



Forum agenda

**Meeting to be held on Wednesday 4 September 2013 1–3pm (BST)
BY WEBINAR**

1. Update on COPE activities by the Chair

2. Forum discussion topic: Sharing of information among editors-in-chief regarding possible misconduct

<http://publicationethics.org/forum-discussion-topic-sharing-information-among-editors-chief-regarding-possible-misconduct>

3. New cases

13-11 A case of salami slicing (BP)

13-12 Omitted author (AA)

13-13 A case of plagiarism? (JH)

4. Update: Editor wants more advice

13-08 Unusually frequent submission of articles by a single author (FJ)

5. Updates

12-09 Authorship dispute

12-32 Confidentiality breach by an associate editor

13-03 Ethical concerns and the validity of documentation supplied by the authors

13-04 Findings of a published trial called into question by a subsequent audit of trial conduct

13-07 New claim to authorship of published paper

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2. Forum discussion topic: Sharing of information among editors-in-chief regarding possible misconduct

(<http://publicationethics.org/forum-discussion-topic-sharing-information-among-editors-chief-regarding-possible-misconduct>)

Recent high profile cases of research misconduct have relied upon the sharing of relevant information among the Editors-in-Chief of the journals concerned during the months and years leading up to the final settlement of the cases (see [http://onlinelibrary.wiley.com/journal/10.1111/\(ISSN\)1365-2044/homepage/-_research_misconduct.htm](http://onlinelibrary.wiley.com/journal/10.1111/(ISSN)1365-2044/homepage/-_research_misconduct.htm)).

Discussions with publishers suggest that such sharing of information risks accusations and/or legal claims of defamation, since submissions should be handled confidentially – even though the journals concerned might carry a statement on their website saying that manuscripts and related documents may be shared if that's considered necessary to investigate possible misconduct.

However, without the (apparently risky) sharing of such information by emails, the above cases would not have been brought to light in such an effective way – and possibly would never have been revealed at all. Sharing the information by telephone is not practical given the potentially large number of journals and Editors-in-Chief involved, especially across different time zones.

The type of information shared might include general enquiries about whether a particular author has submitted certain types of cases to other journals within a particular field, or specifics about manuscripts including data or even reviews. Such sharing might allow comparisons of submitted data in different versions of the same manuscript for example, or of potentially plagiarised text, or other inconsistencies.

Questions for discussion:

- Are publishers right to be cautious about sharing of such information?
- Would a disclaimer on a journal's website prevent such claims?
- Would COPE's endorsement or publication of a Code of Conduct that allows sharing of information under certain circumstances prevent such claims?
- Such a Code might consist of the following:
 - Editors-in-Chief and journals have a duty towards authors to treat their work in confidence, except where sharing it is a necessary part of the review/publication process;
 - However, Editors-in-Chief should be able to inform other Editors-in-Chief of current enquiries relating to possible data fabrication, lack of ethical approval, serious plagiarism, or duplicate publication affecting multiple papers;
 - This should not occur at the time of the first enquiry/letter to the author, but only if the response is inadequate or there is no response at all within a reasonable time (e.g. a month);
 - The format of the summary should be purely factual, e.g. 'I have just sent a letter to Dr X asking about the publication of six papers arising from a single study';
 - Circulating this information in no way indicates a judgement of wrongdoing on behalf of the named author(s), but is merely to help the alerting Editor-in-

Chief (in case any of the others has information that might be useful – perhaps even to exonerate Dr X) as well as the other Editors-in-Chief, who may be currently appraising manuscripts from the same author or who may also be considering similar letters (since it'd be much better to so jointly);

- It is appropriate to use email for such communications, all of which should be marked as, and treated as, confidential;
- Participating journals would inform authors via their webpages that information may be shared under these circumstances.
- Even were legal advice to suggest that such a Code would not prevent a legal claim arising, should COPE endorse or publish such a Code anyway, at least to advise Editors-in-Chief of best practice?

3. NEW CASES

13-11 A case of salami slicing (BP)

A reviewer of our journal noticed similarity between a published paper (P1) and a manuscript under review (P2). At the same time, a member of the editorial team noticed similarity between another accepted manuscript for publication (P3) and both paper P1 and manuscript P2. All three papers were submitted by the same authors based on the same trial, reporting three different endpoints measuring the same effect. The earlier paper P1 reported the results on the most accepted and validated efficacy measures. The latter manuscripts reiterated the findings of the published paper but did not cite the same.

