

COMMENTS on LifeWise Report concerning NR Complaint

Introduction

This document contains my comments on the report from LifeWise concerning the complaint made by Nils Ryde (NR). The report being received by me on Friday 18 December 2020.

The report lists fifteen items (allegations) made by NR, I label them A), B), C) . . . O). I also use the title given to each item below, though I note that the label given by LifeWise does not always represent the focus of the allegation either in the original complaint document or following the discussion held at my interview with LifeWise.

I will discuss all fifteen items in detail below, together with the Conclusion, following the order of the LifeWise report. I attach appendices for seven items: items A), B) E), H), L) M) and N) and label them Appendix 1, Appendix 2, etc. In some cases, the documents have numbers written on them, e.g. 2.7 and 3, which refer to the numbers in the original written complaint by NR.

It is important to note that I shared all of the material contained in the Appendices with LifeWise at the interview. LifeWise retaining copies in essentially all cases.

A) MD supposedly threatened NR by saying ‘if you don’t follow my command you won’t have a career’ (page 10 of report)

This allegation (as written in the complaint – see section 3 on page 10 and as discussed at my interview) really focusses on a specific task I asked NR to do when I was the Prefekt of the then Department of Astronomy in 2008. The task concerned a review of the technical and administrative support within the Department of Astronomy. At my interview with LifeWise, I provided them with copies of documents and emails relevant to item A). All can be found in Appendix 1.

NR uses particular language about my request. Quoting from his written complaint, he says he was “hunsad”. From his interview with LifeWise, NR states that he said “No, I’m not doing that”.

NR does not explain that I asked both him and Lennart Lindegren (a former prefekt) to do this task together. NR never told me he didn’t want to do it or that he didn’t want to work with Lennart Lindegren on this. NR did in fact do the task with Lennart Lindegren. The report they produced for the department can be found in Appendix 1, the document being named *Teknisk och administrativ support vid insitutionen för astronomi i Lund*. The document is clearly labelled, bearing the names of both Lennart Lindegren and Nils Ryde.

NR also does not explain that Lennart and Nils were one of a number of working groups set up to essentially look at ways of saving money as shown in the email from me dated 14 May 2008 contained within Appendix 1, where I list the working groups to look at various issues within the department.

We were setting up these working groups in May 2008 because we had realised we faced a major budget shortfall (underskott) in the coming years unless we changed significantly how much money we spent (see my report *Information med Institutionens anställda den 5 maj 2008*, also attached within Appendix 1). The working groups therefore all had very important tasks to perform for the department which people, I am pleased to report, were willing to do.

I note that in the LifeWise report (page 11), they conclude that “there were no witnesses” but surely they could have spoken with Lennart Lindegren about this?

B) MD supposedly threatened NR by saying “I will make sure you won’t get a permanent position” (page 11 of report)

This item concerns a very specific allegation from NR, namely that I threatened him by saying he would not get a permanent position. I deny this allegation completely. I note that both of the quotes from NR on page 11 are in fact taken from the written complaint. In the written complaint NR paints a picture where I have a lot of power over permanent appointments. This is untrue. There is a very clear set of procedures at Lund University regarding making permanent appointments involving a number of people and committees etc. As the subject responsible I could be asked (together with others) by the head of department for suggestions for experts to review applications (i.e. *sakkunniga*).

To be clear about the chronology regarding NR’s application for a lectureship position. NR joined what was then the Astronomy Dept in January 2008. NR applied for a lectureship in the autumn 2009, i.e. a full year after I ceased to be prefekt. The new prefekt, Bengt Söderström, would have dealt with this position. Indeed, he emailed myself *and several others* on 10 November 2009 asking for suggestions for experts to review the application. From memory, I think others on the email list suggested experts. This email represents the extent of my involvement in the process. This email was shown to LifeWise and is included here in Appendix 2.

C) MD supposedly forced NR to come to a meeting when he was on parental leave (page 12 of report)

This item is a new allegation which did not appear in the written complaint. It was only presented to me at my interview with LifeWise. I note that it is very unspecific. NR does not explain when I am supposed to have forced him to attend a meeting. I really do not know what he is talking about here. I can only repeat what I said at the LifeWise interview, in terms of recognizing parental leave.

