

# **Austrian Commission for Research Integrity**

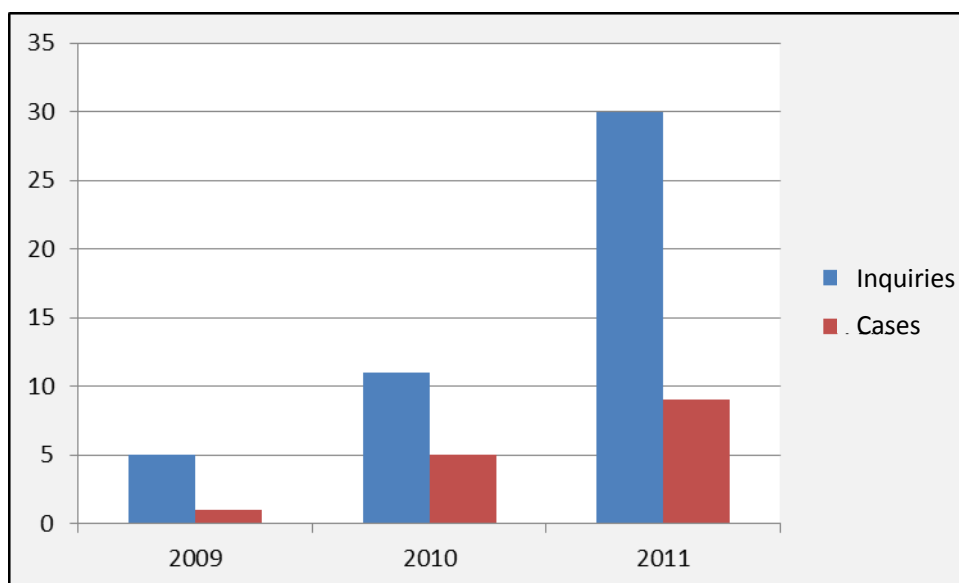
## **Annual Report 2011**

### **The Commission:**

The Commission for Research Integrity is an independent body belonging to the Austrian Agency for Research Integrity (ÖAWI), which is registered as an association in Austria. The Commission examines allegations of misconduct in science and research where Austrian research institutions or researchers based in Austria are concerned. The Commission consists of six members who possess high levels of expertise in various scholarly disciplines. Five members are based outside of Austria; the sixth member is Austrian and advises the Commission on issues pertaining to Austrian law.

The Commission operates on the basis of its Rules of Procedure and the Guidelines for the Investigation of Alleged Scientific Misconduct (Annex I to the Rules of Procedure; available at [www.oeawi.at](http://www.oeawi.at)). In order to protect the parties who submit inquiries/allegations as well as those suspected of misconduct, confidentiality is among the key principles guiding the Commission's work.

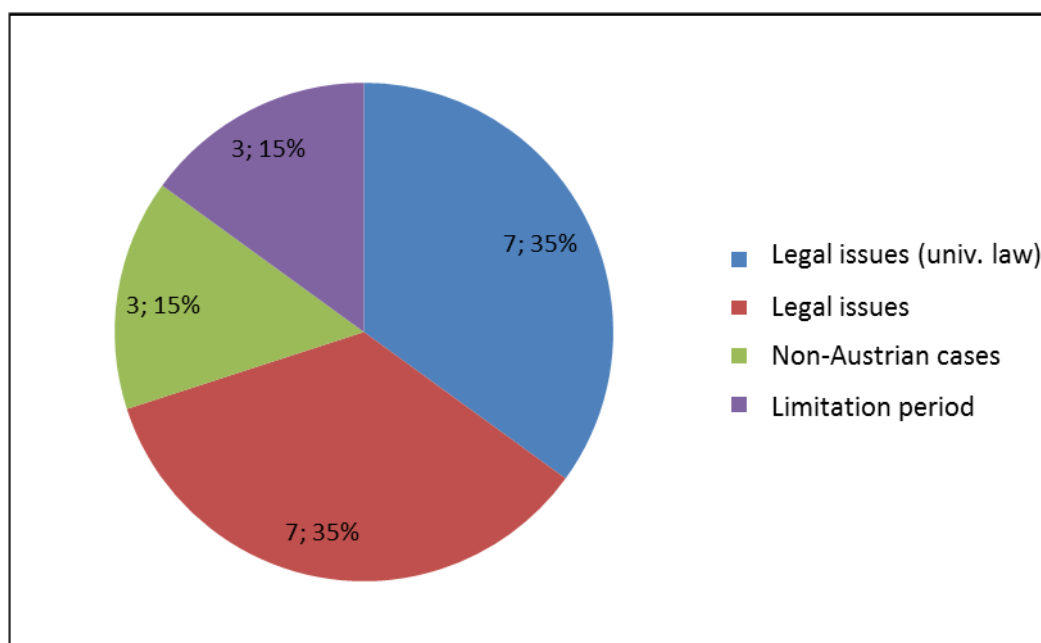
In the year 2011, a total of 30 cases of suspected misconduct were submitted to the Commission; this represented a substantial increase compared to the previous year (see Figure 1). One reason for this development is the fact that the Commission – after commencing operations in June 2009 – has now firmly established itself as part of the Austrian science and research system. Another reason is certainly the heightened public interest arising from recent – and heavily publicized – cases of misconduct on the part of prominent politicians. These cases have led to an increase in searches for potential plagiarism, especially in doctoral dissertations.



