

THE ONGOING CORRUPTION OF THE SCIENTIFIC BASIS FOR ATTRIBUTION IN ASBESTOS- RELATED DISEASE: HOW DID WE GET HERE AND WHAT CAN WE DO?

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SYMPOSIUM: ASBESTOS LUNG FIBER BURDEN: THE NEW GOLD STANDARD FOR
DETERMINING ASBESTOS EXPOSURE AND ATTENDANT HEALTH RISKS?
RAMAZZINI DAYS 2016, ANNUAL CONFERENCE, CARPI, ITALY - OCTOBER 27-30, 2016



INTERNATIONAL
JOINT POLICY COMMITTEE
OF THE SOCIETIES OF EPIDEMIOLOGY

DISCLOSURE

- ***I have served as an expert witness in litigation on behalf of plaintiffs in the past, monies from which generally went into a University-managed research account; AND***
- ***As a professional legacy, I have been bankrolling the IJPC-SE as a voluntary professional society for the past four years, hoping that it will become self-sustaining and enduring into the future.***

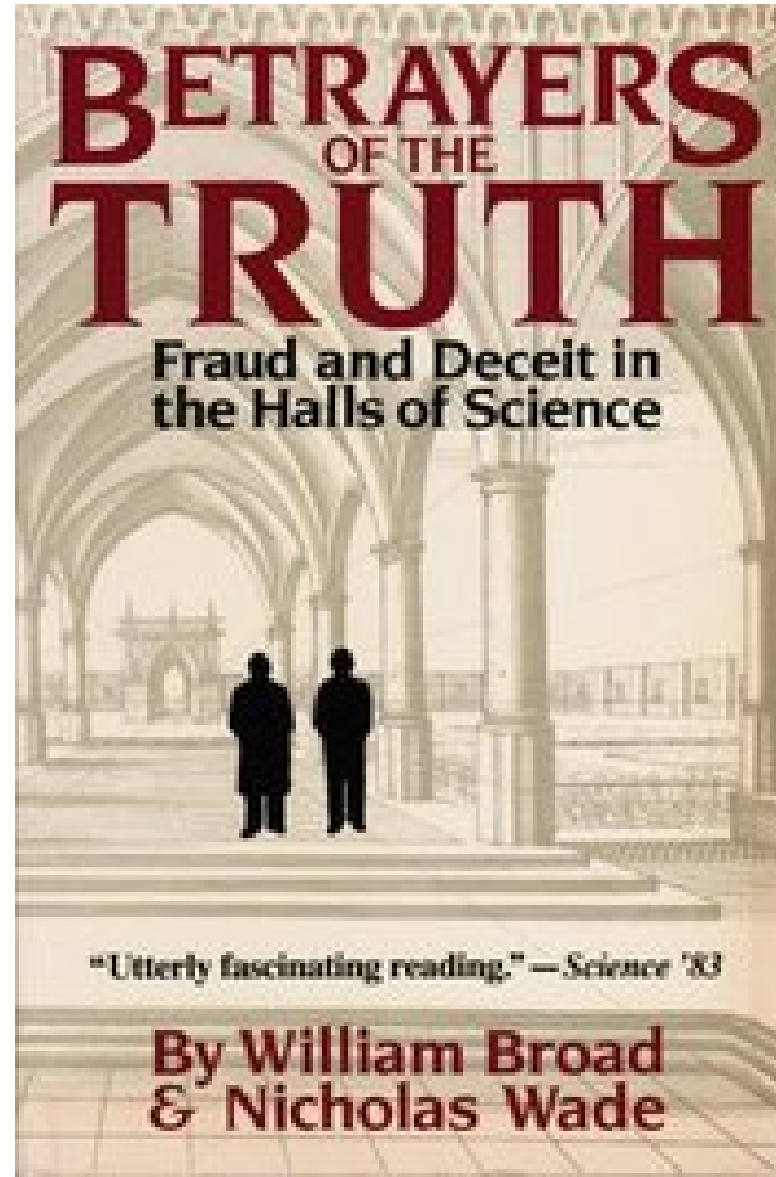
EPIDEMIOLOGY AS AN APPLIED SCIENCE

Because it is possible to manipulate experimental and control groups in ways that introduce bias and thus fail to serve the public interest through the pursuit of truth (as expected of scientists), it is more and more recognized that ethical training and oversight are crucial.