D) NR claims that MD controls NR by sitting in different committees (page 12 of report)

The first quotation from NR (page 12) in this item is very much related to item B), as both concern NR’s application for a lectureship (see my comments under item B) and also the email in Appendix 2). As explained above, NR’s application went in in 2009, during which time I was not sitting on any body relevant for such an application.

The second part of item D) concerns my membership of committees. Though neither NR or RC give any specific examples of committee memberships I hold or in what way I have used them to control NR. NR is also talking about positions I held too. Factually, I was the subject responsible (*ämnansvarig*) for astronomy and astrophysics from January 2008 until September 2020. Despite claims made by NR and RC (see quotes on page 13), the responsibilities of the subject responsible are rather modest and chiefly connected with PhD defence acts.

Quoting from NR (page 13):

“ Then, when Melvyn was *ämnansvarig*, you had to apply to him first, then you go up to the board where Sofia is a member”

It is unfortunate that LifeWise did not present me with this quote at interview. As a general comment, it is important to note that a great many of my quotes were not given by me as a direct reply

to the quote presented by NR located directly above in many items of the report. Rather they are statements I made often in response to be general statements from LifeWise.

Had I been presented with the above quote at the interview, I would have asked what it concerned. I cannot see anything that would involve both the subject responsible and the faculty board. I note that NR does not give a specific example.

E) NR claims that MD controls the funds for presumptive doctoral students (page 13 of report)

Item E) broadly concerns funding related to PhD students. All material given to LifeWise by me can be found in Appendix 3.

Nils Ryde did come to see me about the dept co-financing a PhD student during the summer of 2015. At the time David Hobbs and I had a role of looking at budgets in astronomy (a role appointed to us by the prefekt, as is confirmed in the witness statement of Leif Lönnblad, see page 16 of the report).

We did some fairly complicated calculations which David Hobbs summaries in slides for a meeting in the last week of August, 2015 (see slides in Appendix 3). It is important to note that David Hobbs emailed these slides to the astronomy teachers on 25 August 2018 before the meeting (see copy of email in Appendix 3 and recall that this email, together with all the contents of Appendix 3 was shared with LifeWise at the interview). Note that Hampus Nilsson is included on this email. In his witness statement, Hampus states:

“No one knew what it looked like at the department, information about the funding were kept a secret”.

This statement is untrue as shown by David Hobbs' email on 25 August 2018 (see Appendix 3) which included the slides containing this information.

David Hobbs presented these calculations at the meeting. Note that in his complaint and interview, NR neglects to mention that David Hobbs and I *together* were calculating what could be afforded and that David Hobbs was the person who presented it at the meeting. With these calculations we decided at that meeting that the department could indeed co-finance a PhD student with Nils (using his VR grant) and also that other new PhD students could be funded (as shown in the slides). At the meeting, it was decided that one of these would be a student to work with Thomas Bensby.

We then filled in and signed the Agreement form for financing a PhD student in astronomy, on 28 August 2015 and 29 August 2020. A scan of the form was then emailed to Nils and others (see copies of these documents in Appendix 3).

Fysiografen is a local learned society to which astronomy PhD students can apply for equipment and travel funding. NR claims that he asked me about having his new PhD student apply for Fysiografen for funding and that I said it might be tricky to get funding in this round (Autumn 2015). This statement is true. However, he further claims that the reason given was the uncertainty in funding the second half of the PhD student. This statement is untrue.

Let me explain how we can see that NR's second statement is untrue. The key point here is the application deadline for Fysiografen is around 30 September each year. So Nils Ryde would have

known in good time before the deadline that he has funding for his PhD student, i.e. he would have been asking me about this after he received the email from me with the signed Agreement form (see above and Appendix 3). I did point out to Nils that in general Fysiografen were less likely to fund travel costs and computer (decision being made in November 2015) for an unidentified PhD student. From the financing form we see that the new student would only start in July 2016 and the person would not have been recruited before the Fysiografen makes decisions about grants in November 2015.

David Hobbs worked on the budget calculations with me and gave the presentation at the meeting (copies of his email and his slides being given to LifeWise and are found in Appendix 3). I am therefore quite surprised to see that LifeWise did not interview David Hobbs about this item.