The editor-in-chief decided to hold P2 and P3 and follow the COPE guidelines. The editorial team asked clarifications from the authors, who in reply stated their ignorance about publication practices and argued that the two other efficacy measures will substantiate the results of P1. The results of the papers were contradictory to current practices and hence the editorial team decided to be lenient with the authors. The editors suggested combining the two manuscripts under review (P2 and P3) into one short communication and asked the authors for appropriate modifications (eg, reporting ancillary data).

The authors modified the manuscript but quoted a guideline for analysis, which had not used before, was not present when the authors completed their study and was not related to the topic. This raised questions about the overall integrity and reliability of the authors. The editorial team decided to hold the manuscript and refer to the COPE Forum for consultation.

Questions for the COPE Forum

- (1) What should be the stand of the editorial board, especially if authors want to withdraw the paper?
- (2) Should the editors share the review information with editors of other related journals?
- (3) Should we disclose the names of the authors to other journal editors in the sector?
- (4) Should we have an alert list of such authors?

13-12 Omitted author (AA)

A case series of 89 patients with a relatively rare condition was accepted for publication by the journal following due process through the peer-review system. The paper was published online within days of being accepted. A few days later the editor of the journal received an email from a professor (Professor X) from the same country from which the paper was submitted to say that one of the cases was "his case" and that he wanted the case and the clinical photograph of his patient to be withdrawn from the paper; alternatively, he requested being made a coauthor on the paper.

The editor circulated the letter from Professor X to the publisher, the editor-elect and the editorial office. It was decided that the editor should contact the corresponding author to ask them to consider this approach and to give their response. The letter to the corresponding author included the name of the professor who had written, and the exact details of the complaint and the two possible outcomes he was requesting (withdrawal of his case or his inclusion as a coauthor). The editor went on to say "If the patient is indeed Professor X's and he (Professor X) meets the authorship criteria (as per the International Committee of Medical Journal Editors (ICMJE <http://www.icmje.org/>)) we can still, if all coauthors agree, add him as a coauthor. If he does not meet the authorship criteria then it would be possible to offer acknowledgement."

The editor went on to highlight the ICMJE criteria as follows: (1) Substantial contributions to conception and design or acquisition of data or analysis and interpretation of data; (2) Drafting the article or revising it critically for important intellectual content; (3) Final approval of the version to be published. Authors should meet conditions 1, 2 and 3.

Additionally, the editor sent an e-mail to Professor X saying that he had contacted the authors for their comments, and in the meantime this paper had been held (as online only) until this matter had been resolved.

The editor also e-mailed the publisher to request that the paper "be pulled" until the issue was sorted. The publisher responded by saying that it was not possible to simply "pull" the paper and that it would need to remain as online only.

A few days later the first author replied to the editor of the journal as follows: "Actually, Professor X provided the picture and clinical data regarding this patient and I should have included him as coauthor. It was my mistake." This explanation was accepted by the editor and a revised version of the manuscript and authorship consent was submitted.

(Comment: The journal does not require coauthors of papers to state explicitly what they have done to merit inclusion as a coauthor.)

It is hard to believe that Professor X would satisfy the ICMJE authorship criteria on the basis of the information available to the journal. Despite this, he and all the coauthors signed the new authorship declaration forms and assignment of copyright.

Questions for the COPE Forum

- (1) Were the responses and procedures for the journal appropriate for the issue?
- (2) If not, how might the journal and editorial team have behaved differently?

- (3) Do the COPE Forum recommend that the journal tries to gather more information relating to omitted author's contribution to a manuscript before passing the issue over to the authors of the paper?

13-13 A case of plagiarism? (JH)

A paper was published in our journal. A reader contacted us and informed us that the whole of the introduction of the paper was copied directly from another publication. The editor-in-chief suggested retracting the paper immediately. However, the author insists on publishing a correction. They do not want to publish a retraction as this will affect their future career development.

Questions for the COPE Forum

- (1) What can we do?
- (2) Can we retract without the approval of the author? The author has threatened legal action if we retract.

