

The Whistle

FREEDOM TO CARE

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Promoting public accountability - Protecting freedom of speech in the workplace

Whistleblowing RAF doctor jailed for 8 months

A decent and conscientious military doctor has been imprisoned for refusing to serve in Iraq on the grounds that the war is illegal. FtC also maintains that the war is illegal and immoral. Flight Lieutenant **Dr Malcolm Kendall-Smith**, 37, was convicted by a panel of five RAF officers of five charges of failing to comply with lawful orders. He was also dismissed from the service by a court martial panel.

Dr Kendall-Smith, had compared the invasion of Iraq to a Nazi war crime, arguing that the on-going presence of American-led forces in Iraq was illegal. He told the military hearing that he refused to serve in Basra last July because he did not want to be complicit in an 'act of aggression' contrary to international law.

He said he refused to take part in training and equipment fitting before the deployment because he believed these were 'preparatory acts which were equally as criminal as the act itself'.

In prosecution, David Perry, claimed that Kendall-Smith had a duty to obey the orders, which were in fact legal. He added that the matter of the invasion of Iraq was irrelevant because it occurred prior to the charges which date back to last year. And he said that at the time of the charges, the presence of coalition forces in Iraq was unquestionably legal because they were there at the request of the country's democratically-elected government.

Over a million people had protested on the streets of London against the war, and were ignored by Blair's unaccountable government.

First FOI Cases

The Information Tribunal, which takes appeals against the Information Commissioner's decisions, has made its first decisions.

Decision 1 establishes that information which an authority has deleted from its computer systems, but held on a back-up system, is covered by the FOI Act. This overturns guidance issued by both the Department for Constitutional Affairs and the Information Commissioner

Decision 2 finds that the Commissioner had been wrong to allow the Inland Revenue to reject a request which was based on criticism of its performance which the Revenue did not accept. The Tribunal rejected the view that the request was 'framed in general and subjective terms' and criticised the investigation of the case.

Decision 3 rules that transcripts of court proceedings are not exempt under the FOI Act exemption for court records. However, the Tribunal found that the authority had destroyed the transcript in question before the FOI Act came into force in January 2005.

Whistleblower Award

Dr Árpád Pusztai, the scientist who was dismissed after making public the harmful effects of genetically modified potato, has been given the 'Whistleblower Award' by the Federation of German Scientists and the International Association of Lawyers Against Nuclear War. He was given the award on 15th October 2005 in Berlin, in the evening of the Einstein Congress. The Whistleblower Award was first given to the Russian Navy captain Alexander Nikitin in 1999. Dr Pusztai is on the International Council of Freedom to Care. His recent work on the implications of nanoparticles in food appears in Geoff Hunt's new book on 'Nanotechnology: Risk, Ethics & Law' (Earthscan, London, 2006).

Children in Care A Whistleblower's Perspective

Chris Clode

The UK has probably the best machinery for regulating the system of children in care of any country in the world. The 1989 Children Act, with its comprehensive Guidances, the regulation of employing staff in the childcare sector since the Warner Report, the Complaints Procedures, independent reviewing of children in care and child protection investigations - all these brought together should make an impenetrable wall of protection around children no longer able to live with their parents and families. Why then are there so many continuing examples of this formidable machinery failing these children?

It can only be ignorance of these procedures that have been set in place to protect children, or neglect in implementing them. Let us get the excuses out of the way first. Working in the child protection sector in social services has not been an attractive option for many people over the last few years. There is undoubtedly a serious shortage of social workers in children's services in many local authorities. Some child care and child protection cases do not get allocated as a result of such staff vacancies. Just as there are shortages in certain areas of teaching, it is also difficult to attract sufficient bright school and college leavers into social care to work with children. The **Victoria Climbié** case showed what terrible consequences can follow from a combination of an inexperienced social worker in an overworked and understaffed local authority being inadequately and incompetently guided by managers.

In Freedom to Care, over the last five years, we have dealt with a significant number of cases where whistleblowers have come to us with serious and evidenced child protection concerns. By the time a person makes the decision to come to Freedom to Care, they have almost always tried and failed to take their concerns through the mechanisms of their employing authority. And these mechanisms have already started to fail them. Does this mean that there is an organized collusion to protect those who are harming children?