**Figure 1:** Increase in number of inquiries since June 2009

**Inquiries and cases, 2009 to 2011:**

Since starting its work, the Commission has handled a total of 46 inquiries, only 15 of which prompted the Commission to initiate a procedure (i.e. to open a case). In many instances, the inquiries do not fall within the Commission's sphere of competence: A majority of the inquiries received have dealt with issues related to university studies law or other legal issues (Figure 2). In the case of disputes related to the law on university studies, students can consult the Student Legal Counselling Office ([www.diesan.at](http://www.diesan.at)). Such disputes are to be pursued in the courts.



**Figure 2:** Types of inquiries for which the Commission is not responsible

In some cases, inquiries were received in conjunction with previously initiated procedures. In this context, the Commission would like to note that parties submitting inquiries have a right to view the conclusive opinion of the Commission only in cases where they are directly affected by the allegations.

Three parties decided to retract their inquiries, usually in order to resolve the matter on their own.

Of the 15 cases handled by the Commission to date, two dealt with the field of life sciences, four with medicine, two with law, six with the social sciences and humanities, and one with the field of natural and technical sciences. Six cases related to alleged plagiarism, five concerned the exploitation of other persons' research (with one case including an additional

allegation of plagiarism), two cases concerned the falsification of data, and two related to a conflict regarding authorship.

### **Inquiries and cases in 2011:**

Of the 30 inquiries received in the year 2011, nine were accepted as cases before the Commission, meaning that a procedure was initiated. The Commission determined that it was not responsible for 12 inquiries because they concerned disputes under university studies law or other legal disputes, or because the inquiries were not related to Austria. As the Agency's office has an excellent international network of contacts, the Commission was able to help those parties make contact with the relevant agencies abroad.

Two inquiries were rejected by the Commission because the allegations were not articulated in sufficient detail or the documentation submitted was insufficient, meaning that the Commission was unable to investigate the allegations. Several inquiries were related to previously launched investigations. Two parties retracted their inquiries.

In addition to the new cases initiated, the Commission also closed five cases from the previous year. The cases completed in the year 2011 are described below without revealing the identity of the parties involved.

#### **Case 2010/01:**

This case was suspended by the Commission for an extended period of time while the university administration conducted its own internal investigation. The Commission reserved the right to resume its activities after the university's investigation. In its internal investigation, the university in question was able to confirm that an employee had falsified research data. The university administration then requested advice from the Commission with regard to several publications closely linked to the falsified data and the previously withdrawn publications. The Commission recommended that the university administration should also withdraw the publications in question from the research journals. The Commission further noted that, should the authors refuse to withdraw the publications, the university administration could voice its criticism in a letter to the editor and thus distance itself from the articles published.

#### **Case 2010/02:**

A university employee submitted an inquiry to the Commission alleging: that another employee had re-used large parts of his/her doctoral dissertation in his/her *venia* work without citing those parts appropriately. The ensuing investigation showed that at least one-third of the text in the *venia* thesis matched the researcher's doctoral dissertation. The Commission thus identified a violation of the principles of good scientific practice to the extent that the author should have pointed out the matching texts upon submitting the *venia* thesis. The Commission communicated these findings to the university administration

and the party accused of the violation, noting that the Commission itself does not have any influence on the resulting personnel decisions.

#### Case 2010/03:

A university employee submitted the following allegation regarding his/her supervisor: After a stay abroad, the employee returned to Austria as a postdoctoral researcher with an idea for a new project which he wanted to carry out at an Austrian university. The employee complained that his contract was not renewed after three years of work on the project, which was then taken over by the work group. As no publications emerged from the project and no third-party funding had been acquired, the Commission was unable to identify a violation of the rules of good scientific practice on the supervisor's part due to the lack of possible evidence of authorship. However, the Commission did identify a deficiency in the academic support provided by the supervisor, as he left the employee in a state of uncertainty regarding his future career for years and, among other things, had the employee work "freelance" for three years.

