

## Summary of LOWI opinion 2017-06

Keywords: scientific debate, scrupulousness of investigation by the Research Integrity Committee (RIC), academic practice

Relevant provisions: -

### *Petition*

The Petitioner submitted a complaint about an article dating from 2011 in which the Interested Parties commented on the results of a study. According to the Petitioner, the Interested Parties presented the study results in a more favourable light than they actually were, and some of their assertions were misleading.

### *Opinion of RIC & decision by the Board*

The RIC restricted its investigation to the question of whether the Interested Parties had been guilty of violating the principles of research integrity in the article; the study itself is not a subject of the complaints proceedings. The Petitioner's objections stem largely from a difference of opinion concerning the study results. Differences of opinion regarding substance and methodology fall outside the scope of the Netherlands Code of Conduct for Academic Practice. The Board decided to adopt the RIC's considerations and to rule the complaint unfounded.

### *The Petitioner's most relevant objections are as follows:*

- The RIC acted wrongfully by not considering all the documents submitted by the Petitioner when reviewing his complaint.
- The article has helped paint an erroneously positive picture of the outcomes of a manipulated study. The article is not consistent with the Interested Parties' previous publications. The article paints a more positive picture of the results than the study itself justifies, creating the false impression that the study satisfies the criteria.

### *Below are the most relevant considerations in the LOWI's opinion:*

- The exclusive subject of the LOWI's proceedings is the article authored by the Interested Parties in 2011. The LOWI has not considered the scientific accuracy of the study or other publications or public statements by the Interested Parties about the subject and the scientific accuracy of the study.
- The LOWI considers that there are no good reasons to call the RIC's investigation into question; in principle the validity of this investigation must be assumed.
- Commenting in writing on another person's scientific research may be regarded as academic practice within the meaning of the Netherlands Code of Conduct for Academic Practice. However, such commentary cannot be subject to the same requirements as the research to which the commentary refers. The principles and elaborations that the Petitioner believes have been infringed come within the scope of scientific research and therefore pertain primarily to research. These principles and elaborations can only be deemed to have been infringed if the Interested Parties had known or should have known that the study contravened the principles of research integrity. The Interested Parties would then have been obliged to raise that issue in their article.

- The LOWI agrees with the RIC that a discussion of the results of the study is a matter for scientific debate. The scope of the Netherlands Code of Conduct for Academic Practice does not cover substance-related differences of opinion concerning the value of the study results and criticisms of the methodology used. Neither the RIC nor the LOWI are competent to referee scientific debates.

LOWI ruling and opinion:

The LOWI has ruled the petition unfounded: the RIC's opinion is scrupulous, its treatment of the substance is insightful and conclusive, and it supports the decision of the Board. The LOWI has recommended that the Board should uphold its ruling unamended.

Final decision by the Board:

The Board adopted the LOWI's opinion and resolved in its final decision on 20 April 2017 to rule the complaint unfounded.