4. Update: Editor wants more advice

13-08 Unusually frequent submission of articles by a single author (FJ)

Anonymised text of the case:

A sixth year medical student, with expected year of graduation of 2013 (Mr X), submitted 29 original articles and 17 letters to the editor in the period February 2012 to October 2012 to our journal. This amounted to an average of five submissions per month. Mr X is an author and corresponding author in every article. Of these, he is the first author of eight original research articles and 12 letters. In the remaining one he is a co-author. The articles are on very diverse subjects.

This set us thinking that, apart from his clinical work and studies, how he had time to conduct research, analyse the results and write the articles.

The journal first wrote to Mr X for the necessary justification. He responded promptly, "I am one of the best researchers of my country and have multiple publications in every field of medicine and have won multiple prizes". He provided a list of 72 publications to his credit. He also provided the name and email of the chief of the research committee of the university.

We wrote to the concerned parties asking them to endorse the submissions as being ethical and valid for the purpose of publication. The chief replied that Mr X was a member of the student research committee with some research background in medicine which led to multiple awards and publications. He confirmed the research background in a vague manner and there were no more comments or endorsements of the submitted articles.

We then wrote to the vice chancellor of the university asking for verification and endorsement of the articles according to the ICMJE guidelines. The director of research affairs was also approached, who asked for details of all the articles submitted. These were duly sent.

In the meantime, Mr X contacted us stating that his e-mail had been hacked and someone else had sent letters and articles with his name. This was incorrect, as all mails had the same e-mail address. We also sent an email to the Publication Commission in our country on 6 March 2013. There has been no response.

We face a dilemma. The articles are lying unprocessed. It is a mystery as to why the higher authorities are not taking any action or replying to our emails.

Question

What would the COPE Forum suggest we do?

Advice:

The Forum suggested that it may be useful in this case to help rather than punish the author. As an initial approach, the Forum asked if there was any pastoral care available to the student, or whether the medical school has anyone who could talk to the student in a confidential manner. This may be more of a problem with the student, rather than research integrity concerns. The institution has a responsibility to its students and they need to ensure

that students are sufficiently supported. So the editor should consider contacting someone in this role at the author's university.

However, that still leaves the dilemma of the unprocessed articles and what to do with them. The Forum advised that the editor needs to be certain that the articles are all from the author and that he takes responsibility for them. If there is any doubt, then the articles should not be processed. However, if the articles are genuine and have scientific merit, then they should be processed in the normal way, as there are no grounds for rejection.

The Forum also suggested contacting any co-authors on the papers for an explanation and to confirm that the papers have all been written by the author. The editor should make it clear to the author that the papers are on hold while the issue is satisfactorily resolved.

Another suggestion was for the editor to consider contacting some higher authority or regulatory body, or ministry of research, and asking them to investigate the case.

Follow-up:

As suggested by the Forum members, we did some investigations ourselves as the higher authorities, including the Vice Chancellor of the University to which the author belonged, were unresponsive.

As a sample, an Internet search was made for three of the articles. One was found to be copied in full from a similar article in another online journal.

A search was made for the correct names and email addresses of the coauthors, as those stated in the articles submitted to us were wrong. We spoke to two coauthors by telephone—one knew nothing about the concerned author or about his name being included as a coauthor. He also knew nothing about the article. Another senior coauthor spoke in favour of the author. He said, “ Mr X is a very intelligent and knowledgeable researcher and writes very well”. He could not justify how Mr X could write on such diverse topics.

We received only one email reply from a senior professor. He wrote : “I was really shocked to see the paper published without my knowledge. I do not know Mr X (author). I have never met him. He has never worked with me. He has stolen my published data. I am going to forward this message to the ethics department and make a complaint on the concerned person at the university”.

We have had no comment or reply to our queries from the officials of the university. From the Internet searches made by us, we can conclude that Mr X, the medical student (author) is:

- Not only good at writing in English but is also excellent in fabricating and stealing data.
- He has the support of one or two senior faculty members of his university.
- He has been committing these unethical acts for quite a few years as there are a number of articles with his name.
- The articles submitted to our journal had fake email addresses and names, even with incorrect spellings, making contact difficult.
- The signatures of all authors were forged.

Questions for the COPE Forum

- (1) Should we just close all the files and bury the case?
- (2) If not, what steps should be taken?

5. UPDATES

12-09 Authorship dispute

Anonymised text of the case:

A manuscript was published by journal X and submitted by author A (last author). Author B claims that fraud occurred in relation to authorship for the following reasons.

