

CAFAS Update No. 59

14 July 2008

Council for Academic Freedom & Academic Standards

<http://www.cafas.org.uk>

Meeting:

*Saturday 26 July 2008
1.30 pm AGM; 2.00 pm Meeting
Room 252
Birkbeck College
Malet Street
London WC1*

Underground: Goodge Street, Euston Square, Euston, Russell Square, Holborn

From a group of Nottingham residents, concerned students and academics at the University of Nottingham, UK

For immediate release 16 June 2008 (*Taken from the UCU Activists' list 16 June 2008*).

Following the cancellation order on his deportation, and after being detained for over 30 days, Hicham Yezza has been released on bail after the Home Office refused to grant him temporary release.

Hicham, a prominent political journal editor, writer and University member was arrested under anti-terror legislation for the possession of 'radical

material' on May 14th. The document in question is widely used for research purposes and was downloaded from an official US government website. At the time of the arrest the document was being used as material for a PhD proposal (supervised by staff in the Department of Politics and International Relations) of a student friend who was also arrested.

In the wake of the arrest the Home Office attempted to deport Hicham: a move that elicited widespread condemnation. Alan Simpson MP said: "The basis of that removal is to try to justify the abuse of power under the Terrorism Act" (see website for text of speech). The deportation order was cancelled in the midst of protests and a concerted campaign for Hicham's release, but he remained in detention for weeks in various immigration removal centres. The Home Office attempted to justify Hicham's continued detention by claiming he had an 'absence of close ties' to the UK. This was despite overwhelming evidence to the contrary, including hundreds of character references from friends and university colleagues, testifying to his excellent character and exceptional contributing to British society over the last 13 years.

Hicham's arrest highlights the routine and inappropriate use of the terror laws in Britain. Despite the fact that the 'radical material' was immediately confirmed as research material by academic supervisors, both Hicham and Rizwaan Sabir were held for 6 days. This is a pre-charge detention period that would be illegal in most EU countries.

This development comes in the wake of recent national debate surrounding the extension to 42 days pre-charge detention and at a time when the US Supreme Court reaffirms the writ of habeas corpus in relation [to] terror suspects held in Guantanamo. Yet the UK Government continues to undermine this cornerstone of liberty and accelerates the erosion of fundamental civil liberties.

When asked for comment on his release, Hicham said: "Being detained for the past 31 days has been the most harrowing experience of my life. The support my campaign has received from thousands of friends and supporters - including MPs academics, artists and concerned citizens in Nottingham and beyond - has been nothing short of inspirational and has sustained me through this difficult time. I have spent almost half my life in Nottingham and throughout that time have done my utmost to be a productive and positive member of the student and local communities. I look forward to continuing my fight for justice and I hope sense will prevail."

Campaign coordinator Musab Younis expressed his delight, commenting: "The incredible success of the campaign is testament to Hicham's deep roots in the community and unique contribution as a well-known activist, academic, writer, and artist. The campaign will press ahead in its aim to secure Hicham's right to stay in the UK. We confidently expect a swift and positive resolution to this case, in line with the values of justice and free speech that we expect our country to uphold."

"We are delighted that Hicham Yezza has been granted immigration bail and has been released," said David Smith, immigration specialist with Midlands law firm Cartwright King and who is representing Mr Yezza. "The judicial review will now continue and we hope that the case will proceed in an orderly fashion to its proper conclusion."

Contact the Campaign:

Phone: 07948590262 / 07505863957 / 07726466211

Email: staffandstudents@googlemail.com

Website: <http://freehichamyezza.wordpress.com>

Editorial

Readers may be aware of the case of Rizwaan Sabir a postgraduate student, and Hicham Yezza, an administrator, at the University of Nottingham. Both were arrested and detained for 6 days under the anti-Terrorism Act, 2001, before being released without charge. This followed the discovery of an al Qaeda training manual on Mr Yezza's computer. Apparently, the student, who was researching this area with his supervisor's approval, had asked his friend to print it for him. The training manual was freely available from the US government's website.

