

RESPONSE

Wilmshurst in context

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David Colquhoun works on single ion channel function, both theory and experiment, and their relationship to synaptic function. He held the A.J. Clark chair of Pharmacology at UCL, and was previously honorary director of the Wellcome Laboratory for Molecular Pharmacology. He runs the Improbable Science blog.

Imagine that I wrote a scientific paper claiming partial agonists all had similar opening rate constants (never mind what that means: it's my day job). Then someone who disagreed with my results sued me for defamation and left me destitute and homeless. Ridiculous, you say. You cannot be sued for expressing a scientific opinion. Well yes, you can. A survey conducted by the Libel Reform Campaign (2011) finds that:

- 32% of medical and scientific editors say their journal has been threatened with libel action.
- 44% of editors have asked for changes to the way papers or articles are written to protect themselves from a libel action.
- 38% of editors have chosen not to publish certain articles because of a perceived risk of libel action; for example, about controversial subjects or concerning particular people or companies.
- 100% of respondents to the survey of publishers said they have modified content or language of a book before publication to avoid the risks presented by current UK libel laws.
- Publishers refuse to publish some work for fear of libel action. A third have refused work from authors for fear of libel action.
- Almost 43% of respondents have withdrawn a publication as a result of threatened libel action.

The law and, in particular, the UK libel law, is distorting and corrupting science. The pressure for reform reached a peak after the British Chiropractic Association (BCA) decided to sue Simon Singh after he described some of their claims as bogus. That sort of thing had happened before, but this time there were two important differences. The first was that Singh did not back down, but decided to take the enormous financial risk of defending the case. The other change the BCA did not understand is the enormous rise in recent years of skeptical activists. By the time the BCA eventually

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produced the evidence it had promised to support its claims, the blogosphere had swung into action.

Within 24 hours, the papers the BCA had cited were analysed and the BCA claims demolished. Complaints were sent to the General Chiropractic Council (the GCC) about false health claims made by over 600 individual chiropractors. Eventually, the GCC was forced to stop use of the term ‘subluxation’ (the mythical lesions of the spine to which chiropractors attribute most disease, but for which there has never been the slightest evidence). The BCA eventually backed down when it realized that the only effect of its legal action had been nearly to destroy chiropractic. I myself had a letter from the New Zealand Chiropractic Association, threatening me with legal action because of an editorial I had written at the request of the *New Zealand Medical Journal* (Colquhoun, 2008). I felt the terror that such letters engender. But I was luckier than Simon Singh because a deft response from the journal’s editor, who had also been threatened, made the chiropractors back off before I was ruined.

Medicine is meant to be the caring profession, yet there are endless examples of ghost writing, guest authorships and distortion of the truth, even without the use of malicious libel suits. I do not suppose this means clinicians are more wicked than the rest of us, just that there is more money around to bribe them than in other sorts of science. There is now an international organization, No Free Lunch, which aims to combat the harm done to medicine, and to patients, by drug company bribery.

The reward for being honest is, only too often, to be fired for being a whistleblower or to be ruined by a libel suit. Reform of the libel law is desperately needed and we are promised that this will happen soon. We also need proper protection for whistleblowers. At the moment, universities seem to be more keen on covering up malpractice than on cleaning it up (Colquhoun, 2007). This brings disgrace to universities and to science itself.

The hope for the future does not lie in the hands of vice chancellors or clinicians, who talk a lot about regulation but end up endorsing dishonesty. Rather, the hope comes, much as in the Egyptian revolution, from individuals who care, Ben Goldacre’s ‘ragged band of bloggers’. Recent years have seen a huge rise in the number of people willing to spend their own time and money exposing the evils of both Big Pharma and the ruthless quack medicine industry. They do this because they think it is right, a concept that officialdom seems to have difficulty grasping. Start a blog now, write for newspapers, and do your bit to help the reputation of science to recover from the bad eggs. You certainly cannot rely on senior managers to do it for you.

References

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