

DECISION

By email of 23 January 2018, the institution forwarded a complaint to the Danish Committee on Research Misconduct (hereinafter the Committee) filed by the complainant (hereinafter the Complainant) concerning the defendant (hereinafter the Defendant).

The Complainant alleges that the Defendant has committed falsification in relation to his work in the Complainant's laboratory at the research centre at the institution.

The Defendant has admitted to making changes in a database in connection with his work in the laboratory.

The Committee's findings

At its meeting on 20 September 2018, the Committee decided to reject further examination of the case as it is not covered by the Committee's authority, cf. section 13(1) in act no. 383 of 26 April 2017 on research misconduct, etc.

The decision was made unanimously by High Court Judge, Professor Jens Hartig Danielsen, LLD (Chair); Professor Hanne Andersen, PhD; Director of Research Ole Kirk, PhD; Professor Helle Bødker Madsen, LLD; Professor Jørn Hounsgaard, MD; Professor Dorte Hammershøi, PhD; Professor Anne-Mette Hvas, PhD; and Senior Advisor Anders Smith, PhD.

The Committee's grounds for the decision are given below.

The complaint of falsification and the Defendant's comments

In support of the complaint, the Complainant argues that the circumstances forming the basis of the complaint were discovered in connection with work on a paper meant to report the results of the Defendant's work. The Complainant argues that changes were made to a database (appendix) of experiment-specific genotypes of 'experimental animals'.

The Danish Committee on Research Misconduct

8 January 2019

The Danish
Committee on Research Misconduct can be reached via:

The Secretariat of the Danish
Committee on
Research Misconduct

The Danish Agency for
Science and Higher
Education
Bredgade 40
1260 Copenhagen K, Denmark
Tel.: + 45 3544 6200
Fax +45 3544 6201
sfu@ufm.dk
www.ufm.dk
CVR no. 1991 8440

Case no.: 2018-02

According to the Complainant, the number of experimental animals born with the protein does not correspond to the number of experimental animals indicated by the Defendant in a table in a draft of the paper.

Furthermore, the Complainant has stated that the Defendant has manipulated 'gel blots', as the defendant in one case spliced 2 different gel blots together (appendix, slide 1 and 2) and in another case used the same gel blot in two different tables (appendix, slide 3).

The Defendant has admitted to altering the database (appendix) of experiment specific genotypes of 'experimental animals'. The Defendant has not responded to the accusation of manipulating 'gel blots'.

Legal basis

The case has been processed under act no. 383 of 26 April 2017 on research misconduct, etc. (hereinafter the Act).

The Committee's authority is described in section 4(1):

The Danish Committee on Research Misconduct shall process cases concerning research misconduct in scientific products.

The definition of a scientific product appears from section 3(1)(vi) of the Act:

Scientific product shall mean: "A product generated by means of scientific methods applied in research, including applications for research funding.

The following appears from the notes to section 3(1)(vi) of the Act, cf. bill no. L 117 of 25 January 2017, on the assessment of what constitutes a scientific product:

The definition suggested closely follows DCRM's practice in the field, in which a scientific product is characterized by being produced in the course of research work by using scientific methods in contrast to e.g. publications of a more popular nature, which do not have a similar scientific approach. The assessment of whether a product can be deemed a scientific product depends on a content-related assessment of the product's scientific character in which scientific articles, PhD theses and the like are the core area for this definition. One element in the assessment of whether the product is a scientific product within the meaning of the act will therefore often be whether the product in question is submitted for, or is intended to be submitted for, peer review.

The committee's option of rejecting further examination of a case is set out in section 13 of the Act.

The Danish Committee on Research Misconduct may reject further examination of cases under the following circumstances:

1) The case is not covered by the Committee's authority.

Under section 3(1)(v) of the Act, the meaning of questionable research practice in the Act is:

Violation of generally accepted standards for responsible research practices, including the standards in The Danish Code of Conduct for Research Integrity and other applicable institutional, national and international practices and guidelines for research integrity.

The Committee's option of forwarding such cases that concern issues on possible questionable scientific practice appears from section 17 of the Act:

In the event that the Danish Committee on Research Misconduct assesses that a case may involve issues concerning questionable research practices not considered by the Committee to constitute research misconduct, the Committee may refer such issues to the relevant research institution for further consideration.

The Committee's assessment of the case

In its assessment of the case, the Committee has placed emphasis on the fact that the Complainant has exercised due diligence and made the discoveries at an early stage of the Defendant's work on drafting a paper. Based on the particulars of the case, the Committee reasons that the draft was nowhere near completion for submission for peer review. The Committee therefore finds that the paper did not yet constitute a scientific product in the meaning of section 3(1)(vi) of the Act.

As such, the complaint is not covered by the Committee's authority, cf. section 4(1) of the Act, and the Committee therefore rejects further examination of the case, cf. section 13(1)(i) of the Act.

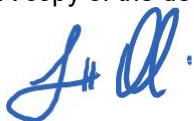
Based on the particulars of the case, the Committee finds that the case may involve issues on questionable research practice. The Committee therefore forwards the case to the institution for further consideration, cf. section 17 of the Act.

Appeals procedure

This decision is final and cannot be brought before another administrative authority, cf. section 18 of the Act.

The Committee regrets the case processing time, which is mainly due to technical issues arising in connection with the transition from the Danish Committees on Scientific Dishonesty to the Danish Committee on Research Misconduct as well as a large replacement of staff in the secretariat.

A copy of the decision has been sent to the institution.



Jens Hartig Danielsen
Chair of the Danish Committee on Research Misconduct