Our ethics and values determine in large part our behaviours and the choices that we make.

FIRST, A REALITY CHECK ABOUT SCIENCE AND SCIENTISTS ...

IN 1982 ... EXAMPLES ... FROM GALILEO AND MANY MORE



The book argues that the conventional wisdom of science being a strictly logical process, with objectivity the essence of scientists' attitudes, errors being speedily corrected by rigorous peer scrutiny and replication, is a mythical ideal.

DANIELE FANELLI , 2009

How Many Scientists Fabricate and Falsify Research? A Systematic Review and Meta-Analysis of Survey Data

This is the first meta-analysis of surveys asking scientists about their experiences of misconduct. It found that, on average, **about 2%** of scientists admitted to have fabricated, falsified or modified data or results at least once ... and up to **one-third** admitted a variety of other questionable research practices including “dropping data points based on a gut feeling”, and “changing the design, methodology or results of a study in response to pressures from a funding source”. In surveys on the behaviour of colleagues, questionable practices were reported in up to 72%.

PERVASIVE INFLUENCES AND PRESSURES ON SCIENTISTS

- **From funding sources to peer review**
- **From the questions we ask through access to data**
- **From study design to data analysis and interpretation**
- **From dissemination to job security**

THE FUNDAMENTAL PRINCIPLES OF BIOETHICS INCLUDE

RESPECT FOR AUTONOMY

- Requires respect for individual rights and freedoms (Also: **Veracity & Fidelity**)

BENEFICENCE

- Requires doing good / Consider consequences of interventions in people's lives

NON-MALEFICENCE

- Requires doing no harm

SOCIAL AND DISTRIBUTIVE JUSTICE

- Requires fair and equitable allocation (of risks & benefits) to all without discrimination

PRIMARY PRINCIPLES IN PUBLIC HEALTH

Protect the most vulnerable in society (e.g., unborn, children, Inuit, frail elderly) - **beneficence**

Involve communities in our research (ensure community relevance of our work) - **autonomy**

Integrity in Public Health (serve the public health interest above any other interest) - **beneficence and non-maleficence**

NOW, IN PRACTICE ...

**TEMPTATION LURKS to derail
us from these principles ...**

“Industry’s offensive against the regulation of health and safety hazards uses academics to downplay or deny the seriousness of the hazards...”

**Clayson and Halpern
J. of Public Health Policy
September, 1983**

TOBACCO EXAMPLE IS BEST KNOWN

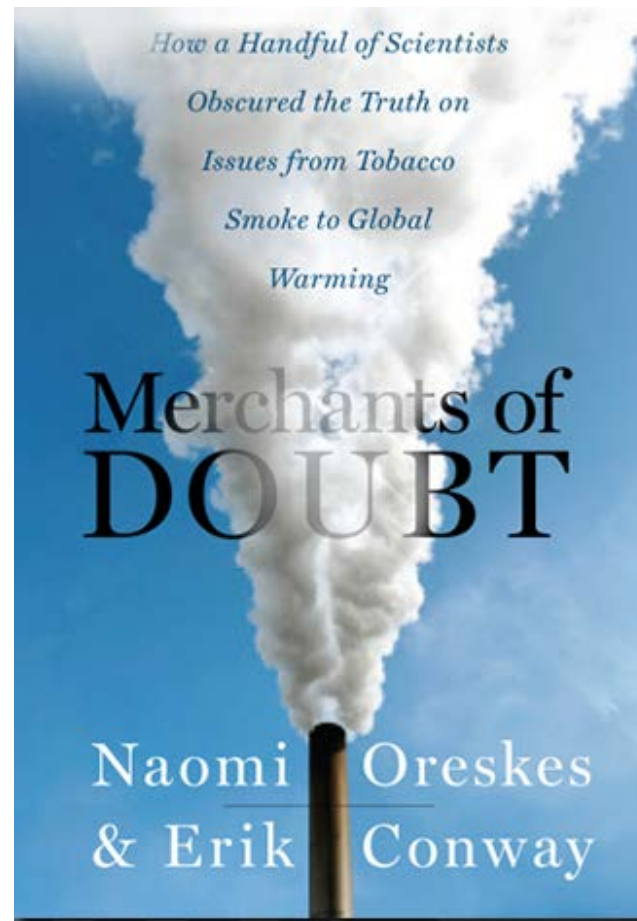
- **Full circle – ~50-year story now told**
- **Disinformation campaigns**
- **Lies, manipulation, deceit**
- **Co-option or appropriation of scientists to lie. Is this bad in itself?**
- ***The real tragedy is that scientists accept these monies and then proceed to please their sponsor.***