In general, it has been our experience that this is not the case. Usually, such cases start with a cock-up, rather than a conspiracy. The voice of someone relatively low in the hierarchy of child care is ignored. Against their concerns may be set the misplaced optimism of more senior managers in the mechanisms of child protection that they themselves have put in place. The increasingly loud and insistent voice of the concerned member of staff - or family member or parent - starts to

become an embarrassment to be put aside and suppressed. Once the first step has been taken to suppress the criticisms of the system, then the first step to a conspiracy may have to follow. What was originally a cock-up becomes a cover-up: at each stage to which the complainant takes their concerns they are not listened to, and a further level of cover-up is brought into place.

What then can be done about this? Freedom to Care believes that the sanctions for suppressing a whistleblower are currently inadequate. The Public Interest Disclosure Act, which supposedly embodies protections for whistleblowers, places a significant burden on the whistleblower to prove their case against the absence of any obligation for the suppressor of the whistleblower to prove themselves. Whistleblowers become isolated. Systems put enormous pressures on them and on the witnesses that they may have. Disciplinary hearings are initiated and twisted stories fabricated by the managers and their allies in such cases. Jobs and mortgages are put on the line.

Martin Luther King used to speak of the appalling silence of the good. The main force suppressing whistleblowers trying to raise concerns about children is not the active conspiracy, but the silence of the majority. And these active silences can turn into collusion. This, I believe, is how it is possible for paedophile rings to actually gain a foundation.

Caseworkers' workshop

Saturday 22 July 2006 at Rugby

Anyone intending to do casework for *Freedom to Care* needs to attend this workshop. This applies in particular to people who have not attended earlier workshops. Members needing to travel long distances can be provided with free overnight accommodation. We may also be able to contribute to travel expenses. Email:

sheilaFTC@porter-williams.freereserve.co.uk
or telephone 01788 811438 after 20 June 2006.

While it is clear that individual paedophiles target vulnerable children in child care and child protection systems, there has not been a great deal of evidence that groups of paedophiles have got into these systems in an organized and strategic way. In too many cases the passivity of people within these systems has provided enough concealment for some paedophiles to continue their harm of children. Perhaps the over-inflation of paedophile organization has become a convenience to cover the guilt of those who have stood silent at the evidence of simpler explanations. And the higher up the hierarchy of departments,

councils and government that these concerns continue to be unheard, the greater the suppressive force that is brought against the whistleblower and their allies; as well as enforcing silence on their less brave colleagues.

What can be done? First, the child care review and child protection systems must be continually pressured in a way that protects children from harm. Freedom to Care will only support and assist a whistleblower going to the press or the media after every regulatory attempt to enforce protection has been exhausted. Present company excepted, in too many cases the press has failed whistleblowers and the children they are trying to protect by the shallowness of the journalists' responses. But primarily, all the staff that operate and manage the regulatory apparatus for protecting children must be properly independent from the managers responsible for the day-to-day supervision of cases. In that system, all those regulatory staff are also qualified and trained. This training is still too often failing the children it is meant to protect. The recruitment and training of social workers and other social care staff should have such a weighty input of ethics that when staff are subsequently confronted with a case of failure to protect a child, their well-drilled conscience gives them no alternative but to stand up for the child rather than the adults in the system who have failed it.

As it is at present, in those child protection systems that fail, too often we see senior staff that have been named in those cases - after a period of quiet - being rehabilitated and reappearing perhaps in senior positions in child protection/child care charities in the voluntary sector. For the whistleblower, too often the result is the sack or early retirement and their disappearance from the systems where they have tried to enforce the protection of children.

Is this too hopeless a picture? No. Many cases are well handled and those harming children do get rooted out. But Freedom to Care naturally deals with the bad news cases, the ones the regulatory machinery has failed. We were contacted by Marion. The guidance and advice we gave to her is that she needs to try to enforce the systems to work. Her best aid in this is her evidence. Anyone in this position should, from day one, keep a detailed chronology of what is happening. Communicate with the system in writing, creating their own audit trail of evidence to take to the next level of the system if they have to. They must get copies of the statutory procedures that those who are failing the children should be operating - the key documents are available from government websites. Read them carefully so that you understand what the professionals should be doing - and what they may be failing to do. Finally, it is the self-belief in your

own case which will be the fuel to carry your protests onwards and step-by-step, upwards, if you have to.