- (1) Author A did not take part in producing the data for the paper and has never been a co-author on any version of the manuscript.
- (2) A paper with very similar content, which was part of the PhD thesis of author C (first author), was accepted for publication in journal Y.
- (3) The figures in the paper published in journal X were identical to the figures in author C's PhD thesis.
- (4) The name of author B was misspelt in the paper published in journal X to avoid identification of the article search in PubMed.

The editor of journal X contacted all of the authors by email and they responded as follows: author C (first author), author D and author E agreed with author B (claiming author). Author F did not respond, despite receiving five emails.

In addition, author B sent us a letter signed by the Vice-Rector at his University, agreeing and supporting the point raised by author B.

Author A (last author) disagreed with all of the allegations and pointed out the following.

- (1) Author A declared that he was the principle investigator of the project in country Z during 2004–2009, and the role of author B was to help in the analysis of the samples in his laboratory, located in country W.
- (2) Author A submitted an official complaint to author B's university, alleging that they (authors B, C and D) had no right to use data without notifying or asking his permission. In addition, they did not have any patient consent.
- (3) The paper published in journal X was the original manuscript and it was circulated to all of the authors.
- (4) The name of author B was misspelled in journal X by mistake.

Author B requests that the paper must be retracted from journal X, and he also demands that the editors ensure that the paper will disappear from PubMed.

In summary, all of the authors confirm that the data are correct but they disagree regarding the issue of authorship?

Advice:

Because of the quality of phone line, it was not possible to discuss the cases at the forum. Council instead gave the following advice on this case.

All agreed it was a complicated case and it would be useful to know which paper was submitted and published first, X or Y, although it seems likely it was X. Also what is the role

of author F, is he/she affiliated with the institution of author A or authors B, C and D? Before dealing with the authorship dispute, it is essential to confirm whether patient consent was required and obtained. There are grounds for retraction of the paper if the study was not conducted ethically. Is journal Y aware of this dispute? As both parties disagree on the fundamental points, such as whether author A was involved at all in the study, official documentation and, if available, email conversations need to be produced to consider how to proceed. Hence more information gathering and a request for a formal investigation by the institution should be undertaken to find out exactly what the real issues are first. It might be useful for the journal to check or ask for information from both parties on national regulations and institutional policies for transfer of biological material and data sharing in this case of collaborative research.

The paper cannot “disappear” from PubMed, but at this point, most agreed that an “Expression of Concern” should be issued immediately and the editors need to investigate further the issues of (1) patient consent, (2) overlapping content and (3) the roles of each author on both manuscripts. Institutional input is also needed and the editor should clarify if the statements from the university vice rectors resulted from a formal inquiry.

The ethical issue can be compounded by the policy by some universities that if they conduct research outside of their own country, they require dual ethical approval by (1) that university and (2) whatever ethical system is in place in the countries where the research is undertaken.

Follow up:

The editor published an expression of concern in his journal, stating that one of the authors had questioned the authorship of the corresponding author. The submission is on hold and the authors have been all informed of the claim. The investigation by the journal has not yet reached a conclusion. Pending the results of the investigations, the journal decided to publish an expression of concern to alert readers to the fact that serious questions have been raised about the authorship of the paper.

Update (June 2013):

- The paper was first submitted in journal Y, but it was first published in journal X.
- Author F is affiliated with the institution of author A.
- The institutional input from university of author B (Vice-Rector) stated that authors B, C and D are the legitimate owner of the data, and confirmed that authors B, C and D were not informed about the submission to journal X.
- Ethical approval by the university in both countries was presented by author B, but not by author A.
- Authors B, C and D stated that there has been no contact with author A for more than 7 years, and the research was performed long after author A left the research collaboration.

Further questions to COPE:

Author B stated that author A committed plagiarism and requested that the paper must be retracted. There is considerable evidence that plagiarism may have occurred by author A. What would the COPE suggest we do?

Advice on follow-up:

(COPE council provided the following advice.)

Publication of an expression of concern was the correct route but this now needs a resolution. It appears to Council that there is sufficient evidence that the paper should be formally retracted at this point.

Provided the editor is confident that the account they have is correct, ie, that there is no further information available from the institution, they could consider retraction on the following grounds according to the COPE guidelines:

- “The findings have previously been published elsewhere without proper crossreferencing, permission or justification (ie, cases of redundant publication).” In this case the findings were not published previously but were **submitted** earlier.
- “This constitutes plagiarism.”