MANUFACTURING DOUBT

- ▶ **Samuel Epstein.**
The Politics of Cancer, 1978
- ▶ **Devra Davis.**
When Smoke Ran Like Water: Tales of Environ Deception ..., 2002
The Secret History of the War on Cancer, 2007
Disconnect: The Truth About Cell Phone Radiation ..., 2010
- ▶ **David Michaels.**
Doubt is their Product: How Industry's Assault on Science..., 2008
- ▶ **McCulloch & Tweedale.**
Defending the Indefensible: The Global Asbestos Industry ..., 2008

The policy-maker's conundrum ▶ **the fomentation of uncertainty by vested interests.** By increasing uncertainty, the policy-maker's ability to implement health policy is made all the more difficult.

MERCHANTS OF DOUBT: HOW A HANDFUL OF "SCIENTISTS" OBSCURED THE TRUTH ON ISSUES FROM TOBACCO SMOKE TO GLOBAL WARMING



*Also made into a
movie...
Released in 2015*

RELENTLESS PRESSURE FROM VESTED INTERESTS

- **Manoeuvre their way onto review panels, influence Boards of our professional associations, and infiltrate the literature with junk science**
- **Expert witness tensions arise between the plaintiff and defence sides of the argument in tort actions where the rubber hits the road concerning policy decisions**
- **David vs Goliath?**

WE MUST NOT BE NAÏVE

Be aware of forces at play that influence both science and policy.

... Great vigilance and personal integrity are required to counter the influence of financially interested parties and corrupt / morally bankrupt governments.

VIRTUE ETHICS CHARACTER VS. ACTIONS

Virtues do not replace ethical rules or principles. Rather, an account of professional ethics is more complete if virtuous traits of character are identified, such as:

EPIDEMIOLOGY AND VIRTUE ETHICS

(WEED DL, MCKEOWN RE. INT J EPIDEMIOL.; 1998 - ADAPTED)

- **Humility** – Respect the input and opinions of others /Self-effacement
- **Fidelity** – Honour one's commitments /Promote trust
- **Justice** – Act fairly
- **Patience** – Take time to hear others' viewpoints
- **Industry** – Do your level best /Excel
- **Veracity** – Tell the truth /Be honest
- **Compassion** – Empathize
- **Integrity** – Demonstrate good moral character
- **Serve** – Protect the most vulnerable /Serve the public interest
- **Prudence** – Err on the side of caution /Demonstrate good judgment

INTERNATIONAL JOINT POLICY COMMITTEE OF THE SOCIETIES OF EPIDEMIOLOGY

IJPC-SE

IJPC-SE VISION STATEMENT

We strive to bring clarity to the science of epidemiology, paving the way to rational evidence-based policy. We work to promote and protect public health by serving as an ethical and effective counterweight to the misuse of epidemiology.

IJPC-SE MISSION STATEMENT

We promote the ethical and unbiased application of epidemiology.

We use epidemiological evidence to inform rational policy development for government and other policy-making organizations.