The case has had media coverage and different versions of events have materialised. The university claims the investigation by the police was sensitively handled; the detainees described it as a horrific ordeal.

The ordeal for Hicham Yezza had only just begun. On release he was rearrested on an immigration charge and was to be deported within several days. Following a campaign in which Cafas was involved, he was given a stay of deportation but still detained. As the report above shows, he was eventually released on bail in order that he may pursue the matter in the courts.

Cafas wrote to both the university and the Home Secretary. Their responses are below. Further correspondence from the latter will be in *Update 60*. There was also a number of letters published in the Times Higher Education including one from the Vice-chancellor Sir Colin Campbell claiming that what happened had nothing to do with the principle of academic freedom which his university fully embraces. The Vice-chancellor stated that when the material was found on the computer the university had to make a risk assessment. Senior management concluded that there had to be an investigation. Instead of carrying out an internal investigation the university went straight to the police. The university in spite of numerous requests have failed to explain why their procedures seem to suggest that it is incapable of conducting its own investigation. The response by staff and students was mixed. A leading member of the students' union and at least two leading members in the Nottingham UCU supported the university's position. It would be fair to say that without the protests from others in the academic community, including the UCU leadership, and politicians, the outcome would most likely have been very different.

Correspondence to CAFAS

Email

From: "Greatrix Paul"
Date: Tue, 10 Jun 2008 17:09:38 +0100
Subject: RE: academic freedom

Thank you for this.

A member of staff conducting everyday university business discovered that an individual within a School's administrative team - who is not an academic and not a registered student - was in possession of the 'al Qaeda Training Manual.' In any circumstances and in any organisation (including our University) discovery of such material - being held for non-academic purposes by a clerical member of staff - would prompt reasonable anxiety.

Given the University's public duty and its duty of care to staff, and students, this material was quite properly brought to my attention by the member of staff's Head of School.

Senior management of the University decided the police were the only appropriate investigating authority to determine why this material was being held by a non-academic member of staff.

Much has been said on the matter of academic freedom over the last few weeks, and whether recent events are in conflict with it. The University has always fully embraced the principle and continues to do so. However, something as precious as academic freedom merits sensitive handling. Where any material with potential to cause alarm, or which is potentially illegal, is sent to third parties - especially those not engaged in research or study - we have a responsibility to the wider University community to ensure that those in legitimate possession of it handle it with due diligence. The University is already addressing issues raised through the ongoing work of its Research Committee.

Mr Sabir was arrested as a consequence of the police investigation into Mr Yezza - this was not a matter determined by the University.

The police investigation was low key and sensitively handled in my view because for all but a handful of people at the centre of investigations life carried on as normal.

Yours sincerely

Dr Paul Greatrix

Registrar, University of Nottingham

Email

From: CIT - Treat Official
<CITTO@homeoffice.gsi.gov.uk>
Date: Thu, 5 Jun 2008 11:24:05 +0100

Thank you for your e-mail regarding 'Hicham Yezza'.

Your support and comments have been received; *unfortunately we are unable to discuss individual cases specifically as the UK Border Agency is bound by the Data Protection Act.*

If you would like to add any further comments regarding this matter please address them in writing to: UK Border Agency.

Letter from Home Office Border & Immigration Agency 4 June 2008

'Thank you for your letter of 29.05.2008 about the immigration matters of Mr Hicham Yezza. Your support has been noted and your letter will be attached to their personal case file for any future consideration of the case.

Yours sincerely

pp Public Correspondence Team.'

Letter from Home Office Border & Immigration Agency 18 June 2008

Thank you for your letter of 10/06/08 about the immigration matters of ... Hicham Yezza.

