, just like he hunted down other influential people in Cochrane that had played a major role in making Cochrane a success. One man’s bad behaviour is not a “conspiracy.” This is not true. Koster is lying shamelessly because she knew perfectly well that my concerns were only related to CEO Mark Wilson.

00.26.37

MK - So, having him as a Trustee seemed to be going well and then things like this hit. OK, I felt on some levels personally betrayed. I felt as though Peter and I had an agreement that he was going to come within the collaboration, and he was going to work within the organisation and try to facilitate change within the existing processes and procedures. And I have to say, when this hit, I was absolutely beside myself. Not about the science, because I think we should discuss the science publicly and critique and do things, but if he wants to be a member of Cochrane, and especially because he is a centre director of Cochrane but even more than that, if he is on the Board of Trustees to do something like this and publicly humiliate others within Cochrane, you can say, how can someone on the Board of Trustees take this behaviour and do this kind of thing?

*PG comment: Again, this shows very clearly that my criticism of the HPV vaccine review was a key factor for my expulsion. The board’s official announcements that this is not the case are not true; indeed, they are outright mendacious. For example, the board’s [statement from 17 September](#) describing why I was expelled contained this (the emphasis on **not** was the board’s, not mine):*

*“This Board decision is **not** about freedom of speech.*

*It is **not** about scientific debate.*

*It is **not** about tolerance of dissent.*

*It is **not** about someone being unable to criticize a Cochrane Review.”*

00.27.34

MK - I said to myself, we clearly have someone here, and I even wrote it down, that there is a division between his interpretation of what this organisation is about and what people should do within it, and the organisation and what the board of Trustees really believes it should be doing. OK. So that’s been my feeling about it. So, it has really been a long history of interaction with Peter. Personally, I like him, but I will tell you when he digs in his heels, he can be the most difficult person in the world to deal with and I am very disappointed in his behaviour as a Trustee. Because I think being on the Board as a Trustee rises to a higher level in terms of how you act within this organisation. So, enough said there.

MB – Um, Catherine?

00.28.30

CM – Well, I was just going to reinforce what Nicky said in the last discussion point about collaboration. And that there are people who have worked their guts out to

get their review published. There are people in the CET [Central Executive Team] team who have taken on the imperative to review the questions that have been raised here. People have been working hard. And at the end of the day, I worry about what women are thinking and what their health is and, actually, the people that this charity is there for.

PG comment: As so much else at the board meeting, this is irrelevant and charity rules require of trustees that they should ignore any irrelevant factors. We provided a sound scientific criticism, which has nothing to do with how hard people work or with what women are thinking. In fact, like men, women like to be informed. We talk about “informed decision making” in healthcare. If scientific disagreements are censored, this cannot happen.

00.29.08

CM - And I want to give them the best advice and “bitching” outside the tent really doesn’t help. I want us to be an incredible organisation that women can trust if they want to know what the evidence is and then they can make their own choices. But they need to have reliable information from Cochrane. That’s why I’m here.

PG comment: We demonstrated that the Cochrane HPV vaccine review is not trusted evidence, which means that women cannot make their own choices based on the review. Important harms were missing in the review, which did not find an increase in important neurological harms, in contrast to us, [which we have published](#).

00.29.39

GF - I would like to reinforce my position earlier that, in our organisation, something is missing about communication and the change of scientific contribution. In a sense that I think that all this controversial position between Peter’s decision and others could be resolved by a very joining work, it’s a teamwork, and afterwards published this. Because we don’t know what the society is thinking after Cochrane has two positions about vaccines. Especially when we know that politically, it’s this moment, this is the discussion, in South America, in Mexico for example, we were very agreed about accepting or not the vaccine. And the policy was at last, because Mexico was one of the countries that participated in this multi-dimensional research during many years, we decided to do it.

PG comment: This is not about having one or two positions about the HPV vaccines. Cochrane is NOT a policy setting organization, it is a scientific organisation, and in science, there are rarely clear and exhaustive answers, which is why free debate is so important for science to advance. Furthermore, my research team has no position whatsoever about the HPV vaccines and have never given that impression.

00.31.05

GF – It’s important that Cochrane as an organisation who is giving trusted evidence should have “one position”, because politically, globally, it’s a very sensitive point. So, I think inside, we don’t have the (indecipherable) to discuss this before. I think we have missed a strategic viewpoint on an issue that is so important in the global

policy today. We cannot think that open society and even the decision makers will perceive in the same way as we are, in the sense that we have seen this controversial. If we show two different points, we make a confusion in the policy making and Cochrane today has a very impressive influence in decision making, things about guidelines today, and the more drastic guidelines we have from Cochrane. So, what we are showing to the world, must be in that sense, very unique positions, no matter that we have internal controversial or different way to perceive that, we have to resolve it.

CM – It's people's lives.

GF – Yeah.

PG comment: This comment is irrelevant as Cochrane is not a policy-setting but a scientific organisation.

00.32.36

MB – I want to make a short comment and then Marguerite and then Gerald and Nancy. I asked myself whether it makes a difference, although we're not going to discuss science specifically, I think it is important to say that in good faith, and I believe David Tovey and Karla would only act in good faith, they produced a response, which they're suggesting actually that the contents of the paper [my research team's critique] were not correct. So, it's not the case that there has been criticism here, which is found to be completely wholly universally accepted to be a correct criticism, but there is contention still. But part of this for me is that is a degree of 'hyperbole', overstating the case, it was immoderate. The existence of the paper is bad enough, but it was immoderate as well. So, Marguerite, Gerald and then Nancy.

PG comment: MB says the board should not discuss the science but then discusses the science. Whether our criticism was overstated is irrelevant. We published an even stronger criticism of the vaccine review on 17 September (see [Appendix 10](#), pages 71 to 85).

00.32.30

MK – I wanted to add that I have concerns about this organisation moving forward and the functioning of the board. The reason I stood for co-chair, this time around, because I was very optimistic about the last few meetings. We raised so many issues that we had to deal with, you know whether it's technology, or whether it's working on different policies. But now is the time we can really move ahead. And I will tell you, that since I was appointed, I've done nothing but have to deal with Peter. And it has consumed days and weeks at a time that I have spent, to the detriment of my own job. If that is required of somebody who is on a Board of Trustees and stands for co-chair and we aren't going to find anyone who wants to do these kinds of things and this organisation is going to be run by "serial disruptors" who do so in a way that is very objectionable and disrespectful and potentially defamatory.

PG comment: This is not true: "since I was appointed, I've done nothing but have to deal with Peter. And it has consumed days and weeks." Furthermore, if anyone is a

“serial disruptor,” it is CEO Mark Wilson who has constantly raised issues with me about breaching the spokesperson policy even though I have never broken it, which Cochrane’s own law firm confirmed. Finally, it is Cochrane’s board that has behaved in a disrespectful and defamatory way, not me.

CM – Bullying.

PG comment: This is not true. I have not bullied anyone, I have not been confronted with such an allegation by Cochrane, nor is there any record of bullying accusations against me. Put simply, no complaint of any such nature has ever been received. CM continues to make baseless allegations.

MB – Thank you. Gerald and then Nancy and then Rae.

00.34.35

GG - I’m not defending Peter’s behaviour, it’s terrible. But where I would disagree is that a good review should not have a position. A good review should be neutral, and Cochrane cannot have several thousand positions on several thousand reviews, because there are many mistakes in these reviews and I think overall, this whole thing will hurt Peter’s reputation more than it will hurt Cochrane’s reputation because in a way it shows Cochrane is alive and has different opinions. But David [Tovey] wrote a very good rebuttal and if half of the cited studies were actually duplicates, what does that mean to other work that Peter did. What does that mean about his books? So, I think the reputational issue is probably larger for Peter than Cochrane.

PG comment: What is terrible and unacceptable is not my behaviour, but that GG got it wrong, just like other board members, because they had not had time to study the material provided to them. The misconceptions were propagated by Cochrane’s editor-in-chief and deputy CEO David Tovey on Cochrane’s homepage in bad faith on 3 September (see above under 00.16.39).

00.36.26

MB – So, we’re going to go to Nancy and Ray and then I’m going to ask if you’d be happy for us to move on to agenda item 5 because that’s more about specifics of the HPV, or maybe it’s not.

00.35.45

NS - I just wanted to agree with Gerald and disagree with Gladys. I hope we will not ever at Cochrane want to move towards ‘one voice’ for an issue. We should say that it’s good that there’s people who believe in the vaccine and people don’t, you know, whatever, or believe in doing a meta-analysis versus a, or doing an odds ratio versus a blah, blah, blah, whatever, so method problems, too. And then I think I would say that unfortunately there are issues with Peter’s behaviour, and I totally agree, but I am hoping we shouldn’t just be saying that Peter has taken up all of our time. I hope we move beyond that and to say we have some issues about the spokesperson

policy, we have some issues about the conflicts of interest policy. We have some issues about needing to have one voice, one brand, and I hope we move beyond that and take these conversations as not as wasting time because we're just talking about Peter, but actually as talking about these other problems within Cochrane.

00.37.05

RL – Three quick points. I absolutely agree Cochrane has to be a broad church with many voices and I think it's about how we do that. I think that, um, if there are problems with raising issues internally, because the suggestion was made that the, it is a long and cumbersome process that takes forever, we have to fix that because we shouldn't let the system, it's like the tail wagging the dog (indecipherable), it doesn't mean that it is a free for all. And in third, on a personal note, I absolutely agree and was struck with what Marguerite said, we're all here at great personal cost in terms of our time but because we all believe in Cochrane. You know, I am using up my annual leave to be here, 5 days of my precious 4 weeks a year. We come at extra expense, Catherine is not working when she could be, all of those things, we've all got that stuff but we're all here because we want to make this a good organisation. Too much energy, too much air has been consumed by these internal things.

MB – So, I'm going to move on but reflecting on, we do trying to address the issues that have been raised, so specifically I've asked David [Tovey] to address the issues of the 'complaints system', the online complaint system and in the editors' report, we've looked at it ([indecipherable]) and so we do listen and we do respond and so he will do that. So, let's move on to the next letter, it is not a complaint, Cindy was specific and clear to make that point. This is just a comment about, this is a letter about 'no surprises', and it's not solely about this paper, it's about the paper that I've included there in which (indecipherable) sharing data and she is asking us to consider whether we might have a 'no surprises policy' in order to be able to do something and maybe give someone a heads up. Any comments on this, maybe it's a good idea, maybe we should respond to it, but maybe it raises broader issues?

00.39.32

NC – Well, very briefly, I think it is a great idea. It shouldn't be a strategy for minimizing debate but within the framework for what we've already got. It's not appropriate to spring surprises on each other publicly.

JC – And I agree with that. And I think as well, Nancy, there are issues which we need to address, to make sure that important views are as good as they can be, and the discussion we should be having is the strategy around how we manage that and this is a really, really unfortunate distraction but agree, there should be no surprises.

00.40.15

MB – As people answer this, and Catherine, I'll come to you next, but perhaps people could say something what they think about these other letters. This is the article where a whole load of people, some of them are members of Cochrane, wrote the article about data sharing and I think we can ask David when we speak to him, I think David also feels slightly aggrieved that this came completely out of the blue. In fact, there was an early version of the draft and several others saw it and I

was one that saw it and it and then the authorship changed. David sought to address the concerns that were raised in it and went to give an answer only to find out that they went and published it anyway. Again, I acknowledge there is a balance here to people's right to say stuff and when they say it and, what do you do if you're unhappy with the response from the organisation? Well, I think you escalate it to the next level and if they weren't happy with David's response, they should have approached the editorial board or the scientific committee, or us, but please, if anyone has any comments?

00.41.20

CM - Well, I emailed Cindy and Martin to say that I did not have access to the BMJ and that I understood this letter had been published and also about the HPV vaccine, and I felt like, as a board member, or expected that Cochrane could be a place where people could come and have vigorous debate and that they would be heard. And so, I am deeply disappointed that these people don't feel that we're listening. And I think that there is definitely a case that we need to review where people need to understand that we're encouraging debate, we want to challenge, we want to get out the best possible product, but I personally don't think we should have these sorts of surprises. If people want to tell us that we're doing something wrong, please, we would love our friends and our family to tell us that.

PG comment: I was not involved with this BMJ letter. The board's view is that Cochrane people should raise criticism within the "family" or "club" and not publicly, which is detrimental for a scientific organisation and does not serve the public either.

00.42.41

MB – I mean, it's fair to say, isn't it, that the truth, universally acknowledged, that if you have a view, present it to someone, they're going to agree with you, sometimes, you go elsewhere, and this, it seems to me, is what's happened here. It's about when the debate is held and how it's resolved, and how the people did not get their point of view heard are expected to behave. Now some people might say after a robust debate on any topic, if one side of the argument is won and the other side is lost, one side might shut up, they might not, they might get more and more agitated. But within an organisation, you have to think about that.

CM – I mean, are we doing something wrong or is it just that our reputation ...

MB interrupts – we'll go to Joerg.

00.43.13

JM - Just very quickly in response to Catherine. I think the reason why this has been published is because it has been raised at least two or three times at AGMs [Annual General Meetings] over the last five years. The issue of open access to open data and charitable organisations. And so, I have total sympathy for that group of people, I was not involved, it came as a surprise to me, but it came as questions at the AGM repeatedly, we have to keep that in mind. I mean, what more processes can there be to raise an issue and if nothing happened what else can you do than to go public?

PG comment: This is highly relevant, also for my case. We wanted to get our criticism of the Cochrane HPV vaccine review out quickly for public benefit, which meant we had to publish somewhere else rather than using the all too slow internal Cochrane processes. I have experienced, just like JM, and indeed more than once, that relevant criticism I have raised internally has been ignored for five years before anything happened. It took five years before we were allowed to publish the harms of mammography screening in our Cochrane review²⁸ and it took a similar amount of time before I succeeded to get the empty graphs in Cochrane reviews removed.

00.43.50

MB interrupts - So, so, it's not a case of, you know, well, it's not a case of nothing has happened. I agree, it's a question of communication that we're on the case. But one of the issues, despite what people say about the number of staff we have there, are a number of live issues that people want us to address and the capacity to address them just doesn't match, there are some live issues that are way down the list.

PG comment: It is not a question of communication or work overload when nothing is done for five years about issues that are highly embarrassing for Cochrane, see my comment just above.

00.44.16

JM - Absolutely. But we have to understand that if things move too slowly for people, they get frustrated and they have to find a way to express their frustration and they've raised it repeatedly through all different means within the organisation from what I can understand and see.

MB – So is it that they get frustrated, or they don't like the answer they're getting?

JM – Both, both. But still, that's ok.

CM – But what can we do?

JM – That's what we need to figure out, but I think, to me, it's like blaming the messenger again, I think it is an important message for many people within the collaboration and we are moving too slow in their view, and we can't blame them for that. It's their responsibility, in a way.

PG comment: JM warns about blaming the messenger. I was not only blamed but expelled, which doesn't solve any problems.

00.45.03

JC – So, I actually think there are two different issues going on here. And yes, I can understand, and I do think it's about communication and actually understanding what the organisation is doing through some of the decisions of the board. I think the HPV is the one that I find more consuming in terms of behaviours.

NS – Why, though?

JC - Because it's about the quality of the piece of work that individuals have produced, this is a matter of principle.

DH – It affects quality as well.

²⁸ Gøtzsche PC. Mammography screening: truth, lies and controversy. London: Radcliffe Publishing; 2012. (Winner of the Prescrire Prize 2012)

JC – Oh, I totally agree with you David, but it's not an individual piece. They're not critical of a review that has been written.

00.45.54

NS – But they are critical of the methods and the methods are part of Cochrane, too.

JC – I actually believe there's a difference. There are two different things going on.

NS – But it's a criticism.

JC - I agree it is a criticism and it's a criticism we should be taking seriously, addressing, and I think potentially it's issues around communications and awareness of what is going on. It is not criticism of a piece of work that people have submitted that have gone through an editorial process. I think it's different, it's not a review.

MB – So, so, Gerald next, then Nancy, then Joerg again.

00.46.46

GG - I view this as a totally normal piece of academic debate and I have no problems at all and I can totally relate to them, they are frustrated with the slow and bureaucratic process in Cochrane. Now they have got our attention. So, they reached the goal that it was probably good to that. And without the Peter's, it's a behavioural problem, it totally lacks common courtesy, and probably that we need a 'no surprise' policy if some people don't get it, common courtesy.

PG comment: Again, I am seriously blamed ("totally lacks common courtesy") although we did our best to inform the people responsible for the HPV vaccine review, see part 2, 01.47.29 above.

00.47.29

NS – It's really, you know, we did some work where we showed that the plain language summary did not include half of the evidence, you know, the evidence wasn't matching to the review or whatever. So, at that point does that mean I have to come to you and say well, I've done this work and I want to publish it, are you going to allow me to publish it?

00.47.51

MB – I think it's about giving a heads up. I think it's just about saying, look we've got something here, which we're publishing, its critical.

NS – Oh, I don't know, it seems a bit ...

MB interrupts – So, so, so, I think, perhaps it's an agreed definition of a 'no surprises' policy.

(chatter)

RL – As an independent statutory office holder who, in what I do, but I operate on a no surprises policy with the minister and the prime minister. I will ring them, I don't ask them, I tell them. So, you're just informing people.

00.48.28

NS – And if there's a, if it's HPV and you think it's going to affect the world, then that's ok, but if it's methods, it doesn't really matter.

(chatter)

NC – So, I think it's about reputational impact. So, people on the Governing Board, criticising the methods and results of a review that is influencing halfway around the world is a different scale of thing – than Cochrane should be doing things differently and doing things better. And I think your example of looking at plain language summaries and identifying, is a really positive thing that Cochrane can learn from, so, I see this, and I think maybe you're thinking that we're thinking this is helpful criticism that we can learn from, your thing is, too, I still think she should have a 'no surprises' policy. So, people aren't caught on the back foot. And my funder, for example, totally operates on a 'no surprises' policy and expects me to send everything into them that we're going to publish, and it doesn't veto it or sanction it, but it doesn't want to be caught on the back foot, when something comes out.

MB – OK, so David next.

00.40.55

DH – I think this is an example, having spoken with Mark Wilson on this, and other people on this, of the tension between the business model, definitely, because even the excuse and the reasons given by David and Mark are that we cannot share the data, we cannot go open access because we're in a process and it affects our financial models. Even in the response by David, it's in the response. So, this idea of open access and open data, I've seen the response from the CEO as basically not interested at all in this issue. For example, doing advocacy on this issue. And, the founders of Cochrane, from Iain Chalmers and on, were very, very concerned about having replicability of the data, I think this is a real problem.

00.50.47

DH - I don't see that the publishing of this article by all these eminences as they say, you know, Ioannidis and Ben Goldacre, etc., I don't think it undermines Cochrane at all but think it's important to say, it does make some statements. Very, very good statements. Structured data from Cochrane should be fully accessible for download, reuse and review. Currently they are not. Although Cochrane supports a transparency initiative, such as AllTrials, and is explicit about this in its policy, it has no clear principles on opening pool access to the data in Cochrane reviews. Cochrane does provide access to results data from reviews but crucially these cannot be readily reused and available for information and, an incomplete set of data, yeah, yeah, I don't want to go on, but I'm saying, it's going to put, I think it's an important point. (Knock at the door)

MB – Excuse me, would you stop for a second, Peter wants to come and get his jacket.

DH – I think it's an important point ...

MB interrupts – Could, could we just pause for a second.

(Door closes)

00.52.04

DH – I mean I've been an advocate for open data and clinical trial transparency my whole European Union period, so this kind of thing, even though I understand the limitations of access for the financial model, it is an embarrassment. Which I think needs to be treated with a little bit more energy than it has in the past.

00.52.24

MB – David, just on that point ...

MK interrupts – And just to reiterate, it's a board decision, it's not like Mark is saying no, we can't do this.

DH – Well, then we should do it.

MK – Well, we did make a decision at the first meeting you and I were at.

DH – Yes, I know, we did make a decision about that, but this is a little bit more detailed about the structured data behind the reviews, it's kind of technical.

MB – So, I just want to make the point, so, so, so, with respect, I quite agree, David, my interpretation is that David [Tovey] and Mark are operationalising the board's decision on where we are on our practice at the moment. You have views, David, we all have views. We've debated them. Some of your views, in previous things, we have not agreed entirely with your view, that is the nature of robust board debate that we should be able to have. But having agreed on a policy, this group collectively, we have a responsibility. If we all stick with it and support it and I'm not saying that you're not, David, I'm sure you are supporting it, and to challenge it again in this room and to suggest you change the policy is the right thing for a trustee to do. But you can't blame Mark and David for simply operationalising the policy that we've given them if you don't agree with that policy. You cannot do that.

00.53.45

NS – Um, I'm just thinking, we're just going off topic, because I think Peter *should* be here for this discussion if he's on the board, so I just don't want to get off topic. Why are we doing this without Peter?

DH – I agree ...

MB interrupts – Well, we'll stop this topic and move on to item 5. OK? So, the discussion letters from Professors Craig, McDonald and Farquhar in this case, and it's the 30 September letter from Cindy and the responses to these letters.

PG comment: Two board members say that I should be present for some of the discussion, but Burton doesn't even reply to their suggestion but interrupts and talks about something else. This is one of many indications that the final verdict about me was predetermined and that the two co-chairs were not open to change, or even just to be challenged

00.54.18

NS – Just a question. Were these solicited letters or were these volunteered?

MB interrupts – For the avoidance of any doubt whatsoever, but on the principle that people might still think that I'm waging some kind of, none of these letters were solicited by me, and to my knowledge, none of these people colluded with each other, although I don't know for certain. They had no more access to information as anyone else. As these letters came in, we asked the lawyers what we should do with it, and they said we should give Peter 24 hours to reply. He said that he couldn't reply within 24 hours, and he said, could we give him a couple more days and we said, yes of course, at that time. And when the replies came in, I was all set to post or send them to you, until I read them all and I then I thought I better send them to

the lawyers first. And the lawyers took a few days to think about it and came back and said you can send the reply to Craig and McDonald, but you cannot send the reply to Farquhar. So, we've handled this entirely appropriately.

00.55.18

NS – So, were other letters solicited actually?

MB – So, so, so, so, soliciting is suggesting that your co-chairs or other members who should be acting in their best interest, were going out and trying to encourage people to write. We did not do that. In fact, we specifically said to people we cannot recommend or, or we, we refuse, because of our position, to say either you should or shouldn't write. Everything must be entirely up to you. If people asked us that, that's what we said.

JC – Do you think, I don't understand the, the body language, are you saying ...

00.55.57

MB interrupts – You, you, you tell me what behaviour you're alleging, any behaviour alleging to me, that is at all, at all, at all impropriety, I will tell you what I think. So, so, please tell me what you think?

NS – I, I know for a fact that you pursued someone to submit a letter.

00.56.16

MB – But, but that's not true, that's not true. Absolutely not true. So, so, so, so ...

NS – I know for a fact!

MB – So, so, OK, so other people said they were going to, other people actually *did* submit a letter, there were letters submitted, which were then withdrawn, because the (stumbling), this is serious.

NS - It is serious because we have to know that these letters came about, you know, um ...

