

December 6, 2006

By fax (705) 673-6519

Dr. Judith Woodsworth  
Office of the President  
Laurentian University  
Ramsey Lake Road  
Sudbury ON P3E 2C

Dear Dr. Woodsworth:

We received your letter of December 5 responding to our letter concerning Laurentian University preventing the Discovery Channel from filming an interview with Dr. Persinger on campus. I am afraid that you were provided incorrect advice for many of the statements made in your letter to us. I shall discuss each of them below.

First, however, I want to provide the context for our November 29 letter to you. We are gravely concerned about what appears to be persistent procedural irregularities in your administration's treatment of Dr. Persinger and his students. Whatever concerns you may have about Dr. Persinger and his students, they have every right to expect a process that follows norms of procedural fairness and natural justice. Apparently, this has been denied them.

The incident with the Discovery Channel appears to be a continuation of inappropriate action in relation to Dr. Persinger.

Nothing in our original letter was "false" and "misleading" and I regret that you believe it to be so. Please allow me to comment on assertions you make in your letter to us.

- Your assertion: "The University was not asked to allow an 'interview' on campus..."
  - That's not true. In an e-mail from Stacey Dodge, Production Coordinator for the media company to the University (11/23/2006), she says: "...Here is some info about our shoot... DESCRIPTION: We will be filming interviews with Professor Linda St.-Pierre and Dr. Michael Persinger. In his lab and in the hallway. We will also be looking at Persinger's work with magnets, simulating temporal lobes in patients, looking at brain activity."

- Your assertion: “The University ... did not refuse to allow anyone to be interviewed, or ‘ban’ the production company from campus.”
  - That is not true. Your Director of Public Affairs, Michel Béchar, sent the following e-mail to Stacey Dodge on November 24, 2006: “Thank you for answering a few of my questions, earlier today. However, we will not sign the proposed agreement, and we do not consent to the filming on our property.”
- Your assertion: “What the University refused to do was sign a rather lengthy and one-sided waiver and consent form.”
  - It is true the University did refuse to sign the waiver, although we have reviewed the form and it is a standard legalistic waiver similar to what most media companies use. In an e-mail dated November 29, 2006 to the University, senior production company official Richard O’Reagan offered that the production company “is quite happy to substitute an agreement that the University provides...”.
- Your assertion: “The filming of any research, procedures or experimentation is possible as long as a valid research protocol is in effect. At the time of the request, the University was not aware of a current, effective research protocol that applied to the procedure the production company was proposing to film on campus.”
  - As we discussed on the telephone yesterday, the Discovery Channel was not filming Dr. Persinger doing research or conducting an experiment but rather wanted an interview with him and an explanation of his research. Insofar as Dr. Persinger’s explanation involved a demonstration of a procedure that would otherwise have required Research Ethics Board approval, it is perfectly appropriate to require such approval before the demonstration.

What we find surprising is your claim that the University *was not aware* of a “current effective research protocol that applies to the procedure.” How can that be when Dr. Persinger’s broad research that the Discovery Channel wanted to profile has been approved by the Laurentian Research Ethics Board on at least four occasions in the past six years:

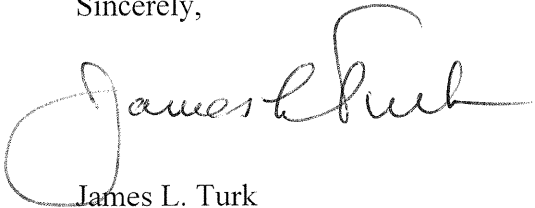
- (1) There is a signed authorization of the entire Laurentian Research Ethics Board dated March 2, 2001 for Dr. Persinger’s research for “experimental enhancement of receptive psi by transcerebral application of complex magnetic fields”;
- (2) The Annual Report of the Laurentian University REB for 2002-2003 lists approval of experimental research supervised by Dr. Persinger on “the effect of 40 Hz, 5 Hz, and 40 Hz-5 phase modulated electromagnetic fields on hypnotizability”;

(3) The Annual Report of the Laurentian University REB for 2004-2005 lists approval for experimental research supervised by Dr. Persinger into “the relationship between steady state electrical potentials of the human body and behavioural conscious states”;

(4) The Annual Report of the Laurentian University REB for 2004-2005 lists approval for experimental research supervised by Dr. Persinger on “can application of matched magnetic fields elicit separate simultaneous response at the conscious level in separate locations?”.

We are pleased that you acknowledge Laurentian University’s and CAUT’s commitments to ethical treatment of human subjects in research. That is not what is at issue. Instead, the concern is that this incident with the Discovery Channel is symptomatic of the University’s inappropriate and procedurally unfair treatment of Dr. Persinger. These larger matters are subject of multiple grievances filed by the Laurentian University Faculty Association and will be resolved under procedures spelled out in your collective agreement. In the meantime, we hope that the University will publicly apologize to Dr. Persinger and will contact the producers for the Discovery Channel to invite them back on campus to proceed with their filming of Dr. Persinger and his research.

Sincerely,



James L. Turk  
Executive Director

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cc: Greg Allain, President, CAUT  
James Ketchen, President, Laurentian University Faculty Association  
Mercedes Steedman, Grievance Officer, Laurentian University Faculty Association  
Ashley Thompson, Communications Officer, Laurentian University Faculty Association  
Marny Hershorn, AJE Productions/Discovery Channel USA  
Richard O’Reagan, Discovery Channel  
Michel Béchar, Director of Public Affairs, Laurentian University