You will appreciate the information contained in applications made to the UK Border Agency is treated as strictly confidential and cannot be disclosed to other persons. This reflects the Agency's legal obligations under Common Law, Human Rights and Data Protection legislation, and the treatment of private personal information under the code of practice on Access to Information. It is therefore regrettable that we are unable to comment on the particular details of this case.

I hope you will understand that this is not secrecy for its own sake, but simply a matter of protecting the privacy of the individual. Please be assured that the information you have submitted will be placed on file and will be fully considered any IND, and any further consequence to this case will be carefully investigated.

Thank you for providing us with this information.

D R
A U B R E Y
B L U M S O H N

D R R H E T T A
M O R A N

SHEFFIELD

M A N C H E S T E R

27 June 2008

Sally Hunt
General Secretary UCU
Egmont House
25-31 Tavistock Place
London, WC1H 9UT

Credibility and Accountability of the UCU

Dear Ms Hunt

We are writing to you about a problem.

On 7 June 2005 you wrote to one of us (RM) as follows: *"I am making enquiries into the matters you have raised with me and I will be in touch with you again in due course"*.

Your letter is attached as Appendix A.

On 28 September 2005 you wrote to one of us (AB) as follows: *"I have asked the regional official to deal with your case and to report back to me. I will be in touch again in due course"*.

Your letter is attached as Appendix B.

Three years later we are both patiently awaiting your reply. You are no doubt aware that each of these "cases" raised principles which go to the heart of academic functioning and the supposed mission of the AUT/UCU. They raised matters far beyond the mere technical or legal employment issues in each "case". Those principles should have caused a storm of protest within any plausible Academic Union.

There is a groundswell of opinion that the AUT/UCU is not addressing matters of fundamental principle. We would suggest that, through its silence, the AUT/UCU have colluded with the corruption of academia. Fine words about academic freedom will come to nothing unless the UCU engages with actual issues of principle which arise.

We note too the belated UCU comments in relation to the case of Rizwaan Sabir and Hicham Yezza at Nottingham University. Unfortunately, there was no audible public comment from the UCU about the principles involved. There has been no comment about the meaning of being an academic, or the role of a University.

We are aware of many other instances of principled inaction of the AUT/UCU. However given the synchronous nature of your letters of 2005 we thought we would write at this time to check whether you have managed to find the time to respond.

Yours Sincerely



Dr Aubrey Blumsohn

Dr Rhett Moran

Background

Rhett Moran was dismissed by the University of Salford under unusual circumstances in 2005 following a previously successful academic career. During the previous year, she had been the lead investigator in a publicly funded project (Salford RAPAR SRB5) which was designed to collate accurate information about housing, health, employment, economic, personal safety and education problems involving people seeking asylum. The project was funded through the Office of the Deputy Prime Minister. Clearly this was a contentious project.

No factually plausible reasons for her dismissal as an academic under such circumstances have ever been provided. Employers appear to exercise the right to dismiss staff on the most thinly constructed grounds, or even no grounds at all, such as unspecified research "incompatibility". The university returned all grant funds including a newly obtained one (£192,316) from the European Social Fund.

She comments, 'I have learned that legal structures designed to deal with employment disputes have almost no relevance to academic integrity. Neither, unfortunately, did the Association of University Teachers (AUT).'

We now know that the PCT Chief Executive,

Mike Burrows, wrote to her "boss" Professor Michael Harloe and told him she was being removed from leadership of the research in April 2004. This was very shortly after a newspaper article appeared in the Observer. In this article (March 28, 2004, <http://observer.guardian.co.uk/print/0,,4889962-102285,00.html>) the Observer described how young asylum-seeking women were having to go underground in Salford. Drawing on work and contacts provided by Dr Moran, it cited her as follows:

'People have been dumped in Salford, but without resources,' says Dr Rhetta Moran, a senior research fellow at the Revans Institute with overall responsibility for the Salford RAPAR project. 'There was no additional support for local practitioners. There is not one immigration solicitor in the whole city. And it leads to bitterness because this is a place where locals have been making their own demands on the council for years.'