MB interrupts – These, these letters came about because these people spontaneously wrote to us. There's no, um, and if you're suggesting otherwise, I take great exception to that.

DH – They knew there was a process with the Counsel, so it wasn't, I'm not saying you ...

CM interrupts – No, no-one knows.

MB – No, no, to this day, Cindy knew because she was an ex-co-chair. But to this day, as far as I know, not a soul and certainly not Jonathan Craig and McDonald had no idea anything was going on with Counsel, it's a confidential inquiry. The very fact, I checked with the lawyer last night, the very fact of the inquiry was, is still unknown to people.

PG comment: NS states that she knows for a fact that Burton solicited letters of complaint about me. Burton's utterings and stutter raise a suspicion that she is right. Burton got red in his face, which three of the resigned board members told me after the meeting (I mentioned this in [my appeal to the board](#) on 20 September).

00.57.30

MB - Now, since you have raised this (comment directed at NS), two other people wrote a letter, and asked that letter, for that letter to be kept confidential. The lawyer said it couldn't be kept confidential and that we had to send it to Peter. So, then that letter was withdrawn. And another person said that they would write a letter and discussed writing a letter with mentors and came to the conclusion that they would not be able to write a letter. There's nothing else to say in addition to that.

00.58.02

JC – I am really concerned Nancy, about what you are saying.

DH – Yeah, I'm concerned about it.

00.56.10

NS – This is an active pursue ...

MB interrupts - This is, well, so, so, so, you must, you must, you must say, you must say that he pursued, just tell me, I mean, I could, the difficulty, the difficulty we have with these people who withdrew is that, um, they withdrew for a particular reason, and we don't have permission to tell you why they withdrew in the specifics, although the issue might come up later in the meeting. But we did not write to anybody or say to anybody, we'd like you to write a letter to the board.

MK – No, and I was copied on all the correspondence, and there was never a sugg ...

NS – (directed towards MK) You were not copied on that correspondence!

NC – So, this is correspondence that you've seen?

TH – Nancy, what you're suggesting is an extremely serious allegation.

NS – Yeah, I have it, I have it, yeah, but I think, you know, they weren't included. I guess we just have to really say ...

MB interrupts – Did they, did they write a letter?

NS – Yeah, and took it back, too. And was pursued and felt pursued to write that letter. But maybe if you can really confirm that these other letters were not pursued, then I would be ok.

MB interrupts – So, so, so, there's a letter, was written, which was marked strictly confidential, it was actually printed across the front of it.

NS – I don't think I know that letter.

MB – And, and, you don't know about this letter?

NS – Well, maybe not that one.

JC – So, can I, Nancy, so, there's a letter that you are aware of that was submitted,

NS – No it ...

JC – No it wasn't?

JM – I think the problem is pursuing someone ...

JC – So, the situation is that Martin in effect has written to somebody asking for them to submit a letter of complaint and that you've got evidence of that?

NS – Yeah, and just pursuing and afterwards ...

MB interrupts – What do you mean "pursuing"?

NS – Well ...

JC – Once they've put something in?

NS – No, just actually before it was put in. So ...

MB interrupts - Honestly, I just, I just, I, I have no recollection of this at all. I thought I was, I honestly thought that I hadn't, that we'd been very even handed in handling anything with this. I mean, I copied ...

MK interrupts - Believe me there was no orchestrated plan to solicit letters. Things just came in and then we responded to them.

NS – And Craig came in and McDonald came in and (indecipherable), but Farquhar also sent a letter, and maybe those others weren't included for whatever reason.

MB – There was a third letter that came in from someone who then said it had been written while they were unwell and they wanted to withdraw it, so that one ...

NS – Yeah, so if you really could confirm that these, you know, and maybe those other letters are not included because all of the stuff around it ...

MK – But Nancy, I did receive an email from somebody who said, 'should I write a letter', and I said about this, it's not up to us to make that decision about that. And if you feel strongly about it, then you should do it. And that's the way we handle all correspondence as far as I'm, if people felt strongly that they should submit something, by all means, but we are not encouraging ...

01.01.55

MB interrupts – And, and if people wanted to write to the board they could write to the board. If people wanted to write to the board, they could write to the board and interestingly, the reason now that they are actually in the public domain is that we took the letters to the board of a charity - unless they were marked confidential - and the replies to be seen by all, and you know, we are a transparent organisation.

NS – So, will these be put in the minutes, these letters?

MB – The lawyers advised us that they should be put in the minutes, yes. These also feature in the agenda in the open session. These are letters written by people, because, otherwise, you see, people say we wrote but they were dealt with in secret by the board, and they were never, they were never, they were done, and that's what they say.

PG comment: Three suspiciously similar letters that all called for my expulsion because I had criticized the HPV vaccine review were dated between 3 and 5 September, a few days after I had submitted my report to Counsel on 30 August. MK has admitted that she saw my report before other board members did (see Part 2, under 00.10.03). And there were even more letters than these three. Burton did not inform the board about how many letters there were. The above, and Burton's reactions, strongly suggests that Burton orchestrated the letters, which Nancy Santesso confirmed: "I know for a fact that you pursued someone to submit a letter" (see 00.55.57 just above).

01.02.51

MK – Now, we have gone to great pains to make sure there was transparency in this process, and also the one response that wasn't published was because it had content that was potentially defamatory.

NC – I don't know if this helps at all but two people, one who did write a letter and the other who didn't and was thinking about it, who may or may not be the same

people that you're talking about, but I suspect they are, were also in contact with me.

JC – And me!

NC – Yeah, about whether they should write a letter and nowhere in that correspondence was there any sense in that correspondence that it was coming from anyone else but that person.

01.03.30

GG – I'm still confused because that is a serious issue, it is, it would be, completely breach your impartiality if you addressed or asked people to ...

MB interrupts – If, if, if someone said to me, you know, should we or could we or may we ...

GG - Yes, if someone approached you it's different.

MB - But I've never gone out to people drumming up ideas and saying, look, you should write to the board, you should write to the board about this, or put on the pressure. I mean, if someone said to me, 'should I write to the board, is it a good idea to write to the board?', I'd say yes, you do what you want to do, it's up to you to write to the board. These are professional people who can make their own decisions about whether they write to the board or not. I find it very disturbing that you say that, I don't know how I can sort of defend myself in any other way, because I don't know what the issue is.

NS – It's the, the, um, it just gets back down to that person who told me they were feeling pressured and pursued.

DH - Wow!

MB – Wow. Well, I don't know who that is.

01.04.44 – 01.04.59 (Board sits in silence for 15 seconds)

PG comment: More evidence that strongly suggests that Burton orchestrated the letters. 15 seconds is a very long time for this board to sit in silence.

01.05.06

NS – Well, if the other letters were not (meaning 'pursued'), and they came out and, um ...

GG – What I find odd is that Cindy wrote two similar letters, addressing the same issue and the second letter again, that she had already addressed in the first letter.

JC – I don't think that's odd. I think she was articulating how she felt, very similar, I suppose that didn't strike me as odd.

MK – And if I could just add, the letters that Cindy did, that was up to her to do, we did not encourage her, discourage her, and if she said, would we have redrafted it, we would have said no. We would not want to make any comments on any letter that you would submit.

01.05.46

NS – Yeah, but there are a lot of personal, you know, we have the whole incident with Cindy during, in that last meeting, you know, there's a lot of personal things you

know, that whole, Peter walked out, so, I'm just wondering whether letters are something we should be using as 'information'?

PG comment: At the board meeting in Cape Town in September 2017, I suggested to change our policy so that no one with financial conflicts of interest would be allowed to become author on a Cochrane review that evaluated that company's product. The board was very positive towards my proposal, but Cindy Farquhar, then co-chair, was not. At one point, I left the room to go to the toilet and calm down a little because Cindy treated me very rudely.

01.06.09

MK – But I think at this point everyone needs to understand there was no intent to solicit letters to pressure people or do anything in that regard. If somebody took it that way, I have no idea why. Because the correspondence I've seen, and maybe I wasn't copied on every single email, but from what I've seen it was very impartial and people were told to do what was best for themselves.

PG comment: It is unconvincing when Koster says several times that there were no problems with orchestrated letters because she wasn't involved.

01.06.36

MB – I mean, the thing about this, which is, I think is sort of, I think is worrying me, is that this is an allegation about my behaviour, which hasn't resulted in a letter being sent anyway, so the only reason to raise this is to cast doubt over my integrity because ...

NS – But the (NS tries to talk but MB gets louder and talks over) ...

MB interrupts – Because, because, because there is no other reason why you could have possibly raised this because it hasn't resulted in a letter anyway. The only reason to raise it is to cast doubt on my integrity, I can't think of any reason to ...

PG comment: NS persists that Burton has orchestrated letters (see above). Burton's defense is to say that she brings this up to discredit him. He no longer denies that he orchestrated letters.

NS interrupts – No, it's about these letters, whether you should really be paying attention to letters which could be someone's bias because Cindy and Peter did not get along, and if you pay attention to ...

MB interrupts, is talking over NS, won't allow her to finish her sentences.

MB – I, I, I, I, I am going to turn to, I again, I think we should rely on the expertise we have in the room here and I am going to refer to Rae.

PG comment: When Burton gets in deep trouble, he stutters more than usual, interrupts, and talks about irrelevant issues like expertise, or rules, or he claims that he followed the advice of Cochrane's lawyers at all times.

01.07.31

RL – Can I just say that whatever the motivation that lay behind the letters, um, and I know it's timing and all those things, too, but I think that we have a duty as a board to take them at face value about an issue. You can't dismiss them on the basis of whatever we think the motivation might be. It's like saying that everyone who comes to me with a complaint has got an axe to grind, and so we still have to deal with the content of the letters. We can't get a discussion about possible motivation and what lay behind them and someone has an axe to grind or whatever gets in the way of the actual substance of the letters.

PG comment: It is disturbing that RL argues this way. Evidence that was planted would not be allowed in a court case.

NS – But the credibility and reliability of the ...

CM interrupts – It's like saying everyone is a vexatious complainant, you just can't do that, it's not right.

01.08.24

TH (directed at NS) – Can I just say that you asked Martin a question. He answered you. You either accept that and move on and we all accept Martin's answer, or you make a formal issue and bring evidence to that.

RL – Or you can go back to the person that raised the concerns. I don't know what you said to that person, but if that person has an issue and is raising allegations in terms of some kind of conduct, then again, they follow the channel and they come to us with a complaint and then Martin has a chance to defend himself. But we can't deal with the vague generalities ...

TH – I think we should move on from that and I'm happy to accept at this moment in time, Martin's response and I think we should ...

PG comment: Half the board consistently ignores issues in my favour and want to move on.

01.09.14

MB interrupts – So, so, so, so, so, so, so, so, I tell you what I said. You see, Counsel wanted to interview me, and I wasn't really expecting it, but he did and that was because of all the issues raised by Peter and sometimes, and I like to, I was honest with him, so the, he asked me particularly, just bear with me, there's a reason for this story, he asked me particularly about the events at the 'board only' time in Geneva and whether I believed that a letter had been discussed, a letter signed by co-chairs David and Peter [sic, but there never were co-chairs named David and Peter] binding him to a certain behaviour and that we were made aware of that letter, we knew its contents and then we discussed and we then released Peter of those obligations. I said, I said in the paperwork that I have no recollection of that actually having happened. When the Counsel put it to me, I said look, you know, that's my honest thing that I have no recollection at that meeting, but you begin to doubt your own sanity and your own memory and then if I am wrong about that, then I said I am sorry about that, I said, I actually think there are ways of checking it

because there are lots of other people at the board meeting and if this is a pertinent and relevant point of view of the inquiry I'm sure you'll do that, I'm sure you'll check it. And you know, everybody else, practically, in this room was there.

PG comment: Burton beats about the bush. It was not about a letter, and the special provisions for me were clearly lifted. I explained in my [report to Counsel](#) (page 38) about the meeting in Genève that the two co-chairs (Burton and Farquhar) either have an extremely poor memory, or they had deliberately tampered with the evidence. I also wrote that a board member was willing to testify about this.

01.10.29

MB - I believed at all times in dealing these issues that I have tried to be as scrupulously fair as possible. I don't recognize the idea that I handed someone, I just don't recognize that at all. If that's someone's perception, then I'm incredibly surprised and I would regret that very much. Because to my knowledge and recollection, I purposely, as you might imagine, did not set out, if people say I'm thinking about a letter, what do you think? You know, I'd say you can, or you can't or what have you, if your views are strong, you should write something, but in the normal course of things, I have conversations but at the same time, I was scrupulous to say it's up to people to write one. And someone clearly hasn't written one here and that was their prerogative. And if I've done anything wrong in all of that then I apologise, I do not recognise this description of what has gone on, but I am beginning to doubt my own sanity here. As you might, just a final thing to recognize something that Marguerite said earlier, if I could tell you the number of hours that this has taken, the amount of hours of energy, both personal and emotional and everything else, dealing with Peter and checking, having to check every single thing. We spent a fortune on the lawyers, I'll tell you that now, we've been in daily contact with the lawyers and because of the difficulty of dealing with him, but it's not that, my staff is supposing to be organizing, they have organised the 25th anniversary symposium, one of the highlights of life and potentially of my career. And it's been completely and utterly overshadowed by these events. And as Rae said, we've spent an enormous amount of time, too much time, too much resources, and none of this honours the contribution of the other 30,000 people, the people that follow the rules, and sorry, I won't say anymore than that. In fact, I'm going to hand over the chair to Marguerite and we need to finish discussing this item.

PG comment: This is a crucial moment. Burton begins to doubt his own sanity, which he says twice within half a minute. He has been raving about the issues with the letters for quite some time, likely because he knows – and the board knows – that he is guilty of serious manipulation and mismanagement, and he seems to be close to cracking. He suddenly changes subject and speaks about a meeting in Genève, which is a totally irrelevant diversion, and gives names of two co-chairs that have never existed. He pretended he could not remember the events. A little earlier, he tried to divert the blame from himself to Santesso, in relation to the orchestrated letters. He now tries to blame me and arise sympathy by saying how many hours I have cost him. This is misleading. If the board had dealt with the dispute between Cochrane's CEO and me, as it should have done according to our agreement, this dispute could

have been settled amicably very easily, in April or May, and I would not have been expelled. As my expulsion was what Burton wanted, he cannot blame me that it cost him some hours of work.

01.12.43

GF - Yeah, I think that these letters that we have received, not asking exactly people to write or whatever, we should not accept them because it's not a formal way to open the, to make a call, we haven't made a call for letters, to have opinion about this problem. If we don't have a formal way to open a call for, if you say to the people, well, let us know what people is thinking about Peter and Mark and Peter's writing position, we should not accept that, because we have not asked for them. So, I think we should not take into account the letters that we have received with not asking them. I think that this problem is because we do not have a formal way to communicate with people. Why are we receiving those letters? And taking an opinion about this problem that is strictly a matter of the board? I can't understand that.

01.13.52

JM – It's also a process issue that I wanted to clarify for myself. Um, my recollection is of a discussion about two years ago when Peter wanted to raise an issue with me as a board member at the time, and he was told that it was totally inappropriate by Mark and that he needs to raise it with his line manager, which would be Mark in this case. So, I am wondering whether it is appropriate for us to consider those letters, which haven't been dealt with by David or Mark, might be the first instance for dealing with that dispute before it is escalated to the board. It's really just a process issue.

PG comment: GF and JM are absolutely right. Furthermore, such letters are not an issue for the board, but for the editor-in-chief to deal with, which I wrote to Burton before the meeting, to no avail.

01.14.31

MB – So, the issue here is that he is a Trustee, they're complaining about him on that basis. So Mark can't deal with the issue of a Trustee, as soon as Peter became a Trustee, you know, they're not complaining about him in his role, I think that's right. Rae?

01.14.43

RL – Yeah, I was going to make two points. One is that if it's about the conduct of a member of the board, then it's absolutely right to write to the board, but secondly, I respectfully disagree with you Gladys. I take the point that it is a separate discussion about communication from the board and members of Cochrane, but I think anyone who has a concern about a member of the board's behaviour or something that the board is responsible is able to write to the board and we shouldn't have to invite them to do it.

GF – Well, I disagree.

MK – Any other comments?

01.15.15

JM – But, if I may just come back, I’m looking at the letter from Jonathan Craig and it says “I am concerned about the conduct of the Director of the Nordic Cochrane Centre”, so it is in his role as Director, which is the affiliation he used for writing the letter and I’m sure you’re right, it was really a question for clarification for myself because I remember that Mark, at a point in time was very keen to make sure that Peter understands and follows due process.

(chatter)

01.15.40

JC - However, the rules of the game are different as a Governing Board member. (Door bangs. Someone enters or exits the room).

00.15.49

MK – So, someone who is supposedly complaining about him, like why is a Trustee doing this kind of thing, and they should be held to a higher standard and should follow the rules and processes of the organisation, so, essentially, you know, that’s why these letters came to the co-chairs.

JM – Fair enough.

01.16.10

JC – And they’re not articulating anything we haven’t discussed. So, there’s nothing new.

MK – And you know, Peter has seen these, he gave responses to them and (door bangs, someone enters or exits the room), and he’s had every chance for transparency and to respond to them. So, we wanted to make that clear and I think you’ve all read what the responses are.

01.16.35

NS – So, we’re agreeing that we accept these letters, and we’ll consider it.

MK – Yes.

NS – OK.

MK – At this point it seems like it’s a good point to stop and perhaps have lunch?

PG comment: The co-chairs appear to get what they want by exhaustion and group pressure. The critical board members give up the fight against the two highly dominating and manipulating co-chairs, and even the four board members who subsequently resigned in protest after my expulsion have quite critical remarks about my “behaviour”, even though they valued my contributions to Cochrane and the board and very much agreed with my criticism of both.

01.16.53

JC – Marguerite and Martin both know that I am actually the chair of a conference that’s happening in Dundee, so I’ve got 270 paediatric dentists in Dundee and my HDA trial is being presented this afternoon. I was going to be going back for that. But I am going to stay this afternoon, however. I’m not due to the dinner this evening

because I have to go to be in Dundee, so I just wonder if we have a plan and I'm really, really sorry, timing is totally shocking, but dates of conferences are set years in advance, and I didn't know I was going to be on the board.

01.17.36

MK – The only plan we have this afternoon is really for the presentation of Sarah Vincent for 'Trustee responsibilities' but that can be pushed a little bit. But we wanted to make sure we had enough time for discussion amongst the board members today to come to some reasonable conclusions about what we want to do. Those conclusions can be, do we want to make decisions right now? About Peter, his roles, the responsibilities, you know, as a Trustee of the charity? Or do we want more time to think about it, and come back a day later, and make decisions about these things at which point Peter would be in the meetings with the Trustees? So, we have to make decisions about that, but we want to make sure there was enough time for us to review the letters here, Peter's responses, Tom Jefferson's responses, things like that and take a look at the totality of everything. The independent Counsel's report, what then happened with the HPV article, take all into consideration and decide what we want to make at this point. Do we want to make decisions today or do we want to think about it and do that another day?

DH – Do you have any proposals?

01.18.50

MB – Yeah, the lawyers who have been advising me, when we first approached the lawyers, they didn't know anything about this whole event, but the lawyers that have been advising us have now read everything as we have read and they have some views on what should happen and they've encouraged us to have a look at everything in the round, to take a global view of everything. So, we need to stop for lunch, we need to then have this discussion about the global view, and we can completely abandon the governance training if you want to do it. We've already abandoned one thing, which was the (indecipherable). In a sense, I think we're guided partly by you, whether you feel we need to press on and reach some decisions, or do you want to get a certain distance and then sleep on it.

01.19.40

MB – The only other slight issue is that you're not here tomorrow morning.

JC – That's right.

MB – But we could have board only time tomorrow afternoon, we could not make any decisions today, have the training, have the session tomorrow morning when everybody else is here and then go into board only time tomorrow afternoon. If you so which and then Peter could be with us, in the morning, it's entirely up to you. That's what is meant by further closed sessions, discussion of timetable and contents.

01.20.11

TH – So, the training is about how ...

MB interrupts – Responsibilities as a Trustee because although we've all had a bit of it over the years, we were aware Nicky hadn't, and we also thought it would be good to be reminded of it.

TH – I think that might be helpful in decision making, and have that prior to making any decisions, because we would have all refreshed our knowledge and understanding and able to ask questions.

MB – So, the option might be to actually move it forward slightly, straight after lunch, if we can manage that and then we can all resume our board session with Peter recused still.

01.20.57

RL – It will give us some time, too, just let the morning settle and ...

CM – Can we have a quick lunch?

DH – I think that we need to talk about that concretely and not beat around the bush. So, if there are proposals to remove Peter from the board and take away the accreditation of the Nordic Cochrane Centre, or whatever those proposals are, they need to be on the table.

GF – I agree.

GG – As an elected member, can we just remove Peter from the board?

CM – Yep.

DH – I don't know, I don't know about any of those things, or ask him to resign.

Obviously, I don't think any of those options would be disastrous for Cochrane, but I think they should be spelt out clearly on the table.

(chatter)

01.21.50

MB – So, there are two questions here. Does Peter stay on the board, and does he stay in the collaboration? There are two questions, because one relates to the board membership, and one relates to the collaboration membership. All we can do in terms of the first, the board membership, is to ask for him to resign. That's what we can do, so it is in the Code of Conduct of Trustees, it says that we ask him to resign from the board. Ok. So, we can't really force him off the board in any other way, except in a motion at the Annual General Meeting, that's a special general meeting. And the other option is if we actually say he is guilty of sort of conduct which (indecipherable) of 5.2.1, we can take his membership away.

01.22.40

MB - If we take his membership away, then he automatically loses his place on the board because he is here as an elected member. So, the second of the options is to take his membership of Cochrane away and that automatically means he loses his place on the board anyway. The issue, one of the reasons that the lawyers say we're in a very, very complicated situation, is because there are several relationships here. One of which is the relationship with Peter to the Nordic Cochrane Centre and what the Nordic Cochrane Centre is. We've never been able to find out what the governance arrangements of the Nordic Cochrane Centre are. We don't know, we're not absolutely sure whether it's embedded into the hospital, or the Trust, or who his line manager is. But the consequence of him losing his membership at the

collaboration would be that he *couldn't* be the Director of the Nordic Cochrane Centre and so we'd have to put special measures in place to see that the work at the Nordic Cochrane Centre continued and that the leadership goes to the deputy director or somebody else. So, those are the things that we've been advised by the lawyers.

01.23.41

RL – I'm just reading through the code and in terms of the process it says, where it is concerned that the Trustee has breached this code, it will be reviewed by the co-chairs, or the co-chair and another Trustee whichever it may be. They will make a recommendation to the board, and the board will then discuss it. Any sanctions will be determined by the board, up to, and including *requiring* the Trustee concerned, to resign. You said ...

01.24.10

MB interrupts – So, so, so, so, the problem is that there isn't much legal clause behind that phrase 'requiring' according to the lawyers. We can require him to resign but the question is what does that mean, what if he says no? I mean, we can require him to resign, yes.

RL - But it then says the Trustee will accept the decisions of the board. That's not binding, is it?

MB – I mean, we can require him to resign, and he is supposed to accept but the question is, if he is still resigning from the board, it's not, sort of, we are not stopping him.

