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**From:** Morteza Shirkhanzadeh  
**Sent:** April 15, 2015 10:22 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Response to your letter of December 22, 2014

Dear [REDACTED]

This is in response to your letter dated [REDACTED] regarding the allegation of research misconduct against [REDACTED] co-author. I have attached a copy of your letter for reference.

You have dismissed the allegation against [REDACTED] at the inquiry phase by relying on a previous flawed investigation that was conducted back in 2013. There are serious problems with this approach:

First, the previous investigation was conducted in 2013, not 2014. This needs to be corrected.

Second, the allegations investigated in 2013 were against [REDACTED] and in some cases, against [REDACTED]. These allegations were not about [REDACTED]

Third, using the results of the 2013 investigation to dismiss the allegations of research misconduct against [REDACTED] is totally unjustified. You are well aware that the credibility

of the 2013 investigation itself is in question (see attached the allegations of institutional non-compliance submitted to the Secretariat on Responsible Conduct of Research (SRCR) on [REDACTED])

As is clear from the letter received from the SRCR (attached), the allegations of non-compliance against Queen's University have not been investigated yet because you have not completed the investigation into the body of [REDACTED] research as a whole. Therefore, the assumption that the 2013 investigation is complete, reliable and just right for dealing with any allegation is not valid. Moreover, the validity of the 2013 investigation has been seriously questioned in a recent report by the Canadian Association of the University Teachers (CAUT).

In your letter, you state that the investigative committee in 2013 dismissed the allegations of redundant publication because the existence of overlapping material in a conference paper and a published journal paper did not constitute redundant publication. You then use this argument to dismiss the allegation of redundant publication agains [REDACTED]. There are serious problems here:

First, the investigative committee in 2013 ignored the fact that the Framework's definition of 'redundant publication' refers to 'publication' in general terms and does not exclude published conference papers. Moreover, the Queens Senate Policy on Integrity in Research makes it very clear that "Having a policy consistent with the Framework is a requirement of all institutions in Canada that have signed the Memorandum of Understanding (MOU) with the Tri-Agencies." You have dismissed the allegation of research misconduct against Professor Moore by relying on a viewpoint that is clearly at odds with the above requirement. This is in non-compliance with the agency policy.

Second, the allegations investigated in 2013 were not all about overlap between journal and conference papers. The investigative committee did not consider the allegation of redundant publication involving [REDACTED] ( see below). This was a clear case of research misconduct involving two journal papers with huge overlap and no acknowledgement of the prior publication. The research described in these two papers was also funded by the Natural Sciences and Engineering Council of Canada (NSERC). The committee dismissed this allegation without any deliberation and without giving any reason.

Another major allegation that the investigative committee left unaddressed was “Misuse of Funds”. The investigative committee dismissed this allegation without discussing the nature of the allegation as it relates to the breach of Framework.

The committee ignored the fact that expenses incurred to prepare numerous cut-and- paste papers as well as expenses incurred to travel to multiple places to present the same old results under different titles were not among the eligible expenses listed by NSERC. This is a breach of the Framework:

*“A breach of the Framework is the failure to comply with any Agency policy throughout the life cycle of a research project – from application for funding, to the conduct of the research, to the dissemination of research results. It includes all activities related to the research, including the management of Agency funds”*

In your letter, you state that the allegation against [REDACTED] “pertains to a paper that is more than 20 years old”. First, the Framework does not impose restrictions based on the publication date. Second, the fact that the paper in question is 20 years old is quite significant because it shows the depth of the problem. As you are aware, the more recent allegations are concerned with significant overlap between journal papers that were published in [REDACTED]  
[REDACTED]

Finally, you state in your letter that, “.... *this research falls in a field considerably outside of your area of expertise.*”

Apparently you use anything, even if irrelevant, to prevent a full investigation. By insisting on the “area of expertise”, you have brought a bias to the assessment at the inquiry phase and, therefore, your ability to act impartially is compromised. Allegations of research misconduct need to be assessed objectively in accordance with the Queen’s Senate Policy (as stated in the Memorandum of Settlement (MOS) signed on December 19, 2014) and by adhering to the rules of procedural fairness.

Sincerely,

M Shirkhanzadeh

1. “Numerical Study of Pressure Distribution and Flow Cross-over through Gas Diffusion Layer

[REDACTED]

[REDACTED]

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