Other staff employed on the project were threatened with immediate suspension for gross misconduct if they had anything to do with her. It appears that there was an attempt to induce staff to accuse her of bullying, but they declined to do so. The following month she received a letter of dismissal, signed by the current President of Salford University UCU, John Dobson, who advised that her research was no longer "compatible" with the school.

This lack of "compatibility" was never explained.

One would have thought that the idea of "compatible" or "incompatible" research would be something that should interest an academic union. The AUT attempted to induce to me to go along with a sham process as well as a gag agreement while ignoring every principle involved. Their silence has been deafening.

The university then stated that the reason for her dismissal was because she was "redundant" – a truly marvellous tautology.

Dr Moran was finally sacked in January 2005, the day before the Deputy Prime Minister announced the opening of the Central Salford Urban Regeneration Company, in which her former boss Vice Chancellor, Michael Harloe has major involvement.

She says, 'It is not clear whether any "incompatibility" might be down to fear of research or academic discussion that a City Council or conflicted academic leadership would find uncomfortable. It would be good to know.'

When Aubrey Blumsohn's request to the pharmaceutical company, Procter & Gamble, for

further data for his research on their osteoporosis drug Actonel was met with resistance, his employer, the University of Sheffield, failed to support him, eventually suspending him. See details at <http://www.slate.com/id/2133061/> which were written at the time of his attempt to take the matter to the former Association of University Teachers (now in the UCU). His case has also been widely reported in the media, see http://www.thejabberwock.org/wiki/index.php?title=Actonel_Case_Media_Reports and in Cafas Updates 49, 50, 51 & 53 (www.cafas.org.uk). Although there has been considerable progress since then including admissions of failure to tell the truth, distorted presentations of science by authors of one P&G paper, and the release of data from three P&G papers that showed Dr Blumsohn's concerns were correct, there remain unresolved issues.

CAFAS Update seeks to provide an open forum for opinion and discussion. Items do not necessarily reflect the views of the Council.

LETTER

6 July 2008

Dear CAFAS

I have received an email about the issue of medical student fitness to practise and I wish to raise certain issues with a view to CAFAS making a submission to this consultation. I have very serious concerns about this matter.

There is no set threshold of what constitutes impairment of fitness to practise or serious professional misconduct. In chapter 17 of the 5th report to the Shipman Inquiry Her Honour Lady Justice Dame Janet Smith QC criticised the GMC for this (1). There is no consistency in the adjudications of the GMC and I fear that medical schools will also fail to apply these rules consistently. The Shipman report criticised the GMC for a lack of consistency and still four years on the problem has not changed (2)

However I also fear that any student facing such a trial by their medical school will not have a fair trial. I have assisted quite a few medical students facing student review hearings. I

have also assisted quite a few doctors who are subject to GMC proceedings. Several themes are very common in every case.

- Manipulation of evidence. In every single case I have assisted with the prosecution gives evidence that is selective; misleading and prejudicial. Prosecuting statements are either full of untruths or they have deliberately missed out important information. There is a GMC rule stating "You must be honest and trustworthy when writing reports, completing or signing forms, or providing evidence in litigation or other formal inquiries. This means that you must take reasonable steps to verify any statement before you sign a document. You must not write or sign documents which are false or misleading because they omit relevant information." This rule is broken all the time and it always happens to be the more senior doctors who do this.
- Failure to disclose vital evidence. This leads on from the previous point. In every case the prosecution has failed to disclose vital evidence. In every case where I have assisted a student I have got the student to access his or her file from the university under the data protection act. In every case the student picks up some information that has an impact on the outcome of the proceedings. However the prosecution never declares it.
- False statements (see above).
- Failure to follow procedures properly. In every case the medical school concerned has failed to follow the university procedures properly. They do so with impunity. I think part of the problem is that doctors are very rarely challenged and believe that they can get away with it.
- Failure to apply GMC rules properly. In every single case a submission is put to the panel that the above GMC rule has been broken. No action is ever taken against such doctors.
- The lack of equality of arms. Students will need legal representation at such hearings or they will be excluded. However how many students can afford lawyers? Worse still in some cases what happens if a university will not allow the student to have legal representation?