When special interests misuse or create scientific evidence to manufacture doubt, our goal is to provide independent evidence and bring clarity to correct what is scientifically flawed.

...

We volunteer our expertise to protect the public and to promote health and well-being ...

THE IJPC-SE 2012 POSITION STATEMENT ON ASBESTOS

This has resulted in major antagonism from defence attorneys and their hired guns.

Why?

Because it brought together, for the first time, epidemiologists agreeing that all forms of asbestos are harmful and should be banned.

Until this time, defence attorneys could claim that the jury was still out among epidemiologists because of hired guns (usually) who would deny such harms.

SUPERIOR COURT OF CALIFORNIA, JANUARY 2016

Defendant AMCORD submitted a motion ... on behalf of all **defendants**, for an Order **excluding** the introduction at trial of any reference - testimonial or otherwise - relating to "*Position Statement on Asbestos*" from the Joint Policy Committee of the Societies of Epidemiology.

Complaint Filed: January 7, 2016

ON TECHNICAL, LEGAL GROUNDS OR, SPURIOUS AND MISCHIEVOUS?

ARGUMENTS:

- 1. The PS is inadmissible hearsay**
- 2. The PS cannot be properly relied upon by experts**
- 3. The PS is irrelevant, will confuse and mislead the jury, necessitate undue consumption of time, is more prejudicial than probative and should be excluded under evidence code §§350 and §§352**

CLAIM:

... there is no CA authority for use of the PS to prove defect.

THEY CLAIM THAT THE PS WAS NOT PUBLISHED IN THE PEER REVIEWED LITERATURE

IT WAS NEVER INTENDED TO BE PUBLISHED IN THE PEER REVIEWED LITERATURE.

INSTEAD, AND EQUIVALENTLY, IT WAS BROUGHT TO ATTENTION THROUGH TWO EDITORIALS IN THE PEER REVIEWED LITERATURE (IJOEH AND EHP). THE EPIDEMIOLOGY MONITOR SENT IT TO ITS WORLD-WIDE READERSHIP.

NO NEGATIVE FEEDBACK IS ON RECORD ...

RUFF'S VIEW OF THIS AND ONE THAT I ENDORSE

Promoting independent, ethical, transparent, scientific evidence, without fear or favour and free of the influence of vested interests, is to be applauded not denounced.

The role of the IJPC-SE is in keeping with the role of the courts, which is to uphold the evidence in an independent, ethical, transparent manner, free of the influence of vested interests.

Those who do not wish the independent, ethical, transparent, scientific evidence to be put forward will endeavour to create slurs with which to discredit and denounce it.

**We have yet to be advised of
the CA court's decision ...**

CH. 7 SERVING INDUSTRY, PROMOTING SKEPTICISM, DISCREDITING EPIDEMIOLOGY

BY KATHLEEN RUFF

/N: CORPORATE TIES THAT BIND:
AN EXAMINATION OF CORPORATE
MANIPULATION AND VESTED
INTEREST IN PUBLIC HEALTH

EDITORS: HARDELL AND WALKER
EXPECTED EARLY 2017

**Ruff demonstrates
through real-world examples
– including asbestos –
how epidemiologists
go to the dark side
in return for lucrative contracts
and proceed to foment
uncertainty and cast doubt**

THE WAY FORWARD RUFF CONCLUDES

The evidence is overwhelming and urgent that the scientific community, and, in particular, scientific journals and universities, must end their silence and collusion in the face of epidemics of industry-created harm. They must find the courage to be true to their mission, to practice what they preach, and defend the integrity of science and public health against documented subversion of public health policy by powerful industry interests.

THE WAY FORWARD SOSKOLNE CONCLUDES

True democracy through a well-informed public, underscored by an improved government science, technology and innovation strategy that should:

- Offer ***incentives*** to non-profit professional organizations in support of capacity-building to expose junk science, particularly where applied science works at the nexus of policy; and
- Introduce ***disincentives*** (i.e., regulatory penalties) for those engaging in producing junk science.

THANK YOU

www.ijpc-se.org

www.colinsoskolne.com