F) NR claims that MD minimised his work experience (page 16 of report)

This is another new allegation made by NR which was not present in the written complaint. It specifically concerns the examination of a student research thesis. The student concerned being a Jonas Andersson. In the quote from NR (page 16), he states that “Melvyn was very critical of the approach to star atmospheres”. This is an untrue statement. As I explained at my interview with LifeWise, I was critical of the student’s writing in the first version of the thesis I received. The text simply did not make sense in a number of places. I provided the student with my comments who then improved the text. The student passed the examination of their thesis.

G) NR claims that MD never asks NR about his research (page 17 of report)

This item concerns the allegation from NR that I never asked NR about his research. Here I will quote what I said about this to LifeWise at my interview:

“ I could imagine that I don’t ask him about his research often. Just as much as he doesn’t ask me about my research. It’s about 50 people and a lot of research articles (about 60 a year). The idea that I never asked him about it is not true. I have shown an interest in his papers. I have never said to anyone to not read his papers. I read his papers. Reading everything would be reading about 40 articles a day.”

So, to be clear, I am clearly denying the statement that I *never* asked him about his research. As in many other places, LifeWise are removing sentences and combining two separate sentences together. The comment regarding 50 people concerns the size of the astronomy unit – we are about 50 people – with some 60 research articles being produced a year. Reading everything refers to all of the published astronomy articles from any institution. That numbers over 40 articles per day.

Given the clarity of my denial here, I was suprised (and confused) to see that under the Evaluation of the Facts for Item G) that “The accused confirms the incident”.

H) NR claims that his research was diminished by MD for a long time (page 17 of report)

Item H) is really about a press release about one of NR’s research articles. All material I provided regarding this item can be found in Appendix 4.

NR complains that I did not show him any appreciation when he had a press release concerning one of his research articles in October 2018. He explains that he left copies of the press release out in the coffee room.

The key point here is that I never saw the press release. NR provided a link to the press release in his written complaint. I followed this link to the press release on Nils Ryde's webpage to figure out the date when the press release came out: 9 October 2018.

Checking my diary I see that this week was unique for me in my time in Sweden. I had to go see a doctor at the Vårdcentralen. I had something called bursitis (bursit in Swedish). It's a swollen elbow. Not very dangerous but frankly a bit stressful for me at the time (my partner Sofia Feltzing was away from Lund at the time so I had to book at Vårdcentralen etc on my own).

I made the booking on either the 9th or 10th, and saw a doctor on the 11th. So I was pretty distracted that week and that's why I didn't see the press release. Had I seen it, I would have said something to NR about it as I explained to LifeWise at my interview.

I provided LifeWise with the relevant material regarding my visit to the doctor's surgery including demonstrating I had paid for a doctor's visit and medication. Given that they seemed to accept what I had said, I was surprised to see LifeWise interviewing people about the press release. They also make no mention in their report of the documentation received from me.

I) NR claims that MD removed the press release from the coffee table (page 19 of report)

This item concerns a very specific allegation: namely that I removed a press release from the coffee room. I never saw the press release (see item H above) and therefore deny completely this allegation. I note that the quotation attributed to me on page 19 is the combination of many parts (hence what is quoted does not make complete sense as presented on page 19). The "embarrassing thing" here refers to my doctors visit (see item H above) or rather I was embarrassed to admit at my interview that I had never previously been to see a doctor in Sweden.

J) NR claims that MD criticised his work (page 19 of report)

The core of this allegation concerns what I am supposed to have said to Ross Church (RC). In particular that I said that "NR's research articles were not worth reading". I completely deny saying this or anything else of a similar nature. In this allegation it is therefore a case of my word against that of RC with no additional witnesses being present.

The phrase contained in the report "The witness confirms that the situations implying victimisation have occurred" is misleading because it sounds as though RC has confirmed something that someone else (NR) has seen or heard. This is not the case. RC has simply repeated the same allegation to both NR and LifeWise. An allegation I utterly deny. I do not see the difference between this and, for example, item C) where NR claims I forced him to attend a meeting whilst he was on parental leave (see page 12). I completely deny this allegation. Therefore leaving the situation with my word against that of NR with no additional witnesses. For item C), LifeWise conclude:

"The accused denies this statement made by the claimant. There are no witnesses. The alleged claim of victimisation cannot be proven according to an evaluation of the facts."

I cannot see the difference between items C) and J) in this regard.

