

# UK researcher sentenced to three months' jail for faking data

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Clinical trials. Credit: Esther/Flickr

A British scientist convicted of scientific fraud last month for falsifying research data has been sentenced to three months jail. Steven Eaton is the first person to serve time under the UK's [Good Laboratory Practice Regulations, 1999](#).

Eaton had tampered with data from pre-clinical trials of an anti-cancer drug while working at the now-closed Edinburgh branch of US pharmaceutical company Aptuit.

Handing down his sentence, Sheriff Michael O'Grady said if the fraud had not been discovered, Eaton could have "caused [cancer patients](#) unquestionable harm."

The case began in 2009, when Eaton's employer, [Aptuit](#), noticed irregularities in his data while conducting quality control procedures. The pharmaceutical company notified the UK [Medicines and Healthcare products Regulatory Agency \(MHRA\)](#), which conducted an investigation into Eaton's work.

It found Eaton had been falsifying results of experiments to make them appear successful from as early as 2003.

Bill Madden, medical lawyer and adjunct fellow at the University of Western Sydney said he wasn't aware of legislation like the one Eaton was convicted under in Australia but that there were several avenues for dealing with professional misconduct.

"Such conduct could be grounds for termination of employment and that monies fraudulently obtained would have to be paid back," he explained.

"It may, in some circumstances, be possible to sue a researcher if a person suffered a loss as a result of reliance on a misrepresentation or false misleading conduct.

"In Australia, we have the various health care complaints commissions, which may have a role to play in the event of [research fraud](#) by health practitioners... even now there are some draft amendments to improve their capacity to act proactively," Madden said.

Ivan Oransky is clinical assistant professor at New York University and co-author of the blog Retraction Watch, which collates notices of retractions and scientific fraud. Oransky said it was unusual to see researchers jailed for professional misconduct.

"In the past five years, the [US Office of Research Integrity](#) (ORI) has found more than 40 researchers guilty of misconduct, but of them, only Poehlman served any prison time, and other than that Van Parijs had the closest thing to jail time," he pointed out.

Obesity and ageing researcher Eric T. Poehlman was sentenced to a year and a day for falsifying data on a grant application. And Luk Van Parijs faced six months of home detention and 400 hours of community service for fraud in research papers.

Associate Professor Ethics and Law at University of Queensland, Malcolm Parker said similar cases in Australia fall under the jurisdiction of the Therapeutic Goods Administration (TGA) or under the Australian Code for the Responsible Conduct of Research (RCR) of the National Health and Medical Research Council (NHMRC) and Australian Research Council (ARC).

"It's both a self-regulatory thing and also, because [the code] is issued by the NHMRC and the ARC and they are the two significant funders of research in Australia, if someone contravenes provisions of that particular code then the most significant sanction there would be foregoing any research funding."

Parker said it was reasonable to have criminal sanctions in cases where scientific fraud could lead to harm.

Madden noted the most memorable case of similar fraud by an Australian doctor involved a drug that was alleged to cause birth defects.

William McBride had received plaudits and prestige for raising the alarm about thalidomide causing birth defects in the 1960s, but in 1981 he manipulated data to show another drug, Debendox, did the same.

His co-authors' complaints about the manipulated data were ignored and McBride was a witness for claimants in the multiple lawsuits that followed.

He was found to have committed scientific fraud in a subsequent inquiry and was struck off the medical register in 1993. McBride was reinstated to the register five years later.

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