- Lack of independence of the panel hearing the case. Very often the panel hearing a case will be on very good terms with the prosecuting doctors. In one case the chairman of the panel was addressing one of the witnesses on first name terms. Clearly that is not fair.
- Lack of complaint. One thing is very common the medical school says that the student has done something wrong- usually it is an allegation of inappropriate behaviour in the dealings with colleagues or patients. In every case I ask the representative to ask the panel where is the formal written complaint from the person who the student has supposedly wronged? In practically every single case there is no such complaint and the case simply falls apart.

What are the GMC going to do to ensure that this has not happened?

Furthermore I have seen an article (3) where the chair of the GMC education division (Professor Peter Rubin) says "We hope the guidance will be useful to both students and the medical schools responsible for their education. Most medical students are aware that they have privileges and responsibilities different from those of other students and that their behaviour outside the clinical environment, including in their personal lives, may have an impact on their fitness to practise. Students' behaviour at all times must justify the trust the public places in the medical profession.

The same article shows Professor Weetman – dean of the University of Sheffield medical school saying, "We support this step towards ensuring that UK medical schools have robust and consistent fitness to practise procedures and encourage all those involved in medical education to read our guidance and respond to the consultation."

From my own experience (4) it concerns me that these panels will be far from fair.

I urge CAFAS to make a submission to this consultation before it is too late.

Yours sincerely

Sushant Varma

1. The Shipman Inquiry 5th report Chapter 17
URL http://www.the-shipman-inquiry.org.uk/5r_page.asp?id=4715
<[14 July 2008](http://www.the-shipman-</div><div data-bbox=)

- inquiry.org.uk/5r_page.asp?id=4715> date checked 5 July 2008
2. The General Medical Council A Personal View *Cardiology News* October/ November 2006 URL
<http://www.nhsexposed.com/healthworkers/doctors/whistleblowers/peter-wilmshurst-personal-view.shtml>
<<http://www.nhsexposed.com/healthworkers/doctors/whistleblowers/peter-wilmshurst-personal-view.shtml>> date checked 5 July 2008
 3. Supporting Future Doctors - GMC Seeks Views On Medical Students' Health Issues *Medical news today* URL
<http://www.medicalnewstoday.com:80/articles/113125.php>
<<http://www.medicalnewstoday.com/articles/113125.php>> date checked 5 July 2008
 4. Exam Fraud: the dispute at Sheffield- a case study URL
<http://www.examfraud.co.uk/dispute.htm>
<<http://www.examfraud.co.uk/dispute.htm>> date checked 5 July 2008

OBITUARY

Michael Downes, 1924 – 2008

Michael Downes was always in the RAF up to his retirement in 1959. He served in Iraq and Afghanistan before the War and joined Bomber Command in 1938. He served as a rear-gunner, navigator and bomb-aimer during this time, and saw service during the Second World War in Europe and North Africa.

His most memorable sorties included the bombing of Adolf Hitler's Alpine lair and Operation Mannah, where his and other squadrons dropped food to the starving Dutch in Holland. He survived the war due to a welcome cup of tea! It was usual not to drink the flask of tea on the outward leg of the bombing run as it was alleged to bring bad luck, so aircrews had their 'cuppa' on the way home. This instance he was a rear-gunner in a Wellington bomber and he came forward to get his drink. A burst of flak exploded in the rear turret and he would have almost certainly died.

In the latter years of the war, he was Monty's Navigator and then went on to Canberra jets, doing things for the Allies, which cannot be mentioned, over communist countries.