NC - But 'requiring him to resign' sounds a lot stronger than 'resigning'.

MB – Yes, so he would say 'I've been required to resign'. That would be what he'd say.

RL – Whereas if he was an employee, we'd be saying, would you like to resign or what?

(chatter)

MK – You know, there could be the option for him where he could say, 'I'm resigning'; he doesn't need to talk about any discussion, anything that went on, just say 'I've resigned from the board' ...

01.25.08

MB interrupts – And can I just say something. Whatever we decide to do, there is also the option of saying, look, we don't want this to be, we not after, what every people might think, and I respect Peter, too, and one of the reasons, and one of the first things I said to the lawyers when I met with them was that we're dealing here with an organisation with a reputation and a man with a very senior reputation as well, so that was stated.

MB – It is possible that Peter could agree to retire from the board, retire from the Nordic Cochrane Centre, write the sort of letter that a Cabinet Minister writes when he resigns saying that, 'Thank you very much, I've really enjoyed working with you, I've been doing this for 25 years'. We write a reply that says 'Peter, we're grateful for everything you've done over the last 25 years'. You have great achievements, thank you very much for this and everybody, the outside world (indecipherable). Now

that's an option, some of you might think he is unlikely to accept it. I want to be absolutely clear, that I for one, very happy with that doctrine.

01.26.09

MB - It would have to be backed up, this has to be legally binding in the sense that nothing, you know, he really means it when he says he is having nothing more to do, he's not going to be a member of Cochrane, he's resigning from Cochrane. So, there is actually a nice solution to this, which I personally, is overall, that is absolutely my preferred option that that should happen. And ...

MK interrupts – He then retires as a senior statesman, his accomplishments are celebrated, and I mean, there are all kinds of good things that happen as a result of that. But if he chooses not to do that ...

DH interrupts – But even if he did that, the scientific community and the BMJ etc., etc., etc., they would all write about what has happened, it wouldn't make that much difference.

01.26.56

JM – But these are two options, there are other options, the other end of the extreme ...

MB interrupts – So, so the other option is to do nothing. So, do nothing, leave the board, leave the foundation.

DH – I think there are other options, obviously.

MB – Such as?

DH – It is suggested by the Counsel a number of times, in the Counsel paper, which is about mediation, arbitration, you may be skeptical, but agreements, different ways of acting, this and that. There could be arbitration and mediations as even suggested by the Counsel. I am really surprised that you used the words of the lawyers and the Counsel about these drastic measures when there's nothing close to those drastic measures mentioned by the Counsel and the substantial issues of the, about the spokesperson policy, etc., they don't find any clear violation. So, I am really very surprised ...

01.27.46

MB interrupts – Ah, ah, ah, with respect, we're entering into this discussion, there's a lot to say about this because this about taking Counsel's thing as one report, the other events around it, and knowledge, we are encouraged, and in fact permitted, and encouraged when we are trying to make an assessment, which according to the words, is reasonable, forming a reasonable opinion, we can take every and the broad range of facts, so we need to take everything into account, to make a reasonable opinion here. So, I don't suggest we have that conversation now, because that has to be done, we have to bring together all this information, we have to say, in our reasonable opinion, what is the right way forward. All I have to say about the mediation, Counsel also says in the paper, that he talked about the cost and expense of being disproportionate if we were to carry on.

01.28.44

MK – There is a specific statement in there about the fact that, you know, having a dispute or a mediation person come in and mediate, um, the dispute can be extremely costly and that they think that, that is not wise.

MB – It's at 86.2. A more formalised quasi-dispute resolution process could be very expensive indeed, which would raise questions about the proper process of charitable funds. Personally, I don't think that is an option.

PG comment: This discussion illustrates how flawed the reasoning of the co-chairs is. Burton talks a lot about following the advice of the lawyers, but only when it pleases him. Counsel did not suggest drastic measures like expelling me. The idea that it should be very expensive to mediate is plain nonsense. What is expensive – not only in monetary terms but also in lost reputation - it to escalate a conflict. Further, Burton stated earlier that “we spent a fortune on the lawyers” (see above under 1.10.29). Thus, if the co-chairs’ concerns had been cost and fairness, they would have chosen mediation right from the start. But it was all about making sure I would get expelled.

01.29.12

JM – Um, well Martin, I can totally understand why you say you should take the overall picture in making a decision. And honestly, the HPV thing, the way Peter behaved tipped it over for me. On the other hand, I think we are seriously considering expelling him, I think we have to have a very good basis and then it's not the overall picture in my gut feeling and I think we have to have, literally the facts all together, where he breached whatever policy we have, and I'm not convinced based on that Counsel report, even if I wanted to do so, we wanted to do so, that we are in a good position to defend that we are now expelling him from the board.

MB interrupts - So, so, so, can we delay this discussion.

JM – Yes, absolutely, I just wanted to clarify.

PG comment: JM tries to introduce reason and fairness but is interrupted by Burton, as always. This is not what Burton wants. Again, David Tovey's misleading information about my alleged failure to inform the authors about our criticism of the HPV vaccine review (see Part 2, under 01.47.29 above) is used against me, even by one of my supporters who appears to be unaware of the true events.

01.30.03

MB – So, we've talked about this with the lawyers, and they've given us very specific advice about their views, and actually the lawyers' advice, so taken particular advice from the lawyers about this, their advice is actually the opposite of what you say. That this is our responsibility to, at the generality of things, the issues of behaviour, the breaking of the rules, let's not get into it now. I mean, this is, Rae, and this is a really serious situation, and we could sit around here talking about this for three days and at some point, and we, we, weren't necessarily going to read this out now. David, you pushed us to say what the outcomes would be, this is where, so this is where ...

DH interrupts – We are adults, and we have to talk about the outcomes.

CM – And I think that we should address this before we go on to other things.

01.31.03

MB – So, why don't we, so the question is really, whether we lunch now, whether the, whether you really wanted to have the [Sarah Vincent presentation], it's a couple of hours presentation on the responsibilities of the Trustees.

JC – I'm not sure that that's, I really, I suppose I'm not, I do know that we have got a really, really difficult decision to make and knowing what I am supposed to do as a Trustee will not make that any easier ...

MB interrupts - We all should know anyway, this is going over old ground, and Nicky has read all the materials, everything else as well, so shall we take a proper lunch break, shall we take 50 minutes for lunch and come back at 2 o'clock.

JC – No, half an hour.

DH – Quarter to 2.

NS – Is Peter still waiting out there?

MB - He wasn't in the room next door when I last went to look, but you know ...

DH – (Jokes) I think he's under the table.

CM – (laughs) That would be horrible for him.

JC – He came to get his jacket, so whether or not he's gone ...

RL interrupts – Like I said earlier, I don't think he expected to be out quite so long because he left his wallet and things.

JC – That's right (chatter about abandoning the 2-hour presentation).

MK – Already, we'll have a brief lunch.

DH – Yeah, our mood is not for a 2-hour presentation.

MK – OK, at all today?

JM – I suspect, yes.

JC – I suspect would be my feeling.

DH – Give our plead for forgiveness to whoever prepared the presentation.

CM – If they've traveled from London?

MB – They'll get paid anyway. This is an issue, um, but we've probably also lost money on the guy that was here to talk to us this afternoon, but this is more important.

RL – Are they likely to have slides and give us copies of them?

MB – Yeah, yep, there are slides there that we can have.

CM - I can go and have coffee somewhere.

(chatter)

JC – The other way is that we have an hour, and they do their presentation at three.

(chatter)

JC – Lunch will be in the library.

Board members leave to eat lunch.

(Chatter, laughter)

Part 4, conversations during lunch

01.39.00, during lunch. Martin and Nancy discuss letters.

MB – We had contact with Peter, and we had contact with Sophie Hill, and we had contact with Paul Garner. But, other than those people, there was somebody else?

NS – No, Paul ...

MB and NS talk over each other

MB – I've got all the emails here.

NS – There was such a push, and Paul was like, and I was there at the time, so that's what came out and I was like, should we really, these matters, I don't really, in general don't know about letters.

MB – So, so, so, let me just say, I think the issue here, I think this is one of those situations where it's better to explain it, he phoned me.

NS – But it was, you know ...

MB interrupts – We had a conversation, and he was ill in bed.

NS – Yes.

MB – And that's when he said, I didn't say one way or the other, and I didn't write him to say you should do it, you should write. He wrote me the letter, he then wrote back and said, I was ill when I wrote this letter and maybe the gracious way to think about this is that he was ill and he was confused or felt he was being handled, I didn't even know he was in bed when I spoke to him on the phone, and I was actually ringing about something else because, um, yeah, I was ringing him, something else came up, just trying to, um, so ...

NS interrupts – I think Paul said he initiated it.

MB – He did, he did, he did, he said, um ...

NS interrupts – And in the end just said, this is playground antics. And so, you know, in some ways it's like, we've had conversations about this, I have to be very careful about the board, this and that, and it was a weird conversation because I couldn't say much, so, yeah. So, it just made me doubt what are we going to do with the letters. Because it's such a, such a, that's why I was, like, are we going to use these letters, or shall we not use these letters?

MB – I was just to try and show you.

NS – No, no, you don't have to prove anything to me.

MB – I mean, I mean, ok. But I was just really upset.

NS – But then I was, too (laughs).

MB – I don't think we're going to agree necessarily on everything by the end of the day, but we might agree on this but, thank you.

NS – But I also want to point out ...

MB interrupts – I know, I know, so, so, so ...

NS interrupts – That's why I wanted to talk about this. I thought, you know, what am I going to do?

MB – Yeah, you know, and the thing is, and the thing is, Paul wrote, he wrote the letter and then he wrote back and said, I was ill last week, and I am now withdrawing it. And we just said fine, that's all. And exchanged emails and said, whom shall I write it to, and I said if you're going to write it you have to write it to the co-chair of the board. When he did write it, we said, just want to be clear, you really want this to, we say it to everybody, we wrote to all these people saying, 'are you clear that this is to going, to go the board?'

NS – Yeah.

MB – So, why don't we tell people we realise there has been a misunderstanding,

NS – Yeah, yeah, there's no ill feelings, because I actually really, we didn't really get to finish the, you know that's why I said, I just wanted to make sure that it was if this is about the letters, it's not going to be about ...

MB interrupts – The thing, the thing, the phase we're going into now, as you can imagine with everything going on, we just can't have, we contacted the lawyers and said what's the right thing to do, what the right thing to do is, and you know, they've said that you must look at the generality now, the whole thing now. Anyway ...

NS interrupts – Ok.

MB – Ok.

NS – Alright.

PG comment: All these discussions about the likely orchestrated letters are unfocused and confusing, which is what one often sees when people find themselves in trouble and facts are therefore unwelcome. Further, Burton says: 'we wrote to all these people saying, "are you clear that this is to going, to go the board?"' So, there seems to have been several letters, perhaps five, three of which were submitted.

01.48.30. Koster enters the room and talks to Burton about her conversation at lunch with NS.

MK – I said, what happened here is you impugned Martin's trustworthiness and that's why it was taken seriously.

Door slams shut.

MK – And so I said, please go talk to him.

MB – Yeah, she's just not (indecipherable).

MK – Yeah.

MB – So, it was Paul Garner, and Paul Garner wrote some emails to, about him, and I rang him up and it turned out when I rung him, that when he was sending emails from his work address, he was sick in bed, which was a bit of a surprise. And he said to me, can I send, you know, this, so he was sick, and I probably said what I said to everyone, well, if you want to send one, if you want to, anyway, he then sent an email in. He then retracted and said, actually I don't want to send this, I was sick when I sent this.

MK – I remember.

MB – You remember that? And so, that's what she thought, she described it he thought he was handled. Well, he was sick, that's why. And I wouldn't have rung somebody if I knew they weren't at work, but he was sending me work emails so there was no handing, and I didn't think of it any more than (indecipherable).

PG comment: Something is not true. It seems that Burton lied to NS when he said about Paul Garner nine minutes earlier (see under 1.39.00): 'I was actually ringing about something else because, um, yeah, I was ringing him, something else came up, just trying to, um, so ...'. He admits to Koster that he did not ring Garner about something else but about Garner's email about me.

MK – You know, I think we've been scrupulous about all of this. We've been very careful, you know, even when Cindy was on fire about all of this stuff, and I tried to stay out of it. Do what you want to do.

MB – Maybe we'll have a majority, we'll have a majority, we probably do.

PG comment: Burton's goal is not justice but to ensure a majority vote for my expulsion.

01.50.14

MK – To drum (indecipherable)?

MB – Ah, huh.

MK – OK.

MK – About this afternoon, could you continue on and talk about the perspectives from, you know, sort of bringing it all together, because you've had more conversations with Gerrard [the lawyer] than I have, and I think you could really represent that well, and I am happy to supplement.

MB – Well, why don't you chair, and I'll do that as an introduction.

MK – OK.

MB – I mean there's a push to make a decision by the end of the day, isn't there?

MK – Yep.

01.50.48

MB – I mean, there will be a lot of hyperbole from David in terms of consequences. But I don't think people like that really. I mean, we've got, I'm sure we've got (indecipherable) a show of hands, we'll make it clear what the vote is, and it seems to me that, the question is, what will we do with him? I mean if we do require him to leave the board, that might be easy, then we'll certainly (indecipherable) with David, then the issue, then the argument is what is going to change. And the answer is nothing. For me, one of the most powerful arguments ...

MK interrupts – That's more work for us, going over every single dispute.

MB – Yeah, I know, I'm not going to do that, it's just too unpleasant and it's just not ...

MK interrupts – When I accepted the job as co-chair, I did not expect this.

MB – I did not expect this either, so I think we might get somebody else, we might ask Rae or Nicky to do the sort of, I think we should pursue it to the end now.

(Door opens)

MK – I'm taking a ton of shortbread instead, to keep me going.

PG comment: The co-chairs did not pay attention to my [66-page report to Counsel](#), with 7 appendices, which I wrote in response to the 330-page binder Burton had put together about my alleged failures over 15 years. It took me a very long time to prepare it, but I felt it was worth it, as I was convinced my rebuttal of the charges would exonerate me. I had no idea that I would be exposed to a show trial where the judges did not pay attention to due process, the truth, and their conflicts of interest.

Part 5, the last two hours

00.00.00

MB – I guess I'm going to flip things around just to, we, we articulated what we

believed the options were and what the lawyers advised before, there's the do nothing option, there's the option introduced by David, which is the sort of mediation and/or behaviour change, dispute resolution, or what have you, there's the issue of breach of code of conduct of Trustees that we require to resign, whatever that might mean, and then there's the issues of his membership. And the place in the Articles that you need to look for this is, and I think the reasons I'm doing this first, I think is the broader issue, it's in item 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 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. If it doesn't refer to, in bringing any of the employees into disrepute, that's because this is a document for members and Trustees. The employees are separately covered in the sense that, you know, we know that we can't (indecipherable).

00.01.34

MB - The issue of reasonable opinion. This is the point that the lawyers that we have to look at things in the round, and if we decide that article 5.2 in some way is triggered, the reasonable opinion, and we're allowed to, in fact encouraged to look at a broad range of behaviours. So, this isn't the case of simply having to focus on one or two specific things, it's about saying, OK, if the board decides that there is a problem that can be remedied or the board decides that Peter's behaviour is outrageous or wrong or whatever words you want to cover it, if we believe that he can't accept clear instruction on not to do things, if we look at the Collaboration Agreement which he is committed and bound to support and feel's he can't, if we look at the attacks on the CEO and regard them unwarranted, if we look at the attacks on the other members of the Governing Board and regard them unwarranted, and I would have to say, that I would regard them unwarranted given Counsels report ...

00.02.37

MB interrupts - All of these things can and should be taken together, to look at whether in our reasonable opinion, based on all of that, he is actually guilty of misconduct based on 5.2.1 or 5.2.2. Interestingly, it's not, it, if it has had a serious adverse effect, simply the likelihood that it might be, is sufficient but I don't think that is necessarily that relevant. The lawyers did point to us, it was their suggestion that we ask Peter if he accepted the contents of the report because in the report at 104, the Counsel report, it is clearly articulated in what Counsel have, it's believed that Peter should behave and why he has not behaved.

PG comment: This is not true. I have acted within the rules and Counsel did not find I had breached the rules (see Part 2 under 00.59; 104 is about the Collaboration Agreement between the CEO and centres, which Counsel had misunderstood believing that centres are only allowed to do Cochrane work.

01.03.27

MB – So that's, that's, that, what we look at if we want to, if we believe it should trigger 5.2 but the alternative (indecipherable) 5.2 automatically, includes the (indecipherable) board position. But the alternative is, the first thing to think about is whether he remains Trustee, as I say, the situation is slightly more complex if he doesn't agree to resign. So, there we are.

00.04.01

CM – Um, there's one other thing that I would like to see and that would be a letter of apology to Mark, as some component of this.

MB – Thank you.

RL – The question for me would be whether we have the ability to (indecipherable).

CM – We can ask.

GG – I agree, I think we need to see the whole picture, but we also need to see the consequences beyond Peter, the consequences for the Cochrane Collaboration. The message that we send to the people out there, it's larger than Peter.

PG comment: In the upside-down world of Cochrane, Marshall suggests that I should send a letter of apology to Wilson. Really? The victim of six years of harassment should apologise to the bully?

00.04.52

MB – It is, and as you'd imagine, I've advanced this argument to the lawyers and there is, their response was, that these are difficult decisions, and we shouldn't be afraid to make the right decisions solely on the face of the consequences. I think the other thing I want to say is that they will work with us in any and all ways we want them to do to try and, they will clearly protect us against people that do things that are illegal or defamatory or whatever. They are experts in reputation management, they know about our reputation, they know about Peter as I said earlier, and we could, we could be guided by them, they've offered us their support.

00.05.30

MB – So, clearly there is an issue of communication and action, and there's a lot to think about to mitigate those risks. But they have argued that those risks can be, all the risks can't be taken to zero, of course you're right, but they can be reduced.

00.05.55

MK – Joerg did you have a comment?

JM – Um, no.

NC – Well, just very briefly, I think whatever our decision is will impact on our reputation, whatever we do, whatever we do.

CM – Or doing nothing.

NC – Including doing nothing and that's our decision to do nothing. And doing nothing also is a decision that will have impact.

MK – Tracey, then Joerg and then Gerald.

00.06.13

TH – Whatever happens and whatever decision we make is a decision that the whole board must follow through, we can't have people going out the room afterwards and saying something the opposite. That's our rules and responsibilities as Trustees, is that we have to accept the majority decision of the board. I think under the charity rules then, um, you are duty bound to speak with one voice. So, whatever happens, whatever decision we make, we all have to have a party line on that.

MK – So, we've got Joerg and Jan and then Rae, David and then Nancy.

00.07.08

JM – I just want to come back to the risk. I think it's about balancing the risk of the different options. I agree with Martin, clearly the risk of reputational damage if we kick Peter out can be managed in some way, and if that is professionally managed that would be good, but it's really about the balance. Um, if he remains on the board with whatever restrictions.

MK – Thanks Joerg. Jan.

00.07.32

JC – It's really quite, um, even in Counsel's report, when we were in Lisbon, the communication between Mark and Peter, actually Mark thought that things were resolved and that everything was going to be good. What happened is a consequence of, in a short period of time, and Peter has made personal accusations against Mark and I suppose what I wonder is if Peter didn't reply, if Peter didn't take the opportunity to speak to Counsel, what is the process, the due process whereby he is given opportunity to speak, and I supposed we asked earlier on whether or not he is in agreement with the Counsel and he said no, but it didn't sort of like get into it, and I suppose looking at 5.3, it does say that notification ...

NC interrupts – He has a right to be heard.

00.08.45

MB interrupts – yep, yep, so, so, so, so, we, we, we've asked him this as well. So, if we decided to give him notice that we were terminating his membership, we'd give it in writing and there are two options. We can either say we only want your answer in writing and the lawyers advised giving 7 days for that and while, while, while during that 7-day period he remains a member, and still has to abide by the rules of membership, because he is not, unless he waives that right and just says 'well, I'm going now'. We have the opportunity of hearing him; we can say we'll hear him orally at our discretion. The questions then would be, you know, when? Do we give him 7 days and then hear him orally, or I mean, it's up to, or, whatever, it has to be fair, we can't just say you have to come in 30 minutes. Everything would have to be fair. There is a provision there for that.

MK – So, we have David, Nancy, Rae then Tracey.

00.09.40

DH – Yeah, I think it was rather unfortunate that Peter didn't really have time to express himself and there were interruptions this morning and I think, before proceeding, I think we should give him a chance to answer questions that we might

have without being interrupted and to be here. I don't think it's, um, I think that would be only fair.

00.10.07

MB – So, so, we've addressed this as well, in fact we gave him more time this morning, we gave him more opportunity than the lawyers actually advised us to do. Um, they simply said to give him the opportunity to give a yes or no answer to whether or not he accepted the report. He's had ample opportunity and has provided ample documentation and declined a chance of speaking to Counsel. I mean, I, I, I cannot agree that he hasn't had every opportunity to state his case. He's stated it very comprehensively. The barrister took this work on a 'fixed fee' basis, not realising how many days it would take, so, so, so, we actually got good value for money there because it was an inordinate amount of work.

00.10.52

DH – As far as what Tracey said, if those of us who, if there's a minority position of people who don't agree with the decision, and they make that known that they're in a minority position, they would automatically be excluded from the Cochrane board, um, I don't ...

MB interrupts – No, didn't say that.

DH – One thing is to accept what the majority says, and the other thing is to keep secret that you're not in agreement with them.

TH – But it's not about keeping secrets, it's about having a unified voice and that one of the clear statements in the conduct of Trustees, in the UK charity ...

00.11.32

DH interrupts – Yeah, obviously the board, the board has its chairs who can represent the board publicly, but if someone asks you, 'did you vote for that?' and you say 'yeah', I mean that's part of anything. Even the judges on a court in a minority decision say all kinds of things, I don't think it's a question of someone being excluded just for their opinion.

CM – It's different from what I understand. I mean, in the Westminster tradition of cabinet decision-making ...

DH interrupts – That's a political party, we're not a political party.

CM – No, no, it's a legal framework.

MB interrupts – She, she, she's right, I'm looking at, I can, it's absolutely true because we've done charity board training before. You either have to accept, you accept, and you work with it, and you promote that point of view. Or, if you cannot accept it, then you need to resign from the board.

00.12.30

CM – So, you can't say the others all voted for it, but I was against it. You've got to say, as a board, we made decisions, and this is what it was.

NC interrupts – I'm a member of the board and this was the decision!

MK – Nancy.

00.12.44

NS - Um, so typically with a majority of 6 to 4 or whatever, so we're sticking to that. If it's one more than the other, then that's it? Or does it need to be 8% or what are we ...

MB interrupts – It's the, we've only got one, the majority are voting but if the voting means it is tied, the chair has the casting vote. That's in the articles.

MK - OK, Rae?

