

# Fraud claims shake German complacency

[MUNICH] The research results of two prominent molecular biologists were systematically fabricated over a number of years, according to a panel of scientific and legal experts which met in Bonn last week.

Accusations of fraud, which have sent shock waves through Germany's scientific community, have been made against Marion Brach, from the University of Lübeck in the state of Schleswig-Holstein, and her former colleague Friedhelm Herrmann, from the University of Ulm in Baden-Württemberg (see *Nature* 387, 442; 1997).

They have already prompted moves in the research community to reassess the procedures for handling such cases, and in particular to ensure that such accusations are investigated fairly and rapidly.

The alleged fraud is said to have taken place when Herrmann and Brach worked together at the Max Delbrück Centre for Molecular Medicine (MDC) in Berlin in the early 1990s. But the allegations were made only earlier this year by young co-researchers who had become suspicious.

The MDC and the two universities immediately set up committees to investigate the case. The Bonn committee, set up by the heads of the local committees, considered the evidence from these investigations. It also took further evidence from Brach, who has admitted fabricating results in four papers published between 1994 and 1996, and from other witnesses. Herrmann denies all charges and declined to attend the Bonn meeting.

The Bonn committee confirmed that each

of the four papers included falsified data, and also heard evidence on 20 other published papers, which will be investigated further. The committee is now preparing a detailed report to which Herrmann and Brach will be invited to respond before it is published.

Despite the committee's conclusions, the universities cannot dismiss the two researchers, as they are employees of the local state (*Land*). Horst Laqua, dean of medicine at the University of Lübeck, has therefore asked the ministry of education and research in Schleswig-Holstein to dismiss Brach on the basis of her confession.

But even this may not be straightforward. Laqua points out that because none of the fraudulent activities took place at Lübeck, to which Brach has moved only recently, the legal position is unclear.

The Baden-Württemberg ministry of research will find it even harder to take conclusive action against Herrmann. He continues to deny all charges against him, and has rejected requests from the faculty to stop working voluntarily until the case is resolved.

Action may be made easier by the outcome of an investigation requested by the public prosecutor in the state of Baden-Württemberg, who wants to establish whether grant money given to Herrmann and Brach was gained fraudulently or used for fraudulent purposes.

The Deutsche Krebshilfe Stiftung, a cancer research charity that has given grants of around DM1 million (US\$580,000) to Herrmann and Brach, has said that if the case

is proved it will seek the return of the money.

The Deutsche Forschungsgemeinschaft (DFG), Germany's major university grant-giving body, is also studying whether any of its grants were used in the fraudulent work.

The case has shaken complacency about scientific integrity in Germany, where few guidelines exist to handle such cases. The DFG is one of the very few organizations to have its own rules about fraud investigations. These include the ultimate — and as yet untested — sanction of demanding the return of grant money.

The Max Planck Society (MPS) set up a committee last year to establish its own procedures for handling fraud. Its chairman, Albin Eser, director of the Max Planck Institute for International Criminal Law, says that it is difficult to devise procedures that are compatible with German law.

But Eser stresses the need for a system that will protect the whistle-blower — the scientists who raised questions about Herrmann and Brach were worried that their actions could adversely affect their own careers — while allowing those accused to defend themselves against false accusations.

It is also important that someone found guilty of fraud is not destroyed for life, says Eser. As an example of good practice, he cites the case of a German scientist working in Switzerland who fabricated results in papers published with scientists at the Max Planck Institute for Psychiatry in Munich and elsewhere. The case was reported last week in the news magazine *Focus*.

One of these scientists had concluded that work cited in a paper by the Zurich-based scientist must have been invented. The scientist immediately admitted routinely fabricating results that had been published with collaborators throughout Europe.

He was instantly dismissed by Zurich University, and papers including his fraudulent work were withdrawn. This case received no publicity at the time, and he is now working as a medical doctor in Switzerland.

Eser has long been campaigning for all research institutions in Germany to prepare procedures for handling fraud. In the past, he says, the scientific community has tried to play down the incidence of fraud, and has tended to believe in its own "self-healing powers". The latest case has forced a change in attitude because of its audacity, he says.

Hubert Markl, the MPS president, says that all research institutions are discussing how they should react. But he says that there is unlikely to be support for setting up a central office for scientific integrity, or a central set of guidelines for use throughout the country, as each research organization and each university likes to protect its independence.

Alison Abbott

## University 'failed to acknowledge exoneration'

[MUNICH] A former professor of developmental biology at the University of Geneva, where he was accused of fraud in the early 1980s, has complained that the university has for years refused to acknowledge his exoneration (see *Nature* 307, 673; 1984).

The University of Geneva set up an international commission of experts to investigate allegations made by his younger co-workers that Karl Illmensee fabricated (unpublished) data in nuclear-transfer experiments; such experiments are important in the development of mammalian cloning technology. The commission found no evidence in his research protocols to support or refute the accusation, and

suggested that the experiments be repeated in an international collaboration.

This suggestion was followed through by Illmensee and results were published in the peer-reviewed journals *Naturwissenschaften* (1989) and *Development* (1990). Two members of the commission, Richard Gardner, a professor at Oxford University, and Anne McLaren, a principal scientist at the Wellcome Research Institute in Cambridge, wrote to the University of Geneva in 1991 explaining that the papers reproduced the "essential findings" in Illmensee's earlier experiments, despite the use in later experiments of a different cell line for practical reasons. "We consider it

appropriate that the University of Geneva should inform the scientific community that these controversial findings have now been confirmed under the conditions specified by the commission," they wrote. They received no answer.

Illmensee says he left Geneva because of the bad feeling generated by the affair and now works at the University of Salzburg.

The current rector of the University of Geneva, Bernard Fulpius, says that as he has been in office for only two years, he is not familiar with the details of the affair. But he says that he plans to reply to Illmensee's most recent letter, which was sent in May, later this month.

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