The two things we should remember him for would be (1) fight for just causes, defending one's reputation and not to be swayed until justice was done. He was a prolific writer and author. (2)

His second forte was 'it is never too late to learn' and this strength was passed on to family members and any one else who wished to listen and better themselves. Even in his final hours, his brain was sharp, clear and precise.

He loved gardening and won the "Southend in Bloom" private garden two years in succession.

Mr Michael Downes passed away on 19 February 2008, a fortnight after the death of his wife.

He was a member of the Bullied Teachers Support Network and later a member of CAFAS - Council for Academic Freedom and Academic Standards. He wrote several articles for *CAFAS Update*.

Phillip Moroney adds:

The word that I would use best to describe Michael in my experience of him would be fearless. He was a man of immense courage and integrity.

He assisted me in 1997 when I took a grievance before the Board of Governors at Southend High School for Girls. He always gave his full attention to the issue at hand and when I had doubts about my course of action he calmly guided me back to the rightful path.

His life seemed full of study and learning and I recall that whilst in his mid eighties he was studying an Open University course in Mathematics. To meet with Michael always filled one with a sense of boldness and confidence. The rather large whiskeys he served up during these meetings also helped to this end.

Michael remained active throughout his life, until the very final days, and I feel privileged to have known him, albeit for only the latter part of his life.

Phillip D Moroney & Majzoub B Ali

SUBSCRIPTION

Dear Members

Some of you have forgotten to pay your membership fee.

Could you please be kind enough to check the date of your last payment on the address label? If you should find there "**" or "****!!!" could you please send a cheque without further delay as your contribution is absolutely crucial to the well being of CAFAS.**

Many thanks for your contribution.

**Your Treasurer and Membership Secretary
Eva Link
17 Highcliffe,
Clivedon Court,
London W13 8DP**

VIEWPOINT

Dr Andrew Gunn at the University of Queensland in Australia was asked to apologise to a drug company for his public comments on a vaccine against human papillomavirus that was developed jointly by the university and the company. It was said that academics speak on behalf of a university. On 14 March 2008 the university's secretary and registrar, Douglas Porter, wrote to Dr Gunn, asking him to provide a written apology to the company stating that the "comments were made by you in your personal capacity and were not endorsed or authorised by the university." The resulting scandal is discussed by Dr Gunn. This is an edited version of an article published in Arena Magazine, Issue 95 ~ June-July 2008.

The Big Pharma Squeeze

Andrew Gunn

If you are thrown by a horse, people say you should get straight back on it. I hope the same holds for hobby horses because one of my favourite hobbies is discussing the influence of pharmaceutical companies. Recently I have experienced firsthand how their power might compromise a public university's responsibility to the community for free discourse.

Late last year I publicly aired a few concerns about the marketing of Gardasil, the genital wart virus immunisation widely known as 'the cervical cancer vaccine'. My comments were made on ABC Radio National's Perspective. This program, billed as 'an opinionated five minutes of radio', features commentators, who are often academics, pushing their own barrows. After being introduced as 'Editor of the journal New Doctor and senior lecturer in general practice at the University of Queensland ...', I launched into personal anecdotes and reflections on drug marketing.

Two weeks later, Dr Rachel David, the Director of Public Affairs at Gardasil's manufacturer, CSL, wrote to my university's Vice-Chancellor complaining about my radio comments. Dr David is not new to public scrutiny. A 2001 article in The Age titled 'Too Many Bitter Pills' remarked on her role as an adviser to the then Federal Health Minister Michael Wooldridge during a review of the Pharmaceutical Benefits Advisory Committee (PBAC). This committee determines whether drugs get government subsidies. The review led to the departure of respected academics and a new

seat for a pharmaceutical industry representative. Shortly afterwards, David joined the drug industry giant Pfizer. The Age article ended by noting the heavy pressure that led to the very expensive listing of Pfizer's arthritis drug Celebrex. Later, in 2004, it was discovered that Celebrex in higher doses might more than double the risk of heart attacks and strokes.