00.13.10

RL – Um, I was just going to make the point before that if it gets to the membership issue, there's a two-step process in terms of our ability to, before we can actually finalise a decision, we do have to be prepared and do genuinely consider what he has to say. Um, I do think that in terms of the, I agree with Martin, in terms of the process generally, that with each of the letters, with each of the issues that have come up, he has had an opportunity to respond and in terms of the lawyers' review, we've got 66 pages from him, which, like the rest of you, I read carefully last night, and, in terms of the process, he's had the right opportunities to date. And there is that extra step if we do go that far, and we should absolutely not finalise the decision until he has had the chance to talk, and we do need to genuinely consider what he has to say.

00.14.09

MK – So, at this point we want to start talking about options on the table?

RL – One thing that I kept reflecting on, and this came up earlier, was to try to get Peter to agree to an agreement, you know to try to get something through Peter to (indecipherable), my view, and yes, I'm on the job come-lately, I've only been here a year on Cochrane, but looking back at all the history, and yes, I agree that it is unfair to revisit the history as such, but what history has shown us, even more recent history, is that there have been lots of opportunities to try and get an agreement in terms of trying to change his behaviour, and it hasn't happened. And I don't think it's realistic to expect that we can do that now.

00.14.56

NC – So, I think this is germane to this discussion. I had a brief exchange with Peter literally just before I came back in the room and he said how appalling the HPV review is, it's much worse that we even realise. Um, and I said, oh right, and he said, yes, just wait till you see our next paper. And I said, 'you're writing another paper?', and he said, 'There are several more papers in the pipeline'. So, going back to what you said, doing nothing is not an option. And this behaviour is never going to change.

PG comment: This is scientific censorship. We are not allowed to criticise a Cochrane review in our scientific papers, which is outrageous and goes against Cochrane's spokesperson policy.

(Knock at door, Martin goes to the door)

00.15.30

MB – No, no, sorry, you ...

(Door bang)

MB (with an accusatory tone) – Don't push your way in, don't push me.

PG – I'm sorry. I have a question. This is unacceptable. I have been out the door for four and a half hours, I am coming in here kindly, to ask you, I am leaving, and if you need me, it might take a little time. I'm not even allowed to tell you. Martin, this is totally unacceptable.

MB – So, so, so.

PG – And you talk about my behaviour? That's really funny. OK.

(Peter leaves and closes door).

00.15.56

MB (indecipherable) - So, he's pushed past me but he's actually, you know, he's down and dirtied my shirt, and he may or may not have, he's actually bruised my arm here. So, he pushed past me to get in. OK, I think we should move on.

MK – Ok, yes.

PG comment: Burton opened the door but blocked it and tried to prevent me from saying anything to the board. I barged one step into the boardroom to deliver my message, accidentally bumping into Burton on the other side of the door. Burton deliberately overdramatised things so that it reflected badly on me and tried to imply that I targeted him. I barely touched Burton's arm, but Burton continued his pathetic performance (see below), talking about the police and getting ice, and CM (currently co-chair of the board) and Koster stepped in, too. This was characteristic of the whole show trial. Making a lot of noise about nothing, and inventing false accusations (see also below), is what a show trial is about.

00.16.17

CM – Do we need to just have a few minutes?

MB – I'm sorry, I mean, this is damage and assault here, do I go find the police or do I not. And I'm not going to do, but you were in the room. I simply held the door partly open and said, Peter, I'm sorry, we're still talking, and he forced his way past me.

CM – That's what I saw.

MB – Yeah, I'm fine. It's just, you know.

MK – Nicky, why don't we hear from you?

NC – No, I think I've said it, really.

MK – Nicky, I don't think Martin really heard what you said.

NC (indecipherable) - Um, when I had a brief exchange with Peter before we came back in the room and he said, he said ...

MB interrupts – More papers, sorry, yes, I did hear that.

NC – Yes, more papers, several more. So, my point of raising that was just to underline the notion that the behaviour isn't going to change. Mediation won't make a difference; this has been going since before 2003.

00.17.23

MK – Martin?

MB – No, no, I'm fine, I'm fine, it's not huge damage, but there shouldn't be any damage at all there, should there? You should not have that. And if I don't

photograph it, Peter will deny it ever took place. I'm fine, thank you.

00.17.36

MK - Gerald?

GG - Um ...

JC interrupts - You don't know what to say now.

MK - Does everyone want to take a deep breath? Let's just adjourn for 5 minutes.

MK - Martin, think you need some ice on that?

MB - Yeah (indecipherable).

(Martin leaves the room)

00.17.55

MK - Oh dear.

NC - Did anyone speak to him in the lunch break and tell him how long this was going to take?

NC - Well, I had a brief conversation with him because he said, 'should I go back to Denmark?' and I said, 'well, look we'll try and wrap this up as quickly as we can, but we just need to end this discussion to get to the next'.

CM - This doesn't excuse any of that, but he has been sitting around for hours.
(Chatting and agreeing)

00.18.25

MK interrupts - Normal behaviour at that point would be to knock on the door, ask, look, I think I should leave and go back to the hotel and whatever it is, it's not barging in and pushing on.

RL - No, no, I'm just curious, we followed good enough, in terms of process, but ...

JC interrupts - Though, at the start, we did say we would call.

RL - Yeah, after he came back and (banging of door).

JC - Though I agree, we should have just said, just go back to the hotel and we'll call you.

CM - But the behaviour is unacceptable.

MK - Exactly. Gerald, did you want to say anything?

GG - No.

MK - Or did you want to pass? OK, Nancy?

PG comment: I tried to do what MK suggests I should have done but Burton wouldn't allow me to say anything and tried to shut the door right in my face. Then MK and CM say my behavior is unacceptable.

00.19.23

NS - I was just going to say, he has done this multiple times, but actually thinking about the reputation - when we have to start thinking about the reputation - and I think that he has done, is actually, you know that whole mammography screening, I think it was actually him that got people thinking about the harms of mammography screening early, so you know, even though he's published this and it wasn't the right, just think of the reputation part. That's all. I mean, we can have a discussion ...

NC interrupts - Yeah, I totally hear that, but that totally goes to Catherine's Me Too

statement before, just because all these actors or whatever have all done amazing work it doesn't mean to say that you can disregard everything else.

PG comment: I did very important research on mammography screening, which others have confirmed, but then NC brings "Me Too" into the picture, which is totally inappropriate and deliberately designed to impugn my character.

00.20.00

CM – There are standards of professional behaviour that we should expect and not excuse.

(chatter)

NS – but it didn't harm the reputation of Cochrane ...

MK interrupts – Nancy, can I ask you, Tracey was next, and then we'll go to you.

00.20.12

TH – I'm just gob-smacked really that, that behaviour just happened and knew that we were all sitting here having a discussion and we'd all observe. To me, it smacks of that he doesn't really care what people think about him to some extent, and if he's prepared to do that here, what other things, what other behaviours has he exhibited in other meetings when he's representing Cochrane. And if he's acting like that ...

CM interrupts – That's evidence based, nah (laughs).

TH - He's got a track record of that, storming off in Cape Town and all of the things that happened, it's, it's, it's not an isolated incident, it's every single meeting, there's an outburst of some description and I can't imagine that it's isolated to these meetings here, it must happen in other meetings, but, you know for me, that's an issue.

MK – Nancy?

NS – No, that's fine.

MK – Anyone else want to speak up at this point?

00.21.30

JM - Just a question, how long is he to be on the board if we don't take any action. It's another 12 months, is it?

NC - Three years.

JM – Three years?

MK – And he could renew it.

JM – Yeah, but he would need to be elected.

00.21.48

MB – I'd like to make a point that I was going to make before, which is this. If Peter leaves the board, it sorts out some of our problems in the sense, it sorts out the problems with the meetings. It makes no difference, whatsoever, to anybody else in the organisation if we just kick him off the board. He will carry on, doing all the things he's done, he will persecute Mark and David and, perhaps persecute is the wrong word, I withdraw that word. He will do things that will occupy hours of their time, and the co-chairs' time and everybody else's time, and so I just can't see, I can't see myself going to Mark or David or anybody and saying to them, we've had a

board meeting and we've asked Peter to leave the board, and, by the way, things are going to continue to carry on, exactly the same. I'm almost saying, I, I just don't want to do that. I don't think that's right, and I think, what, what does that message say to everybody else? It says actually, the board are rather selfish

CM interrupts – What are our obligations, our legal obligations to staff?

MB – Exactly!

00.22.53

NS – Did it all just become just more intolerable because he's on the board and so, um ...

MB interrupts – It got, it got, it got more difficult to Marguerite. In a sense, I think there was that feeling that when he was on the board that he would understand more about what we were doing, how we were trying to improve governance, and I mean, I don't know, I'm just second guessing, that's what we thought.

00.23.19

JC – Yeah, as I actually said to David at lunchtime that, before you joined, actually there was a real sense of 'great, OK, he's now in the camp and we'll be working together, he's got so much to contribute and' ...

MB interrupts – And he was kind and generous. At the end of the first board meeting he was kind and generous and actually said, before I joined the board, I didn't think very much of Mark Wilson and Martin Burton but actually now, and at that point we all thought, wow, that's great that we're making good progress here.

JC – Yeah.

MK – Rae?

00.23.53

RL – Just an observation because I was thinking about this, is it better to keep him inside the tent or outside the tent, because he's going to do a lot of harm and we're worrying about reputation, but I think, hearing earlier from Marguerite who has (indecipherable), and brought him in, it would be fine and we'll manage it, what we've seen is that's not going to work, keeping him inside the tent. It just doesn't work; we've seen evidence of that.

00.24.20

JC – I can't articulate how sad this makes me feel. I really, and I'm not sure, how much Peter is aware of the huge sense of respect and regard people do have for his work and what he has achieved and where Cochrane is, in part because of him, but I, I, I mean, this is possibly one of the most difficult decisions I've ever been asked to face. And what we've discussed for 5 hours or 4 or however many, and just witnessed, I'm, I mean, I'm just speechless, but we have to make a decision.

MK – Gerald?

00.25.25

GG – I mean, we've all witnessed what we've just witnessed, but the question is, excluding him from Cochrane is an extremely heavy-handed decision and the question is what is the damage or potential damage so far to Cochrane, it's really

annoying and frustrating to all of us and to the CET [Central Executive Team], excluding him from Cochrane based on what exactly is 'bad behaviour', is that really enough?

00.25.54

CM – Well, we could just call the police now and then.

MB – There's no doubt and we've had this discussion last night with Gerrard [Cochrane's lawyer], there's no doubt about the behaviour, Gerrard has read all of the documents, there is no doubt that they believe this is, they, they will defend us to the hilt if the we act in this way, there's no question about that, not in the media or anything else, I accept all of that, but in terms of, there is no doubt about the legal correctness.

GG – I have no doubts about that but that's a larger social ...

MB interrupts – So, so, so, say I think, I think, I agree about grave behaviour. To carry on the Me Too analogy, you know, Kevin Spacey was a great actor he did wonderful work, you know, this is about, not about the good things, lots of people who do bad things, do lots of good things as well. Sometimes there's sufficient bad stuff there, you've just got to call them out.

PG comment: The "Me too" comparison again, which is totally inappropriate, irrelevant and defamatory.

00.27.02

DH – But this is criminal behaviour.

JM – Yeah, I don't think you should compare criminal behaviour with that.

CM – Well, assault is not, assault is ...

DH interrupts – Oh, come on Catherine.

CM - Well, it's a technical assault.

NS – But we're not talking about that actually.

CM – But we could.

NS – But really?

MK – Think about it. It happened at this very meeting.

CM – We have all witnessed it and there's no reason why we can't call the police.

RL – Who would do nothing.

CM – We don't know that.

GG – They would laugh at us.

NS – Probably, he's a big man, he probably pushed the door.

(Disagreement chatter)

JC - I think it represents his frustrations and possibly our upsetness and concerns, but I don't think we should focus on that because it's the decision based on what is happening within the wider sphere.

PG comment: Here is a little understanding from JC that one might get upset after being denied delivering a simple message after over four hours of waiting outside the door.

00.28.09

MK – I'd just like to add to that. Some years ago, I had this exact same discussion with David, and Catherine was with me, and where Peter felt that there was a conspiracy to take away the Cochrane Nordic Centre from him and he was completely upset, and we spent hours with him talking him down. So, this is not the first time that this kind of issues has come up. It is just serial. It just keeps repeating and repeating itself. And I think that that's important at this point. OK, so Nancy and then others, Nicky did I see your hand up.

PG comment: This is not true. The truth is that I had asked Koster and Marshall for a meeting because Wilson had threatened to close my centre on several occasions. I was very concrete and pointed out that Wilson was behaving unfairly to me and clearly wanted to oust me, just like he hunted down other influential people in Cochrane that had played a major role in making Cochrane a success. One man's bad behaviour cannot be a "conspiracy." The meeting lasted only one hour, and MK and CM were both pleased with it and asked me to run for the board, which I did, successfully. David Tovey was not present.

00.28.42

NS – So, if we say that he is no longer a member of Cochrane, which seems so odd to me, given that Cochrane supposed to be open to everybody, and now we have membership, so, to actually say that he is no longer a member, is it really going to affect what we deal with? I just don't think that is the solution.

JM – No.

MB interrupts - It is, it is, it is in fact, with respect, because he can write or publish with the University of Copenhagen funded by the Danish Ministry of Health, that their organisation will allow him to do it ...

NS interrupts - But it's not that he, we don't even know that he did a bad thing with the spokesperson policy! The Counsel said that it was clear, so, in some ways if we're getting rid of him because he is violating the spokesperson policy ...

PG comment: I have never broken the spokesperson policy and Counsel exonerated me. But the show trial demonstrates again and again that evidence seems to mean nothing to the board, although Cochrane is an evidence-based scientific organisation.

00.29.27

MB interrupts again - Let's let's, let's be clear, we're not getting rid of him because of a single or even two or three violations, we're getting rid of him for a whole series of things that we have wrapped up together, which is what the Counsel, the lawyers, said we should look at, we should look at the whole behaviour and everything and those pose these particular questions, which were the questions that I said to you. Is there a problem here that can't be remedied? Well, I would argue that there is a *definite* problem that can't be remedied. Is Peter's behaviour outrageous and wrong? They weren't my words; they are the words that the lawyer came up with after having read it. And I would *absolutely* argue that it is outrageous and wrong. Can he accept the clear instruction that he cannot do certain things? Well, no he can't! He doesn't even understand section 104 of the report, because he doesn't

even understand what he is or isn't allowed to do under the Collaboration Agreement, even though that is an agreement that he has broken, so, we can have as much huffing and puffing as we want, but as far as I'm concerned, he needs to leave the collaboration and have his membership taken away.

PG comment: This is not true, unless Burton refers to something the lawyer did not write but told him. The only use of the word "outrageous" in [Counsel's report](#) was by Mark Wilson; it was about an email I had sent to the board and which Counsel did not find any problems with ([Counsel's report](#), page 16). The only time Counsel thought I might have done anything wrong ("I respectfully think...", page 25), I did not do anything wrong because Counsel had not understood that centres are allowed to do work which is not Cochrane-related, and that this work is important for their survival, as it brings vital funding (see Part 2, under 00.59.00 and 01.28.30).

MK – Ok, so we have Nicky and David.

00.30.31

NC – Well, no, I would just support that proposition that he is expelled from the collaboration, and, um, I think he should have known to change his behaviour over the years, and I think we're in a very serious place. Now, I think even putting the spokesperson policy aside, he's made massive accusations against senior members of the collaboration, really, like tampering with evidence, you know, about the direction 'an individual' was dragging the collaboration in. And those sorts of accusations are not fitting for a board member, and I don't think any of these problems will go away whilst he is still a member of the collaboration.

PG comment: Board members are obliged to point out if there is mismanagement in a charity, which I did, and I [complained to the Charity Commission](#), on 9 October, which trustees are also obliged to do. NC indicates that a board should never criticise a CEO, which is wrong and highly likely to harm the charity.

MK – David?

DH – Getting back to the bigger picture, I'm always looking at the bigger picture, this is all very depressing to me, very depressing. Um, externally what people will see is the HPV criticism will be the straw that broke the camel's back. From what I've heard, some very prestigious people, some members of Cochrane, including some of the founders of Cochrane are going to ask for a retraction of the HPV review and that the first signatory of the review hid his conflict of interest while receiving, right now, receiving money from GSK. So, this will add a lot of fuel to the fire. And apparently, it's true. I don't know what kind of money he was receiving, if it's directly money on vaccines, I don't know. But he didn't declare it. But I don't have the proof either, this is what I've heard.

00.32.13

MB – What's the first thing you said, sorry I missed that just then, about the big picture?

DH – Yeah, we need to have the big picture. So, what I'm saying is that this is just

one example but obviously, um, Peter, is often his own worst enemy, so, yeah, obviously this kind of behaviour is impossible to defend. And, I wish I could, yeah, but I think that this exclusion from Cochrane is something he is prepared for and it's going to have a great cost and unfortunately, there's a whole bunch of other issues that have nothing to do with Peter that I found out about, that are kind of being swept under the table, and you might say it's just a personal behaviour thing with Peter, but there are a lot of issues that are being dealt with but in my opinion, from what I hear from the founding old members, whether they be more radical or more moderate, that Cochrane is not, and as a board member I'm concerned about that, that Cochrane is not adhering to a lot of its basic principles of transparency and conflict of interest and things like that. And I think that will be, with the exclusion of Peter, will be used to belnap. So, I'm concerned about Cochrane, not the exclusion of Peter, and I know you say these are totally different issues but in the mind of people, people think in gestalt, people don't think about the trees, they think about the forest, and I think we have to think about that.

MK – Tracey, and then Nicky.

00.33.55

TH – I'm just concerned about how much time we have devoted to Peter. Not just at this meeting but at previous meetings and trying to cajole and all the time and effort that's gone into trying to make Peter happy, and actually all the issues you just talked about David, we're not even addressing, because we haven't got time to address them because we just sat here discussing this.

MK – Exactly, Nicky?

PG comment: I continue to be blamed that the board has used a lot of time on issues related to me, although the blame should be put on Cochrane's CEO Mark Wilson and his staunch supporter, co-chair Martin Burton, because the trivial issues with the spokesperson policy could have been dealt with easily, with very little use of time. JM agrees with my view, see 00.36.34 below. In addition, Burton distorts the facts (see under 02.05.14 below): 'This has been going on for years and years, and it is getting more and more difficult and more and more time consuming to do this baby-sitting ... I just don't want to spend 6-7 hours a day, which I have done in the last few weeks in the run up to this board meeting, dealing with these issues'.

00.34.22

NC – Just to go back to the point you've just raised David, I don't know what these other issues are, and I have no idea. I can say there are relatively few of the original people in Cochrane, still involved in Cochrane actively. Very, very few. I'm one of them. I would say that of some of the original people that I know that are still involved in the daily Cochrane work, there is a plurality of views about Peter and his continuation in the collaboration, I say that wholeheartedly.

DH – No, I'm not talking about Peter, I'm talking about ...

NC interrupts – Oh, and all the direction of Cochrane.

DH – Obviously, there is a plurality, but I would think that coupled with the expelling or the expulsion of Peter, some people ...

NC interrupts – Some people will ...

DH interrupts - Ok, some people, well, this will be significant, it will be very significant. And I think, as a member of the board, I feel on issues that are important to me like open access, open data, conflicts of interest, I basically feel there has been a really tremendous lack of attention, just like you've seen in the BMJ signed by Ioannidis and Goldacre, there has been a lack of interest and that will be seen as Cochrane moving towards a pro-business profile.

00.36.00

RL – I just wanted to, I mean, David, I think you're right to remind us of how it will be seen but I think some of that will be around how we, how the decision is communicated and managed. We still won't ultimately be able to determine what people think, what they won't think, depending on their perspective, but it's certainly a risk that we could try and should try to mitigate.

RL – I also agree with the others that, who've said, I for one have been on the board for as long as you, I would like to see us spend more time on those important things and less time on Peter and his behaviour.

MK – Joerg.

00.36.34

JM – I'm struggling to blame all the time we've spent on many of these issues over these meetings on Peter only. I think it's a mixture here because he is the one that tested the boundaries of the spokesperson policy repeatedly, and we spent lots of time discussing the spokesperson policy and how it could be remedied potentially, so I think it's not fair to say that we are spending all that time just because of Peter. He is just flagging it; he is a result of us having to tackle these issues. And the other point I wanted to make, it has been made before, I think the reputational damage of us excluding anyone based on bad behaviour, someone who has been outspoken and critical of Cochrane is probably uncontrollable from my point of view. And I think the time that you guys will spend on managing Peter once you kick him out will be way more than managing him while he is in the collaboration. I might be wrong, obviously.

PG comment: JM warns the board repeatedly that expelling me will increase the time substantially that the board will need to spend on the reasonable issues I had raised. GG supports JM just below in that the issues are not really about me but about important principles.

MK – Gerald and then Catherine.

00.37.29

GG – Well, I'm, we are setting a precedent here, and what if I this gets published in the BMJ, will we all be expelled, will all these people be excluded because they speak out against Cochrane? These are senior, well-known people within Cochrane. If that letter actually gets published, what are the next steps?

MK – I'm sorry Gerald, which letter is this?

GG – Well, the letter that David just mentioned before, there is a letter apparently coming from senior Cochrane people asking that the HPV review gets retracted from

Cochrane because of lack of (indecipherable). So, what does that mean, what does it mean for us?

00.38.14

MB – Let's just jump these when they come to us. We're dealing with what's in front of us.

GG – But this is a precedent. This is more than Peter. This is more than Peter.

CM – Um, I was wondering whether it's a view that we could make a decision first on whether it is appropriate for people to remain as a board member. And make a decision on that and then take the next step, depending on what we decide there.

00.38.49

MB – I mean, if people feel they are ready to make that decision first, but I think, I think, the second one is the more germane one but whatever, you're the chair.

MK – Does that tend to be the general feeling here, is there anyone who is against it right now, or would like further discussion? (silence). Ok, it seems before us, a decision needs to be made whether we ask him to resign from the board.

MB – That we require him to resign from the board.

RL – On the basis that he has breached the code of conduct?

MK – Yes.

MB – Let's just have a show of hands.

CM – No, let's have the wording, um, I really don't want to have any ...

00.39.37

MB interrupts – So, do you want me to be the scribe?

CM – Yep.

MB - The board requires Peter Gøtzsche to resign from the board, on the basis that he has breached the code of conduct of Trustees.

JM – Can we be more specific?

MB – We don't need to be more specific.

JM – No, no, just to be clear for us, not necessarily the message to the outside.

MB – I mean, there's all the behavioural issues about respect and everything else, let alone the issues about the actual publication of the article.

RL – Just wondering whether it needs a few words to make it clear that it is an issue about the whole rather than just about the review from the Counsel or the HPV article, it's actually around something that shows it on the basis of all of the matters that we've been considering or something.

00.40.28

MB – You've raised my memory, I knew that David had said something that maybe I wanted to say something, and that is, in terms of process, David [Hammerstein] said he thought people would blame it on the HPV review. We have the option to say that we, that there were a series of other events that were conducted into a review by Counsel and that it is absolutely not just the HPV review, we can say this is based on several factors.

GG – We need to name them, we need to name the events; otherwise, this gets out of hand.

PG comment: GG worries that things may get out of hand. The co-chairs do not want to be specific about my alleged wrongdoing because they have no viable case against me, and they go back to Counsel's report all the time although his report exonerated me. This is one of the hallmarks of a show trial.