Public Accountability in a World in Crisis

Prof Geoff Hunt (FtC Founder)

The converging global crises of oil dependence, global warming, ecological devastation, water shortages, soil erosion, and chemical pollution are not just the result of overpopulation, insufficient resources and lagging technology. They are an expression of the failure of *global public accountability* on the part of governments, corporations and individuals as consumers and decision-makers.

Accountability requires a sense of social responsibility and identification with others far away, a sense of the distant and indirect consequences for others of our acts and omissions and a preparedness to give account. Let us take the global issues of poverty, environmental degradation and over-consumption.

Poverty

The continuation of mass starvation, malnutrition and preventable disease in the human race is a failure to identify with the suffering of others. Even when such an identification does emerge, and it does so increasingly in civil society, for example in the form of large scale charitable aid, there needs to be a political will to change the situation. Here one is up against a wall of divisive assumptions about human beings in which are embedded the historically consolidated institutions of nation, ethnicity, gender, religion, economy and international relations.

The gap between the wealthy and the poor on the planet continues to increase. Roughly speaking, in the top one third of the wealthiest countries per capita income grew at almost three times the rate of the middle third, while the bottom third showed no increase. Despite global economic growth, poverty persists, with two-fifths of humanity living on less than US\$2 per day, the minimum for meeting basic needs. Healthy life expectancy (not just 'life expectancy') in Zimbabwe is 33.6 years, in Zambia 34.9 years and Afghanistan 35.5 years, while it is 75 years in Japan, 73.3 in Sweden and 72 years in Canada and in France. About 2.3 million people, mostly in the developing countries, die from eight diseases that could be prevented by vaccination.

In the 'developed world' there is still the perception that infectious diseases are 'their problem' in the 'developing world'. This is a misconceived and divisive idea, for in fact infectious disease is a global issue, as HIV, hepatitis C, SARS, and TB have recently reminded us. Global warming could eventually spread West Nile virus, cholera, yellow fever and malaria into the temperate zones of the industrialized world. Inequality is not just a threat to 'them', but a threat to all of us, to humanity. Yet, out of 1,233 drugs on the global market in the period 1975 to 1997, only 13 were applicable to the tropical diseases causing the most infectious disease deaths.

Is better technology the answer, such as genetically modified crops for food or more sophisticated pharmaceuticals? Some have thought that technology will deal with our health problems. But it seems to me that better technology is not the main basis for an answer. The answer is ethical and political. Just consider the fact that the United States has the highest per capita medical expenditure in the world but ranks 28th on the healthy life expectancy scale.

Environmental degradation

Identifying with 'nature' is a millennial challenge for the human race. To put it somewhat metaphysically, we are not only *in* nature but *of* nature, and nature is not only *in* us but *of* us. You might also say that since the nuclear age opened, nature has shown that the more we try to control it the more it boomerangs back at us. It is time to work on nature's own terms, sustainably. Sustainability is a socio-economic state in which the human demands placed upon the environment are met without reducing the capacity of the environment to *provide* for future generations.

Lack of public accountability of governments and corporations explains the fact that currently little impact is being made on reducing global warming. Emissions of the principal greenhouse gas CO₂ continue to rise. The Intergovernmental Panel on Climate Change (IPCC) has projected an average global temperature change of 1.4-5.8 degrees Celsius by the end of this century. It may be higher, even much higher. Ice shelves and glaciers are now melting, major storms and floods are increasing, and sea levels are rising. About 42 per cent of carbon emissions are from electricity generation, 24 per cent from transportation, 20 per cent from industrial processes, and 14 per cent from residential and commercial activities.

Human and livestock pressure on the land has created worsening desertification in China, land of 1.3 billion people, and soil erosion is reducing arable land and affecting water supplies in many other areas of the world. About one-third of the

world's population lives in nations experiencing water shortages, and the proportion is rising. The recent intensive and comprehensive Millennium Ecosystem Assessment concludes that about 60 per cent of the planet's 'ecosystem services' are being degraded or used unsustainably. It catalogues a destabilising loss of fish-stocks, forests, mangroves, coral reefs and natural water cycles.

