AUSTRALIAN SCIENCE

New Misconduct Rules Aim to Minister to an Ailing System

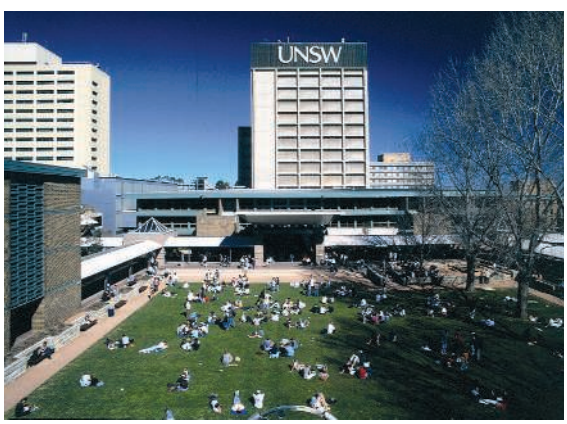
MELBOURNE, AUSTRALIA—Four years ago, a divisive series of investigations into the alleged scientific misconduct of a University of New South Wales immunologist bared what many scientists saw as a flawed system for handling such allegations. An external committee found the researcher, Bruce Hall, guilty of misconduct, but he retained his position after the university found him guilty of a lesser charge of academic misconduct (*Science*, 16 January 2004, p. 298). The case convinced the country's granting agencies and the community that changes were needed. The result, out this week, is a new code of research conduct.

"The code is a response to the train wreck of the Hall affair," says University of Sydney immunologist Robert Loblay. Warwick Anderson, chief executive officer of Australia's National Health and Medical Research Council in Canberra, which co-authored the new code, says it's meant to eliminate confusion over who should deal with alleged misconduct without being too prescriptive. "If there's a system everyone understands, things should work better," he asserts, adding that researchers should regard it as "a manual for good self-regulation."

The first part of the code lays down the rules of the road for professional duties such as mentoring students, handling questions about data and authorship, and interacting with industry. Part B offers a road map for when things go south. In the event of a "reasonable suspicion that research misconduct has occurred," according to the code, a potential whistleblower should report concerns to a designated university official. That official, typically a deputy vice-chancellor of research, would then choose an appropriate response, anything from declining to pursue the matter if the facts do not support the allegations to convening an external investigative panel. It's up to the university to mete out any punishment; funding repercussions rest with the appropriate granting agency.

The new code, unlike the current one adopted in 1997, covers work funded by the Australian Research Council as well as the health and medical council, extending its reach to all areas of basic research. It also removes scientific misconduct from a list of offenses, such as sexual harassment or embezzlement, that fall within an institution's enterprise bargaining agreement. That's an important change, as the bargaining agreement requires all problems to be handled by the accused person's immediate supervisor. In the Hall case, that was the dean of medicine, a person seen as potentially biased given that a finding of misconduct could damage the medical school.

Leaving the investigation in the hands of the home institution poses "an inherent and glaring conflict of interest" for institutions that fear adverse publicity, says Martin Van Der Weyden, editor of *The Medical Journal of Australia*. Loblay says that the accused would also benefit from the establishment of an external body to oversee investigations. "Hall had no one to complain to," he notes. Loblay and others believe that Australia needs an independent body like the U.S. Office of Research Integrity, and Anderson says "we are about to start exploring that."



Academic honor. Australia's new code of conduct provides a road map for researchers.

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In the meantime, one of those who initially accused Hall of misconduct is skeptical that the new code will make any difference. Juchuan Chen, a postdoc in Hall's lab who eventually took his concerns to the Australian media, says that the 4 years he spent on the case caused him to fall irretrievably behind in his research area and also ruined his reputation. "No one wants to hire a whistleblower," he says.

The new code will go into effect over several years as universities negotiate new 5-year workplace agreements with employee unions.

–ELIZABETH FINKEL

Elizabeth Finkel writes from Melbourne, Australia.

Ocean Observatory Wet Under the Ears

The final pieces of the National Science Foundation's Ocean Observatories Initiative (OOI) have fallen into place. Last week, the Woods Hole Oceanographic Institution in Massachusetts and Oregon State University joined the Scripps Institution of Oceanography and the University of Washington in receiving contracts to be the primary managers of what is hoped to be a 5-year, $331.5 million effort to establish coastal, regional, and global networks of anchored sensor buoys and underwater vehicles. The network will provide the first real-time measures of key parameters such as nutrient levels and currents. Current measurements are often taken once, not continuously, and in specific points throughout the ocean that may or may not be indicative of larger patterns in the sea. "We don't … really know what normal means," says Holly Given of the Joint Oceanographic Institutions, which is running OOI.

In addition to illuminating new trends in ocean conditions and wildlife, says James Bellingham of the Monterey Bay Aquarium Research Institute in California, the initiative "heralds the beginning of a push to better instrument the ocean's interior, which is an essential part of developing a better ability to observe and predict Earth's climate."

–MATTHEW BUSSE

Endangered Species at Issue

Political appointees have overruled scientists at the U.S. Fish and Wildlife Service (FWS) on endangered species decisions dozens of times, claims the Center for Biological Diversity (CBD) in Tucson, Arizona. This week, the environmental activist organization formally alerted the agency of its plans to sue, demanding it open an investigation of decisions made on 55 species.

FWS is currently reviewing eight decisions made by Julie MacDonald, a former political appointee with oversight of the agency. She resigned in May after the Department of Interior's inspector general found she had pressured scientists (*Science*, 6 April, p. 37). "The political corruption in the system goes way beyond eight species and Julie MacDonald," says CBD's Kieran Suckling. Among the cases he wants investigated is that of *Tabernaemontana rotensis*, a rare tree on Andersen Air Force Base in Guam. Agency scientists and peer reviewers concluded it deserved protection, but in 2004, FWS ruled it wasn't a valid subspecies and declined to list the species.

–ERIK STOKSTAD

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