

Summary of LOWI opinion 2017-08

Keywords: scientific debate, criticism of research, valorisation, contract research, source reference
Relevant provisions: Elaboration 1.1, 1.2, 1.3, 1.9, 2.1, 2.2, 3.2, 4.2 and 5.3 of the Netherlands Code of Conduct for Academic Practice

Petition

The Petitioner complained about the Interested Party's dissertation and claimed that he had repeatedly acted contrary to the Netherlands Code of Conduct for Academic Practice while conducting his PhD research.

Opinion of the Research Integrity Committee (RIC) & decision by the Board

The RIC recommended that the Board should rule the complaint inadmissible because the RIC is not competent to rule on scientific controversies. The complaints procedure is not intended to settle matters of scientific dispute. The policy recommendations that the Interested Party made based on his study could be interpreted as valorisation, according to the RIC. The Board decided to adopt the RIC's conclusions.

The Petitioner's most relevant objections are as follows:

His criticism was unfairly dismissed as a difference of opinion; there was no truly open discussion in the relevant scientific journals. The Petitioner adheres to his claim that the Interested Party had repeatedly acted contrary to the Netherlands Code of Conduct for Academic Practice.

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

- The LOWI has considered whether the Interested Party crossed the line between arguable research and fraudulent research. Criticism of scientific research need not always be a question of research integrity. A debate about the making and accountability of a study or about the methodology used only becomes a question of research integrity if it is made plausible that the researcher purposely acted contrary to the principles and elaborations of the Netherlands Code of Conduct for Academic Practice.
- *Elaboration 1.1 of the Netherlands Code of Conduct for Academic Practice:*
Given the research question, the Interested Party did not intend his dissertation to be an examination of the accuracy of the theories he describes. The LOWI considers that the study's boundaries are the result of a conscious choice made by the Interested Party based on scientific evidence. Criticism of that choice is a matter for scientific debate.
Elaboration 2.1 of the Netherlands Code of Conduct for Academic Practice: The LOWI considers that the dissertation clarifies how the researcher selected the websites that are examined. The LOWI agrees with the RIC that criticism of the methodology used is a matter for scientific debate.
- *Elaboration 2.2 of the Netherlands Code of Conduct for Academic Practice:*
The LOWI concludes that the study provides a 'snapshot in time'. It was not necessary for the Interested Party to follow up by asking the authors whether their views had changed. The LOWI once again agrees with the RIC that criticism of the methodology used is a matter for scientific debate.

- *Elaboration 4.2 of the Netherlands Code of Conduct for Academic Practice:*
The LOWI does not regard this study as contract research within the meaning of Netherlands Code of Conduct for Academic Practice. Partial funding of the study does not bestow authority over how the study was conducted. The LOWI does not consider that the Petitioner has submitted any specific facts or circumstances that would cast reasonable doubt on the Interested Party's objectivity. The LOWI concurs with the RIC that any policy recommendations made by the Interested Party based on his study can be regarded as valorisation.
Elaboration 5.3 of the Netherlands Code of Conduct for Academic Practice: The LOWI does not consider there to have been a conflict of interest, even though the Interested Party's co-supervisor works for the organisation that co-financed the study.

LOWI ruling and opinion:

The LOWI considers the petition unfounded and has recommended that the Board should adopt its preliminary ruling unamended as its final decision.

Final decision by the Board:

The Board has adopted the LOWI's opinion and decided on 30 June 2017 to rule the complaint inadmissible in its final decision.