Over-consumption

Unsustainable consumption, and its global consequences, is most clear in the case of oil. Demand is now far out-stripping potential supply, and a major economic global economic crisis looms in the next decade or so, but governments and oil corporations do little or nothing. Oil is not only the most important source of energy, but is the main ingredient in hundreds of consumer products from shampoo and drugs to cars and paint. Oil combustion accounts for 42 per cent of all emissions of the main human-generated greenhouse gas, carbon dioxide.

Overconsumption may begin with oil, but does not end with it. In 2000 North America and Western Europe, with 11.6 per cent of the world population, accounted for over 62 per cent of the spending on private consumption. Consumer goods, fruit, vegetables and meat are flown around the world, because the resultant air pollution and other damaging externalities are excluded from their prices, making these goods artificially cheap. Strawberries, broccoli, carrots and potatoes are brought by air freight into the UK, although all of these can be grown locally. Bottled water is transported in large quantities with similar eco-environmental unreality, although PET bottle manufacture produces greenhouse gases, and more water is consumed in making the bottles than they contain. Increasing meat consumption has not only undermined ecosystems, but under competitive cost-cutting measures that run counter to ecological sense generated the new BSE-CJD disease.

Meanwhile, consumer consumption is globalising. China, which was once the land of the ubiquitous bicycle, now has millions of cars, and in 2003 another 11,000 joined the traffic every day, heading towards a predicted 150 million cars by 2015 at current growth rates. India, and other developing countries, are also following the consumerist trajectory. It is hard to see how world environmental systems could sustain, at today's rate of consumption by the wealthy countries, even half of the 9 billion people forecasted to be alive in 2050.

In a world in which cynicism and fear have become the moral equivalent of ecosystem collapse, it is no easier to refresh our outlook with hope than

it is to refresh a poisoned coral reef or a denuded rain forest. And yet without such an ethical renewal any other kind of renewal is unlikely to succeed. Just as a failing ecosystem is a system that is losing its inner resource of replenishment, so a cynical, fearful and defensive outlook is precisely a loss of the inner resource of responsibility. Without a readiness to identify with the suffering of others, to let go of the obstacles to peace, and identify with the natural world (compassion, humility and communion) our fate would be as sealed by our ethical condition as it would be by global warming.

The public accountability of our governments and corporations is a matter of survival. Are you asking for it now? If not, join a (or another) NGO today. There's a long list for you to choose from at: www.modernbuddhaway.org/mznlinks.htm

Whistleblower Warned

Dr Andrew Eardley, the doctor who blew the whistle on an Elstree medical clinic that made a fortune injecting thousands of children with out-of-date MMR inoculations, has been given an official warning by the General Medical Council (April 2006).

The GMC warned him for continuing to give the injections to patients himself for a time, even though without his speaking out the criminal malpractice would not have been exposed. Dr Eardley's boss, Dr David Pugh, was jailed in December 2004 for faking blood test results.

The chairman of the GMC, said the panel was impressed by Eardley's openness and accepted it was a direct result of his actions that the centre was closed down.

Suspension of Medical Staff

Sheila Porter-Williams

Freedom to Care has campaigned for many years against the prolonged and unnecessary suspension of NHS staff. The National Audit Office in November 2003 agreed with us.

University Hospitals Coventry & Warwickshire NHS Trust (UHCW) made three prolonged suspensions in recent years when inquiries found that serious offences justifying dismissal had not been committed. In two of the cases, surgeon **Mr Barros D'Sa** and cardiologist **Dr Raj Kumar Mattu**, the suspensions were on unrelated charges after they had identified serious

wrong-doing in the Trust. These cases feature in Whistle 18, 19 and 22, summarised on the web page <http://www.freedomtocare.org/page225.htm>.