However, it would be essential for the editors to do a timeline, listing the issues, so that the retraction statement is clear and accurate and can be agreed by the authors and the institution(s) involved before issuing the retraction, even if it is likely that only authors B, C and D will agree to the retraction notice. The retraction notice must also note who agrees to it.

12-32 Confidentiality breach by an associate editor

Anonymised text of the case:

The authors of a manuscript sent an official complaint to our journal regarding a breach of confidentiality by an associate editor (AE). The authors had been informed by the supervisor of a reviewer of a manuscript. After submission of the review, the reviewer received a confidential email from AE asking whether the favourable recommendation made by the reviewer would have been different if the reviewer had been aware that the group submitting the manuscript had been recently queried by two journals on ethical issues. The reviewer (junior member of a research group) did not respond to the email of AE but informed her supervisor. The supervisor informed the authors and the authors filed a formal complaint.

The journal acknowledged receipt of the complaint and requested details and evidence of the accusations against AE. The editor received an email from the supervisor of the reviewer confirming the facts, as well as an edited copy of the email sent by AE to the reviewer.

We informed AE of the complaint and our investigation of the allegation concerning a follow-up email sent by AE to one of the reviewers of the manuscript informing them of the past history of the author group.

We asked AE for comments and an explanation, and told him that manuscripts will not be assigned until a resolution has been reached.

The reply from AE contained apologies for the "wrong behaviour" and a plea to be able to continue his work as AE. At no point was the resignation of AE offered to the journal. The editor and editorial team (deputy editors and managing editor) have considered all aspects and have come to the conclusion that collaboration with AE should be stopped.

Has the COPE Forum any additional comments? Have similar cases been submitted?

Advice:

The Forum were told that the journal provides formal training for associate editors so there was no question that the associate editor was aware that their behaviour was wrong. The editor believes that professional competition was the motive of the associate editor. All agreed that the associate editor should have declared a conflict of interest and excused him/herself from the review process. The Forum advised that it is up to the editor to make the decision, and that he needs to consider how valuable he believes the associate editor is, and how likely they are to repeat this behaviour? Can the editor trust the associate editor now? The Forum suggested that the editor might re-emphasise the journal's policy on conflicts of interest to the other associate editors.

Follow-up:

The editorial team was unanimous in their decisions to stop collaboration with the associate editor and, regrettably, the collaboration stopped. The confidentiality issue was discussed with incoming associate editors during an annual associate editor course but this experience convinced the editors to emphasise the issue even more.

13-03 Ethical concerns and the validity of documentation supplied by the authors

Anonymised text of the case:

We became concerned that not all of the co-authors were aware of a research paper submitted to our journal due to the difficulty receiving responses from the email addresses that had been supplied and their nature, given that the authors all worked in a hospital/academic institution. Despite repeated requests and attempts we remained dissatisfied with the responses and did not feel certain that all of the authors were aware of the paper. We therefore requested further documentation signed by all of the authors, but all of the signatures appeared to be signed by the same person, and hand writing analysis suggested this was highly likely. In addition, the statement from the ethics committee also had a similar signature. The letter from the 'head' of the ethics committee was on blank paper, not letterhead, and was not received as an original hard copy.

We therefore contacted the head of the ethics review committee who was different to the head on the document we had received and about which we had some concerns. The current head eventually confirmed after a second request that the doctor who had signed the previously supplied document was not on the committee. Ethics committee clearance has since been granted retrospectively after the paper was submitted.

As a result we have significant concerns about this paper, its ethical clearance and some of the documentation that has been supplied. We have advised the authors that we have suspended processing of their paper and that we would seek further advice from COPE. Our intention is to report our concerns to the hospital director and formally reject this paper. We would appreciate guidance on any further action we should take.

Advice:

The Forum agreed with the proposed course of action of the editor. It would not be appropriate in this case to simply reject the paper. It is very clear that something serious has happened in relation to the governance of this paper, and if the editor were to simply reject it, it is quite likely that the authors will simply submit elsewhere. In these situations, COPE recommends that if an editor has a concern about a paper, even if they end up rejecting it,

they must tell the authors that they will take it further and that it is highly likely that it will be referred to their institution for further investigation.

