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PAGE 02

09/07/2001 18:16 FAX 416 971 1380

President UofT OFC

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UNIVERSITY OF TORONTO  
OFFICE OF THE PRESIDENT  
Simcoe Hall, Room 206, 27 King's College Circle  
Toronto, Ontario M5S 1A1

Robert J. Birgeneau

President  
Professor of Physics

September 7, 2001

Telephone  
(416) 978-3333  
Telefax  
(416) 971-3760  
Email  
president@utoronto.ca

Dr. Thomas A. Ban  
Emeritus Professor of Psychiatry  
Vanderbilt University  
Apt. 608  
1177 Yonge Street  
Toronto, Ontario  
M4T 2Y4

Dear Dr. Ban:

I write in response to your letter of September 5, 2001 regarding Dr. David Healy. Let me state at the outset that the University of Toronto, in general, and I, in particular, strongly affirm the principles of "free speech and academic freedom" to which you refer. I do not believe that those standards have been compromised by the University of Toronto in this unfortunate affair that is, at heart, much more complicated than is portrayed in your letter. At the core of the matter are two issues: CAMH's responsibility for patient care and the irregular manner in which the search and appointments process was conducted.

The arrangements between the Centre for Addiction and Mental Health, an autonomous institution, and Dr. Healy would ultimately have led to only secondary involvement by the University. The proposed clinical leadership position did not involve University of Toronto resources, and would have been a status-only appointment at the University. Clearly, questions surrounding the suitability of Dr. Healy for the clinical leadership position are exclusively the responsibility of CAMH.

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09/07/2001 17:18 4169242645

BAN/FMCP

PAGE 01

09/07/2001 16:17 FAX 416 971 1360

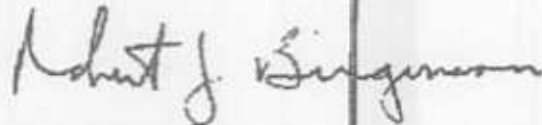
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Nonetheless, we do take very seriously the membership of our clinical colleagues in the University of Toronto professoriate and the Provost and the Dean of Medicine are taking steps to improve the rigour of the processes for joint clinical appointments with affiliated hospitals.

Thank you for your concern about this most difficult matter.

Yours sincerely,



Robert J. Birgeneau

P.S. Please distribute this letter to the other signatories.

RJB/cgc

By email

11 September, 2001

Dr. Robert Birgenau  
President  
University of Toronto  
Simcoe Hall, Room 206  
27 King's College Circle  
Toronto, Ontario  
M5S 1A1

Dear President Birgenau:

Your letter of September 7, 2001 fell short in addressing the concerns I and my colleagues had about the violation of academic freedom at your university. We repeat: Dr. Healy's appointment was rescinded after a single lecture at a conference dedicated to prepare the discipline of psychiatry for the challenges of the new century.

The blatant violation of academic freedom has been compounded since by vicious personal attacks on Dr. Healy – some directly and some by innuendo, as in your reply to us. Those engaged in these activities know as we do that Dr. Healy's academic credentials qualify him for the position he had taken away from him, and that the allegedly "extreme views" are, in fact, for improving patient care by more discriminate use of psychotropic drugs.

You do no credit to yourself or the University of Toronto by implying that patient care would somehow be jeopardized by Dr. Healy's appointment, by misrepresenting the relationship between CAMH and the University and by suggesting that the search and appointment process was conducted in an "irregular manner."

The affiliation agreement between CAMH and the University of Toronto makes clear that appointments are joint and that neither party is a silent or passive partner. The Agreement says "The primary instrument for effecting this affiliation is through the joint appointments of their staff. In making such appointments, the parties will respect the staff appointment policies of each other." Further the agreement affirms that the University is committed to "respect for intellectual integrity, freedom of inquiry and rational discussion." This principle has been violated in the revoking of Healy's employment contract and the University has every ability (and obligation) to act to uphold this fundamental principle in its agreement with CAMH.

Equally disappointing is your claim of an irregular search process. Dr. Healy was brought to the University in July, 1999, by the Department of Psychiatry for three days of interviews and the delivery of a public lecture. He was interviewed by more than two dozen people from the University, CAMH and other affiliated institutions. This included Dr. Garfinkel, then Chair of

2

Psychiatry, Dr. Wasylenki, current Chair of Psychiatry, eleven members of the Anxiety Disorders Search Committee, as well as the head of the Mood Disorders Program, members of the Depression Group, the Bipolar Group and the Cognitive Therapy Group.

Following the visit Dr. Garfinkel wrote Dr. Healy stating, "I was delighted by your visit and your responses...I believe there are exceptional opportunities in Toronto for collaborations and for developing your own interests" and said he was looking forward to a time when "we could discuss more specifically the arrangements for you in Toronto." Dr. Healy's extensive publications were well known to many in the Department of Psychiatry and CAMH who, over the course of the next twelve months, encouraged him to accept a position. There was nothing irregular about this search procedure. It was extensive, deliberate and well informed - which makes the subsequent hasty and ill-considered revoking of his contract all the more surprising and disturbing.

You are the chief officer of the university and have a responsibility to see that the university's principles and commitments are upheld. We respectfully ask you to re-examine this dismal affair and exercise your power and influence to see that the only satisfactory resolution is achieved - the restoration of the contract of employment for Dr. Healy and the conveyance of a sincere apology.

Yours truly,

Thomas Ban, M.D.  
Emeritus Professor of Psychiatry  
Vanderbilt University