00.41.04

MB – This is not, this is, this is, I think we can take the advice of the lawyers on what we particularly ...

GG interrupts – Yes, but the lawyers will not manage the Cochrane discussion.

DH – They will have no idea. Zero.

PG comment: When Burton is short of arguments, he constantly talks about the advice of the lawyers, but two board members tell him that the lawyers are not useful for discussions of Cochrane issues.

00.41.13

CM – Can we go to the code of conduct? Because the code of conduct gives us some wording ...

MB interrupts – But, but the articles give us wording, we, when we get to that, the board requires Peter to resign as trustee of the Governing Board because of several, well, because he has breached the code of conduct of Trustees.

NS – So, is this the statement going out to, in public, open meeting minutes or something. I mean, if we're going to ask Peter, could you please resign.

MB – This, this, this, is the motion that will be recorded in what are our confidential minutes that we keep for the board only restricted time, and I can only imagine if the charity commission or anybody else asks to see them; they're not going to be public. The message that goes out is that he, um, well, we can quote it if you want.

MK – That he breached the code of conduct.

PG comment: It seems that the reasons for my expulsion are unclear and that they will be kept secret, likely because they cannot be explained. The ravings back and forth about what the reasons should be continue below.

00.42.15

MB – I will say, Rae, you're the expert here, in general, the lawyers' counsel told us that less is more. The point is, he's broken the spokesperson, um, he's broken the code of conduct for Trustees, full stop, and I don't feel we need to say any more than that, personally.

NS – And it's based on that he is ruining our reputation?

RL – That's all within, that's all within the code, yeah, that's what Catherine's got and she's looking at the wording from that but I'm not sure.

NC – So, when speaking or writing as a board member, ensure that comments might reflect current policy even though they might be at variance with personal views?

TH – Respecting the authority of the co-chairs of the board or chairs of the meeting?

00.42.59

MK – He has made, um, you know, defamatory comments about the CEO, about the board members, I mean, there's a litany of different things here as well.

NS – So, what is that, the policy?

MB interrupts – So, so, so, so, can I just, just, just, just ...

MK interrupts – We don't have to put that on there.

NS – Just because you don't like his behaviour, or whatever, you know, we all think about different things, we need to be clear when we say it to him, it was because of this and that and that and this.

RL – Catherine, we can't have the spokesperson policy ...

MB interrupts – It just ...

RL interrupts – It's just getting problematic.

MB – You *just* have to say that he breached the code of conduct of the Trustees.

That's all you need to say.

NC – I think the problem here though is that people aren't sure that that's, there are people here, I'm guessing, that aren't sure that that is the case.

NS – Yeah.

JM – Yes.

MB – You don't think he just breached the code of conduct of Trustees?

NS – It just says, it just says the policy, but what does it actually say?

TH – That there are things that must promote leadership by example, adhere to charitable practice, avoid dominating contributions of others.

NS – Should it be, I've just thought of this now, that it says code of conduct while he was a board member, because he was elected to the board, given what he did in the past, though the Cochrane Collaboration thought that whatever he did in the past was still OK, and that his reputation was still good.

DH – He was the highest, apparently the highest voted member.

NS – So, shouldn't it have to be what he did during the time that he was here?

PG comment: The absurdities escalate by the end of the board meeting. My comments about Cochrane's CEO are factual, and can therefore not be defamatory, and they are internal, as they only exist in correspondence to the co-chairs and Counsel for internal use. It was my duty as a board member to raise issues about mismanagement of a charity. That the board gives the CEO immunity, is in itself mismanagement. Further, the board cannot even agree with itself whether I broke the code of trustees or the spokesperson policy, which is not surprising, as I broke neither. If you believe in justice, and even if you don't, it is frightening that, after five hours of deliberations, the board still has no clear idea about why I should be expelled or whether I had broken any rules. It is therefore understandable that Burton didn't want to be specific. Moreover, even if there had been concrete reasons, they would be kept secret. This violates fundamental Cochrane principles about transparency, openness, and accountability, and considering how grave the consequences would be - for me, my family, PhD students, other close collaborators, and for Cochrane itself - it is remarkable that the process wasn't stopped.

00.44.37

MK – Well then, if I can just read some of the issues from the code of conduct. For

example, selflessness, Trustees have a general duty to act with probity and prudence in the best interest of the charity as a whole.

NS – While he was here. Yes. And so ...

MB interrupts – While he was a Trustee.

NS – Yeah, so I guess that's what I'm saying. What are we pointing to what he did? And was it what he did over the past 20 years?

TH – No, it has got to come from Trustees.

NS – Right, so you keep on saying, given all that he has done, and it's like well, that was OK then but ...

00.45.10

MB interrupts again - So, so, so, so, the generality of all he's done can be considered in a moment in terms of his mentioning of the whole thing. This is about the code of conduct of Trustees. But look, if people seriously sit around this table and think if he hasn't behaved as a Trustee should behave, if you genuinely think that he has behaved, at all times, as a Trustee should behave and that he has followed the spirit of the, of this code of conduct, I think we're in enormous difficulty here. Because he has clearly breached the code of conduct of Trustees.

PG comment: They refer to events far back in time, even though they weren't a problem and were resolved at the time, which I documented in [my report to Counsel](#), and even though Counsel did not find it fair and reasonable to go even just three years back in time. However, they ignore this advice and try to say that these old events meant that I broke the code of conduct for a Trustee, although I had only been a Trustee for 20 months.

00.45.41

NS – If we're going to do this, we need to know and say, I think a bit more about what we can say to Peter. You know, you've done this, and you've done that and it's not acceptable ...

MB interrupts - And I, and I, and I can tell you right now, that we can make whatever list we like, and Peter will not agree with it. There's no question about it, but Rae, can I appeal to you as someone with expertise in this area? Do you think we should list more terms than that?

PG comment: Burton has stated numerous times that I will not agree with him, and he somehow seems to think it disqualifies me that I am able to defend myself, which I was not allowed to do at the board meeting. When co-chairs Burton and Koster cannot find any excuses for expelling me, they repeatedly, also just below, revert to looking at the 'bigger picture'.

00.46.08

RL – No, I comment in terms of things as a whole and in terms of whether we do need to be very clear and maybe it relates to later decisions than this one, but just being clear, um, and maybe in terms of how it is eventually communicated, that we're looking at a bigger picture than just one of the things we looked at this morning. But I think in terms of the motion now, and the Code of Trustees, just

looking at the list of things, and I think there are multiple things there, in my mind, that I don't think Peter has met by standard. I think that just to say the code of conduct is sufficient but I'm not a lawyer.

CM – So, the second lot of wording, um.

MK – Can you read it?

CM – The board finds that Peter has breached the Trustee Code of Conduct and requires him to resign as a Trustee forthwith.

NS – So, forthwith means right now?

MB – Immediately.

00.46.56

NS – Oh ok, can we have a conversation about that now because I think that will be perceived as a large risk reputationally, that, if it is done right now.

MK – Can I just ask, are we all agreed that he has breached the code of conduct and that he should resign as a Trustee.

JM – I want to make a comment. No, I raised my hand to make a comment (laughs). I mean, clearly, he has behaved unprofessionally, and probably by the word, he has probably breached the code of conduct. But again, I think we have to keep in mind how much we've been pushing that man in the last couple of years. I mean, if you push me that far, I'd lose my temper. Sorry. Mark lost his temper the other time and the Counsel excuses that. He grabbed me on the shoulder, I probably had a kind of haematoma, he shouted at me ...

DH – Assault, assault.

JM – He assaulted me, he called Peter a liar and we're excusing that! I have sympathy for that because it was a very intense situation. I can get along with Mark well, he apologized and it's fine. But I think that we need to keep everything in perspective, we are pushing Peter for years, oh (exasperated).

NC – And he pushes other people, too.

JM – Yes, he does, and I'm not excusing Peter's behaviour, it's just ...

DH explains to Gladys in Spanish what is going on.

(Interruption – chatter)

MK – Let's put a motion.

CM – So, ah, the board requires that Peter resigns as Trustee because he has breached the code of conduct, or the board finds that Peter has breached the code of conduct and requires him to resign as a Trustee immediately?

PG comment: JM points out that people are not equal in Cochrane, which I have pointed out repeatedly in this transcript (search on equal). He says that I have been bullied by Cochrane's CEO for years and that he himself would have lost his temper if he had experienced this. I did not lose my temper. The CEO did, and yet his outburst is glossed over by the board as if it never happened, and it was called an "isolated incident" by Counsel, although it wasn't (see Part 2, under 00.28.25).

00.48.37

JM – Sorry, just another comment. I think there are two issues. I am happy to state that Peter breached the code of conduct. But I think the consequence is a separate decision. There could be consequences, just giving him a warning, or whatever

requires him of the obligation, I think there are two separate decisions here.

DH – I agree.

GG – I agree.

GF – Yes.

MB – But, but, but, but in a sense they, they, they, they don't need to be voted on separately. If that motion is passed, then that's it.

JM – Yeah, if that motion is passed.

MB – So, so, so, um, if the motion is not passed, then we have to go back and say, we have to go, take a step backwards. I mean, I, I just, well, I'm just incredulous that there is really serious thought that he hasn't broken the code of conduct.

JM & DH & NS – No, no, no.

CM – So, is it two points, the board finds that Peter has breached the code of conduct. We could vote on that?

JM – Yes.

CM – And then two, the board requires Peter to resign as a Trustee immediately.

MB – You can vote on the two separately if you want to.

JM – Yes.

MK – Ok, vote separately?

JM – Yes, yes, I would prefer that very much because that allows me a distinction in my view to capture ...

MK interrupts – Alright, so let's take the first statement.

CM – The board finds that Peter has breached the Trustee Code of Conduct?

MK – A show of hands?

MB – 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11. Against?

MK – And David?

DH – I won't vote.

MK – Ok, abstain. The second statement?

CM – The board requires Peter to resign as a Trustee immediately?

NS – We need to discuss this more.

00.50.32

RL – So, I have a question, I don't know the answer to this, does it need to be immediately, because if it's untenable for the board that he should resign, to then have him sitting on the board, making decisions ...

MB interrupts – It's untenable. It has to be, we cannot have asked him to resign and then have him sitting on meetings, it has to be immediately.

MK – Catherine, you want to read the sentence statement?

CM – The board requires Peter to resign as a Trustee immediately.

NS – Do we have an alternative? Is the only option immediately right now?

MB – Yes.

JC – I suppose, how do you have the conversation, we want you to resign, then question it, the only conversation would be, you've breached the code of conduct, and/or anticipate he will resign (NS interrupts, chatter). I don't know, I'm not quite sure what ...

NS interrupts – It will be quicker to move forward and to have meetings with you and so could you consider resigning? It would, you know, it's not a requirement. You know, you have a mature conversation with him about ...

TH interrupts – Could we just vote on that and if then, make a decision if there is not a majority for the first thing, then we see what options are available to us.

00.51.53

MB – OK.

CM - The board requires Peter to resign as a Trustee immediately.

MK – A show of hands?

CM – Is that 7?

MB – 5, 6, 7, yep.

MK – Against?

MB – Are you abstaining?

GF – Abstain.

MK – And Jan?

JC – I did as apart of 7.

(Paper shuffling)

00.53.05

MB – OK, so, so, so, I think we'll move on. So, the second discussion is terminating the membership. And 5.2.1 and to a lesser extent 5.2.2 are the places to look in your, you look at those very carefully. I reiterate what we were told by the lawyers, if we are to reach an opinion, is that we can look at, we would be acting under our reasonable opinion if we looked at everything, the totality of what's been happening over a period of time. We don't actually have to *show* that there has actually been a serious adverse effect, just that there is likely to be. But I would argue that there has been, he certainly brought, sought to bring some members and some directors, by directors here it means board members, in disrepute.

PG comment: This is not true. I wrote and documented in my report to Counsel that Burton had mismanaged Cochrane. Thus, I have not brought him in disrepute; he did so himself by his behaviour. That Burton is heavily conflicted and should not have been allowed to be in the room, was not brought up by any of the board members, which is surprising and disappointing.

00.54.00

MB - I certainly feel, personally, he has tried to bring me into disrepute, but I don't want to make this, this is not just about me at all.

CM – Well, and Cindy, the letter.

MB – And Cindy and Lisa and Mark and for me this is all about now, all about the big picture, and we cannot possibly see any change here. And I think, Peter's sort of had his chances to try and change and you know, we've tried to integrate him into the board, and it just hasn't worked. And as I said earlier here, my issue here is that what will change in the organisation, um, I suspect we will still have a lot of talking to do at the board, because, you know, he's going to carry on, so I, I, I, I, support the notion that we take his membership away as well.

00.54.57

GG – I am totally opposed to it. It would be too heavy-handed. It would send a

terrible, terrible signal to everyone else out there and I agree with David, we have to see the larger, the bigger picture. There are many personal things that have been going on, and many frustrations but we have to keep the larger picture in mind.

00.55.13

NS – If we think of all the centres out there not doing good jobs, in a different way, um, we don't, it's just a long time to actually say we want to close a centre, or shut down a review group, or, to actually push for this seems odd given the other groups. It took a long, long time to come to those conclusions.

JM – Again, supporting what has been said. But I think, two points. One, I think it is disproportionate really, but also, in terms of the overall damage I think it's not for the collaboration, disproportionate as well, so, for Peter it's disproportionate and for the collaboration.

00.56.00

TH – I think there's some confusion about an individual and the centre. So, I think this is about an individual, we're making a decision about an individual, we're not making a decision about the centre or any other work on the collaboration. It's about an individual here.

DH – It would have the same effect.

TH – It may have the same effect, but I think we shouldn't necessarily look at it in that way. The issue is really about an individual and an individual's behaviour.

NS – No, that's very wrong. In Cochrane it is not about that.

GG – No, it is more than that.

MK – Ok, we have Rae and then Nicky.

00.56.39

RL – I have two questions to ask, I don't necessarily know the answers to. One is that on just what has been discussed. I'm not really clear on what are the implications for a Cochrane centre if the individual, who happens to be the Director, loses their membership, what are the implications for the other people in that centre? So, I'm interested in hearing about that from people who know. And secondly, if Peter doesn't agree to resign from the board and remains a member of Cochrane, what is the situation? Does he still come to board meetings because we can't enforce it?

00.57.08

MB – I mean, I can answer the second one, is that, if he doesn't agree to resign, then we may have no option but to, if he doesn't agree to resign then the only way to actually remove him from the board, from what I can understand, would be to do this option, the second option which we're discussing anyway. I think centres should always have an existence, which doesn't always depend on their fate, I think in a properly run governing organisation, there should be a governing structure, so that if something happens to the centre Director, then they can, all sorts of things can happen, the centres should be able to carry on.

00.58.01

MB – If anyone tries to argue that that isn't the case within the Nordic Cochrane

Centre, it is Peter's personal, then that is part of the problem, it really is part of the problem. I'm not, I wouldn't suggest that we try and close the Nordic Cochrane Centre specifically, but you know, if he is not a member, he cannot continue as Director, and would have to unpick, there's some unpicking to do there, on what the legal status is, you know, whether they would be using the Cochrane brand and title and as time goes on, what the governance arrangements are. I would like to see much clearer governance arrangements in place for the Nordic Cochrane Centre in any event.

00.58.42

JM – I don't know about the Nordic Cochrane Centre arrangement, but I know for example, the French Cochrane Centre, whether that might be similar, the funding is tied to the Director. Total funding is tied to Philippe Ravaud, and that's why he didn't hand it over in the past to Isabelle Boutron because he would lose, the centre would lose its funding to a person. It's tied to a person.

MB – That is exceptionally unusual and orthodox. In terms of running the global arm of the UK charity, that ...

JM interrupts – But that has been true for the German Centre until now. For the last 20 years, we've been acting on grant money which Gerd and myself have brought in. That's how we finance the daily work of the centres in many countries. It's true in Italy I believe. Gerald, would that be lost if you were kicked out of Cochrane, if you were kicked out of Cochrane, would that be lost, funding? Anyway, we don't need to discuss, but I think there is a level we need to explore.

00.59.39

NS – In Cochrane, I think you can totally, you know, all of the review groups that have a senior leader, many of them, it doesn't go well after that, most of them are connected to Peter Tugwell, being a rheumatologist who is an expert and has the rheumatology group. We can think about a number of them; has funding for the Canadian Cochrane Centre because it's Holger Schünemann, it's not because it's Cochrane Canada. Jeremy Grimshaw had it that way. It's almost always linked to the person.

DH – That's how the world works.

NS – The Danish government probably gave him lots of money because of who he is! It's not a centre.

MB – So, can I just come back to that. There is, there is, there is a really serious governance issue you've highlighted here, because if Cochrane Canada only has money because of Holger, this board has given money to Cochrane Canada as a bridging fund, I mean, I just find it, I just can't accept the fact that, that, that the funding, I can understand how an individual might elicit, might get the funding, but the funding is handed to an organisation, somebody applies for a grant.

01.00.54

DH - Well, that isn't how the financial model works. I've been receiving grants for the last 25 years for my NGO and someone, a human being, has to, up front, take the grant, take the responsibility and sign the papers, that's how it works.

JM – And if you move, you have to take, if I move within the European ...

MB interrupts – But it's, but it's, it's the institution that receives the money, it doesn't go to your personal bank account; the money is received by the institute and you use it as the principal investigator. If you apply for a grant, you have a team around you, there are plenty of examples where PI's have died in the post and what happens is the institution carries on with that research group.

(Group chatter)

01.01.35

GF – Oh, but most of the grants are given for the leadership, because of the leadership of the project. No matter that you are inserted in an institution. Funding, at least coming from the United States, they are always looking for leadership and this is ...

MB interrupts again - I, I, I, I, I am not talking about leader, doesn't have to put in money from the grant.

GF – No, it's important.

MB continues – In a situation where a leader suddenly leaves or goes for some reason, guys at the group of (indecipherable) for example, the work, the department, carries on securely, this is just standard UK practice.

NC – It is standard UK practice; I totally accept it and it might vary in different parts of the world. The situation in my department, if one staff turns sick (indecipherable), come to me and say 'what, are you going to make sure that this gets delivered because the contract is with us, not the person who got sick?'

MK – Jan?

01.02.30

JC – Yeah, actually I can't even remember what I was thinking, I suppose it is ...

(Door slams)

JC – Whether we've have got to consider this (door slams) and make a decision, but I just wonder if there is a sequence and timing of things and whether or not there is the communication of what we feel around of, sort of like, the breaking of Trustee's conduct and the board, and concerns for his future role and function and membership. And whether that is a conversation as opposed to a decision that we make today, I don't know, and whether that enables a more, not seamless, but a more sequential and logical ...

MB interrupts again – I, I, I think, I think, I think both Marguerite and I have had a lot, there's a lot of history, of history here of having conversations with Peter. I would not have a face-to-face conversation. We'd have to have it through the lawyers because I would, it's just not, there's just nothing in the documentation, all the events that we've been reviewing here, looking at the bigger picture, to suggest that it would be sensible to have a simple face-to-face conversation about this and try and persuade him to change his behaviour or do something, it's just not, it's just not reasonable, it won't work. I mean, you know, I expect that whatever has happened, even on the basis of the decision we've made so far there will be legal challenges and everything else. I want to go back to the lawyers and say we've acted in a way that you advised us to, we've done what you said.

GG - But that's not ...

MB interrupts – No, no, but if you just focus, I really ask, I must stress, I thought I made this point clear, that the lawyers advising us, the, so, the lawyers, so, in lawyers, the Counsel was asked one specific thing which is just one part of all of this, it's just one part of it. But this issue, for the moment of the collaboration, we are right to take everything else, all the things, we can take into account the history, the behaviour, the likelihood of change, all of these factors.

CM – The HPV stuff.

MB – The HPV stuff, everything should be taken into consideration because that's what we used to form our reasonable opinion. Now, they were completely clear about that. And we don't have to be specific about one particular thing, we particularly asked that, do we have to detail particular things and the answer was no. If there's no real possibility of, if there's a problem that can't be remedied, if the behaviour is wrong and in many several ways, if he can't accept fair instructions, there is only one outcome. They specifically said, this goes beyond his behaviour as a member of the board. It's about him either abiding by the rules and policies or not. There's more than enough evidence through all of this that he cannot continue in this way, we cannot continue in this way. And I come back to this business, this, this, what happens if we just stop here, what do we really think is going to happen? What do we really think Mark is going to say, and what message we are sending to the majority of ...?

CM interrupts – Well, he could lay a personal grievance.

PG comment: There are likely two reasons for Burton's extreme stubbornness and determination. He wanted revenge because I had accused him of mismanagement, which I documented, and he did not dare report back to his master that he had not ensured the preplanned outcome. Five hours into the board meeting, in all his eagerness to discredit me, Burton suddenly said, "What do we really think Mark is going to say?"

001.05.52

MB – And the whole community. This would be seen as a wrap on the knuckles to get rid of him from the board, he's still carrying on doing everything else.

NC – So, there's clearly a major toll on Peter of all this, and I totally acknowledge that. And there's clearly a major toll on the health of wealth and wellbeing of the senior managers of the collaboration, including senior members of the central team, the editor-in-chief and the chief executive. One of the consequences of not acting quite forcefully in this situation is that we retain Peter in the collaboration, but we lose the senior central editorial unit team, the editor-in-chief and/or Chief Exec, or co-chairs because we have not supported them in what has been a very, very difficult situation, under what has been very grave personal accusations from Peter. I wonder if, do you have any sense that there may be any potential resignations at the top?

01.07.13

MB – We do actually, we gave our word that we'd only bring this up if it was brought up in this room, but David [Tovey] has just resigned and he will leave the organisation on 31st March. He wanted to tell you in person, so when he asked us,

he'd come and tell you tomorrow morning, we said yes, he tried to bind us not to tell you, but we said we couldn't be bound by that condition because it may be in the best interest of the charity and the organisation. We didn't want to sit here in front of you and say we don't know, when we do know.

NS – Are you saying that he's leaving because of Peter?

MB – No, well, he's leaving for a variety of reasons. His health is one, and he has done, been 10 years, and he has said that he does feel a degree of being ground down by all of this stuff.

MK – Relentless, personal attack.

MB – Relentless to the point that he's had personal attack and abuse. It's not just from Peter, and, and, and just to come back to a point that somebody made earlier, if other people have misbehaved and you misbehaved, the argument that it will set a precedent you know, what we may have to do, this, do something to other people, well if other people, well, I wanted to signal, for various reasons, I wanted to signal with Marguerite we should have a zero tolerance policy in this organisation for bad behaviour.

CM – And bullying and hectoring.

MB – To accuse the editor-in-chief or the CEO, particularly when there is no foundation for it, they've abused him here, when I didn't image any of it was true, but a totally independent person it is untrue, then we can't just stand by and do nothing. Doing nothing here will be perceived, see, and, and ...

MK – As not protecting ...

MB – You, you, you, you should be, the suggestion there was overreaction here, this is not overreaction, this is deadly serious, it really is.

PG comment: This is not true. David Tovey is not leaving because of me but the two co-chairs make it look like it was my fault, although Tovey expressed a desire to leave already on 31 December 2017 (see under 01.10 below). I have not personally attacked Tovey or abused him, or bullied him, as CM says just below. I got along very well with Tovey and there has always been mutual respect.