K) NR claims that MD gives his student BT a hard time as a way of minimising NR's research (page 20 of report)

This item concerns the specific allegation that I was critical of Brian Thorsbro and his work in a conversation to Ross Church (RC). I deny this allegation. As explained at my interview I have never said that Brian Thorsbro or his work "have no value" (as alleged by NR in his written complaint and during his interview).

LifeWise came back to me about this item very late in the process. In fact they contacted me via email on 2 December and we took a short phonecall that day. That's the origin of my second quote in this item, concerning what RC had said at his interview (which occurred on 16 November, almost a full month after my interview).

I am (slightly) misquoted by LifeWise in the second quote on page 21. The conversation with Ross could have been in the context of recruitment of people for a PhD (not masters) position. The point being simply that Brian could no longer be recruited for a new, different, PhD position given that he had already accepted one with NR.

L) NR claims that MD gives his student MF a hard time to prove that NRs research was worthless (page 21 of report)

A complaint was made by two students in spring 2012: Mohsen Farzone and Kalle Wahlberg Jansson. Both had worked with me as bachelor's students earlier and Kalle was doing his masters thesis with me in 2012. As I explained at the LifeWise interview, Mohsen had not been happy with having a regular meeting at a set time and day each week. Rather he had wanted to have meetings only once a piece of work had been completed. He was also unhappy with an invasion of his private space. Specifically, I had encouraged him to take a walk outside and grab some sunshine. Thus the complaint had nothing to do with NR. It was about my interactions with Mohsen and Kalle as I supervised their projects.

Directly after my meeting with Gunilla Thylander and Leif Lönnblad, and following Leif's instructions, I took a meeting with Kalle where any remaining issues were resolved amicably. Quoting Leif Lönnblad: "it was all dealt with". Kalle completed his masters thesis with me in June 2012. I attach here in Appendix 5 the acknowledgments he wrote in his masters thesis where the positive outcome is clearly demonstrated. I shared this document with LifeWise.

M) NR claims that MD manipulated people to exclude NR (page 23 of report)

The claim here is that I have manipulated Ross Church (RC) to exclude NR and his research from activity within the department. I completely deny this claim. No concrete examples of exclusion are given either in the original complaint by NR or in the interview of RC.

LifeWise state that their report is a factual investigation. They describe what a factual investigation is on page 4 of their report. Quoting from that:

"A factual investigation involves documenting the facts, by evaluating material collected through interviews with the involved parties, as well as witnesses, and also statements from interviews, e-mails, social media texts and other evidence. The principle purpose is to collect and report the facts only."

What are the concrete facts in item M)?

There are quotes from two witnesses other than RC: Brian Thorsbro (BT) and Colin Carlile (CC). It is important to note that in neither of their quoted statements, do BT or CC refer to me manipulating RC to exclude NR (the allegation of item M)) nor do they give concrete examples of any exclusion of NR occurring as a result of RC's actions. Yet under the Evaluation of the facts for item M), LifeWise imply that the witnesses confirm the allegation of item M).

Similar to other items in this report, item M) comes down to my word against the word of one other person. In the case of item M) that other person is RC.

The statement made by CC contains a quite different, new, allegation, concerning my own actions (rather than having anything to do with me manipulating RC to exclude NR). I deny this new allegation made by CC which he made at an interview which took place after my own interview. On page 4 of their report, LifeWise state:

"The factual investigation is based upon the principle of defense: each party has the right to submit their version of the events and to respond to what the counter-party or others express, in defence of their case."

LifeWise have *not* contacted me regarding the statement by CC. Therefore I have been denied the right to respond to this new allegation.

Through my own actions, rather than push out NR I have sought to include him within the activities of the department. I will give three examples here.

a) membership of the scientific organising committee (SOC) for the annual *For All* astronomy meetings held in Lund every February – I instigated and run these annual meetings working with four-to-five others on the SOC each year. I invited NR to be on the SOC on several occasions (being asked to serve six times over the last ten or so years). SOC members are involved in the selection of invited speakers for these meetings – see e.g. my email dated 28 October 2013 in Appendix 6.

b) inclusion regarding talking with seminar speakers: I was the organiser of seminars (research talks) over the last few years. I was always careful to give people the opportunity to suggest seminar speakers. I was also careful to give people the chance to talk with visitors. Much of that communication was spoken (e.g. at coffee) but sometimes by email. I include in Appendix 6 an email dated 20 September 2018 letting NR know that our visitor would be around at coffee for conversation and that people are welcome to join for lunch.

