

Pirated from Cambridge into Cracow

A prominent physics professor from Cracow plagiarised from a Cambridge PhD student.

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Translated from the Polish by Voy Le Vitzki

In March 2014, Dr. Agnieszka Chrzanowska, a physicist employed as an Assistant Professor at the Department of the Structure of Matter of the Institute of Physics at the Cracow University of Technology (CUT – or Polytechnic of Cracow), received an anonymous letter by mail from someone signed ‘Student’, claiming that he attended her classes at the CUT. The author's fascination with renewable energy sources led him to accidentally uncover an unusual set of two works published in this field. The first one, prepared by Dr. Klaus Petritsch in English, is available from the internet. The second one, written by Prof. Jerzy Sanetra in the Polish language, was published after the English version had appeared and turns out to be a straightforward translation of the first treatise from the English into Polish. The ‘Student’, aware of Dr. Chrzanowska's high ethical standards, poses a request to her to ensure that the dishonest professor will be punished for the plagiarism he committed, in the same way university students meet with punishment for similar misconduct.

Simple curiosity made Dr. Chrzanowska check the allegations and to her surprise they turned out to be true. The professorial monograph by the then associate professor, Dr. Jerzy Sanetra, titled *Photovoltaic effect in organic solar cells - selected issues*, was released in 2006, by the CUT Publishing House. 90% of the material was a direct translation of Klaus Petritsch's PhD dissertation of 2000. The lifted material included all the text except for two chapters, the entire bibliography, and a few dozen drawings and diagrams. The doctoral student, who is an Austrian, did his research at the famous Cavendish Laboratory under the supervision of Prof. Richard Friend from the University of Cambridge. He defended his doctoral treatise *Organic Solar Cell Architectures* at the Technical University of Graz, Austria, where his second supervisor, Prof. Günther Leising, was

¹ This is an English translation of the first half of an article published originally in the Polish language in a monthly magazine for Poland's academics, *Academic Forum*, in February 2015. (Plagiat profesora fizyki z Krakowa), Marek Wroński FA 02/2015 Forum Akademickie, Lublin: Akademska Oficyna Wydawnicza, ISBN:1233-0930. Retrieved on 25 Feb 2015 from <https://forumakademickie.pl/fa/2015/02/plagiat-profesora-fizyki-z-Krakowa/>). The publication is from a series of articles that has been appearing from 2002 each month in the magazine's section called ‘From the Archives of Scientific Misconduct’ [Z archiwum nieuczciwości naukowej] <http://forumakademickie.pl/publicystyka/nauka/z-archiwum-nieuczciwosci-naukowej/>

located.

Outraged, Dr. Chrzanowska, in her letter dated 2 April 2014, informed Prof. Marek Stanuszko, the Dean of the Faculty of Physics, Mathematics and Computer Science at the CUT, who immediately passed the news about allegations to the Vice-Chancellor (in Polish – rektor) of the CUT, Prof. Kazimierz Furtak. On 4 April 2014, the Vice-Chancellor referred the matter for investigation to a team of Disciplinary Officers: Dr. Marek Kowicki, who is a professor of architecture at the Faculty of Architecture, and Dr. Ryszard Zach, who is a professor of physics at the Faculty of Physics, Mathematics and Computer Science. The disciplinary rules governing investigations of alleged plagiarism required the Disciplinary Officer to undertake ex-officio investigations, because of the gravity of the misconduct and its consequences. As it is revealed further on, that has not happened. What happened next rings alarm bells loudly, as even a cursory comparison of two texts by anyone who knows English reveals that the professorial monograph by the then associate professor Dr. Sanetra clearly infringes copyrights of Dr. Klaus Petritsch and is a scientific plagiarism.

Recipe for obstruction of justice

Indeed, it is hard to believe what happened next. What actually happened is, at best, a showpiece of gross incompetence. But there are much more sinister overtones and one cannot dismiss the impression that the whole ‘investigation’ is simply an obstruction of justice. The facts are startling. One of the Disciplinary Officers involved in the matter, Dr. Ryszard Zach, was at the time (and is still presently!) a subordinate of Prof. Sanetra. As such, he should never have accepted the appointment to conduct an investigation against his superior, because of an obvious and glaring conflict of interest. However, Dr. Zach decided to act otherwise and together with the second Disciplinary Officer on the ‘team’, Prof. Kowicki, interviewed Dr. Chrzanowska on 24 April 2014. Dr. Chrzanowska confirmed her allegations that the book by Prof. Sanetra is, in fact, a simple translation of an earlier doctoral treatise of Dr. Klaus Petritsch. Both Disciplinary Officers also interviewed Prof. Sanetra himself, who did not address the allegation of plagiarism, justifying that his book was just a ‘script’ aiming to familiarise students and junior scientists with a progress in this particular field of research.

Two months passed and finally in the letter of 30 June 2014, both Disciplinary Officers suggested to the Vice-Chancellor, Prof. Furtak, that the significance of the "similarities" between the papers be resolved by specialists in physics of polymers. As the first specialist, they recommended Prof. Dariusz Bogdal from the Faculty of Biotechnology and Physical Chemistry at the CUT. It is appropriate to point out here that Prof. Bogdal, who was an incumbent Deputy Vice-Chancellor of

the CUT in charge of education and cooperation with foreign countries, had in previous years four joint scientific publications with Prof. Sanetra! The second recommended specialist was Prof. Krzysztof Pielichowski from the Faculty of Chemistry and Technology of Polymers at the CUT. After receiving the recommendations, the Vice-Chancellor Prof. Furtak, in a letter of 2 July 2014, asked both the above professors for their opinion. Again, it is appropriate to point out, that in 2006 the Vice-Chancellor himself was the Chairman of the Editorial Board of the CUT Publishing House, which approved the release of the book in question (he was then the Deputy Vice-Chancellor for science).

