



ÖSTERREICHISCHE AGENTUR FÜR
WISSENSCHAFTLICHE INTEGRITÄT

Commission for Research Integrity

Annual Report 2013

Preface by the Commission Chair:

The OeAWI can now look back on five full years of activity – a period which is long enough to identify trends and developments, but still too short to claim that the initial learning phase has been completed.

As for the developments we have observed thus far, the number of inquiries and cases selected for closer examination reached a high in the year 2011, but has decreased substantially since then, and the number of actual cases initiated by the Commission has declined even more drastically. This could very well be the same pattern as that observed in other countries after the establishment of a research integrity agency: After an initially high level of attention, a certain "routine" sets in. Reports of actual or alleged misconduct have dropped to a low level, as have the frequency of those reports and the number of cases actually pursued. If activities stabilise at this level, it will mean that the establishment of the OeAWI has fulfilled its purpose, but by no means has it become superfluous. In fact, it would mean that the agency has established itself firmly as a "corrective institutional measure" which has apparently become necessary in the Austrian science and research system. Due to the drastic changes in the structural conditions under which science and research are conducted – intensified competition, the "economisation" of certain disciplines and closer observation from outside in the form of performance measurement, to name but a few examples – a certain incidence of misconduct has become "normal," thus making corrective action indispensable.

A word on the learning process the OeAWI is currently going through: After their establishment, all agencies of this type – in Germany, Denmark, the US, etc., – were confronted with the problem that there were no (or at least no immediate) models to emulate. There were only general principles of good scientific practice, but there were no established procedural rules or legally sound definitions. In general, however, experience has shown that negotiating actual cases can quickly become difficult. We now have various international definitions and codes governing scientific misconduct as well as a wealth of cumulative experience at our disposal, yet individual agencies are constantly confronted with new cases and thus have to learn how to handle them. This year, the OeAWI will attempt to develop a canon of unambiguous definitions which will be binding on the organisation's work and thus also on all of its members. However, the learning curve will not come to an end once these definitions are adopted. Even if certain procedural routines emerge over time, each case must be assessed on its own terms, and each time it is a question of how definitions are interpreted when applied to the circumstances in each case.

Peter Weingart

The Austrian Agency for Research Integrity is a member of the **European Network of Research Integrity Offices (ENRIO; www.enrio.eu)**. ENRIO has now grown to include representatives from 21 European countries and aims to enable exchanges between experts in the field of research integrity. Nicole Föger, Head of the OeAWI Office in Vienna, has been chair of the network since April 2012.

The Commission:

The Commission for Research Integrity is an independent body of the Austrian Agency for Research Integrity (OeAWI), which was founded as an association under Austrian law. The Commission handles allegations of scholarly misconduct involving scientists and researchers working in Austria. It consists of six scholars from outside Austria whose expertise covers a broad variety of disciplines. For issues related to Austrian law, an advisor is called in when necessary.

The Commission operates on the basis of its Rules of Procedure and the Guidelines for the investigation of alleged scientific misconduct (available at www.oeawi.at). One important principle underlying the Commission's work is confidentiality, which must be ensured in order to protect the parties who submit inquiries as well as any persons accused of misconduct.

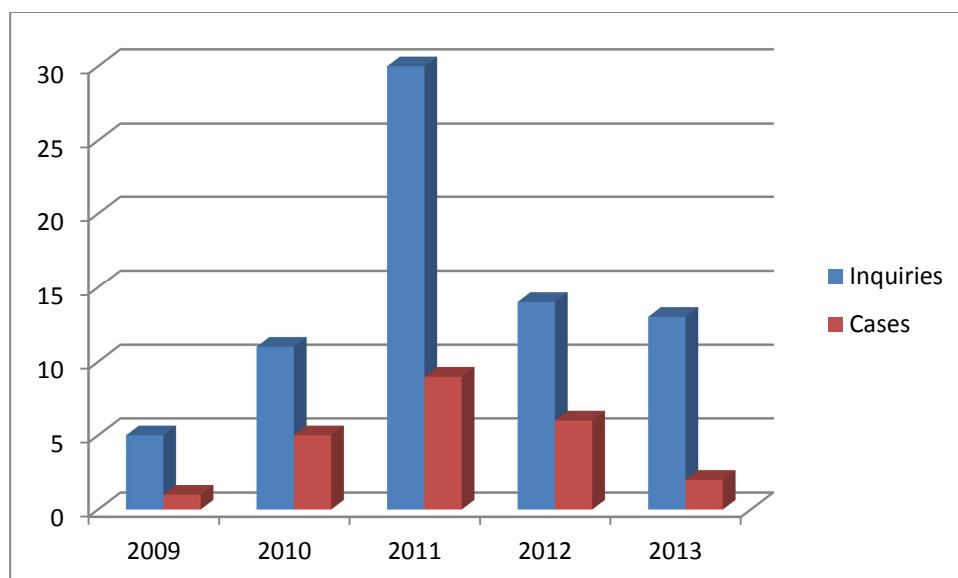


Figure 1: Number of inquiries since the Commission's inception

Inquiries and cases, 2009 to 2013

Since its inception, the Commission has handled a total of 73 inquiries, of which 23 qualified as cases and thus led to the initiation of a formal procedure.