David's letter to the University of Queensland said that my radio comments had been 'unprofessional', 'incorrect', 'misleading' and 'inappropriate and inconsistent with the long-standing relationship CSL has with the University of Queensland'. My concern about Gardasil's costliness was dismissed by citing its PBAC approval.

Some months later, a formal response from the university regarding the complaint arrived in my letterbox. The Secretary and Registrar, Douglas Porter, wrote to say that I should apologise to CSL because it was 'highly likely' I had misled listeners into believing that the university endorsed my views. Fortunately, I felt better placed to effectively organise media scrutiny of the situation than most academics or researchers who upset their university's administrators.

On 5 April 2008 a news item in the British Medical Journal quoted a string of senior academics supporting the use of my academic title on the radio. A few days later Tim Woodruff from the Doctors Reform Society put it this way in the Courier Mail:

'The suggestion that identification of one's academic position would lead people to believe that the comments are endorsed by an institution as large and diverse as a university is laughable at best. Different views on economics, law, climate change, and almost everything else are frequently expressed in the media by academics with no suggestion that the views are endorsed by their university.'

The university initially dismissed the controversy as 'an absolute storm in a teacup' but then stopped commenting to journalists. Perhaps this illustrated that putting both feet in your mouth leaves you with no leg to stand on.

After a dozen or so local and international media stories, and during filming by ABC TV's The 7.30 Report, the University of Queensland changed its stance. To its eternal credit and widespread applause, the university acknowledged that the letter I had been sent 'may have been disproportionate to the circumstances' and said it would not pursue an apology to CSL.

Not everyone who displeases a university and a drug company escapes lightly. As Arthur Schafer, in the journal *Bioethics* points out: 'In the popular imagination David bravely slays Goliath. Alas, in the real world, the whistle-blower's issue of principle is easily re-described as an act of private disloyalty and, worse, as evidence of professional incompetence and psychological disturbance'.

Schafer was reviewing a recent book about Dr Nancy Olivieri, a physician and researcher who clashed with a drug company, her hospital and her university. Her experiences have been well documented and are said to have partly inspired the John Le Carré novel and subsequent movie *The Constant Gardener*. Olivieri became concerned about a drug she was researching in Toronto. The drug company sponsoring the research, Apotex, warned her not to tell her patients or publish her findings. Despite legal threats she did so, in 1998, and was subsequently dismissed from her hospital and university positions. It is widely alleged that a proposed \$50+ million grant from the drug company to the university was a factor in this response. After several inquiries, multiple dismissals and reinstatements, and years of legal wrangling, Olivieri was vindicated. She holds the reasonable view that universities should 'serve the public interest, even when it means standing up to powerful corporations who provide desirable funding ...'

At much the same time, the University of Toronto found itself in dispute with Dr David Healy. Healy had an offer of a professorship rescinded, allegedly because he gave a well-received lecture saying suicide was a neglected side-effect of Prozac. Eli-Lilly, Prozac's manufacturer, happened to be a major funder of the university centre where Healy was to have been employed. Healy was told by the centre's physician-in-chief that he was 'not a good fit' for the position, a view 'solidified' by his lecture. Relations deteriorated and Healy sued for millions in damages. An undisclosed out-of-court settlement was reached that included a visiting professorship for him. Healy believes that 'we need a new contract between society and the pharmaceutical industry — a contract that will require access to the raw data'.

Dr Aubrey Blumsohn would undoubtedly agree with this. His personal tale, which was well documented in the British media and even debated in UK parliament, is deeply disturbing. Dr Blumsohn is a pathologist. Some years ago he was a senior lecturer at Sheffield University and

worked on a crucial trial of the well-known osteoporosis drug Actonel. The market for the drug was worth billions of dollars. After completion of the double-blind trial its manufacturer, Procter & Gamble, organised a conference paper for Blumsohn to present. Things got nasty when Blumsohn insisted on being given access to the raw data before presenting the results. He badgered the drug company for over a year, even engaging a lawyer to try to get the data. Unfortunately his university seemed to place greater priority on keeping a commercial partner happy than on supporting an intrepid lecturer's search for scientific truth. Blumsohn was eventually suspended for 'refusal to comply with a reasonable management instruction by briefing journalists'.

