

## Session 2: Editorial Accountability (Chair: Richard Smith)

### Editorial misconduct: time to act

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This morning we heard that we had, what was described as a “dialogue of the deaf.” We’ve had a dialogue of the deaf every year for the past five years. But this afternoon we are embarking on a new dialogue.

The issue of editorial accountability has not been addressed at any major meeting. I don’t think the European Association of Science editors, or the World Association of Medical Editors, or the US Council of Biology Editors have looked at this.

The reason for this is that, like everybody else, we are much more interested in other people’s accountability than we are in our own. Only one paper has ever been written on editorial accountability (1994). Cases of editorial misconduct are much more difficult to collect than cases of author misconduct.

#### Cases of editorial misconduct

Cyril Burt is the classic case. He founded the *British Journal of Statistical Psychology* and was its editor.

He published 63 of his own articles, and would often alter the work of others without permission, sometimes adding favourable references to his own work.

His *coup de grâce* came when he published a letter that he had written himself under a pseudonym, along with a response he also wrote himself under another pseudonym, so that he could attack a colleague.

Hans Eysenck, a pupil of Cyril Burt, followed the same pattern. He produced unbelievable and unrepeatable work, suggesting that personality was the main determinant of whether people developed cancer or vascular disease.

Much of this work was published in two journals, which he founded and edited: *Behaviour Research and Therapy and Personality and Individual Differences*. This raises the question of whether editors should publish original research in their own journals?

Malcolm Pearce wrote two fraudulent papers in one issue of the *British Journal of Obstetrics and Gynaecology*, of which he was assistant editor. The editor, Geoffrey Chamberlain, who co-authored one of these papers, was the journal’s editor. The paper described a re-implantation of an ectopic pregnancy, which resulted in a successful birth.

Chamberlain was also the head of department in which Pearce worked and was president of the Royal College of Obstetricians and Gynaecologists.

The college set up an enquiry to look into the matter. Malcolm Pearce was found guilty of serious professional misconduct and several of his other papers were retracted.

He wrote a randomised controlled trial on whether it

was better to induce labour or wait, which concluded that it was better to wait. Is this research reliable? We don’t know the answer.

Geoffrey Chamberlain, who had been a “guest author,” had to resign from all his posts.

The report of the inquiry made many recommendations on how journals should work. It suggested that an important step in making specialist journals more professional would be to keep minutes of editorial meetings, ensure that editors are appointed by competition after open advertisement, and disallow editors other major commitments.

George Lundberg was accused of editorial misconduct and fired for speeding up publication of a study, showing that many students did not regard oral sex as sex. He thought the study was relevant to the impeachment proceedings of President Clinton over the Monica Lewinsky case, which were going on at the time. Was this misconduct? Many will disagree.

Another case is that of Nicole Suciú-Foca, editor of *Human Immunology*. She invited Antonio Arnaiz-Villena, head of the immunology department at a large public hospital in Madrid, and professor of immunology and cell biology at Madrid’s Complutense University, to guest edit a theme issue on anthropology and genetic markers.

He was given almost no guidance on what was expected of him. His keynote paper concluded that Jews and Palestinians are genetically very close and that their “rivalry is based on cultural and religious, but not genetic, differences.”

This was published just after September 11, and these and other political phrases caused uproar. Arnaiz-Villena was fired from the editorial board, the article was retracted, and subscribers were urged to physically remove the offending pages from their copies of the journal.

But did these problems arise from lapses in translation and editing, rather than political intent? And was the guest editor scape goated? The editor did not face any judgement, but should she have done?

There are three more cases, which Doug Altman, Iain Chalmers and Andrew Herxheimer will describe.

At COPE we only hear one side of the story and it isn’t possible to check all the facts. There is undoubtedly another side to each of these stories, which is why it is important to have due process if full investigation is to be carried out.

But we have had some cases of editorial misconduct:

#### Case 1

An assistant editor discovered that the editor in chief had

written to say he had accepted a paper after the assistant editor had rejected it. The paper was a guideline on a common medical condition and recommended a new expensive drug as the best treatment. The reviews had been mixed, but the scientific editors had decided to reject the paper.

The editor in chief had spoken at great length to the principal authors and asked for a third review. This was unfavourable, but he still went ahead and accepted it.

The association, which owned the journal, then stipulated that any editorial material published in the journal must have an elected official as an author, which clearly flouts all rules of authorship.

The chief executive of the association then announced that the journal could not publish any letters critical of the association. The editor in chief said he would protest against this, but the journal did not publish any more critical letters.

The assistant editor, who was fired, thinks that the editor and the CEO made a Faustian bargain.

#### Case 2

A journal published an editorial that had already been published elsewhere, without disclosing the fact, despite the editors discovering the previous publication during the peer review process. Furthermore, the editors had not sought copyright permission.

When it was later pointed out that the two articles were the same, the editors agreed that they had been at fault and published a notice of duplicate publication.

#### Case 3

An editor was accused of publication bias because he had invited the same trainee in radiology to write 14 commentaries over a period of five years. The most recent commentary covered the same ground as previous ones and cited mostly the publications of the trainee and the accused editor.

The editor was accused of failing to allow other authors and viewpoints to be given a voice, but the journal's ombudsman dismissed the case.

#### WAME case

An editor rejected a series of essays that he had already agreed to publish. The case was described on the WAME website and attracted considerable feedback, mostly of the view that the editor's behaviour was unacceptable. The editor concerned owned up: it was me.

### How common is editorial misconduct?

We have no idea. We have crude data on authorial misconduct, but we are really at a very primitive stage where editors are concerned. We have only stories, and most of these are incomplete.

Why does it happen? Why wouldn't it? Another problem is we don't really know what misconduct is in an editorial context. We have vague ideas, but we don't really have a clear idea. We need to debate and define it.

And editors are peculiarly unaccountable—perhaps some of the most unaccountable people in the world, because of their traditions of editorial freedom. And there are no bodies that attempt to regulate medical and scientific editors. There is the Press Complaints Commission code, which the *BMJ* has to obey.

### How should we respond?

Owners can improve their systems of accountability. After George Lundberg was fired, *JAMA* reviewed its systems, and the BMA has become much more interested in editorial accountability.

Bodies of editors like COPE and WAME should begin to introduce self regulation. I have set about coming up with a code. It includes:

- Accuracy and correcting the record
- Ethics committee approval
- Protecting confidentiality
- Pursuing misconduct
- Relationship to publishers/owners
- Economics of journals
- Conflicts of interest
- Ways to complain

But there are probably other topics it ought to cover, and some that are in there might not warrant inclusion. It's a very primitive document.

It has been sent to all the members of COPE. If we are going to live by this code, it is our intention that all the editors will sign up and agree to abide by the code.

Complaints can be made to COPE about the behaviour of editors. The chair of COPE Council would attempt conciliation, and if that were not possible, the Council would consider the case in writing, with full disclosure to the complainants and the defending editor.

If the Council found against the editor, he or she would be required to publish the full judgement, and in very serious cases, COPE could notify the publishers.

#### Key points:

- Editorial misconduct undoubtedly occurs
- We are beginning to collect cases that illustrate the various forms of misconduct
- We have no idea how common it is
- We can only speculate on why it happens
- No group of editors has tried to develop self regulation
- COPE is at the very start of the road