Dr Mattu has now been suspended for four years at a cost estimated to exceed £500,000 despite substantial support from colleagues, the community and his member of parliament. The disciplinary panel started its investigation in January 2005, and in May 2006 recommended a first written warning. Nevertheless the Trust has decided not to reinstate Dr Mattu but to postpone a decision on the disciplinary case until his application for an injunction requiring his reinstatement is heard by the High Court.

While the NHS has clearly shown that it is underfunded, it damages its own credibility by wasting skills and resources with this unaccountable behaviour, leading to avoidable cuts in services. This is compounded for UHCW because it has failed to learn from earlier mistakes that led to a collapse in confidence in the previous Trust Board.

Police Whistleblower

Anne Burge

The circumstances surrounding the shooting of **Jean Charles de Menezes** would not have come to the public's attention without whistleblower **Lana Vandenberg**. Lana worked as an administration secretary for the Independent Police Complaints Commission. Jean Charles de Menezes was an innocent man and not a dangerous terrorist. At first the police tried to cover up this dreadful mistake. Lana leaked details of the police enquiry, which was very different from the version then in the public domain.

Unlike my approach in my own whistleblowing ordeal (I went to pieces!) Lana set about collecting copies of the statements she was working on. She built up a dossier of anything relevant that showed the true picture of what happened. In her account to the Daily Mail (8th May) she says, 'I came to the conclusion that I could make a difference.' Lana passed the dossier to a friend whose partner is a producer at ITN.

After the leak was traced she resigned. Friends deserted her and she had to move into a flat in London. It was here that she was arrested at 6.30 am after the police had broken down her door and taken her to Bishopsgate police station.

Lana is a diabetic, but for eight hours she given nothing to eat until her lawyer came. During that time the police did their best to intimidate her. They hinted that she could face a gaol sentence. Returning home that evening she found her flat in

a mess with important documents such as her passport and work visa missing.

For those of us with a mortgage and a dependent family, making the choice to whistle-blow is even more fraught. We whistleblowers also pay an enormous price in the emotional roller coaster of the aftermath. But we are also the ones who do not lose sight of the fact that integrity and accountability in government and the workplace is vital to our well-being both as individuals and as a society.

Lana points out that she is sustained by the knowledge that she acted rightly. She says 'I did the right thing. I helped the parents of Jean Charles and the public in finding out the truth and in finding out that what they had been told was not the truth'. Truth is another word for reality. It's the bottom line and without it we don't know which way is up. We all owe a huge debt to Lana.

USA: Corporate-Military State Spreads Paranoia

The International Commission of Inquiry on Crimes against Humanity Committed by the Bush Administration (<http://www.bushcommission.org>) convened recently in New York City's Riverside Church. In the tradition of the Russell tribunal, the panel of judges at the commission of inquiry heard evidence of George W. Bush's war crimes and crimes against humanity committed in Iraq, Afghanistan, Guantánamo Bay, and elsewhere.

A government that hates public accountability will always spread paranoia to manipulate citizens. Secrecy, manipulative leaks by government, whistleblowing, persecution, abuses, torture – the USA can no longer even *pretend* to be the leader of human rights, democracy and 'civilization'. Look at just a few recent events from a public accountability perspective.

The CIA in April dismissed a senior officer for disclosing classified information to reporters, including material for Pulitzer Prize-winning articles in 'The Washington Post' about the agency's secret overseas prisons for terror suspects, intelligence officials said Friday. The CIA would not identify the officer, but it is **Mary O. McCarthy**, a veteran intelligence analyst who until 2001 was senior director for intelligence programs at the National Security Council, where she had also served under President Bill Clinton.

At the time of her dismissal, Ms. McCarthy was working in the agency's inspector general's office. Her dismissal provided fresh evidence of the Bush administration's determined efforts to stanch leaks of 'classified' information.

Meanwhile, the Bush administration has dramatically accelerated the classification of information as 'top secret' or 'confidential'. And one office is refusing to report on its annual activity in classifying documents: the office of Vice President Dick Cheney. A standing executive order, strengthened by President Bush in 2003, requires all agencies and 'any other entity within the executive branch' to provide an annual accounting of their classification of documents. More than 80 agencies have collectively reported to the National Archives that they made 15.6 million decisions in 2004 to classify information, nearly double the number in 2001, but Cheney continues to insist he is exempt.