Independent analysis is widely reported to have shown certain abstracts and papers did not fully reflect the data. The *Journal of Bone and Mineral Research* was criticised but an eventual editorial in November 2007 astutely commented that 'the interests of science and industry are not always congruent' and 'the ultimate protection to science is open discussion'.

The Salvation Army's founder, William Booth, apparently once suggested that there is no such thing as tainted money, there just t'aint enough. What might be true for a charity providing care for the homeless, however, is not necessarily true for a university providing intellectual insights for the community. Profit-seeking companies will always have an interest in generating favourable research results and discussion. Australia's universities have one of the highest levels of private funding in the world and significant commercial funding creates significant risks. Our universities need support to fulfil their responsibility for advancing knowledge and debate; and scrutiny to ensure they don't degenerate into mouthpieces for their commercial sponsors.

Andrew Gunn is the editor of New Doctor and senior lecturer in general practice at the University of Queensland.

Defending-Academic-Freedom JISCMail List

You can join by going to the Cafas website <http://www.cafas.org.uk> and opening the link

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CONSTITUTION

CAFAS' aims are outlined on the membership form. The full constitution can be obtained from the Secretary or www.cafas.org.uk. CAFAS was founded in February 1994. It depends on subscriptions and an active membership. It meets in January, April, July and October.

Meeting

Saturday 26 July 2008, 2.00 pm

Room 252

Agenda

1. Minutes

2. Matters arising

3. Academic Freedom

4. Case work

5. AOB

Officers' meeting in Room 252 at 1.30 pm

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Next deadline 30 September 2008

Please send letters, news items and articles to:
Pat Brady & Geraldine Thorpe

Cafas Reports

Details are on www.cafas.org.uk

DO YOU BELIEVE

- That academic standards have been dumbed down throughout the higher and further education sector?
- That this decline has been accompanied by the escalating rhetoric of ‘excellence’ and ‘world-class’ ?
- That the number of contact hours between teachers and students, which the Dearing Report described as a proper measure of the quality of education, has been reduced across the board?
- That there are all sorts of pressures on examiners to pass candidates who would previously have failed?
- That it is far easier to obtain Firsts and Upper Seconds than it used to be?
- That practices which used to be treated as academically unacceptable, or even as cheating, are now widely regarded as normal and inevitable.
- That the effect of the RAE and other pressures on academics is to increase the quantity of research, not the quality, and to restrict innovative and critical thought?
- That there are pressures, often of a commercial nature, to avoid certain areas of research, or to falsify results or to distort their conclusions and significance?
- That, despite lip-service to the importance of teaching, universities and colleges take little account of this in career advancement?
- That academic values have been largely displaced by market values?
- That the stated ‘mission’ of universities to serve the community has been abandoned in favour of commercial priorities?
- That education in the UK no longer has the status of a right bringing social benefits, but is instead treated as a commodity to be bought and sold?
- That discrimination against women and ethnic minorities is still rife in the employment and promotion practices of tertiary education, despite the multicultural community it is supposed to serve?
- That the work of the union in fighting discrimination and victimisation can usefully be supplemented by specialised advice and support from an organisation which focuses on issues of academic freedom and standards?

If you believe that many or most of these propositions are true, you ought to be a CAFAS member and your UCU branch ought to affiliate.

**Membership Secretary & Treasurer: Dr Eva Link, 17 Highcliffe, Clivedon Court, London W13 8DP
02089982569; rekgemL1982@yahoo.co.uk**

**If you would like a speaker from CAFAS to address a branch meeting, contact Colwyn Williamson,
colwynwilliamson@hotmail.com; 07970 838 276**

www.cafas.org.uk