

How to protect whistleblowers and the scientists they accuse

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Hello, Dr. Hendrix,

Is it true that you falsified data in
your 1998 publication?



3 years later

Manchester pronounces husband and wife **innocent of misconduct**

Institution rejects 'malicious' allegations, but accuser is puzzled.

2011

The University of Manchester **has cleared** two of its senior academics of research misconduct and expressed concerns about a series of **"unfounded and malicious" allegations** that have recently been made against them.

Psychological effects of allegations

No benefit of the doubt!

“Where there's smoke there's fire”

Psychological effects of allegations

All co-authors will be severely distressed.

“Oh my god, my reputation is ruined”

“I will never again find a job”

“I will never again get funding”

“Oh my god, he/she got us all in trouble”

“It’s all his/her fault!”

SHAME

Psychological effects of allegations

Former PhD students will be afraid to lose their PhD title...

... and their current job.

Social effects of false allegations

Journalists may call

- every co-author
- your colleagues or
- any person above you in the hierarchy

To get quotes for a wild story journalists may

- make provocative statements or
- lie about the state of the investigation

Headline:

“Researchers can not exclude fraud in their institution!”

Social effects of allegations

Scientists get defensive

even when they are innocent!

Long-term social effects of allegations

Paranoia →

- Anticipatory obedience to ,secondary‘ parameters
 - Formatting and labeling mistakes
 - Avoiding potentially ,suspiciously‘ looking data
- Overbureaucratisation of research

Economic costs of allegations

Allegations of scientific fraud:

→ investigation by a commission = high costs (time, energy, money)

- highly paid senior experts
- highly paid administrative staff members
- highly paid accused scientists

→ They will spend many hours of their working time with very strict and complex administrative procedures to address the allegations

→ **In the case of true or false allegations** a lot of valuable research time and consequently **a lot of tax payer's money is lost.**



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What to do when you are falsely accused of scientific fraud?

October 15, 2014 8:11 pm / 11 Comments / sven

One of the most distressing experiences for a scientist are false allegations of scientific fraud. As a result of technological progress it is easy to screen publications and PhD theses for plagiarism, photo manipulation and statistical abnormalities. A disadvantage is that false accusations are distributed quickly all over the world and 'haters', 'trolls' and 'stalkers' can stay anonymous while damaging the career of a scientist. What to do if you are falsely accused?



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Why professors do not train you for the non-academic job market – and how to handle it!

Typology of whistleblowers



1. Honestly concerned PhD students/colleagues
2. Angry (ex-) colleagues
3. Machiavellists
4. Crazy people

Typology of whistleblowers



Honestly concerned PhD students or colleagues

- honestly believe that there is scientific fraud
- want that science stays clean of bad practices

- deserve to be protected without reservation
- allegations must be investigated

Typology of whistleblowers



Angry (ex-) colleagues

- intentionally want to damage the career of a scientist
 - primary motivation is rage or revenge
 - are convinced that they have been treated badly (true or not)
 - may be honestly convinced that there has been fraud
-
- deserve to be protected
 - must be instructed – for example by their institution – to behave in a fair way
 - allegations must be investigated

Typology of whistleblowers



Machiavellists

- have a political motivation to ruin the reputation of a scientists (for example during elections of dean, rector etc.)
- allegations may be true and/or political tactic
- small justified allegations may be exaggerated ('vendetta style')
- intentional abuse of whistleblower status!
- scientific misconduct! → must be punished

Machiavellists still can make true allegations!

Allegations must be investigated!

Retraction note in FASEB J on Meier et al, FASEB J., 2003

“The editors of The FASEB Journal received a **letter from the dean** of the Charite – Universitätsmedizin Berlin stating:

“In the year 2009 a series of reproaches in regard to scientific misconduct against Dr. Nicolai Savaskan reached the faculty of the Charite – Universitätsmedizin Berlin. (...) A well-recognized and top-class fact finding commission concluded that the **publication contains gross flaws**. A key figure (Figure 14) and the conclusions drawn from it could not be underlined with the corresponding primary data.

Therefore, the faculty has requested the senior author Dr. Nicolai Savaskan to retract the publication.”

→ Paper was retracted by FASEB J w/o prior notice to authors although an erratum was already accepted!

→ After law case: retraction was taken back and erratum was published

Is the commission trustworthy?

What is the motivation of the members?

What is the institutional history of fraud investigations?

Did/Does the institution just cover its assets?

Is a competitor/personal enemy on the board?

Will they protect or **burn** me?

Trust and control

Trust without control → scientific misconduct ↑

Control without trust → paranoia ↑ = hiding + covering up

Typology of whistleblowers



Crazy people (trolls, haters, stalkers, psychopaths ...)

