

DECISION

By letter of 26 April 2018, the practice committee at the university (hereinafter the Research Institution) forwarded a complaint to the Danish Committee on Research Misconduct (hereinafter the Committee) submitted by the complainant (hereinafter the Complainant) regarding defendant 1 and defendant 2 (hereinafter the Defendants), wherein the Complainant alleges that the Defendants have plagiarised and thereby committed research misconduct.

The Complainant argues that the Defendants have plagiarised in their product

Preface to *Book*

in one instance by wrongfully appropriating text etc., without due credit to

Source 1.

In summary, the Complainant argues that there is a total of ten instances in the Defendants' product that give cause for criticism.

The Complainant has stated that he discovered the ten instances during his work on his PhD thesis.

This complaint is one of five complaints in total submitted by the Complainant. The complaints involve a total of ten people and six different products, all related to the reform of primary and lower secondary education in Denmark. In some of the complaints, the Complainant refers to appendices included with the other complaints.

Defendant 1 contends that the preface to a book belongs more to the category of popular science rather than actual scientific reporting or article writing.

Defendant 2 has not made any statements regarding the case.

The Committee's findings

At its meeting on 28 February 2019, the Committee decided to reject further examination of the case as it not covered by the Committee's authority.

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

The Danish Committee on Research Misconduct

14 March 2019

The Danish Committee on Research Misconduct can be reached via:

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

The complaint of research misconduct

In support of his complaint regarding instance 2 of “plagiarism/self-plagiarism”, The Complainant argues that there is a verbatim coincidence between the citation in the Defendants’ product of Source 1 and an article written by Defendant 2 [title of article] in [title of book]. This leaves doubt about whom the source of the citation in the Defendants’ product really is.

Regarding instance 5 of “plagiarism/self-plagiarism”, the Complainant argues that the last 3½ lines on p. 9 and the first 4½ lines on p. 10 in the Defendants’ product can be found in two articles written by Defendant 2, [title of article] in [title of book] and [title of article] in [title of book], respectively.

Finally, regarding instances 1, 3, 4, 6, 7, 8, 9 and 10, the Complainant argues that the Defendants have misrepresented and incorrectly reproduced sources.

**The Danish Committee on
Research Misconduct**

Legal basis

This 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.

It appears from the notes to section 4(1), cf. bill no. L 117 of 25 January 2017 (hereinafter the Notes), that:

With the provision in (1), it is proposed to establish that the Committee on Research Misconduct processes cases concerning research misconduct in scientific products. Research misconduct and scientific product are defined in section 3(1)(i) and (vi) of the Act. The purpose of the provision is to clarify that the Committee only has authority to process cases concerning research misconduct, and that the matters reviewed must be connected to scientific reporting, i.e. have occurred in a scientific product.

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 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 characterised 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(1) of the Act:

**The Danish Committee on
Research Misconduct**

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.

The Committee's assessment of the case

The explanatory notes of the Act state that the core area for the concept of a scientific product are scientific articles, PhD theses, etc, and that one element in the assessment of whether a given product is a scientific product within the meaning of the Act will therefore often be whether the product in question was submitted for or intended for submission for peer review.

The Defendants' product is the preface to the Danish edition of a book by [name of author] and [name of author] with the title [title of book]. The blurb on the back of the book states that it "is addressed to teachers, educators and pedagogues at all levels of the education system, managers, consultants as well as students and others wanting a summary of how research into human learning processes can inform our education and everything taking place in our schools". The book contains study questions for the individual chapters.

In the product, the Defendants comment on the book's contents and put them into perspective, in particular with regards to the Danish reform of primary and lower secondary education as well as theories of learning. The product does not state which theoretical or methodological considerations form the basis of the product, and the product has not been submitted for peer review.

The Committee usually considers a book preface that was not written by the author of the book, in view of its nature, does not fall within the definition of a scientific product under section 3(1)(vi) of the Act. This principle can be waived in cases where the author of the preface through the use of scientific methods presents scientific results in the preface as part of their research, see also the decision of 6 May 2014 from the Danish Committees on Scientific Dishonesty (found on the Committee's website) in which the Committees found that op-eds in newspapers in principle were not included in the definition of written scientific products under the rules then in force.

On this basis, the Committee finds that the Defendants' product is not a product created using scientific methods as part of research. The Committee therefore finds that the Defendants' product is not a scientific product, cf. section 3(1)(vi) of the Act.

In the present case, the fact that the Defendants' product includes information about the Defendants' titles and institutional affiliations cannot justify any other decision.

As the Defendants' product is not a scientific product, the case is not covered by the Committee's authority. The Committee therefore rejects the case, cf. section 13(1) of the Act.

Appeals procedure

This decision cannot be appealed to another administrative authority, cf. section 18 of the Act.

**The Danish Committee on
Research Misconduct**

The Committee regrets the case processing time, which is mainly due to the fact that the case is part of a larger set of linked cases consisting of several complaints submitted by the same Complainant (where the other cases have been examined), and that the Committee therefore chose to process all complaints together.



Jens Hartig Danielsen
Chair of the Danish Committee on Research Misconduct