01.09.13

CM – Well, I think it would mean that some of us would have to consider what our responsibilities on this board were. We have liability for the ...

(chatter)

MK – Gerald, can you wait? Let's hear from Catherine and then Joerg, and then we'll come to you.

CM – Well, as part of our fiduciary duties we need to be responsible on this board and if the board made a choice that, um, to keep someone here who was placing senior staff and other senior editors in jeopardy, then I would walk away from that, because I would not want to be part of an organisation that wouldn't stand up to bullies and would endorse an unsafe environment.

01.10.00

MB – And, and, and, the reason we didn't say, we weren't trying to say unless this came up, was because we don't, we don't want trying to overstate this, ok, I mean you can ask David tomorrow (door slams), you might get one answer if you ask him

public questions in the public board meeting, and you might get another answer if you ask him in private, but he does not want to see, absolutely does not want to see his leaving as being tied to the HPV business or his illness in fact (door slams). And as it was, there was some period of negotiation about the time he originally expressed a desire to leave full time on the 31st of December, but in fact, then with some discussions, it's now the 31st of March.

01.11.00

MK – Right, and we have to emphasise this is confidential, please don't mention this to anyone, he will be talking to us tomorrow and then he will be announcing it at the AGM. So, it will be out there to the general membership. But this is just because it was raised here, we feel an obligation to ...

JM interrupts - I think it's really important to consider the impact on resignation of CET [Central Executive Team] staff, if we act or we don't act, but I also think we have to consider potential impact, in terms of resignation if we kick Peter out of the collaboration and I would bet that some people will resign from senior positions. Maybe a good thing, maybe not a good thing. I don't know, but again, both actions have consequences of resignation and to be honest, it might be easier to hire some paid staff, than to find someone to lead a centre, and bring his own money to run a centre in a country.

CM – I don't understand that.

JM – Well, some senior Centre Directors might just resign and take their funding to do other stuff – EQUATOR, GRADE, you name it, because it's personal funding and it's just used to do Cochrane work. And we might lose them, I haven't talked to anyone, but I could imagine that some people might resign.

PG comment: JM warned the board repeatedly, to no avail. He predicted what was going to happen for several centres, including his own.

01.12.20

RL – But they might if we don't as well.

JM - Sure.

MB – And, and, and, and the other point of view that is, a point of view that has been expressed to me is that many young people and young researchers look at Cochrane and actually don't like what they see because of the current state of play. And actually people are not joining this organisation, so ...

NS interrupts – But, if we want to get into those sorts of conversations, many people are not wanting to participate in Cochrane and are disappointed in Cochrane because of the direction of Cochrane, not because of Peter Gøtzsche.

MB interrupts again ...

NS - And you can say that's the board's decision.

MB – It is the board's decision.

NS – But you can also say that you sit in this meeting and Mark shows up with his 50,000 papers and when someone says, 'but that's doesn't make sense', nothing actually gets changed. It is Mark and his staff pushing the agenda here. Can we not admit to ourselves that what we're putting in front of us is just non-stop papers, just so that they can do what they want to do? And the people out there, like I have,

people contact me, I don't know why, but I'm doing a workshop on GRADE, and someone comes up to me and says, 'I'm working with the bone and joint group right now, and I am trying to get a review in', so, there are a lot of complaints. People are not joining Cochrane for other reasons; it's not because of Peter Gøtzsche.

PG comment: NS alludes to the fact that the CEO controls the board and paralyzes them with all his papers and bullet points, and she points out that many people are unhappy with the direction of travel in Cochrane. This is what I tried to change while I was on the board, and this is why I got the most votes of all 11 candidates that ran for the board.

01.14.00

MB – And, and I didn't say it was because of Peter Gøtzsche, what I'm just saying is that I remember talking about organisational change to Marguerite in some other context, talking about, that, that, that, sometimes things happen in organisations, and sometimes you lose people, and you gain people. And what you can't second-guess is whether we, the ones we lose can be balanced by the ones we gain, all we can focus on is doing the right thing. What is right for this, what is right, what is so, you know, what is our ...

CM interrupts – What will Jo Morrison think if we do nothing?

MK – We have Gerald and then Tracey.

01.14.37

GG – I think we have to get away from these personal things. I mean we always get criticised because of what we do, what we write, you can't have a thin skin. It's just the name of the game, it's just how it is. Of course, it was hurtful for her, but we have to move beyond these; should not drive our decisions. And yeah, I think I expressed it before, and I think excluding Peter will be detrimental to the organisation. It will be a huge mistake and, um, it can have terrible consequences on so many levels. Not because of one thing, Peter is one thing ...

MB interrupts ...

GG - It's the signal ...

MB interrupts – See, see I would argue that, failing to remove Peter from Cochrane, you know, he is a serial disruptor, failing to remove him will have very serious consequences as well. And I think this attempt for us, to somehow balance the consequences, is pretty futile. If we keep him, there will be consequences, if he goes, there will be consequences. The issue is, can he change, has he behaved in an appropriate way, is there any resolution if there, are we going to get any further forward if we keep him in the organisation, I actually think the answer is no.

PG comment: It is totally irrelevant to consider whether our criticism of the Cochrane HPV vaccine review was hurtful to the Cochrane editor who approved the review. Our criticism was warranted, and it was not a personal attack on anyone.

01.15.56

MK – Tracey and ...

TH – Whichever way we make a decision there are consequences. For different people. So, we have to just bite the bullet, make a decision and then move forward. At the moment, we're just treading water, going round and round in circles, we can't actually get on mitigate for any situation, we can't, we know we have the spokesperson policy to sort out (door slams). We can't actually move forward on any of these things because we're a bit impotent at the moment and not making decisions, so I think we need to get on and make a decision.

01.16.40

JM – At least personally I have, I believe I have an understanding of what the consequences are of keeping Peter within the collaboration because we've been doing that for 25 years. It's not nice but comfortable, it will be work but we know, kind of know the consequences. On the other decision, I don't know the consequences, not at all, not at all.

MK – I'm going to go Jan and then Catherine.

JC – Yeah, well, that was going to be my point, and we do need to make a decision and our lack of, the treading of water, and I suppose it's the consequence of actually saying to somebody 'you're not a member', I've never been involved in an organisation where that is an action. And I just, we can only speculate what the consequences are, but I too appreciate that the likelihood of an either reasoned and rational discussion going forward, too, is unlikely.

CM – I was going to say from the Me Too movement all sorts of things have changed, and different people have tried to take stands where their voices have been unheard before. I mean, I think to stand up to bullies and people who intimidate is always the right thing to do. No matter how much genius they have.

PG comment: CM repeatedly refers to the Me Too movement even though this is totally irrelevant and defamatory. It is deceptive because it tries to prove guilt by association. This way, it becomes part of the collective narrative, indeed to such an extent that the board needed to back-pedal at a webinar on 4 October where they tried to explain why I had been expelled. They [explained on a slide](#) that there were 'NO allegations of sexual or physical misconduct, or any other criminal activity'.

01.18.45

MK – If I could just add, one thing that concerns me is that we have a person here who is really with, if you will call it, sort of the old regime, the old ways of doing things, and doesn't want to let go of those. It's like a free for all, anyone should be free to express their opinions in any possible way and you can't run an organisation that way. I mean, we have tried time after time, after time, to bring Peter forward and work within the system, come on, help us, let's be constructive, let's work together and get these things done and he refuses to do it. What do we do in a situation like that? If we allow a person like that to remain a part of the collaboration, he becomes number one, a dinosaur who is always fighting against any change and he needs a babysitter, and it frequently ends up being the co-chairs, and to me that's not the role that I bought into being part of this organisation, is to babysit someone. I've spent my time with Peter, I've done it for several years and he has not changed in any way. He got nicer and then he did the same things over

again. And so, I have lost my faith in that. So, what do we want to do as an organisation? Change will happen, maybe shit is going to hit the fan, forgive my French if you will, but you know, it could happen that way. I've been in situations where that has occurred. Organisations make it through. They come out on the better side of things, you lose some things, you gain some things. It's a very, very difficult situation that we're in right now but we have to think in the best interest of this organisation, as a charity moving forward in its ability to operate, fully and functionally. Nicky?

PG comment: This is defamatory. And I believe in scientific freedom, but the two co-chairs and several board members argue repeatedly against this saying that we should not criticise each other's scientific work.

01.20.33

NC – Well, just very briefly, um, cause I don't think this is straight-forward at all, I think I give the impression that it is, but I don't. I think the consequences are not trivial, potentially. So, we really better have all our ducks lined up for the front that we give to the world if it comes to this, but at the end of the day, he is clearly in breach of the Articles of Association, as a member, and I think we would be a weird organisation if we just let that ride because we were frightened of the consequences of not acting. So, I think we have to act as if he is in breach.

PG comment: First, I have breached something, next, perhaps not, but then 'we have to act as if he is in breach'. This is not due and fair process. It is Kafkaesque.

01.21.21

NS – Just thinking, you know he has worked on that centre for so very long, he's been contributing, it just seems very odd that you're just going to say, 'that's it, you no longer have a centre'. It just doesn't seem like a ...

DH interrupts – Because that's the point. I mean, aside from the personal thing, what the Nordic Cochrane Centre does bothers a lot of very powerful people who are influential in the Cochrane executive committee, and it influences their fundraising, and it influences some governments and it's very uncomfortable. They don't want the Cochrane name to be used anymore, because they are in disagreement with the study, many of the studies published by the Nordic Cochrane Centre. I have no doubt. They've told me about it. So, it's not just a question of Peter, it's a question of the Nordic Cochrane Centre, they don't want the name 'Cochrane' to be used there.

PG comment: DH hits the nail. It is about money, not about getting the science right.

MK – I think Catherine was next.

CM – I was just trying to find some words for putting a vote and I guess the first point was, do we as a Governing Board believe that Peter's recent actions have bought the charity into disrepute?

01.22.40

MB – Just so, we don't need to do that.

CM – We don't?

MB – We simply vote, we just say having considered article 5.2.1 it is the reasonable opinion of the board that Peter is guilty of conduct and just repeat the words and give him notice.

CM – Do we have to give him 7 days to make representations?

MB – No, so, so, so, look, I think we should jump over that when we get to that point. I mean, do we, is it, I'd like to think it's possible that the, that the Nordic Cochrane Centre will continue, I don't believe that those people there, if the functions of the Nordic Cochrane Centre, again, I come back to my earlier point, are entirely dependent on one person, that's not healthy for the organisation. There are people there, there are people, researchers who will be able to continue, continue working. They need to work within the Memorandum of Understanding which we as a collaboration enforce.

RL – Is it possible as a secondary thing to make some kind of motion on behalf of the board in relation to try and support the Nordic Cochrane Centre to continue, because I think we have clearly identified people who we think is at risk that they will be kind of swept up in all of this and there will be collateral damage and it's not something that we want to happen.

001.23.55

MB – I think the board can make it clear either a formal way with voters by making clear in all communications that in the medium and long run, that we would want the Nordic Cochrane Centre to continue. I think, particularly in the short term where there will be some sorting out to do, and this does involve unpicking what the governance arrangement are. You know, who is Peter responsible to, and within whichever organisation the centre is embedded.

MK – We have Nicky first and then Nancy, you, OK? Fine.

NS – So, is there, is he the Director right now, is there a Deputy Director?

GG – Karsten.

NS – Karsten is the deputy? I mean, is there a way that you know Karsten can become the director, and do you know what I mean?

DH – Impossible, impossible.

CM – Maybe acting director.

DH – Impossible, he won't.

JM – But I think there are two things. One is whether a person would be fit to take over those tasks, and I, Karsten is, and then there's the funding. And that might be tied to a person, and I think that is a totally separate issue.

DH – Who has the name? Who legally controls the name, Nordic Cochrane Centre?

01.25.15

MB – Well, we don't know the governance arrangement, but Cochrane owns the Cochrane name.

DH – The Nordic Centre name?

MB – It's Cochrane Nordic and it's a Cochrane name, we own that name.

RL – Presumably there is, with funding earlier, there is some potential if necessary to invite them to come to the board and to provide some interim funding to support

the centre while these things are sorted out if necessary. Because we've done it for other centres.

MB – We, I mean, that assumes that the money has, will disappear, but we don't know that that is the case

JM – No, we don't know.

GG – Is it 2 million a year?

JM – It is definitely one of the best funded centres and one of the few with permanent funding, or long term, kind of long term funding.

DH – Good riddance then, according to some people, fewer bothersome studies.

MK – I mean, we can talk about Cochrane US too, there were some issues there to where when Kay left and so, what Cochrane is doing is coming in and taking all interested parties and bringing them for a meeting and saying what can we do about the Cochrane US network? So, there are ways that the organisation will come in and further discussions about that.

01.26.33

MB – And the same has happened in China. There's been a lot of unhappiness about what was originally the Chinese Cochrane Centre, in Chengdu. There was a meeting in October of the sort of a budding China network, which ended in (indecipherable) parties are participating.

NC – Just to David's point about fewer bothersome studies, but no, I'm sure Peter will carry on doing what Peter does, he is funded as a professor at his university. I think from my perspective, it's arguable that he has been working for Cochrane for a lot of the time he has been the Nordic Cochrane Centre because, for example, there have been major failing with Denmark-based Cochrane review groups that he wasn't managing at all. That he is oblivious to.

DH – There's another review group that he is not responsible for. I know that story.

NC – Well, there's more than one in Denmark.

DH – No, no, all of the reviews in Denmark are not part at all, nor the responsibility of the Nordic Cochrane Group. I have heard that story.

NC – Well, that's unusual.

JM – Yeah, I'm not responsible for the German review ...

DH interrupts – It has nothing to do with, it's just a fact, it has nothing to do with Nordic Cochrane Centre.

MB – I can speak to this because I was there, as they say. I visited with Karla at Copenhagen, as part of the review process that Nicky and I and Jonathan Craig, who were the three people that did that structure and function review, and you know, Peter was very generous with his time and welcomed us and it was absolutely clear, that he had some control over the funding for the groups that were based in Copenhagen. There's no doubt about that, he had a leadership role in terms of overseeing them, and he had something to do with the funding. They are not independently, separately funded, it is one pot of money that goes to the Danish Cochrane, the Cochrane activities based in Denmark.

001.28.30

GF – Sorry for my questions but aren't the centres independent of, why must the board be defining what happens with the Cochrane Centre?

MB – Because, because of the fact that they are part of the Cochrane Collaboration intended for this charity. So, to give you an example of the importance of this from recent history. I'll tell the Oxfam history. So, Oxfam is a UK based charity. And there are branches of Oxfam that are actually distinct legal entities with the Oxfam name in various countries around the world. In one of the overseas countries, some form of sexual impropriety and financial misdealing, and even though this took place in another country, associated with Oxfam which was legally constituted in that country, there were questions before parliament. Oxfam in England took the wrap for that because it was their name and it was quite fair, this is why our lawyer is worried, because, using the word branding, I notice is a word that nobody likes, but the Cochrane brand, the Cochrane reputation is pretty much all that we have. The Cochrane brand is important, so we have to make sure that people in any part of the world are doing things under the Cochrane brand, that they are behaving appropriately.

TH – It's our responsibility.

MB – It's our responsibility. Now, this is where, I've raised this before because I am not sure, until we have the MoUs, I still don't think we know exactly what some of the centres are doing. As you know, it took a long time, for example, for us to get any financial information from Cochrane Brazil, for example. Let me give you a hypothetical. If in Cochrane Routania, the centre was getting money from drug companies or organised crime or anything else, that would reflect very badly on Cochrane, so that's why we need to know where centres, that call themselves Cochrane, get their money from. But we also need to know when they are organising events and doing things, they are following the Cochrane rules. We don't need to police those in a very heavy-handed way, but we need to know that. And that is our fiduciary responsibility as Trustees.

RL – It's also why we have the spokesperson policy is in place.

011.30.55

GG – Yeah, but the difference with Oxfam is that there were criminal behaviour that was all over the media. The world outside does not perceive Peter as a problem. Cochrane will be in the defense immediately, having to explain the action. Why did he get fired, and that will be so difficult to control. Because Peter is not a problem for people.

MB – I think you're missing the point.

RL – Well, I was just going to say, in terms of the wider public, reading those papers, I mean this is going into something specific, but as a journalist for 27 years, Peter's evidence in that court case, on paper, using the Cochrane letter for expert advice in a forensic case for a woman accused of murdering her two children, that's dynamite if that was out there in the public arena and the story, for Cochrane that is so potentially damaging, that's just one example, and there's a lot in those papers, so that for me, we talk about what people are going to think about all of this, the general public out there, some of that stuff in there is, is, is, stuff that would do Cochrane's reputation no end of damage in terms of ordinary people, not scientific people, or researcher or Cochranites.

MB – OK, I'm happy, everything we can to prevent damage, that includes rooting out the cause of that damage and misbehavior. This is why that is an example of

outrageous behaviour, outrageous and wrong behaviour. And it is not an isolated example. And as an organisation, we are not seen to be addressing that. I mean, notwithstanding the report, that, that, the fact, the person who has actually complained to us about that, is perfectly right, if they spoke to a journalist, they could put that in the public domain, the report is not in the public domain, but the fact that, the court records ...

DH interrupts – The person that complained is accused of malpractice and is ill-repute, and the whole case is about the secondary impact of antipsychotic drugs, which is not a trivial issue.

MK – David, I think Catherine is next.

PG comment: This is not true. Burton talks about preventing damage, which includes 'rooting out the cause of that damage and misbehaviour', and he uses my expert testimony for a court on Cochrane letterhead as an example of 'outrageous behaviour, outrageous and wrong behaviour'. It means nothing to him and several others that [Counsel exonerated me](#): "Even more clearly, it seems to me that acting as an expert witness in a criminal trial ... has nothing whatsoever to do with the promotion of the core functions ... The expert report ... was signed by PG as Director of Cochrane Nordic. I cannot see how that has anything to do with the functions of a Cochrane Centre" (page 25) ... I do not think it can be said that he was speaking officially on behalf of Cochrane. As a result I do not think the provision MW [Mark Wilson] expressly relied upon in his 11 April 2018 email (being the same one that he relied upon as regards the Dr Torrey issue) can be said to have been breached' (page 27). Furthermore, my expert report for the court was not supposed to become public, and it was never made public.

01.33.03

CM – Um, can you talk me through what the timeline would look like. So, if in half an hour we decided that Peter was going to be expelled from Cochrane, there are some consequences, some things that would need to be done. Um, so would that mean that when he goes back to Copenhagen, he would not be able to use any letterhead, he wouldn't have the title, that change immediately, that there would be some kind of notification, or do we wait a certain amount of time before he is given a chance to make submissions to us? You know, what's the sort of time frame around it, when would we have to make a public announcement?

MB – The lawyers said that when we spoke about the hypothetical options here, um, the board would make the determination. So, the vote will be something along the lines of the board gives notice that it intends to terminate the membership of Peter, and that's that. He is told in writing, it can happen by email, or by letter, but it has to be told in writing. And then we have an option, he is either given some time to respond in writing, and the lawyers have suggested to give him 7 days. He might not want to take 7 days; he might want to get back to us more quickly.

01.34.41

CM – Would he be required to keep that in confidence?

MB – Yes, all of this is in confidence. He remains a member until, and then we will, so, let's assume it's in writing, we get those representations and based on the

representations, we have to make a final decision. OK. Um, the alternative is to offer him the chance to make representations in person. The slightly difficult thing about that is to be fair, it would be difficult for him to make representations in person to us any time other than the next few days in reality, um, you know, I mean, it's fine if he says, I want to make representations in person now, that's his choice and he accepts that, but he might not. So, there is a procedural difficulty if we go down the root of, I was saying, if we're happy to hear from him in person. But actually hearing from him in writing, he has actually 7 days to respond, um, if he does respond we can consider it then, we'd have to have a teleconference then to go around and discuss the response.

PG comment: As I was never told I had an option of talking to the board, this is mismanagement. I was only told in an email: 'You will have the opportunity to be heard in writing as to why your membership should not be terminated'.

001.35.50

RL – And there's still the issue of how to manage the board meeting in the next couple of days.

MB – Yes, so, so, um, in the circumstances, it would probably be appropriate that he recuses himself from the rest of the board meeting given that this is, well, actually, we've already, we would require him to resign.

CM – So, you would need to do that today?

MB – So, we would have to do that today, so, um, so that's, that's, that's the situation.

RL – And so, Peter's no longer a member of Cochrane, and, or, once he's off the board, is, does there have to be an election?

MB – There would have to be an election. He is an elected board member so there would have to be an election to elect somebody else, yeah.

CM – And what happens when he goes back to Copenhagen? So, there needs to be a conversation.

MB – There needs to be a conversation that I would strongly advise needs to involve the lawyers in, about what, what, at least for the next short period of time, what the Nordic Cochrane can or cannot do, you know.

CM – So, the co-chairs would write to the university to say ...

01.36.57

MB interrupts – So, here's the problem, we don't actually know who to write to now. So, in a, in a, in a normal world where we weren't paranoid about doing the wrong thing, it might have been a situation where we would have enquired about actually, you know, are you embedded in the university, are you embedded in the university, who is your line manager, there might have been a situation where you might have had a conversation and say look, we're aware of something serious has come up with whom you are responsible, we're aware of the reputational damage that might be to your organisation as well as ours, how can we work together to make the best of this? But if this doesn't come to pass, we can forget about it all. We just haven't been able to do that. So, so, we haven't managed this, but I think in a sense this might be the best way, because we just don't know who is responsible to.

CM – So any ...

RL interrupts – If a decision is made that he is no longer a member, then, and we give him time to respond, it has to be business as usual, not for the board, but the other side in Copenhagen, nothing can happen until a final decision is made by the board, which has to be after we've heard from Peter.

CM – Right, so he could still sign himself out as the Cochrane Nordic Director.

01.38.03

MB – Yeah, he is expected to behave in that period, he is still expected to behave, he is still a member of Cochrane, and he is still expected to behave according to the rules. Now, if he doesn't behave according to the rules in that period of time, then that's another part of our consideration. But you know, he is expected to behave according to the rules.

RL – So, we're going to give him notice if the decision is made and then he can go back to (indecipherable) until he is expected to ...

MB interrupts – Yeah, yeah.

MK – Jan?

01.38.33

JC – What is the scenario of, I mean, we're going to have to convey the issue of the decision around the board, but where is the place of saying, 'we want you to consider your future', as opposed to saying 'what your future is'?

MB – So, there is, it seems to me there is an option to that if we, this next motion is carried and we do want him to revoke his membership, with the consent of the board, and done as in writing, and in as formal way as possible, we could communicate to him, that actually, notwithstanding the decision the board has made, if we were to announce his retirement from the board and his retirement from Cochrane, in all regards, and that could be done in a way that is legally robust, because we can't have him wriggling out of it, then I think, I would suggest to you that we give that very serious consideration, because that is a face saving way of doing it for everybody.

01.39.40

MB - But the issue here is, what I don't want to be accused of is us having made him sign some kind of confidentiality agreement, or that we're gagging him, where if, all that happens then, that we're accused of trying to, you know, I don't want this to be accused of sort of trying to do anything untoward. So, although that is my suggestion, that we would have to take very careful consideration of that, and I would take advice from whether you think it is a good idea of that. Rae, do you have any immediate reaction to that?