- attack publications based on 'suspicious' findings often not based on evidence
- characteristic behaviors are
 - stalking behavior
 - personal insults
 - multiple offensive emails to broad audience including
 - journal editors
 - colleagues
 - the press and/or
 - politicians
- abuse the status of the whistleblower - intentional or unintentional
- scientific misconduct! → must be punished

Crazy people still can make true allegations!
Allegations must be investigated!

German university calls whistleblower's emails "dangerous"

In an unusual move, a German university has issued a statement calling into question "the scientific honesty" of a whistleblower, and suggesting that his emails were "dangerous."



The typology of whistleblowers is **problematic**



The typology can be easily **abused for character assassination**
„This guy is just a crazy type 4 whistleblower“.

It should be used *only internally* by the accused scientists to develop a defense strategy.

Trustworthy procedures in a trustworthy institution

Trust without control → scientific misconduct ↑

Control without trust → paranoia ↑ = hiding + covering up

When researchers do not trust their institution they will hide any mistake to protect themselves!

Only trustworthy procedures in a trustworthy environment allow a transparent handling of mistakes.

Consequences for decision makers

1. Training is more effective than intimidating young researchers.
2. Highly hierarchic research environments (= low trust) may attract the “wrong” people.

Hypothesis:

A strong hierarchy attracts narcissists who have a higher tendency to commit fraud.

Narcissists seek hierarchies because they believe they would perform well and thus rise to the top.

Zitek & Jordan, 2016

Narcissism has been associated with ethically dubious research behaviours.

Antes et al, 2007; Davis et al, 2011; Tjldink et al, 2016 (but not conclusive in all studies)

Narcissism and research misconduct were more severe among persons in higher academic ranks.

Tjldink et al, 2016

Conclusion: Flat hierarchies reduce QRPs + fraud

1. A strong hierarchy attracts narcissists who have a higher tendency to commit fraud.

→ Creating **highly hierarchic** + highly ambitious environments may **attract the “wrong” people**.

2. A flat hierarchy repels narcissists.

→ Creating **highly democratic** + highly ambitious environments may **attract the “right” people**.

Democratization of science may reduce QRPs and scientific fraud.

Training is more effective than intimidating young researchers

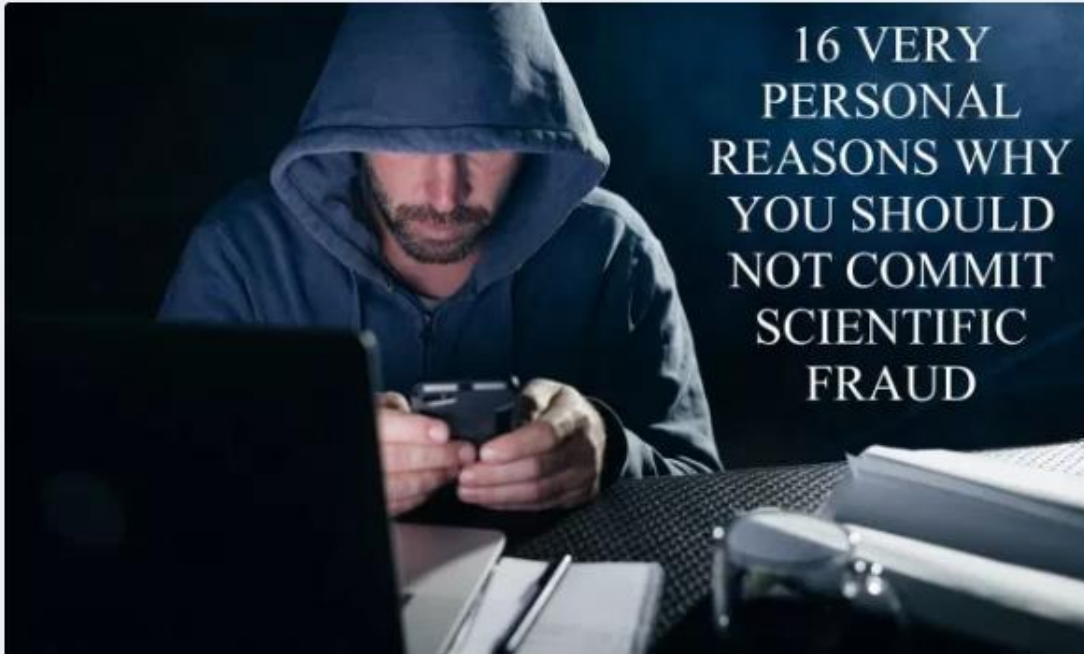
We ask the PhD students to write down and later discuss:

1. How do you know it is scientific misconduct?

Write down 3 criteria!

