

## Experience in the Scandinavian countries

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The Scandinavian countries have had systems, or bodies, working for a few years now. The Danes were certainly the pioneers, with Professor Povl Riis, Professor Daniel Andersen, and a few others leading the way. They set up the Danish Committee on Scientific Dishonesty in late 1992. Drawing on the Danish experience, Norway set up a national committee in 1994 and the Swedes followed a few years later. Some of these establishments were fairly controversial, less so in Denmark than in Norway, but let me start with the experiences so far.

### Definitions and mandates

Here we differ from the US because, from the very beginning, all the Scandinavian countries chose their own definitions. All are slightly different, but all three are wide definitions, unlike the explicit American ones. Formal definitions have never been regarded as critical in the Scandinavian countries as we think that we have to rely on some sort of sound judgement.

The mandates for committees in all three countries were two-sided. On the one hand they should handle or investigate alleged cases of dishonesty. On the other, they should also adopt pre-emptive measures. Guidelines have been produced, but sanctions have been left to employers. The committees were purely consultative bodies that gave advice, and that is one of the reasons why there are no formal appeal mechanisms within those committees because appeals must come after sanctions. Of course you could appeal a consultative judgment but what really matters to individuals are the sanctions and these are taken care of by the institutions concerned.

Our experience in Denmark, now nine years, and seven years in Norway, shows that we have investigated few cases, and even fewer cases of dishonesty have come to light. On average, the three Scandinavian countries have investigated about eight cases a year, and about one in five has come to be regarded as “dishonesty” according to our relatively informal definition. In most cases, dishonesty has not been disclosed and a practice over the years has developed not only to conclude on a guilty/not guilty judgment, but to describe, explicitly, in what manner even non-dishonest practice deviates from what we might call “good” practice. So we also produce a full report even in “not guilty” cases.

Things are changing, even in Scandinavian countries, and a discussion has been taking place as to whether our systems are worth while at all. Dishonesty is

revealed in only a handful of cases, given that the total population of the Scandinavian countries is about one third that of the UK, and there are, of course, relatively high administrative costs. I have been a member of the National Committee on Dishonesty in Health Care Research since it was established in 1994 in Norway. And I think that we have spent about US\$15,000 per annum.

But most of us find it rather unpleasant work. That's one of the reasons why nobody really likes to touch on these matters and why responsibility for them tends to get shifted around. Being a member of such a committee, I can really understand why. And with 14 years experience as an editor, I find it increasingly unpleasant. Never before has my competence, in every sense of the word, been questioned so many times. I can easily understand why academic institutions don't want to take matters into their own hands.

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### How research misconduct is investigated

Based on the experience so far, there have been a few recent developments, with the Danes again leading the way. In 1999, they introduced a system that involves having one body control three different committees on health and medical science, social science and humanities, and natural science, including agriculture and technical science. Each has four members. These three committees share the same chair, who is a high court judge in Denmark, as well as administrative support structures. Each of these committees will set up *ad hoc* committees to investigate individual cases.

In 1999 they obtained a legal basis for this work,

founded on the Danish Act on Research Advice and they additionally came to a new definition: “action or omissions in research such as falsification or distortion of the scientific message, or grossly misleading information or actions regarding a person’s effort within research.” It is still fairly wide, but perhaps more limited than the definition initially used in 1992.

The two important aspects of this change are that there is a system that incorporates all aspects of science, and there is now a legal basis for it. In Sweden the current thinking is to form a wide interdisciplinary committee instead of the one limited to healthcare research and, like Denmark, a legal basis for this committee has been recommended. Sweden also operates slightly differently to Denmark and Norway at the moment in that it has a two-tier system. Possible breaches of ethics are investigated at local level first before being referred to the national committee when appropriate. In both Denmark and Norway only the national level currently exists.

Norway is considering a move to the Danish-style multidisciplinary approach, where a panel of nine members would preside. This would include a judge, a

layperson, and representatives from different branches of science. It is not yet certain if Norway will adopt this approach, but it will be making changes to its current system. One of the principal drives behind this move is that non-medical branches of science have also recognised that there is a need for this kind of body. Norway is unlikely to introduce a legal basis for this body, instead relying on the kind of “agreement” system currently in place, for which the employer’s permission is needed before an investigation can take place. Clearly, this restriction would not apply with a legal base.

There are many issues involved here. Perhaps one important factor is simply the number of cases that may occur. In a community where a relatively small number of ethical breaches take place, perhaps an integrated body that can handle issues across scientific disciplines is needed, whereas in a larger community perhaps more specialist bodies might be desirable. In the more integrated model there is a danger that the body will move away from the scientific community. Clearly judicially based bodies would take parliamentary time to amend their constitution, but “agreement” based systems offer a more flexible approach.