RL – I think it would be fair to give Peter the option to have a way of exiting and exiting gives him a little more dignity. I think we owe him that. But it does have to be handled pretty carefully.

MK – Jan?

001.40.33

JC – So, just to clarify, is that then a discussion that starts with you know, we're ex-communicating you, or whatever the word is, as a member, however, you could take this other action. Or is it, look, we're in real deep waters here and your behaviour and activity is real concerning and is having real consequences, we would really like you to consider what the future lies.

MB – I think the 7 days is a good window of opportunity because during that 7 days he is on notice, if during that 7 days period, while he is still a member actually, and actually, and, um, he could, he could in that 7-day period elect to follow this option, that gets slightly complicated because we've already passed the motion about him on the board.

RL – And you don't have to be careful, I'm just thinking about whether you put it somehow in the letter, giving him notice and 7 days, whether you put something in there about how he's open to it to at any time, retire. But you have to be careful about not getting down to effectively trying to do a constructive dismissal.

JC – Yeah, yeah, that is I suppose where I'm thinking, whether or not it's a conversation and there is an issue of the board having to make a decision as a consequence of that and whether or not that's just protracting ...

01.41.53

MB interrupts – I mean, the issue is that we're here for another two days. If we make a decision now, and I would like to argue that we are very close to making a decision, if we make a decision, one way or another now, then there is a conversation to be had.

RL – Do we step out of the second decision, or the third decision, or whatever, so we've decided that, and it was almost unanimous that Peter has breached the code of conduct as a member of the board, by the majority we've decided that he should be asked to resign from the board immediately. Is the next decision, do we think he has breached the Articles of Association as a member?

CM – Yes.

RL – Just that? Full stop. And then the decision after that is, do we move to what is open to us in terms of 5.2 if that's the way we can do it? Or do we do something ...

MB interrupts – I don't see, I don't see the merits of splitting the last two. I mean, because, say you split the Articles of Association and then not act on it ...

RL interrupts – I'm thinking of that in terms of the discussion we're having, the conversation with Peter. So, we say, we think you've breached the Code of Conduct, we want you to leave the board, we also think you've breached the Articles of Association, next step is that we ask you to terminate your membership, you know, so just in terms of how we convey to him, or whether he has the appetite for that retirement type discussion, essentially from a discussion about termination.

01.43.17

MB - I, I accept that, and I will tell you what people will say, you're in breach of article 5.2.1, with effectively, actually he's done that, I don't think there is a difference, what I would rather do, that I would suggest is that, we address this issue, this is a, this whole paragraph here about removing his membership.

RL – I've just noticed the last thing is that if you have decided that someone has breached it, it does say 'shall then remove', so that clarifies that.

01.43.55

NS – So, the decision that Cochrane is actually asking someone to leave ...

CM interrupts – Requiring ...

MB interrupts – No, we're terminating his membership.

RL – We're removing him from the register of members.

NS – So, that's, that's, that is what this board and Cochrane would be doing, asking him to leave? So, this is what we'd be doing now?

DH explains to GF that the board debates about removing PG's membership.

RL – According to the Articles of Association, but, but there is one caveat, we, he has a right to be heard before we actually rubber stamp that decision, so there has to be that interim step which is where the 7 days has been suggested to give him time to come back in writing or oral representations, or whatever. It would make that first decision and still that one window for him to try and change our mind.

NS – But I guess the thing is, that changing the mind ...

JC interrupts – See, I don't think there's going to be a likelihood of changing minds.

RL – No, probably not.

JC – I just think there's a likelihood, of a different pattern.

RL – Yes, so then the question is, does he realise in that time, that one way of getting out, a different way of completely this, is to then say well, look I'm not going to come back and make more representations, I'm going to retire or resign, or whatever, and resign on his own terms.

001.45.11

NS – I, I can't, can't believe that this is a Cochrane, is going to do now ...

GG – Yeah, I'm shocked, too.

NS – Yep, absolutely.

JM – Yeah.

01.45.20

RL – Can I just ask why? I mean, because we are following the Articles of Association, presumably these rules were agreed to, within the board at the time, and as we've seen them. I'm sure this is the first time it has ever got to this stage, but presumably the organisation felt the need to have this, these options.

MB – I think these are fairly standard wording. These Articles are modeled on most membership organisations, they were updated in 2016.

CM – Martin, do you need to say that it is in accordance with section 5.2?

MB – 5.2.1 and 5.2.2.

RL – I'm just asking, how long have these provisions been in ...

MB interrupts – I think they've been here probably since the beginning, but I don't know about this wording.

NS – Back in 1993 or whatever?

MB – I would guess so, but I don't know.

01.46.15

JM – I would just like to come back to Gerald's point about the precedent again. I think, based on the legal advice I've heard, probably you can argue that he has breached the Articles of Association and that we have grounds to dismiss him from the collaboration, but if you apply these words literally to many other people within the collaboration, I would assume that we could easily find 100 people who have broken the Articles of Association. So that gives room to people who don't like someone, to find someone in the past where someone has breached or broken the Articles of Association and then we have to proceed because we have set that precedent. You know, I might have broken the Articles of Association. My boss, Gerd Antes certainly has breached repeatedly the Articles of Association, and many others as well. Probably all people on the data sharing comment here. I mean, look, if you look at it, it puts us at risk, they are criticizing our strategic direction, it could be argued I guess ...

MB interrupts again – There's nothing here to say that you can't criticise the strategic direction of Cochrane.

CM – It's about bringing them into disrepute.

MB – This is about degree as well; we're not talking about trivial things here. Again, I look to Rae for her experiences, but people don't get bought before, they don't get subject to these sorts of things for trivial matters.

JM – But

MB interrupts again - It's the degree of things, there is also this issue of reasonable opinion where we have to take everything ...

JM interrupts – But Martin, my point is not that we cannot defend that Peter has broken the Articles of Association, I'm ok with that, the point is that many other people have broken the Articles of Association. And if someone wants to blame something on me, they will find something, probably. If someone wants to blame something on Gerald, they'll probably find something.

MB – But every organisation has rules, and you know, but ...

PG comment: Above and below, people say that many contributors to Cochrane, even themselves, could be punished for having breached the rules and that the sanction is disproportionate. But the co-chairs failed to listen to reason.

01.48.20

NS – If we apply this now, this could apply to a lot of people in Cochrane already, so ...

MB interrupts – And your point is?

NS - Is that what we're going to start doing? Start revoking people's membership in Cochrane. And people who you know, are bringing in a lot of money into Denmark, and other, ah you know, a lot of money.

RL – So, if you turn that around through, do you have no rules? Do you allow people to do and say whatever they want?

JM – No.

NS – I think we need a line of where we're going here. We're going in the wrong direction.

JM – It's disproportionate. It's disproportionate. Yeah, it's disproportionate.

MB – The thing about proportionality though is that, that, that, this is about a proportional response, and this is the answer to your point of view. In any organisation, people flout rules, are the same way, they flout the law, and you might be surprised that I've driven more than 30 mph on the motorway.

DH – I don't get it, more than 30 mph?

MB – But the point is, people flout the laws and rules, and the response has to be proportionate. I think we are in an extraordinary position. I am not suggesting that this is going to be a repeatedly used measure, there is nobody who has demonstrated to us the pattern, the duration, the severity of the behaviour that we've complaining of here. It is entirely different, I mean if other people have breached the Articles of Association, then we should say well, look what is the proportionate response? In some cases, the proportionate response is to say, please change, 99 people out of 100 say, 'I'm very sorry I didn't realise I was doing this, I will change my behaviour'. If they repeatedly didn't change, then maybe we should call somebody on it.

MK – Tracey.

01.50.01

TH – It's not that we're starting doing this now, we've not made up this rule, this rule has been in our existence for a long time.

NS – Cochrane has been in existence for a long time, and it has never done this.

TH – Yeah, so? This is the very ever time that we've had to do it in 25 years.

GG – Yeah, but this is like capital punishment what we're doing.

DH – Yeah.

TH – We've not made it up, it's anyone is free to read these, they're available to anyone.

GG – Yeah, but it is capital punishment.

DH – It's the nuclear option.

JC – What is the alternative then, David?

MK – Wait a second, we've got to go to Joerg.

PG comment: Finally, very late in the process, and unfortunately too late, someone realises what this will mean to me. Capital punishment for a crime I did not even commit. It certainly turned out to be capital punishment because the injustice I experienced in Cochrane led to further injustice back in Denmark. As per instructions from the Ministry of Health, my hospital fired me, for no reason other than that Cochrane had fired me.

01.50.45

JM – Again, if we were to exert that option, I would like to be very clear on what basis, very clear, and very explicit, even if it is for our own internal purposes, just so that we have some reference if there is a second case or there's a third case (door slams) because I think the view we have about all the instances we have around Peter, his spokesperson policy, his behaviour, um, we all have different background to that, I think views are slightly different to the severity of these events to some extent, so if you really want to exert it, it would be very helpful for me at

least, to be very explicit on what basis, so that we can have that really as a reference standard for the future.

DH – Otherwise, it's a global subjective view.

01.51.30

GF – I wanted to, in the same way that Gerald has said, I am not clear that Peter has acted or threatened to act in a manner which is contrary to the interests of the charity.

MB interrupts or tries to interrupt.

GF - I don't think so, because I think he has had a very high contribution on the ...

MB interrupts again – What do you mean by the previous paragraph?

GF - 5.2.2, yeah, he acted or threatened to act in a manner which is contrary to the interest, I don't think that he has compromised ...

MB interrupts again – We're talking about the previous paragraph.

GF – No, it's wrong, I think he's done a very good contribution in favour of the charity.

MK – So, let's just clarify that and, um, then we have Jan and Tracey.

PG comment: When a board member tries to defend me by saying that I have not acted contrary to the interests of the charity but that I have contributed a lot, she is interrupted by Burton, and Koster moves on, ignoring what was said.

01.52.42

JC – Oh, sorry, I would like to do anything we can to avoid making this vote. And I suppose, David, you just said this is the nuclear option, realistically, what is the other option?

PG comment: As the Cochrane lynch mob was out to get me – an expression I owe to Tom Jefferson – Clarkson apologised when she tried to withstand the group pressure from the co-chairs.

DH – Oh, when it's my turn, I'll talk.

JC – Oh.

MK – That's OK, David.

DH - Well, there could be different types of negotiation, I mean we're talking about him being eliminated as a member of Cochrane. We could allow him to be a member of Cochrane and just, you know, just not a member of the board.

NS – Yeah, I think that's a strong message. Yeah.

DH - I think it's a very strong message eliminating him from the board. I mean eliminating him from Cochrane as a rank and file member, and then obviously then, you know, it would be a symbol to also force policy but then also to recognise that we allow dissidents and minority opinions, we're not afraid of people publishing a few things that we don't agree with.

01.53.48

JC – I suppose my question would be that ...

MK – Just a minute. Tracey?

TH – I think on that comment, David, I think Cochrane welcomes differential opinion, but it welcomes it in a constructive manner. I think the issue here is that it is very destructive, that's a big difference in an organisation. Constructive ...

DH – Publicly, I don't think that's true, maybe here, yes, but outside, no.

GG – I agree, it's disruptive for individuals but I don't think it is disruptive for the organisation. It's a big difference.

GF – Yeah, a big difference. I think we need to be very clear.

TH – Destructive.

GG – Destructive, oh, ok, sorry, I misunderstood but it's the same.

CM – Well, what we already know is that it is destructive in terms of the relationships with staff.

NS – But how do you know that?

CM – Because that is what Counsel has said.

GG – Yeah, that's a single person, maybe two.

NS (shouting) – We have more people leaving because of other people.

GG - Within the CET!

NS – Yes! Not because of Peter! We have other people leaving because of other people.

CM – Well, I guess the other thing I wanted to say is that this isn't about going on a witch-hunt, for hundreds of people that we can get rid of, this is probably an exceptional, unusual and has gone on for such a length of time, that to not act, would now call our credibility into question.

PG comment: Many know that Cochrane's CEO's own staff is leaving because of him. But the conversation is immediately brought back on track, this time by CM who tries to say they are not on a witch-hunt, even though this is how she has behaved herself during the board meeting, with repeated comparisons to the Me Too movement.

01.56.13

JC – I suppose that I don't believe that just being a member and carrying on is the right either, because of the accusations that have been made. So, I don't think that is the right way forward and what I'm struggling to understand is what is counter to that may be not expulsion. And I don't know what that looks like or what that conversation might be in order to safeguarding as well the health and staff representatives.

MK – I have Martin and Nancy and then you.

MB – Um, the evidence before us suggests that there is no conversation that could be had with Peter, that leads to a committed serious change. There is a pattern here of repeating the same things and reneging on that and that's the pattern that we see. And I came back again to this point that if we don't do something then nothing will change. I admire you seeking an alternative solution. I have not heard anything proposed. In terms of the issues that are here, these are long term issues, of disruptive behaviour, failure to behave collaboratively, producing a situation that cannot be remedied, someone whose behaviour is outrageous and wrong, has not been able to follow the collaboration agreement, that is clear and I know that on its own, Counsel didn't censure him for that, but that is what Counsel sort of found, and you know, he doesn't abide by the rules. It's clear, he doesn't even accept Counsel's

report. And Counsel articulated what is expected of a centre director and how they should behave, he doesn't even accept it. We're in a situation here where there is no other option.

PG comment: This is not true. It is not true that my behaviour has been 'outrageous and wrong', or that I have not followed the collaboration agreement. Burton acknowledges that Counsel didn't censure me for that but adds, 'that is what Counsel sort of found' and that I do not abide by the rules, although I do. Burton's statement that, 'He doesn't even accept Counsel's report' is also highly misleading. I explained, during the five minutes that were allotted to me in the beginning of the show trial, that it is a very unspecific question; that there are many conclusions in the report; and that I therefore cannot answer yes or no, which Koster requested of me that I should (part 2, under 00.00.06). Burton also complains that I did not accept how Counsel felt centre directors should behave, ignoring that Counsel was clearly wrong on this issue (and also expressed himself very cautiously, see Part 2, under 00.59.00 and 01.28.30). It is clear that the co-chairs were aiming for a preplanned outcome, which was now close: No other option than the academic death penalty. The many lies accumulated by the end.

01.58.27

NS – So, I think that the message we are sending and what we are doing is removing him from the board, and that's pretty major, and so I think if someone doesn't get a bit of a message from removing someone from the board that seems odd to me. And to have us said and agree to remove him from the board, so then the next step is, for me it's like a warning, we've already gone down the list of, we've removed him from the board, we require you to be removed, the next thing is, we are warning you and anything else and you will be removed, and asked that your membership be removed, because I would *not* have even known that this was a process that could have actually taken place. So, in some ways, that is enough of what we are doing, we are not doing nothing, we are doing something.

01.59.20

MK – But Nancy, if I could comment on this and just highlight the conversation I had with Peter in Seoul, he was fearful at that time that the directorship of his centre was in jeopardy, and he did not want that to happen. To me, that would have put the fear of God in me, to say, you know what, I better shape up and follow the policies and procedures, which he did not do.

PG comment: This is not true. I had followed the rules, but Mark Wilson persecuted me all the time claiming I had breached rules. As I did not know what I should do to stop Wilson harassing me, I asked Koster and Marshall to advise me.

NS – I don't know what happened at that time. Was there a discussion; was he given a letter; I haven't seen anything?

MK – Right, well, this went back to complaints that were, you know, being ...

NS – But was anything official done with the steering group?

MK – No, nothing official; they were discussion we had, that people were trying to force him out. It's Mark Wilson, it's Lisa Bero, it's Jeremy, it's Cindy, you name it, we had a witch-hunt, they were trying to force him out because he knew he had done some stuff, but he wanted to be a bit repentant about it, but he knew he might lose, you know, the Cochrane logo.

PG comment: This is not true. It is so wrong that it is mendacious. I have never said or indicated that Lisa, Jeremy, or Cindy were trying to force me out. It was all about Mark Wilson. And it is also mendacious to say that I knew I had 'done some stuff'. I have no idea what this is about, as I never breached the rules. In court trials, vague insinuations like these are not allowed as evidence.

NS – So, let's just do something 'official' now and then.

MK – But he had every opportunity to shape up after that, every opportunity, and yet, the stunts that he has pulled since then are just unbelievable.

NS – Let's go back to Martin's analogy. Do you know how many driving tickets I have, and before I received all of those driving tickets, the police pulled me over and I was able to get out of it, by just talking to them.

DH – What did you say? (laughs)

NS – You know, what I'm saying, it's until you're getting a fine, an official fine, that's when you actually

MB interrupts – If you knock someone over when you, while you were drunk, you would be taken to court. I mean the analogy goes so far.

NS – That's a little different to speeding, ok, yes, yes, yes, multiple times. Do you know how many times I have been pulled over by the police for speeding? Multiple times, and so we have farm roads around where we live, and so, the thing is, it's officially done, and removing and requiring him to leave the board that's official. I think that's official.

MB – The analogy breaks down though, multiple minor infractions. We're not talking about minor infractions here; we're talking about really serious stuff here.

NS – But what are we talking about?

MB – We're talking about the stuff here which has been independently investigated, but all the allegations he made about the behaviour of Mark and myself, which demonstrated to be wrong, so he is either misguided or he is maliciously raising those allegations, I don't know which one it is, and I don't ...

PG comment: This is not true, and it illustrates an escalation of the absurdities by the end of the show trial. Even after six hours, NS still does not know what serious infractions I am accused of and therefore asks Burton about them again. He does not reply and repeats his claims of grave offences, without being able to say what they are.

02.02.08

DH – But that's not public. It's a private, internal investigation. And to make an allegation that Counsel says is not right is not an accusation against Peter, it just means that he made accusations that weren't true, in an internal process of the organisation. It hasn't caused disrepute or anything.

MB – Are you saying that Peter’s accusations against Mark and I might be right, and we have actually ...

DH – No, no. I am not saying that at all. I’m saying it was an internal process, which has nothing to do with the public disrepute of the organisation. Now, Peter went totally overboard, paranoid or whatever and accusing people in these internal letters, but it’s not, it’s not like he puts adverts in the London Times, that Martin Burton whatever...

NS – Well, he did put a letter in the BMJ that the wording had to be changed on the advice of lawyers about Cochrane.

DH – It was about scientific concrete data issues; it was not personal.

NS (shouts) - He is a senior person in Cochrane about Cochrane.

MB – He accused the editor-in-chief of being in the pockets of the pharmaceutical industry, and that had to be changed and so, there’s a series, this is not an isolated moment, this is year after year after year.

PG comment: This is not true. I have done a lot of research on psychiatric drugs and pointed out in a 2015 BMJ article how harmful these drugs are and that they should therefore be used very sparingly.²⁹ As a courtesy, I had sent BMJ’s press release four days in advance to David Tovey, Cochrane’s editor-in-chief, and to the three editors of the Cochrane mental health groups.³⁰ They did not return my kindness. All four of them joined forces and published an embarrassing letter in BMJ where they seriously undermined my scientific credibility. This was not a contribution to a sound scientific debate but was about protecting turfs and the excessive use of harmful drugs. Several editors of Cochrane groups told me they were dismayed that these four editors, in Schopenhauer’s words, had appealed to ‘authority rather than reason’ to denigrate my research, which they felt shouldn’t happen in Cochrane. I needed to defend my reputation, and in my reply in BMJ, I wrote that journalists and others had interpreted the Cochrane editors’ denigration of my research as a thinly disguised attempt at protecting psychiatry’s guild interests, and some even suspected that they also tried to protect the drug industry. The Cochrane editors did the patients a great disservice, but CEO Mark Wilson forced me to publish an apology in BMJ and threatened to close my centre if I didn’t. Cochrane’s own Counsel did not find it served any useful purpose to go three years back in time and would not find it fair towards me.

Tovey is a doctor and his view on my work was very different to Wilson’s. I mention in my book about the Cochrane scandal (see footnote) that he wrote to me two weeks after the debate: “We do not differ anywhere near as much as you think. I read your last book from cover to cover and have recommended it to many people since. I am entirely committed to the view that the benefits of psychotropic medicines have been systematically overestimated, and the harms underestimated ... it seemed to me that the nature of the debate and the brevity of the article did not permit you the opportunity to make the case sufficiently strongly. I hope that we will get a

²⁹ Gøtzsche PC. Does long term use of psychiatric drugs cause more harm than good? BMJ 2015;350:h2435.

³⁰ Gøtzsche PC. Death of a whistleblower and Cochrane's moral collapse. Copenhagen: People’s Press; 2019.

chance to discuss this issue in a friendly and mutually respectful fashion when we meet.”

DH – I have not seen that published anywhere.

MB – Well, it’s all in the documents.

DH – Yes, but it has not been published publicly.

MK – Yeah, and we have documents.

MB – It was in print, and the problem was that it was taken down from the website, but it was too late to take it from the print version. It still sits in the print version of the BMJ.

MK – We have the HPV article that came up recently, and now we hear there are a series of other articles. It’s like, when does this stop? And work collaboratively within the organisation. All I hear is, has anything been learned from the HPV article in the scientific debate? No, it’s his right to do that, and he’s going to push ahead and he’s going to say that Cochrane’s evidence is not trusted evidence and here’s an example of it.

02.04.15

NC – And that’s fine, he can keep doing that if he’s not a member of the Cochrane Collaboration. That’s fine, let’s free him of the shackles.

GG – Yeah, but we don’t know about his article he is writing.

JM - We don’t know what article he is writing. When the spokesperson policy was developed, my recollection was that for very good reason, people contributed to the development, that science is different from policies. If I remember correctly, the policy is very explicit about this is not applicable to a scientific debate about a Cochrane review. At least that was the suggestion at the table at the time. So, I think we have to keep those things separate, one issue as a board member whether he should engage in that, whether he should give a pre-warning to people. I totally agree with all that, but I think scientific debate is something separate from endorsing general policy within Cochrane.

PG comment: The spokesperson policy encourages mutual criticism.

02.05.14

MB – And no one is criticising his right to debate.

JM - But Marguerite just brought up the HPV review again!

MK – I was saying the process, and the behaviour that was exhibited and the way that that was done was not in the best interests of the organisation. I’m not saying that the scientific debate should not be happening, but they could have gone through several other routes to make that debate happen, but he didn’t, and he won’t in the future. I mean, does anyone here, if we don’t revoke his membership, does anyone here want to be his babysitter? Please raise your hand.

NS – But ...

MK interrupts – Do you want to be the point person that Peter has to come to for everything that he intends to do because that would be one of the sanctions that we could make.

NS – Let’s not make that sanction.

NS - Because no one was babysitting him before he was on the board.

MB – No, that's not true, the past 5 co-chairs, so, Jeremy, Jonathan, Lisa, Cindy, Marguerite at least, if not before, and just in case you have any doubt, the historical thing, there is a letter in the bundle from Jim Neilson, from 2003. This has been going on for years and years, and it is getting more and more difficult and more and more time consuming to do this babysitting. It's just, it's true to say, that there is no idle threat. I just don't want to spend 6-7 hours a day, which I have done in the last few weeks in the run up to this board meeting, dealing with these issues. I want to have no more than one email a week about something troublesome, and Mark and David do not want to spend, and look at his successor, does this look like an attractive job for people applying for David [Tovey's] post? What's the job like, what's it like dealing with people? Oh, it's a walk in the park. It's not, they spend hours dealing with these things and it's just drained people dry.