(COPE Council also discussed this case outside of the Forum). Council members agreed with the proposed course of action. This appears to be a very serious breach of ethics and the author may repeat this type of misconduct with another journal.

First you should inform all the authors of what you are going to do in a factual, non-accusatory way.

As there may be legal implications, you should also ensure that the letter to the hospital director has to be purely factual, with dates and copies of letters between the journal and the ethics service and the authors. Claims about forged signatures need to be backed up by a report of handwriting analysis (or if you can't supply that you should not make the accusation directly). The journal should consider taking legal advice.

You may want to pursue this issue further to a higher institutional level. Hence, in addition to the hospital director, if there is another head of the academic institution or some kind of oversight office then you might consider contacting them also. If the authors are working in an academy (university) and the hospital is affiliated to that university, then there may be a research regulatory body of that university that could be informed.

Follow up:

The journal followed the advice given by COPE and sought legal advice from their publishers before writing to the hospital director raising their concerns. The editor also rejected the paper and gave the authors the reasons for doing this. The editor has had no response and so he plans to write again and also write directly to the head of the ethics committee.

Update (September 2013):

The editor has still not had a response from the hospital director despite following up the original communication and copying in the ethical review chairman. It was agreed that the next step should be to contact the research integrity office.

13-04 Findings of a published trial called into question by a subsequent audit of trial conduct

Anonymised text of the case:

In 2008, our journal published a phase 2 randomised controlled trial of a new medicine. In 2011, the regulatory authority in the country where the study was performed decided to undertake routine monitoring of completed studies and this trial was selected for random inspection. The author informed the journal of the inspection and provided a translation of the report (independently verified as accurate by our journal).

The following concerns were raised by the regulatory authorities:

- (1) There was no medical involvement in the process for informed consent, which was delegated to a non-medical practitioner. The country's regulations require that a medical practitioner informs a participant and confirms this. The local ethics committee has been informed by the regulator about this lapse.
- (2) The integrity of blinding was questioned in an earlier inspection in 2007 and because of comments about the treatment's efficacy and side effects by one of the investigators while the trial was underway.
- (3) The recording and assessment of adverse events was incomplete and the inspectors felt

that the table of adverse events published in our journal did not reflect the clinical records for product safety.

The manuscript had two rounds of peer-review (seven reviews by four clinicians and a statistician). The only point of relevance to the above concerns was the comment that “the main weakness of the study is inadequate data on safety and adverse effects (in part unsurprising as this was a proof of efficacy study) and a rather overly positive presentation of the data”. The manuscript was revised and re-reviewed by this reviewer and a statistician; both were satisfied that the points had been addressed in the revision. After publication of the research article, our journal published two letters as correspondence. In one, the possibility of certain adverse events was raised, to which the authors replied that these had not been observed.

The authors have submitted a correction that states incorrect instructions by the contract research organisation resulted in under-reporting of adverse events for headache, migraine, stress and depression in people who had experienced these conditions before enrolling in the trial. They also state that comments about the medicine made to local media were based on another study. The editors are concerned that taken in their totality, the issues raised by the regulator question the soundness of our publication. As we gather more information and await the ethics committee’s decision about the process for informed consent, the editors would be interested in learning what actions COPE would recommend.

Advice:

The Forum advised that if the editor cannot decide what to do, a statement of concern could be published in the interim. If the editor thinks the methodology was insufficient (to detect side effects), then he should consider retracting the paper. Clearly a correction needs to be done. The expression of concern should mention the fact that the table of side effects may not be correct, in addition to the issue relating to consent. The editor told the Forum that he does not believe there has been any misconduct and the authors wrote the paper in good faith. On a show of hands, nine people suggested that the editor should do an expression of concern detailing the chain of events. Only two people thought the paper should be retracted. Hence the consensus was that it would be appropriate to put a statement of concern on the paper.

Follow-up:

The journal has received a letter from the author that responds to the expression of concern and the inspection report. At present, the precise wording is being negotiated with the author.

Update (September 2013):

The journal published an expression of concern and a letter from the authors that responded to the expression of concern and the inspection report. Although there was insufficient evidence to retract the publication, the editors felt that uncertainties about the study persisted and therefore decided that the expression of concern should remain part of the published record.