2. Why shouldn't you commit scientific misconduct?

Write down 3 [personal](#) reasons why you should not do it!



16 VERY PERSONAL REASONS WHY YOU SHOULD NOT COMMIT SCIENTIFIC FRAUD

16 VERY PERSONAL REASONS WHY YOU SHOULD NOT COMMIT SCIENTIFIC FRAUD

by Sven Hendrix | 0

We all know that scientific fraud is bad for science and society in general. However, apart from these general considerations it is necessary and effective to make young scientists aware of the fact that scientific misconduct ruins their personal integrity and destroys their careers. The following 16 personal reasons will convince most young scientists that scientific misconduct is a bad idea.

Training is more effective than intimidating young researchers

We teach master and PhD students to analyze 10 case studies:

Please read the cases and answer the question:

- What are the allegations?
- Is this scientific misconduct or not?
- What has been done to address the allegations?

Trust and control

Trust without control → scientific misconduct ↑

Control without trust → paranoia ↑ = hiding + covering up

How to create trust?

How to protect whistleblowers and the scientists they accuse?

- The institution should remain neutral!
- Whistleblowers and accused scientists are alone in this situation
- Who protects them?

Nobody!

What the whistleblower can do (part 1):

1. Document your findings carefully.

Don't hesitate to record conversations and make copies of files and emails that support your conclusions.

2. Promptly report your findings to the proper authorities

Meet with officials in person. Face-to-face meetings help establish your credibility and create personal connections that may help protect you.

3. Retain lawyers who specialize in fighting defamation.

The most common response to whistle blowing is **character assassination**.

You want experienced lawyers who will fight back promptly with anti-defamation lawsuits.

→ ...



Legal consequences!!

What the whistleblower can do (part 2):

3. → ...

4. Reach out to journalists who specialize in scientific fraud and related topics.

Meet with them in person so they get the story directly from you—not from sources who are trying to discredit you.



5. Limit your discussions of the situation to the authorities and your attorneys.

6. Start building up a cash reserve.

7. Keep the faith!

If you have a spiritual or religious practice, stick with it.

“What you are about to do will test your strength and reserves, but it is the right thing to do, and people who do the right thing are the backbone of a good society.”

What could possibly go wrong?

Where can the [whistleblower](#) go
when the institution is unfair?

How to protect the accused scientists?

Control without trust → paranoia ↑ = hiding + covering up

Only trustworthy procedures in a trustworthy environment allow a transparent handling of mistakes

What could possibly go wrong?

Where can the [accused scientists](#)
go when the institution is unfair?

What could possibly go wrong?

Where can the **whistleblower** go
when the institution is unfair?

Where can the **accused scientists**
go when the institution is unfair?

The institution which investigates the fraud case can not and **must not give advice.**

The investigators of the fraud case have to be neutral.

There must be

independent advisors/counselors/ombudspersons

who **guide** the whistleblowers and the accused scientists through the procedure.

Every fraud case should be handled

- by a neutral commission and
- ideally two „guides“
 - 1 for the whistleblower
 - 1 for the accused scientistsif requested by them or obligatory

The [independent guide](#) (advisor/counselor/ombudsperson)

- Should have personal experiences with whistleblowing/being accused or should be trained by persons who have made these experiences
- must be obliged to confidentiality
- should advise how to handle the case correctly
- should be paid by the EU or an international scientific society to be independent from national or institutional bias and CoI
- should be supported by a lawyer and an ethicist.

Advantages

- Clear distinction between investigators and guides
- No conflict of interest of the investigators
(no advice from a commission who is investigating you)
- Confidentiality = trust ↑
- Faster closing of the investigation = lower costs (time, money, energy)
for scientists, institutions
- Emotional support for both parties

Disadvantages

Nobody wants to do this job because

- it is very time-consuming
- it is emotionally exhausting
- angry co-workers and machiavellists have a hidden agenda
- crazy people are very difficult to handle and may attack also the advisor
- accused scientists may be very grateful for advice but may not trust the advisor and hide/cover up

Ombudspersons may withdraw themselves if there are immoral behaviours they are not allowed to talk about or if the whistleblowers or scientists are very difficult people

Solutions?

International/European funding by international, European and national funding bodies?

Joint effort?

Alternative career paths for former whistleblowers and accused scientists?

Future tasks

Democratization of science & flat hierarchies to repel narcissist!

Establishment of an ombudsperson system to create trust and avoid the conflict of interest of investigating institutions.

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