PG comment: As just noted, Counsel found it unfair to me to go just three years back in time, but Burton ignores this and goes 15 years back. Moreover, I explained in [my report to Counsel](#) (pages 12 to 17) that there was no problem in 2003. It is not true that there were issues with all these co-chairs. I never had any important issues with any of them. If Burton has spent many hours a day leading up to the board meeting, it is the co-chairs' fault, not mine, as I suggested a simple resolution of the disagreement between Wilson and me in my report to Counsel. It could have been handled very easily and quickly, but the co-chairs did not want that. They wanted to expel me right from the start.

02.07.15

NS – I still go back to, I think we're doing enough by asking him to leave the board ...

MB interrupts - But we're not changing anything!

NS – But we are. That hasn't been done before, there hasn't been an official. It's very clear there hasn't been an official ...

MB interrupts again - But we're not doing something that is likely to cause a change in behaviour. It allows him to carry on doing absolutely everything he has done before he was on the board as well.

NS – We are doing something different now that hasn't been done before.

MK – But the question is, is that enough?

MB – Is that going to ...

NS – Let's find out.

MB – Is that going to change Peter's behaviour?

NS – Let's find out.

MK – We'll wait until Rae comes back but I think we should go for the motion at this point.

CM – I would still like to think that we will be considering what the impact is on the CET [Central Executive Team] staff. Our employees, our fiduciary duty, if he remains in Cochrane, even if he's off the board, he is going to grind those guys down.

MK – Yep, he will continue to do so.

PG comment: This is not true. I have never grinded Wilson's staff or himself down. It is the other way around. I have been persecuted not only by Wilson but also by his

staff, on his orders, e.g. by Julie Wood, which I describe in [my report to Counsel](#) (page 29). Both she and Wilson claimed I had broken the spokesperson policy when clearly, I had not. The two co-chairs at the time agreed with me that there was no problem, perhaps because they had not consulted Wilson who was on holiday. They therefore made their own, independent decision.

02.08.14

GG – If you conducted interviews with the ones who have left over the past years, I think most of them would not say it's because of Peter.

MB – We're not saying that.

GG – It keeps coming up.

NS – Do you have proof that he is the reason staff are stressed?

MB – I do believe, I genuinely believe the reason a lot of staff are stressed is because of the, Jo Antony, Julie Wood before her, David [Tovey], Mark, and more junior people get considerable stress from dealing with Peter. I can only say that is my honest and sincere belief.

DH – He's a scapegoat.

NC – Well, these to be brought as separate issues.

NS (shouting) - We actually have no proof of that, and I would argue strongly that that is not why they have stress. And the people who left Cochrane are not stressed because of Peter Gøtzsche, they're stressed about something and someone else. And so, I think you know, we should not be using that as an argument for why Peter has to go.

CM – Except that we do know that he made allegations against them, that they found, to Mark ...

NS interrupts – Ok to Mark, but not the CET staff.

CM – I think in Mark's response he has said that ...

MB – He's criticized David [Tovey] many times.

PG comment: This is not true. Wilson's staff is leaving because of his poor management. I have treated Wilson's staff and Wilson respectfully and have not criticised Tovey 'many times'. I believe our only encounter was the one related to Tovey's unjustified and evidence-free criticism of my science where I needed to defend myself (see under 02.02.08 just above). Burton is seriously dishonest, in order to obtain a vote for expelling me.

MK – So, let's call the vote at this point. Catherine, have you written something?

CM – Oh, that the Governing Board has determined that in accordance with section 5.2.1 of the Articles of Association, that will terminate the membership of Peter and give him notice to that effect.

02.10.12

MK – Ok, all in favour?

MK – And all not in favour?

MB – One abstention.

JC – Yep.

MK – Oh, you're abstaining?

JC – Yep.

NS – So, Martin your vote, would your vote be ...

MB – No, no, I'm equal, I'm not double or anything.

DH – Is that a majority, 6 out of 12?

MB – Well, its 6 for, 5 against and one abstention, so it's a majority. It's a majority of 1 which I think is, personally, I think is disappointing, very disappointed with that indeed. But there we are. And so, the motion is carried. I think we should take a break actually. Stretch out legs and just come back and decide what we are going to do next.

JM – Go home.

(chatter)

MB – I feel unhappy in many ways.

DH – I need some air.

JM - Not much we can do today, I guess.

PG comment: Burton is disappointed that only six board members voted to expel me. This speaks for itself. The Cochrane Collaboration is about avoiding bias, but the extent to which the co-chairs and other board members did the opposite during the whole show trial – either ignored bias or used it against me - is astounding. Cochrane is built upon ten principles, one of which is 'Minimizing bias through a variety of approaches such as scientific rigour, ensuring broad participation, and avoiding conflicts of interest'.

One would have expected, especially for an organisation like Cochrane whose job it is to systematically assemble the evidence and scrutinize it carefully for flaws, that the board would have carefully gone through the lawyer's report, my response to the report, and other evidence to come to a conclusion about the issues raised. Nothing of the sort happened. The evidence had no importance whatsoever. Most of it was not even discussed, and the bits that were discussed were consistently misrepresented, not only by the co-chairs and my adversaries, but even by my supporters who had not had time to read all the material. The board used an enormous amount of time on repeating the same falsehoods.

It was a grave mistake that the board never consulted me. Facing the alternative - being kicked out of Cochrane, likely losing my job, and leaving my life's work - I would have been highly motivated for finding other solutions than my expulsion.

Burton was heavily conflicted because I had documented his serious mismanagement in my report to Counsel, and Koster was also heavily conflicted, which is clear from the way she conducted the meeting.

I believe this show trial should have been declared invalid. When [I appealed](#), it was the same board, or rather the remnants of it, that upheld the board's decision. This is not fair and due process. Shortly after my expulsion, many Cochrane members, including [all the 31 centre directors](#) in Spain and Latin America, called for an independent investigation of the board's process against me. The board rejected this, which should surprise no one who has read the account above.

For all interventions, we need to judge the balance between benefits and harms. This is what Cochrane does. But the co-chairs derailed any such discussion. I accept that some people find me difficult because of my non-British directness, but I am convinced that any objective assessment of my performance in Cochrane would

conclude that the benefits by far outweigh the harms I have caused. My critics should ask themselves: Why is this man so popular with patients? Isn't this what Cochrane is all about, to benefit patients?

Part 6, CEO Mark Wilson's gobbledygook

My last Centre Directors' meeting

Three days after my expulsion, I went to the Centre Directors' meeting. I summarise here what I wrote in my book about it.

The meeting was scheduled to last 75 minutes and the agenda reflected Wilson's dominating influence everywhere in Cochrane. In his narcissistic world, he has reduced the centre directors to spectators to the shows staged by himself and his leadership team. Only 25 minutes were allotted for directors to speak while Wilson's team had 50 minutes.

Two months into my short stint as a Cochrane Governing Board member, we received an email from Wilson saying, 'I'm extremely proud of and pleased with the documents we have prepared for your meeting in Geneva; and of the substantial work that they reflect and represent'. This is short of saying, 'I am extremely proud of myself'.

The 47 directors in the room requested to drop several agenda items and to discuss my expulsion instead. Wilson didn't go against them, which was unusual but considering that he had just accomplished the academic assassination of one of their treasured buddies, it was better to keep a low profile.

The co-chair of the meeting, Centre Director Erik von Elm, lamented that there would not be the usual report from a centre director on the board, as they had all resigned. He therefore asked Wilson to give a report.

I said that I was still on the board because I had a week to appeal my expulsion, and that I would like to give a report. I explained that there had been disagreements during several years between Wilson and me about the interpretation of the spokesperson policy and that I had tested it empirically and found that by far most people agreed with me that I had not breached the policy.

I spoke about Cochrane's law firm that was asked to go 15 years back in time, 'you must find something on this guy because we don't like him, so we need to expel him', and that he came up empty handed. I talked about Burton's amateur theatre when I knocked on the door to the boardroom to tell the board I would go back to my hotel (see part 5, 00.14.56), and I explained why none of the four directors were any longer on the board.

Wilson spoke after me. It was very difficult to understand what his message was if there was any. Like Burton, he spoke about processes and beat about the bush with management doublespeak, which is understandable considering that he likely plotted the whole thing and was now expected to explain the unexplainable. Wilson was so incoherent that, if it had been a court trial, I think the judge would have asked him to come back when he was sober:

"Um, so, it needs to be said, um, as CEO I was not in the whole, um, session that, that Peter was describing, I am only in the, as the CEO, at the service of the board, I was only in the business sections of the meeting, um, but precisely because, um,

Peter has said that the process is ongoing, he has revealed something which the board has not in its statement last night, um, which, um, which is of course that he is the, um, individual whom the board has received complaints about, and, um, um, followed a process of investigating those complaints.

That process is still ongoing, as Peter, he is quite right, he said, he has, um, a period, um, um, to, to make further, um, further statements, um, to, um, um, to, to attempt to change the board's mind to rescind its position and therefore, um, um, the board, um, and I, um, can't say, um, um, and can't give a complete, um, um, picture, nor, nor should Peter in this, in this or other environment, nor should other board members and they are, they are aware of that, um, now obviously, since the board has, there is no question that this is an extraordinary situation, and there is no question that this is a Governing Board that is deeply split on its, um, assessment of, um, um of those complaints presented before it, um, so, um, all I would urge you to, to do is to, to please allow us to, um, to, to continue the process to, um, to its proper end, because, as, um, Peter said, um, when you start talking about lawyers and you start talking about, um, disputes, um, in the way meetings are conducted, appeals are conducted, and so on, then of course all of us are in a difficult situation.

So, I would just, I'm aware of the statements that Peter has made actually are, he sent it to you, and you are aware that the statements that the four board members who resigned, um, um, the statement that they have made, and I hope you are aware, too, that the statement that the board made, made last night, um, I hope, I perfectly understand that the messages from, from Joerg, um, made over night, um, that everything should be transparent, and there should be a big conversation about all of the circumstances that are currently, um, um, been gone through, um, but I would have to say, they can't be, um, um, you are not in possession of, um, of all the information, um, I am not in possession of all the information, um, um, board members have been and, um, I would say, the process is continuing. Thank you."

A comedian couldn't have performed better than this.

The statement the board had issued the evening before on the Cochrane website, which Wilson spoke about, [was uninformative](#). I was not named but was referred to as 'an individual' that was part of an ongoing process.

Garlehner explained that they resigned because they could not defend the board's decision and told the audience that the matter was far greater than me and had hurt Cochrane. Rob Scholten said that he hoped the board would not decide that people would be expelled from Cochrane, but that had already happened.

Co-chair and Centre Director Lotty Hooft called for a discussion about whether the directors wanted to work in a scientific organisation where it was allowed to expel people with different scientific opinions and asked when such a discussion could come on the agenda.

Wilson said that a discussion should not take place with only partial information. However, since the board would continue to provide partial and misleading information, this was like saying that a discussion would never take place. Wilson again spoke about processes, which it is convenient to hide behind:

"I don't know when the process is completed, is going to be completed. But, um, um, and in essence it is not for me, but the board has said that they will share, that they will share information, and, absolutely, I will imagine that the discussion, um, about this has to take place once that process is, is, um, um, is made. Now, um, you

know, there is no way that, um, we can be in a situation, um, in which, um, the discussion is, is taking place with, um, with partial information, in the middle of a process, but I can, um, you know, I will certainly, really, Council members would really let to the board that, um, you know, that the desire, um, that you and others have, to, to, to be in a position to be able to discuss the final resolution of, um, this dispute.”

Pure nonsense. Gerd Antes complained that he heard the word ‘process’ too often while nobody explained what it was, or how long it would take, and he said that people in a transparent organisation shouldn’t be kept in the dark.

Empathy is not one of Wilson’s strengths. He ignored Antes’ complaint and used the word ‘process’ five times in his reply:

“That’s not confidential. But the process, the process is, I can’t remember whether Peter alluded to it, that he has seven days from, um, from Thursday, um, so, I effectively, by the end of next week, um, Peter, Peter has an opportunity to, um, to submit any submission that he wants to make, and the board will meet in the week after to consider those, um, and a decision will then be taken, um, um, that, um, at the end of that point then, um, that decision will be communicated to Peter, and, and, and then Peter, Peter, Peter individually, obviously can respond accordingly, so, um, it is difficult to say what the, what the, um, when the process is complete because there may be different processes, um, but, um, that’s the internal, um, board, um, process as it defined it.”

Cochrane is processing itself to death. Von Elm also alluded to processes when he talked about the Council, which would try to understand the issues and come up with a hopefully shared position after they had held meetings during the following days.

Isabelle Boutron reminded people that the board’s decision had already caused important damage, and that many French people were asking what was happening and were questioning Cochrane, whether they should support Cochrane, and whether there could be discussions in future within Cochrane. She said they couldn’t wait ‘for the process’ to have a clear understanding of the situation.

In his reply, Wilson only used ‘process’ once but switched to talking about communication, four times. This is typical of Cochrane’s central management. It is all about rules, processes, and communication (also called PR or spin), which are supposed to solve all problems. Wilson’s unintelligible ravings continued:

“I, I, I appreciate that, and, and, um, and all I can say is that, you know, that the process at least in relation to the, to the board and its final decision on, on this matter, has to, has to take place, and then, after that, um, that the communication will be out, and the communication from the board will have to explain in ways that, that, um, that make clear, some, um, eh, the, um, the challenges and the fears and the concerns that have been expressed by those board members who resigned, um, and by, um, and by, clearly those who fear that it is a, um, um, um, in straining of, of scientific debate inside Cochrane, it is not, I, I can say from my perspective, it is not, it is not, but then, um, you know, as Peter, as Peter said, he would say, I would say that anyway, um, um, I, I don’t want to be drawn into many of the other details and elements, um, that have not been mentioned in, in the communications that have gone around because it is not my place right now, as part, as in, at this point in the process to do that as improper, I won’t, um, so, I would rather take, with a best view

in the world, um, any, um, you know, concerns or arrows or whatever that, that, you know, that is at ... the moment because now is not the time, so, I apologise, this is about, um, please be patient, um, but, I, I give you my word that, as CEO I will do my best to work with the board, to fully communicate the reasons for its decision."

Von Elm said that centre directors should not be pushed or feel obliged to position themselves, especially not for external groups, so if there were direct requests for what was happening, he suggested to refer to the communications that had come out so that everybody could make up their own mind. He didn't specify what he meant. And the board's 'communications' didn't tell people anything.

Karsten Juhl Jørgensen said: "As Peter's Deputy Director, I think I would like to point out that of course this decision has implications for many other people than just Peter. There is a whole centre with staff, and of course our situation now is quite unclear. And I think I speak for everyone in the room when I say that this fills us with immense sadness. So, I think this is really something much more than a case about Peter. Peter is democratically elected and has views that are not always in accordance with the Cochrane leadership, so, expelling him of course challenges the democratic foundation of Cochrane, and I think that is very serious, too. It is not just a matter of scientific dispute, and I fully support Lotty, I mean, this whole process really questions whether this would still be an organisation that you would want to contribute to."

Despite Wilson's presence, two centre directors had now openly wondered whether Cochrane was an organisation they would like to be in.

Edwin Chan said that what was most jarring to him was the statement that I would potentially be expelled. He explained that earlier, when there was no formal membership of Cochrane, you were a member if you contributed, and that therefore no one could be expelled. He hoped that, within a professional organisation, we could distinguish between scientific disagreements, which will always happen, and which can be robustly debated, refuted, and argued in publications, and other disputes. He called for other solutions than expulsion, which goes against the whole spirit of the Cochrane Collaboration.

Antes called for a powerful political discussion within the Collaboration and noted that we don't position ourselves. Others do, and they were making jokes about the Collaboration.

Xavier Bonfill had attended a meeting for the Iberoamerican network the day before and said that probably everyone was shocked, frustrated, and angry about what had happened. They did not understand it or why Cochrane was not capable of dealing with differences in a more constructive way, especially at a colloquium whose motto was 'Cochrane for all'. He felt that Cochrane representatives had the right to ask if warranties had been respected, as this was a process in which Cochrane assessed the conduct of a person to decide if he was going to be expelled. He noted that there are other bodies in the Collaboration that have the responsibility for assessing in a more neutral and objective way if someone deserves this kind of treatment, and that it was the first time a member had been expelled from the Collaboration in 25 years. Cochrane needed volunteers; it was a democratic, open, and transparent organisation, and it was the right of everyone to be respected in a constructive and fair way.

Bonfill was also critical of the timing - that a decision was taken the day before the colloquium started - because the issue would contaminate and affect all discussions. He asked if it was planned and the outcome was expected, and he was disappointed that co-chair Martin Burton, who was also a centre director, wasn't present and gave an explanation because it wasn't a minor issue, but a very important question.

Wilson: *"Just, just to say to Xavier, I have had nothing to do with this, what has been said, this has been a Governing Board process. So, that needs to be said. In relation to other business..."*

Wilson intended to go back to the agenda, but Gartlehner intervened:

"This is an extremely important topic ... four board members resigned, and we should probably not just move on to the next agenda item. I have the feeling that there is still much more need for a discussion, and just my personal view is that it would be wrong to postpone it because the damage is happening right now. If you look at the media, what is going on, the damage is happening now. People will have to issue statements; the press is coming."

It was decided that the remaining 30 minutes should be used to continue the discussion.

I explained that, since it had been a semi-legal process, launched against me, I had asked for getting legal representation and for money to pay for it, pointing out that I had donated more than 30 million Danish crowns to Cochrane IT development, which Mark Wilson took over against the wishes of my hospital and government some years earlier, and that our centre did not get any economic compensation, which we had asked for. (It was even worse: Wilson took what I had built up over 19 years without thanking me for my colossal contribution to Cochrane, neither personally, nor officially, e.g. on the Cochrane website. After his hostile takeover, Wilson fired the leader of the IT team in a most brutal fashion and started to treat other staff badly, as I describe in my book.)

I noted that I had not been allowed to defend myself throughout six hours where the board tried to find an excuse for expelling me, and that many things were said about me that weren't true.

Hooft supported me. She talked about 'trusted evidence', the Cochrane motto, which we did not currently have, and democracy, and asked whether she was the only one questioning whether the voting was valid at all.

Wilson explained that, according to the rules, the current board of only six out of the usual thirteen could still function, even after two members had needed to step down to comply with the rules, as there must be more internal than external members.

I responded that, "There are rules and there are moral imperatives. The remnants of the board could choose to resign, so that we could get a completely new board. That would morally be the correct thing to do considering what the board did to me. And this is not a personal thing, that I am bringing this up, that it could resign with the motivation that, okay, that wasn't due process. Very, very far from due process. We made a huge error; we have harmed the Collaboration tremendously; we will resign. That would be the only decent thing to do for the remaining board members."

A centre director said that the centres could use this opportunity to make a statement about what centres believed Cochrane meant to them. Von Elm asked what the process would be and said that they didn't have a draft proposal.

People protested and talked over each other, and someone screamed: "It's not that difficult!" I said: "Cochrane is drowning in processes, let's work!"

Juhl Jørgensen told his colleagues that the remaining board members had a considerable intellectual conflict of interest in this issue and that, although their decision might be legally and technically okay, it would have very little credibility in the eyes of the rest of Cochrane: "It's a selected view, and that's the real issue. Will people trust the decision that this board will make? I don't think that's the case."

Sally Green talked about her respect for the remaining board members, which was irrelevant, also considering the conflict of interest issue. She was not prepared to sign anything that went out publicly. Von Elm also had reservations about issuing a statement, and Wilson said that there were public statements already, which were trying to drive public positioning but were not based on all the facts and were deeply damaging to the Collaboration.

I launched a simple proposal that I suggested we voted on: "The centre directors support the motto of the colloquium, 'Cochrane for all.'" This would send a good signal. No processes. We would support that Cochrane is inclusive, also for people who dispute the science. Von Elm tried to explain that these were separate issues, talked about not dominating people. I questioned his reasoning and asked: "How can it be separate? That's the motto for the whole colloquium. Come on now, Erik. So, Cochrane isn't for all?"

Someone called for having a meeting with more time, but von Elm was not sure that this could be arranged. Antes tried with humour: "Peter, I would not support your suggestion. I know that many people would not like to be in the Collaboration. It's too simple." I responded: "It's just saying Cochrane is for all; if you don't like it, you don't go there."

Von Elm asked me whether I wanted a vote, to which I replied: "Well, they don't seem to be interested, so, I withdraw my proposal. I am not so fond of processes; I try to cut through them and get work done."

Hooft said that many people felt really sad that Cochrane was now damaged, and she questioned whether the process was the best intervention.

Next, they discussed drafting a document in a month's time, but some said it would be too late, e.g. Gartlehner said: "How will you do damage control? Damage is happening now."

Wilson: *"The message was from the Governing Board. We are the servants of the Governing Board."*

Gartlehner showed his disdain for this statement by calling it a platitude.

Wilson: *"Sorry Gerald but we are ... There will be a communication from the board ... as regards the Twitter storm ... participants in the discussion have gone public, that's you guys - board members who lost the vote, have resigned and gone public. So, you have created the public outrage, so, to then use the public outrage to then say, Cochrane must do something out of the proper process is, to my mind, improper."*

Wilson tried to put the blame on others for the calamity he had himself caused, which tactic Schopenhauer called 'Turn the tables.' He was now in familiar territory and did not rave around any longer and did not stutter.

But it did not work. Meerpohl was disappointed that none from the board came to discuss with the centre directors when the matter was so important.

Von Elm had surely learned from the Cochrane leadership how to handle explosives by referring to formalities to avoid any discussion of burning issues. He replied to Meerpohl: "That was not on the agenda." But the agenda was made long before the meeting, and the first point on the agenda was: "Are there any suggestions to change the agenda?" Furthermore, the news that I had been expelled had spread like a wildfire, so people of course expected to discuss this.

Gartlehner continued to talk about the urgency of the matter, that it was foreseeable what was happening, and that it would not be in the interest of the Collaboration if the directors would have to wait a week before they reacted to the damage.

Wilson was very defensive and critical of the statement made by the four board members that had resigned. He said they were in a privileged position, as they knew what went on during the board meeting and reprimanded them for trying to limit the damage they had themselves caused. He said that he wouldn't allow his team to be attacked for not doing something they couldn't do yet, and ended the meeting on a familiar note, the one about processes taking care of everything:

"But we will establish and administer and support processes by which you and this organisation engages with disputes that matter and are wide ranging."

Brilliant! Just what we need. It was one of Cochrane's many 'processes' that took care of me.

Cochrane has lost its moral compass and its leaders don't listen to those who have one.

I shall end with the cartoon that starts my book about Cochrane's moral collapse. Before the cartoon comes these two sentences:

A wrong leader can destroy what 10,000 people have built up patiently over 20 years. I dedicate this book to the more than 10,000 volunteers in the Cochrane Collaboration.