c) inclusion of NR's work in the presentation for RQ20: RQ20 is the international review of the research activity at Lund University. The short presentation I gave to the visiting committee on 7 May 2020 is also included in Appendix 6. Note that I invited Nils Ryde to be part of this meeting (only a small number of astronomers could be included). In slide number four (labelled *An example of collaboration*) I particularly pointed out and was very positive about a meeting titled *Chemical Evolution of the Galactic Center* as a very good example of collaboration within the department bringing together observers and theorists. This event was the only one I chose to point out. It was organised by NR, as I explained to the RQ20 committee on the Zoom meeting.

All this material was shared with LifeWise at my interview.

N) NR claims that MD excluded his research on the institution's web page (page 24 of report)

This item concerns an update of the departmental webpages which took place in 2013. Appendix 7 contains the material relevant to this item.

I find the comments about item N) in the report to be very strange. This is because at my interview LifeWise stated (correctly) that item N) really did not involve me at all. This is because Sofia Feltzing was the person who asked Ross Church to update the webpages. Indeed, quoting from the LifeWise report (page 25):

“Quote from email 2013-11-08. RC: In connection with the PhD position that we will advertise shortly, Sofia asked my to update the departmental research page”

Note that I did not receive this email but I did receive a reply to it from Dainis Dravins and the reply contains the original email from Ross Church (see email in Appendix 7).

What LifeWise has written in the Evaluation of Facts does not therefore make sense. They write:

“The accused confirms the incident but denies the claim of victimisation since he after feedback changed the information. The witness confirms the claimant's experience of the situation. Since the accused change was in accordance with the complainant's wishes, the accusation of violation cannot be substantiated according to the facts that have emerged in this investigation”

They have somehow forgotten that Sofia Feltzing was the person in the loop here. Not me. When they say “after feedback changed the information”, they mean that Sofia changed the web pages. I didn't confirm anything other than that, as LifeWise said at my interview, that this was nothing to do with me.

It could be that they were confused by the statement made by Ross Church who states in his interview:

“ I was asked to redesign the research pages on the website. When Melvyn asks you to do things he always has a detailed plan on how to do it...”

Ross Church is clearly implying that I instructed him to redesign the research web pages. This is not true. As is shown by his own email dated 8 November 2013 (and quoted above), Sofia Feltzing is the person who made the request to him (the quote being included by LifeWise in the report on page 25). The email being found here in Appendix 7.

O) NR claims that MD demands full loyalty to avoid exclusion (page 25 of report)

This item contains a vague allegation as given in the written complaint. Hence my comments at the LifeWise interview (and quoted on page 25). At his interview NR mentioned both Mohsen Farzone and Magnus Axelsson. Though again there are no specific allegations.

Conclusion (pages 27 and 28 of report)

I also wish to raise two significant concerns regarding the Conclusion of the report.

On page 27, LifeWise state:

“The factual investigation concludes that the accused has committed violations of the Work Environment Act regarding two accusations.

The two accusations concerning victimisation have been individually assessed. Each accusation is separately defined as victimisation according to an evaluation of the facts.”

But what are the facts in these two accusations? In item J) it is a case of my word against the word of Ross Church (RC), with no witnesses. In item M) again it is my word against the word of RC, with no concrete evidence given that either I manipulated RC or indeed that RC acted to exclude NR. Neither of the witness statements made by Brian Thorsbro or Colin Carlile say anything about how either I manipulated RC (the allegation of item M) or how RC then went on to exclude NR. The statement by CC in item M) introduces a new allegation. I was not given the opportunity to respond to this new allegation despite the description given by LifeWise of a factual investigation on page 4 of their report.

On page 28 of the report, LifeWise state:

“The accused has despite meetings and investigation (OSA) of the social and organizational working environment continued with behaviours which risk health and safety of the social and organizational working environment.”

To begin with, all accusations concern events which took place *before* the working environment investigation. Also, what meetings are LifeWise referring to? To make it very clear: *no prefekt or any one else has ever had a meeting with me to discuss complaints made about me by NR.* There have, of course, been numerous discussions this Autumn following the working environment investigation and the general situation within astronomy, but again all allegations made in the complaint submitted by NR concern events happening before this Autumn. The LifeWise statement is therefore incorrect.