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A Conflict by Any Other Name would Smell as Foul:

A Comment on the Appointment of a Vice-president of Pfizer to the CIHR Governing Council

By Jocelyn Downie

If one had to pick the pharmaceutical company most associated with unethical and illegal conduct this past year, it would likely be Pfizer. So it seems reasonable to respond with disbelief and outrage to the federal government's October 5, 2009 appointment of Dr. Bernard Prigent – Vice President, Medical Director and registered lobbyist for Pfizer Canada – to the Canadian Institutes of Health Research Governing Council (CIHR GC). This is the body that sets the strategic direction for most federally funded health research in Canada.

This appointment is outrageous because of the conflicts of interest it creates. It is also hard to believe because of Pfizer's record on scientific integrity. Surely we deserve better from our government.

A senior executive from a for-profit pharmaceutical company should not be given a seat at the CIHR GC table because, at that table, he or she will be faced with unmanageable conflicts of interest. Members of the CIHR GC have an ethical obligation to promote "the creation of new knowledge and its translation into improved health for Canadians, more effective health services and products and a strengthened Canadian health care system." In sharp contrast, senior executives in the pharmaceutical sector (pharma) have a legal obligation to maximize profit. Where members of the CIHR GC have an ethical obligation to pursue the public interest, senior pharma executives have a legal obligation to serve their employers' interests. To be blunt: the interests of ordinary Canadians are not the same as the interests of pharma shareholders; maximizing profit does not maximize health.

The conflicts of interest are obviously even more acute for a registered lobbyist. A seat at the CIHR GC table provides the lobbyist with nontransparent access to the very people he is registered to lobby. Some of the discussions at that table and (perhaps more importantly) at the interstices of meetings will undoubtedly include some of the topics he is registered to lobby about. This seems to fly in the face of the Lobbyist Act and its goals of transparency and accountability regarding lobbying activities in Ottawa.

This appointment also damages CIHR's reputation. The Minister of Health and the President and GC of CIHR have hitched CIHR's star to Pfizer – a company infamous for illegal and unethical conduct. For example, in September 2009, Pfizer agreed to a US\$2.3 billion settlement in relation to its fraudulent marketing of its drugs. This settlement included a \$1.2 billion criminal fine – the largest in US history. Bestowing on Pfizer the honour of association with the CIHR GC will have a corrosive effect on public trust and damage CIHR's hard-earned reputation for furthering research that meets the highest international standards of ethics and scientific excellence.

Supporters of the appointment argue that Dr. Prigent's conflicts of interest will be few and far between. But this is simply untrue – the conflicts will be pervasive because the CIHR GC “oversees the direction and management of CIHR. It develops strategic directions, goals and policies; evaluates the agency's overall performance; and approves the budget.” Consider just a few of the CIHR GC's responsibilities where pharma has interests that potentially conflict with the public interest. Pharma has an interest in terminating an Institute that funds research into how changes to patent law could decrease the costs of drugs and improve the health of Canadians. Pharma has an interest in terminating the Drug Safety and Effectiveness Network – the body that will provide independent information on the safety and effectiveness of drugs after they are put on the market (recall that the dangers of Vioxx and thalidomide became known only after they had been approved by Health Canada). Pharma has an interest in weakening the guidelines for research involving humans and the overall governance structure for research ethics. Pharma has an interest in the budget allocations as between research into preventive care versus research into drug discovery. Pharma has an interest in many things about which the CIHR GC could give advice to the Minister of Health. And the list goes on...

Supporters of the appointment also argue that Dr. Prigent brings essential expertise in commercialization to the GC. But there are, of course, other ways to get access to commercialization expertise without importing these serious conflicts of interest. Bring in someone from a commercialization think tank. Appoint an Advisory Committee of industry executives and talk with them at length. But do not give pharma executives and registered lobbyists decision-making authority over the research agenda of our nation's health research funding council.

Much is driving the opposition to this appointment (for more arguments, visit www.noveltechethics.ca). More than 4,200 Canadians signed an online petition calling for the withdrawal of this appointment. The signatories include members of the general public from across the country as well as researchers from all disciplines (including Canada Research Chairs, members of the Royal Society of Canada and the Canadian Academy of Health Sciences, the Royal College of Physicians and Surgeons, and the Order of Canada), and Deans of Medicine, Law, and Health Professions. In addition, both the CIHR Institute Advisory Board Ethics Designates and the CIHR Standing Committee on Ethics have expressed serious concerns about this appointment. Furthermore, there is dissent about this appointment among the Scientific Directors of the 13 CIHR Institutes. It is time for all of these voices to be heard. Parliament, are you listening?