Life sciences:	5
Medicine:	7
Law:	2
Social sciences and humanities:	8
Natural and technical sciences:	1

Ten cases related to allegations of plagiarism, four concerned the exploitation of other scholars' research (in one case in addition to a plagiarism allegation), four involved the alleged falsification of data, eight arose from authorship conflicts, and three cases related to the obstruction of research. Some individual cases involved multiple allegations. To date, the Commission has concluded a total of 22 cases by issuing an opinion. Parties submitting inquiries are only entitled to a conclusive opinion in cases where they are personally affected by the allegations.

Research misconduct or violations of good scientific practice were confirmed in 11 of the 22 cases. In several instances, the Commission succeeded in mediating between the parties to the dispute, thus enabling them to resolve the conflict on their own.

Inquiries and cases in 2013:

In 2013, a total of 13 inquiries were submitted to the Commission, three of which were still being processed at the end of the year. The Commission rejected three inquiries due to the limitation period (30 or 40 years). In another inquiry, the two scholars had already initiated court proceedings, and the Commission decided not to launch a parallel procedure. One inquiry related to a judgement involving media ethics, and the Commission had to declare that it was not responsible for such cases. In one instance, the Commission ruled out the assessment of a resolution issued by an appeals commission outside of Austria.

Yet another inquiry is already being dealt with by two institutions abroad, and the Commission decided not to initiate a parallel procedure but to maintain regular contact with the other institutions. In another instance, a violation of good scientific practice was already revealed in the preliminary procedure. As the organisation in question was not a member of the association, no procedure was initiated, but the persons and institutions involved were informed of the violation and reminded of the rules of good scientific practice. In another inquiry, the Commission informed the submitting party of potentially existing cooperation agreements and also offered further assistance.

In 2013, the Commission initiated two new cases, one of which was related to an inquiry from the previous year. In total, five cases from the previous year and one case from 2013 were closed in the year under review. The cases concluded in 2013 are described briefly in anonymous form below.

Case 2012/02:

Within the framework of a cooperation arrangement between three different institutions, a planned publication was delayed multiple times, prompting two of the cooperation partners to dissolve the cooperation agreement. One researcher feared that the data and work she had already contributed to the project were being used by her former partners without crediting her as a co-author. In addition, the researcher alleged that her former partners planned to publish the work as an online publication instead of the originally planned book.

The researcher contacted the Commission for Research Integrity in order to determine the extent to which she could publish her own data. The Commission then offered to mediate between the researcher and her former cooperation partners. However, the mediation meeting was not held because the researcher suspended the procedure for personal reasons. She was later able to reach an amicable agreement with one of her former project partners and to continue their cooperation.

Case 2012/03:

This case involved an authorship conflict over a publication arising from a cooperation arrangement between two institutions. In the course of preparing the manuscript, a researcher who was listed as a co-author upon initial submission was no longer credited in the version ultimately published. Upon closer examination, it was revealed that the reasons cited by the various parties to the dispute were a mere pretext for an existing conflict between their respective superiors.

In this case, the Commission reminded the university's administration of the importance of cooperation agreements.

Case 2012/04:

After leaving an institution on unfriendly terms with his former superior, a researcher then applied to multiple other institutions with a previously approved research project. After positive initial discussions with potential employers, he felt that their interest in offering him a position had suddenly diminished. He conjectured that his former superior had intervened, and therefore he asked the Commission to initiate an investigation. The Commission then contacted the researchers in question, all of whom denied any intervention by third parties. The Commission acknowledged their statements and saw no further means of investigating the case.

Case 2012/05:

In this case, a young researcher consulted the Commission because a manuscript arising from her dissertation, which she had completed several years earlier, had still not been published despite the fact that she had sent several inquiries to her former superior. Another employee had apparently been given the task of reproducing her data and illustrations. However, the researcher herself was not kept up to date on the current state of the manuscript by her former superior or his team. Likewise, she received no response to her offer to write the manuscript or to compile the necessary data. Her former superior later

referred to his current employee (i.e. not the researcher who submitted the inquiry) as the primary author of the publication. The researcher submitting the inquiry also alleged that her laboratory notebooks could no longer be found in the laboratory. The Commission contacted her former superior and inquired about the laboratory notebooks, to which he responded that they were stored in an appropriate manner. As regards the issue of primary authorship of the publication, the OeAWI Office was involved in the further communication between the parties. In the end, they agree that the two researchers would both be listed as primary authors.

Case 2012/06:

In this case, the Commission for Research Integrity received an inquiry in which a researcher was accused of duplicate publication, data manipulation and the manipulation of an assignment of copyright form. The Commission engaged the services of two experts to review the first two allegations. As for the third allegation (i.e. the copyright assignment form), the Commission had to declare that it was not responsible for such cases. The experts were unable to confirm the allegation of duplicate publication: In addition to differences in the content of the two publications, the second manuscript actually refers back to the first. Likewise, the experts were unable to verify the allegation of data manipulation.

Case 2013/01:

In this case, the party submitting the inquiry presented the Commission with a total of four publications with the suspicion of duplicate publication. For two of the publications, a notice of duplicate publication had already been published in the relevant international journal. A thorough comparison of the other two publications (which had appeared in 2002 and 2009) revealed that large parts of those texts were identical and that the text taken from the earlier publication was not cited properly. The Commission therefore concluded that the more recent publication had to be withdrawn and gave the author a period of three weeks to initiate this process. As the party accused of duplicate publication did not respond to the Commission's letters and request, the Commission referred the case to the rector of the researcher's university.

Members of the Commission for Research Integrity:

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Prof. Pieter C. Emmer

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