#### Case 2010/04:

A researcher from abroad notified the Commission of the following: He is among the co-authors of a publication in which the list of authors was altered shortly before submission to an Austrian journal without the consent of all authors. The list was extended to include one additional author in a prominent position. After obtaining statements from the persons involved, the Commission was able to confirm the allegation. However, the additional author of the publication had already admitted this violation of the rules of good scientific practice and published a corresponding erratum report in the journal in question. The Commission recommended that the editor of the journal make a form available on which all authors sign and confirm that they have seen the submitted version of the manuscript and consent to the submission in that form. In this way, similar cases might be avoided in the future.

#### Case 2010/05:

The original inquiry was submitted anonymously in this case; the Commission received two publications with an allegation of "self-plagiarism". The Commission does not usually accept anonymous reports, but was able to make an exception because the allegation referred to publications which could be examined without knowing the identity of the person who submitted the inquiry. The allegation stated that both publications referred to the same group of patients and similar data, but that the earlier work was not cited. The Commission requested a statement from the author of the publication. The Commission came to the conclusion that the second publication contained new findings and that no misconduct could

be identified; however, the Commission also noted that a citation of the earlier work would have been mandatory. The Commission's findings were communicated to the author.

#### Case 2011/01:

This case referred to alleged plagiarism in a doctoral dissertation. The Commission reviewed all of the documents available and also called in an independent expert reviewer. These investigations yielded the following result: The expert reviewer confirmed that the dissertation was plagiarised, as the author had appropriated texts from other authors – without citations – to such an extent that the rules of good scientific practice were clearly violated. This was communicated in a concluding statement to the author of the dissertation and the university at which the dissertation was approved. The university did not initiate a revocation procedure because it could not identify fraudulent intent.

#### Case 2011/02:

A party from abroad submitted an inquiry to the Commission maintaining that an Austrian university employee had appropriated parts of that party's doctoral dissertation in the latter's own doctoral dissertation. In addition, the university employee had used the inquiring party's data in two additional publications without citing the original author. The party submitting the inquiry had reported this case to the university several years earlier, and at that time the university and the author accused of plagiarism had confirmed and admitted to misconduct. The accused party was advised to rewrite the dissertation within a period of several months and to send an erratum report regarding the publications to the relevant editor. However, neither of these measures were taken. Once the Commission resumed its examination of this case, the measures previously prescribed by the university were, in fact, implemented.

#### 2011/03:

In this case, a university requested the Commission's opinion on suspected plagiarism in a doctoral dissertation which had been approved 25 years earlier. The Commission obtained multiple expert reviews and came to the conclusion that the work was not plagiarised and therefore did not constitute scientific misconduct. In large part, however, the citations did not comply with the current rules of good scientific practice. The Commission could not verify whether the standards in the relevant discipline 25 years ago were different from today. The university agreed with the Commission's opinion and did not revoke the academic degree.

Case 2011/05:

In this case, a university approached the Commission with a case of suspected plagiarism: For the dissertation in question, the university had already obtained a review pointing out multiple passages which had been appropriated without citing the source literature. The Commission also concluded that vast text passages had been appropriated without proper citation and that the submission of the dissertation constituted scientific misconduct. The university initiated a procedure with regard to this case.

Case 2011/06:

In this case, multiple parties approached the Commission with the following allegation: A professor had labelled their research ideas and the project applications prepared by those parties as his own without naming the original authors. Moreover, one student who was close to completing her Ph.D. was not mentioned as an author in the publications resulting from this work. The Commission is of the opinion that the professor's conduct constitutes neglect of his duty to supervise and provide guidance for the young researchers, who he is obliged to support and who are thus also dependent on him. In addition, the Commission determined that the professor's failure to credit the aforementioned Ph.D. student as a co-author constituted scientific misconduct with regard to authorship. This is also considered part of the supervisor's duties.

Case 2011/07:

The original inquiry referred to a project application submitted to an Austrian funding programme by an applicant in her capacity as head of a scientific institution. The applicant then terminated her employment at the institution for reasons not further specified in this report. Her successor took over the idea for the project and submitted the project in his own name. The original applicant then accused him of plagiarism.

The Commission arrived at the following judgment: The funding programme was open only to legal persons as applicants, meaning that the institution – not the person who prepared the application – would have a claim to the funds. In the Commission's opinion, however, the preparatory work of the original author of the would have to be disclosed appropriately in any later publications arising from the project. This opinion was communicated to the new head of the institution and its management.

**Members of the Commission for Research Integrity:**

Prof. Peter Weingart (Chair)

Prof. Daniela Männel

Prof. Pieter C. Emmer

Prof. Paul Kleihues

Prof. Robert Rebhahn

Prof. Gerhard Wegner

**Agency Office:**

Ms. Nicole Föger

Haus der Forschung

Sensengasse 1

A-1090 Vienna, Austria

T: (+43-1) 4024052

[www.oeawi.at](http://www.oeawi.at)