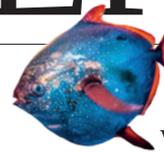


THIS WEEK

EDITORIALS

VIOLENCE The necessary search for the brain's kill switch **p.260**

WORLD VIEW Open up the secret bioinformatics boxes **p.261**



HOT FISH Deep-water opah flaps fins to keep warm **p.262**

Publish or perish

Universities should release reports to show what they are doing to tackle misconduct — and funders should help them to do so effectively.

As every politician knows, it is important to address problems, but even more important to demonstrate that you are addressing them. When it comes to research misconduct, UK universities are failing on both points. To fail on the first is understandable: eradicating misconduct is difficult. It demands cultural change, education and a system of checks and balances. But to fail on the second is unacceptable, especially given that it is relatively easy to achieve.

The United Kingdom has no regulatory body to deal with research misconduct. Instead, since 2013 universities have had to adhere to a set of guidelines in order to receive grants from major funders. Called *The Concordat to Support Research Integrity*, the guidelines detail good practice and aim to strengthen the mechanisms available for investigating misconduct. They also call on universities to publish annual summaries of their formal misconduct investigations.

As we report on page 271, a survey reveals that most universities are not bothering to do so. And when they do, some of the reports are not very enlightening. One did not include the number of cases investigated, and another could not be accessed without a login. Four reports claimed that the universities had carried out zero investigations that year — an unlikely figure for any research-intensive university that takes the issue of misconduct and integrity seriously.

British universities are notoriously image-conscious, especially since the 1998 introduction of tuition fees established a marketplace, and it is understandable that many are reluctant to publish the figures. The few that do publish reports risk being singled out as having a problem, when in fact the reverse is true — such investigations show that the institution has processes to detect and deal with misconduct. But almost 2% of researchers admit to having fabricated, falsified or modified data at least once, according to a metastudy by social scientist Daniele Fanelli of the University of Edinburgh, UK (D. Fanelli *PLoS ONE* 4, e5738; 2009). Pretending that misconduct does not happen is no longer an option.

Discussion at a research-integrity conference in London last week suggested that many institutions have just been slow to publish details of their misconduct investigations, rather than aiming to avoid it entirely. It also emerged that staff who oversee research integrity in universities, and who are still working out how to ensure that their institutions adhere to the concordat, feel under-resourced.

For those universities that do have adequate systems to report and deal with misconduct, making investigation summaries public would be an easy win. Those institutions that have yet to make such systems a priority should remember that the concordat was introduced because UK systems for dealing with issues of research integrity had been judged inadequate by a parliamentary enquiry. Unlike in the United States, where the Office of Research Integrity oversees formal misconduct investigations related to research funded by the US National Institutes of Health, or Ireland, which plans to subject labs to spot-checks from auditors, UK universities have been allowed to police themselves.

When the concordat was introduced, many feared that it lacked

teeth. That many universities have so far been willing to skip around its recommendations does nothing to ease those fears. Currently, the only checks and balances are universities' statements to funders, saying how they are taking action.

Although universities are best placed to investigate and censure misconduct by their own researchers, funders can do more to help them. First, Research Councils UK and the Higher Education Funding Council for England, which have responsibility for ensuring compliance to the concordat on behalf of funders, should clarify the document's language and intentions. At present, the concordat says that universities "should" publish investigation reports. Many institutions seem to have read this as a suggestion rather than as a mandate. Funders should make clear who it is aimed at, and how they expect universities to comply.

Second, the funders should consider changing how misconduct investigations are published. Putting them on university websites that must be trawled manually and individually for figures is not ideal, either for the institutions themselves or for those who want to find the data. As well as making clear that universities must report the figures, the funders should collate and publish the reports.

Research misconduct is a fact, and institutions should not feel that they will be penalized for investigating cases promptly and fairly. The best way to change perceptions is to ensure full compliance. If every university acknowledges the issue, then the risk of being an outlier disappears, and only those institutions that choose not to publish will be the subject of suspicion and public scrutiny. ■

“Pretending that research misconduct does not happen is no longer an option.”

A patent problem

Making lawsuits more risky for patent trolls is just one way to stop abuse of the system.

Earlier this year, a group of 51 legal scholars and economists sent a letter to the US Congress urging it to take action on the increasing toll of frivolous patent lawsuits. Over the past five years, they said, researchers have published more than two dozen studies on the economic consequences of patent litigation. The view that has emerged is grim: the lawsuits are hindering research and development, and slowing the launch of firms.

Less than a month later, another 40 scholars rebuffed the claims, saying that the impact of the lawsuits has been exaggerated. Furthermore, they argued, patent litigation is on the wane, and legislation to rein it