

Summary of LOWI opinion 2018-16

Keywords: following a LOWI opinion (2017-14), timeliness of erratum, rectification

Relevant provisions: article 13, paragraph 2, of the LOWI Regulations 2018

Board involved: Executive Board, University of Amsterdam

Petition

The LOWI has concluded in LOWI opinion 2017-14 that a study displays features of both retrospective and prospective research, however, there was much that indicated a prospective study. The LOWI advised the Board to request the authors to arrange for a rectification: the publication has presented the study as a prospective study, whereas the authors stated that it was a retrospective study. The LOWI considered this to be misleading. The Petitioner states that the authors provided the erratum too late, leaving readers unnecessarily in the dark for seven months. Furthermore, rather than editing both the title and the content of the publication, as suggested by the LOWI, the authors have only edited the title.

Opinion of RIC and decision by the Board

The RIC does not take the complaint, insofar it concerns the qualification of the research and the way it has been published, into consideration. On the basis of the Academic Integrity Complaints Regulations of the University of Amsterdam, the RIC is authorized to refuse to handle a complaint that has been investigated on a previous occasion. It falls outside the scope of competence of the RIC to investigate a complaint that concerns the authors' way of interpreting the LOWI opinion 2017-14 as well as the timeliness of compliance with the opinion. According to the Complaints Regulations, the RIC only investigates complaints with regard to (suspected) violation of academic integrity. The RIC has advised the Board to rule the complaint inadmissible. The Board has decided in compliance with this advice.

The Petitioner's most relevant objections are as follows:

- The Board did not require a rectification, nor did it make demands with regard to the content of the rectification. Moreover, both the manner and the timing of rectification have not been mentioned by the Board.

The most relevant considerations in the LOWI's opinion:

- The RIC or the LOWI are in no position to ensure that their advice is being followed. The procedure of integrity has been arranged in a way that leaves it to the parties involved to do follow their advice in good conscience. Only decision making by the Board is considered determinative, thus starting a new complaint procedure is inappropriate in this case. With this regard, the LOWI considers the complaint justifiably inadmissible.

- The LOWI acknowledges that the title of the publication has been adjusted but not the content. In the opinion of the LOWI, adjustment of the content is part of the scientific research. The display of the results as well as possible correction of this display is considered academic practice. Provision of an erratum can be reviewed under the principles of research integrity. Thus, this part of the complaint has wrongly been ruled inadmissible.
- The LOWI has ruled this part of the petition based on Article 13, paragraph 2, of the LOWI Regulations 2018. At the time, the publication was considered misleading. Based on the principles of honesty and scrupulousness of the Netherlands Code of Conduct for Academic Practice, it should be expected that serious irregularities are completely corrected. Passages of the publication that indicate that a prospective research has been conducted, are not corrected. The Petitioner justifiably remarks that with the erratum, the deception has been perpetuated. Deliberately giving readers a wrong impression about the nature and value of the research, has previously been designated by the LOWI as violation of research integrity. The same applies to knowingly perpetuating the deception.

LOWI ruling and opinion:

The LOWI considers the petition founded in so far as it concerns the provision of an incomplete erratum, this complaint item has been unjustifiably ruled inadmissible. The LOWI advises the Board to amend its proposed decision in compliance with the considerations of the LOWI.

Final decision by the Board

The Board has incorporated the advice of the LOWI in its final decision. The complaint, in so far it concerns not or insufficiently adopting the LOWI opinion 2017-14, is ruled inadmissible. In so far it concerns the insufficiency of the erratum, the complaint is ruled founded. The deception in the publication, as established by the LOWI, should be removed completely, carefully and adequately at the earliest possible period. The authors should report this to the Board.