13-07 New claim to authorship of published paper

Anonymised text of the case:

In October 2011, our journal received a submission from author A with co-authors B, C and D. After review and revision it was published in mid-2012. In April 2013 we received a complaint from author X, saying that the work published in this paper was his work, and that

although author A had been his research supervisor at the time the work was done, authors B, C and D had either little or no input to the work. Author X said that the correct authorship should be X and A in that order.

Author X provided as evidence an internal document submitted to and accepted by the university authorities in May 2010 in fulfilment of a requirement to demonstrate capability for research. His academic record confirms that this submission was successful. He then changed supervisor (and department) within the same university due to a breakdown of relations with his previous supervisor, and proceeded to complete his PhD in January 2013. The internal document is not in English, but it is apparent that close to 75% of the content of the journal paper has effectively been taken from the internal document. [This has been checked roughly through the use of online translation. The majority of figures and diagrams are clearly the same. The authors (A–D) of the published journal paper do not appear to be contesting that this document was the source of the text although they claim ownership of the data and ideas.]

When challenged, author A says that author X was a poor researcher and was away from the country for considerable periods of time when he should have been doing the work. He also suggests that others in his research team gave author X considerable help with the internal document. He claims that author X has fraudulently used the work of author A and his co-workers, both in the internal document and in his PhD thesis.

The editor's suggestion was that author X's name should be added to the authors of the published paper, as second author (compromising on the initial request of author X that he should be first author, given that author A was the team leader, had a strong interest in the work and that this complaint had come nearly 3 years after author X had departed the group, amid some acrimony). This would be achieved through the publication of a corrigendum. Author A disagreed strongly, and said that he did not wish his name to be on the same paper as author X's. Author A also encouraged the other co-authors to respond, and they supported him. The original authors said they would rather withdraw the paper than have author X's name added.

The editor indicated that withdrawal (retraction) of the paper was not an option at this stage, as no one had questioned the science in the paper, and the concern was solely over the authorship. The editor also pointed out that the guidelines on authorship, available through the journal's web page, made clear that anyone who has made a significant contribution to the article should be included in the list of authors. The prior existence and acceptance by the university of the internal document as proof of the research competence of author X would appear to be sufficient proof of a significant contribution. This would not apply if there had been some formal challenge within the university, but no challenge appears to have been made.

The current head of department of author A has largely confirmed the picture painted. He says that when author X first came to the department he was announced by author A to be a 'brilliant student', but that relations started to break down early on, as author X had expected to do research in a somewhat different area. He confirms that after the internal document had been submitted and accepted, author X moved to complete his PhD in a different department, although in the same general area as before. He agrees with the proposed action and says he will attempt to convince author A, but with no feedback as yet.

Questions

- (1) Can the journal make a decision to add author X's name without the agreement of the other authors? Given the opinions that authors A, etc, have so forcefully stated, this seems inappropriate.
- (2) Could a corrigendum be used to demonstrate the full order of suggestions—that author X be added, that authors A, B, C and D said that if that were decided they would withdraw their names, and therefore the paper would now be acknowledged as the work of author X alone?
- (3) Should the request of author A and others that the paper be retracted be accepted? This appears entirely inappropriate as no one is objecting to the science or claiming that the work should not be published on scientific grounds?

Advice:

The Forum agreed that it is not up to the editor to decide who is an author on a paper. The editor is not in a position to know the details of the dispute. This is the responsibility of the authors and their institutions and needs to be resolved by them or by an independent party. However, the paper is unacceptable as it stands, and the editor should put a note on the paper saying that the authorship is in dispute. The editor might even suggest that the institution has been unable to resolve this dispute. This may prompt the authors or institution to resolve the issue. The editor could suggest to the authors that they find an independent arbitrator to review the case and whose decision they agree to abide by. Another suggestion was for the editor to suggest including author X on the paper, and then giving the other authors the option of withdrawing their names.

The editor told the Forum that, subsequently, the head of department has suggested that author X should be listed as the second author on the paper and author A seems to accept this. If this is the case, the Forum advised the editor to emphasise on the correction notice that the paper is being corrected on the recommendation of the institution.

Follow-up:

Since the case was discussed, the editor has focused on getting the institution to take full responsibility for taking a decision. This has been effective to the point of getting all parties to indicate they would accept the decision, although on circulating the proposed corrigendum, the first author (A) reverted to saying that author X was not acceptable. The institution stuck with the decision, and the corrigendum will appear shortly.