Nothing happened over the next 3 months of summer holiday break. After the start of the new academic year, everything seemed to be 'business as usual' at the department run by Prof. Sanetra, although almost all employees were aware about allegations of plagiarism in his professorial book. At the end of October 2014, concerned about the complete lack of action on the part of the CUT, Dr. Chrzanowska contacted the 'Archives of Scientific Misconduct' and talked to me. On 6 November, I contacted in writing the Vice-Chancellor Prof. Furtak and asked him for a copy of the disciplinary application which should have been submitted to the University Disciplinary Committee (UDC) by then, as seven months had already passed since the notification of the university authorities about alleged plagiarism. But that was not the case! After a week, I received a reply that 'the case you inquired about was referred to the university's Disciplinary Officers. They continue their work and, when completed, will result in an application about which you inquired'. However, it appears that awareness that this academic scandal was already known to media caused both specialists in physics of polymers, Prof. Bogdal and Prof. Pielichowski, to finally provide to the Vice-Chancellor the requested opinion on 17 November - after 4.5 months! It consisted of only one page and stated that both compared texts deal with the same subject area - organic solar cells, their characteristics, construction, materials used and manufacturing methods. Further the 'opinion' listed titles of chapters in both texts and was concluded with the following statement: *'The analysed documents show significant similarities with respect to the layout, content and referenced literature; as well, the data presented in both texts are similar'*.

It took another month and on 19 December 2014, the already mentioned 'team' of two Disciplinary Officers, Dr. Kowicki and Dr. Zach, finally (after 8.5 months of deliberations!) issued a document 'The decision to initiate the investigation' in regards to a disciplinary offense of plagiarism allegedly committed by Prof. Sanetra. So at last, after months and months of unjustified delays, it looked like the matter was finally being treated by the university authorities as seriously as it deserved due to the gravity of the alleged scientific misconduct and its consequences. But was it

really? Although this document had been supposedly checked with the legal counsel of the CUT, Maria Heinrich, nobody 'appeared' to notice the crucial fact, that the above document - as signed and issued by the mentioned 'team' - has no legal force and consequently would invalidate any future proceedings, which it was supposed to initiate.

So it all turned up to be a gigantic waste of time for all involved. It may be prudent to ask here, whether it was just plain incompetence and really nothing else leading to such waste of time and resources? Let's examine the facts.

The appropriate Polish legislation (The Higher Education Act) and, specifically, the last directive of the Minister of Science and Higher Education (dated 17 October 2014) on the procedure of the disciplinary proceedings do not contain a provision for the proceedings to be conducted by a team of Disciplinary Officers. On a contrary, this can only be done by a single Disciplinary Officer, to whom a Vice-Chancellor basically directs a request individually. The request can be either to commence proceedings, or to conduct an investigation and eventually decide whether or not to commence proceedings. It must stressed, however, that in a case of copyright infringement, a Disciplinary Officer must undertake ex-officio investigations and any eventual decision not to commence proceedings must be submitted to the Minister of Science and Higher Education.

When the monthly magazine for Poland's academics 'Academic Forum' asked Prof. Sanetra why he had translated someone's PhD and published it as his own professional book, there was no clear answer from the defendant, who is the Head of Physics of Materials Department of the Institute of Physics at the CUT.

It is important to remember that one of the Disciplinary Officers involved in the matter, Dr. Ryszard Zach, was at the time (and is still presently!) a subordinate of Prof. Sanetra. As such, he should never have accepted the appointment to conduct an investigation against his superior, because of an obvious and glaring conflict of interest. It is strange indeed that both the university authorities and Dr. Zach himself were 'ignorant' that the Disciplinary Officer cannot conduct any disciplinary proceedings concerning both superiors and subordinates. Was it really only a case of 'ignorance' affecting at the same time both the university authorities and Dr. Zach? Or something else?

Let's examine the consequences

Because of the above 'ignorance', the second Disciplinary Officer involved in the matter, Dr. Kowicki, must first recall as null and void the document issued together with Dr. Zach on 19 December 2014 ('The decision to initiate the investigation'). Then he must issue a new document, as the single Disciplinary Officer, to initiate the investigation (of course, the new document will be issued with a current date). It is important to stress that, as the whole matter stands now, any subsequent disciplinary penalty will be cancelled on appeal because of the illegality of the whole disciplinary procedure.

Another issue is the review of Prof. Sanetra's professorship, which was originally awarded at the AGH (or Academy of Mining and Metallurgy) University of Science and Technology at Cracow in 2008. The matter should be addressed by the Central Commission for Degrees and Titles (the governmental body which supervises awarding of professorships) which recently received a formal request in this case.

At the end of December 2014, Dr. Klaus Petritsch, who is now living with his wife and three children permanently in Finland, received from the CUT information about initiation of the investigation in regards to alleged plagiarism by Prof. Sanetra and a copy of the document of 19 December 2014 ("The decision to initiate the investigation"). However, as the documents were only in Polish, Dr. Petritsch cannot understand what this affair is about.

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Translator's comment: the second part of the article, on another topic, is not yet translated.