

Tentative steps toward transparency and accountability

Although erstwhile hopes for the creation of some manner of national oversight and investigatory agency to handle research misconduct in Canada appear to have dissipated, the nation's three research granting councils have taken a tentative step toward more public accountability in cases of ethical breaches such as misappropriation of funds, plagiarism, falsification of data and ghostwriting.

In the event of serious breaches, the Canadian Institutes of Health Research, the Natural Sciences and Engineering Research Council and the Social Sciences and Humanities Research Council now have the power to release the names of researchers who acted inappropriately, as well as the names of their institutions and at least some detail regarding their indiscretions.

That authority lies at the core of a new tri-council policy framework outlined during a research integrity workshop at Feb. 16 session of the American Association for the Advancement of Science's annual meeting, which was held in Vancouver, British Columbia.

"We didn't used to publish even serious bad actors," said Susan Zimmerman, executive director of the secretariat on responsible conduct of research. "This is a step in the right direction."

A very small step — in the eyes of many who have called for the creation of an agency similar to the United States Office of Research Integrity or its sister agencies in Europe (www.cmaj.ca/lookup/doi/10.1503/cmaj.070213). It's been conservatively estimated that 0.001%–1.0% of research involves misconduct (*Sci EngEthics* 2006;12:53-74).

Zimmerman indicated that the power to publicize was made possible by the councils' ability to sidestep privacy laws that had previously restricted them from exposing misconduct. That was managed by obligating applicants for council grants to sign a waiver stating that, in the event they made a grave transgression, they would forfeit their right to polite discretion.

The new framework is applicable only to research funded by the councils. Investigation of allegations of research misconduct will remain the



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There are new consequences for Canadian researchers discovered to have fudged their data or committed other ethical breaches.

domain of universities, which have often been accused of unnecessary secrecy in the interest of protecting their institutional reputations and staving off fears of "withdrawal of funding" in cases where their staff were proven miscreants (www.cmaj.ca/lookup/doi/10.1503/cmaj.109-3099).

A 2009 report commissioned by the Canadian Research Integrity Committee, a loose affiliation of 16 research and academic bodies, including the three councils and the Association of Faculties of Medicine of Canada had indicated that the health sciences community was the most vocal in calling for tighter restrictions because of their concerns about "a weakness in formal oversight; inadequate reporting requirements; inconsistent educational efforts; differing definitions as to what constitutes research misconduct; and poor whistleblower assistance."

Zimmerman indicated that in cases in which an allegation of misconduct is made against a member of a university's faculty, the institution has two months to conduct an "inquiry" and then five months to complete an "investigation" and send their report to one of the granting councils. Only then can a council recommend recourse, although in cases of an allegedly extreme breach of policy, it reserves the right to conduct its own review or compliance audit.

The nascent Panel on Responsible Conduct of Research will preside over the new framework, which replaces the

1994 tri-council research integrity statement, Zimmerman said.

She also indicated that the framework, which was two years in the making, involved an analysis of misconduct policies from around the world and the resulting product clarifies the responsibilities of researchers and defines what constitutes misconduct.

Concerns about university secrecy have been mitigated by a new requirement that investigatory teams include at least one member who is not affiliated with the university, she added.

Zimmerman questions whether Americans are actually better served by having a national investigatory and oversight body, or whether there's a need for legislators to step into the breach because the current system of having universities self-regulate and self-police research miscreants simply isn't working.

"Is there less misconduct in the US because of legislative power?" she asked in a later interview with *CMAJ*. "I would argue no, there isn't."

Canadians are just as protected, but in a different way, Zimmerman asserts.

Although the council's new authority to publicize misconduct is, de facto, an admission that miscreants have often been able to escape scrutiny in the past, Zimmerman argues that in the "rare" number of cases in which misconduct occurs, they are widely publicized. — Sabrina Doyle, Vancouver, BC

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