Bush has clamped down on the release of government documents. That includes tougher standards for what the public can obtain under the Freedom of Information Act and the creation of a broad new category of 'sensitive but unclassified information'. Before the end of its first year, the Bush administration also reversed a long-standing policy on how agencies respond to public requests for records under the Freedom of Information Act. Clinton's attorney general, Janet Reno, had insisted on 'a presumption of disclosure'. But Bush's first attorney general, John Ashcroft, requested all agencies to disclose information requested by the public 'only after full and deliberate consideration ... of the privacy interests that could be implicated'.

Authoritarianism continues to grow. 'The New York Times' has warned against President Bush's unprecedented powers and his so-called 'signing statements' by which he hopes to over-ride the intent of legislation written by Congress.

Former Vice President **Albert Gore Jr.** delivered a major policy speech criticising Bush for abusing executive power. Gore argued that 'whenever power is unchecked and unaccountable it almost inevitably leads to mistakes and abuses. In the absence of rigorous accountability, incompetence flourishes. Dishonesty is encouraged and rewarded'. The former Vice President went on to call for a bi-partisan inquiry to pursue the criminal issues raised by warrantless wiretapping of Americans by the President.

Torture is "Widespread"

Unaccountable with information, unaccountable in actions. In April 2006 Amnesty International blew the whistle again on USA's human rights abuses. Its report says that the US government is 'creating a climate' in which abuse can flourish. Torture and inhumane treatment are 'widespread' in U.S. detention centres in Afghanistan, Iraq, and Cuba.

In a report for the UN Committee against Torture, Amnesty also alleged abuses within the

U.S. domestic law enforcement system, including use of excessive force by police and degrading conditions of isolation for inmates in high security prisons.

OBITUARY: TIM FIELD

Tim Field, internationally renowned pioneer of anti-bullying in the workplace, and sometime director of Freedom to Care, died of cancer, at the age of 53, on 15th January 2006.

A fellow member of the Core Group of Freedom to Care has shared her impressions of Tim in the following way: 'I will always be indebted to Tim. I first met him at a Freedom to Care AGM and he struck me as being a quiet, modest man. Later I was to learn how far he had pushed the issue of bullying onto the public agenda. Every documentary I saw on TV listed Tim among its credits. His courage was astounding and he remains for me a beacon of hope'.

Tim had suffered from a serious breakdown as a result of the bullying directed towards him in 1994. But, in spite of this – or, perhaps because of this - Tim went on to establish the *UK National Workplace Bullying Advice Line* in 1996, and its accompanying website *Bully OnLine*, the world's largest resource on workplace bullying and related issues. He wrote the highly influential book, *Bully In Sight: How to Predict, Resist, Challenge and Combat Workplace Bullying*, in 1996, and co-authored, with Neil Marr, *Bullycide: Death at Playtime, an Expose of Child Suicide Caused by Bullying*, in 2001.

In 1998, he published, through his own publishing house (*Success Unlimited*), David Kinchin's *Post Traumatic Stress Disorder: The Invisible Injury*. In addition to this, he, lectured all over the world, wrote articles, appeared regularly in the media, and set up *Bullyonline*, an internet-based discussion forum, as well as source of support for those on the receiving end of this unacceptable form of behaviour.

As Honorary President of DAWN (Dignity At Work Now), an anti-bullying in the workplace support and campaign group, of which Tim was Patron, I admired him tremendously. He was a *communicator par excellence, a campaigner, a leader, a teacher, and literally a life-saver*. He displayed exceptional *integrity, courage, loyalty, generosity and determination*. He was *compassionate, wise, self-effacing, perceptive and truly inspiring*.

I first met Tim when he and I attended one of the spate of conferences dealing with workplace bullying in the latter half of the 1990s. He was

already gaining a national reputation as a speaker in this relatively new area which was beginning to attract the keen attention of academics, trade unionists, lawyers, health professionals, and those engaged in personnel issues. For me, this was the start of a most enlightening and rewarding relationship which was to be cruelly cut short by Tim's passing.

Tim deservedly achieved an international reputation for his ability to convey with such profound insight and clarity the true nature of bullying in the workplace. His work gained academic recognition through the award of two honorary doctorates. Moreover, his reputation was enhanced even further by his willingness 'to put his head above the parapet' in his determination to expose, and hold to account, the perpetrators of wrongdoing, even though the sacrifices he made in so doing were undoubtedly at considerable cost to his own well-being. Tim was a *good* man. He has left an enduring legacy for those wishing to share, and to achieve, his vision of a bully-free world.

By **Keith Munday** Member of the Core Group: Freedom to Care, and Honorary President, DAWN
At the time of going to press The Tim Field Memorial Lecture is being jointly organized by the two anti-bullying in the workplace support groups, OXBOW and DAWN. The intention is to hold the Lecture in Oxford on Saturday, 28th October 2006. See: www.dignityatworknow.org.uk.

FtC has endorsed the alternative energy report of the Institute for Science and Society, which criticises Blair's nuclear energy proposals without accountability. FtC's Doug Foster and Geoff Hunt attended the launch of the report at the House of Commons on 25th May, with Tim Yeo MP and Michael Meacher MP in the chair. Go to:
www.i-sis.org.uk/ISIS_energy_review_exec_sum.pdf

Drug company's pretence

Geoffrey Porter-Williams

In the early 1990s the late **Dr Chris Chapman** was dismissed from a scientific post after bringing to light scientific fraud arising out of commercial contracts in a laboratory at Leeds General Infirmary jointly managed with Leeds University (He was supported by FtC. see <http://www.freedomtocare.org/page51.htm>). There have been several other cases of the corrupting influence of commercial sponsorship on scientific publications from universities.

Dr Aubrey Blumsohn's case featured in the press from November 2005. He was employed at Sheffield University as a senior lecturer and honorary consultant in metabolic bone disease. He was engaged on a joint research project with Procter & Gamble Pharmaceutical, which funded the work and had a commercial interest in the outcome. He was asked to publish in his own name academic papers prepared by a writer working on behalf of Procter & Gamble Pharmaceutical about the effects on patients of the anti-osteoporosis drug Actonel. When Dr Blumsohn asked to see the raw data underlying the draft papers, initially the request was refused. Eventually he had limited access to the data he had requested and found that some of the data underlying the findings he was asked to endorse was omitted from the statistical analysis.

When Dr Blumsohn raised a concern about his name being put to such a paper he was reminded of the substantial income that Sheffield University received from Procter & Gamble Pharmaceutical. Later he was suspended and offered a severance payment in return for signing a gagging clause.

After Dr Blumsohn's case became public knowledge, Procter & Gamble Pharmaceutical announced in February 2006 that researchers would have a right of access to all the data relevant to their work, enabling them to check statements that were to be made in their names.

In April 2006 the UK Panel for Research Integrity in Health and Biomedical Sciences was launched, initially with three years' funding, to encourage self regulation of research institutions and to support whistleblowers in the field of academic research. Should more radical changes be made? When research is on behalf of a large multi-national company to prove the efficacy of its own products, it would be more appropriate for the work to be done entirely in its own laboratories and published in its own name. But there are smaller companies for which university labs are a valuable resource.

Some research into products would be better publicly funded. For example the National Institute for Health and Clinical Excellence (NICE) has a duty to recommend the conditions in which particular drugs should or should not be used in the National Health Service. So any research into assessing the effectiveness of particular drugs that are already in use should be sponsored by NICE, not by the manufacturer. Often such research should compare the effects of all the drugs used in the field to identify the conditions in which one or another drug should be preferred.

When a university's role in research is limited, such as when the university does the laboratory analysis and the statistical analysis is done

elsewhere, the university's limited role in the research should be made explicit in any publication of the result. Academics should only publish in their own name reports on work that they have done themselves or actively supervised.

FREEDOM TO CARE

..is an independent, non-profit and entirely voluntary organisation. We are not lawyers. We accept no money from corporations or government departments. We are the UK's first whistleblower organisation (1991) and the only grassroots one. It is not a charity, but a non-profit company limited by guarantee (Reg. 2973440). Freedom to Care lobbies and campaigns for the greater public accountability of large organisations & supports conscientious employees who speak up in the public interest.

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