



## **Forum agenda**

**Meeting to be held on Tuesday 8 June 2010 at 3pm**

**The Council Chamber, The Royal College of Paediatrics and Child Health (RCPCH),  
5-11 Theobalds Road, London WC1X 8SH**

### **Agenda**

#### **1. Update on COPE activities by the Chair**

#### **2. New cases**

- 10-10 Author non-disclosure by editor in chief (AL)**
- 10-11 The ethics of drug/medication use evaluation audit cycles and publication of the results (JL)**
- 10-12 Retract, correct or both? (SY)**
- 10-13 Suspect author (SY)**
- 10-14 Supervisor publishes PhD students work (MH)**
- 10-15 Inadequate reporting of a trial, despite earlier rejection from a different journal (TG)**
- 10-16 Question of paper retraction due to proven fabricated data (JH)**
- 10-17 Is it unethical to reject unregistered (or late registered) trials? (EV)**
- 10-18 Self-plagiarism? (CS)**
- 10-19 What constitutes authorship? (NC)**
- 10-20 Plagiarism of published paper (BK)**
- 10-21 Dual publication (SD)**
- 10-22 A claim of stolen data and a demand for retraction (CL)**
- 10-23 Lack of acknowledgement of contributor (AM)**
- 10-24 Parallels between an unpublished manuscript and a published article from other authors (AB)**

#### **3. Updates**

- 09-12 The ethics of using privileged information**
- 09-22 Plagiarism, double submission and reviewer ethicality**
- 10-01 Case of duplicate publication detected after 9 years**
- 10-02 A case of child abuse**
- 10-04 Author dispute over data presented in a paper**
- 10-05 Retraction or expression of concern?**
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### **10-10 Author non-disclosure by editor in chief (AL)**

Please note, this case is being submitted by the Publishing Director of the journal based on the advice of a senior COPE member because it relates to the conduct of the editor in chief of the journal. The editor in chief of the journal is aware that the case is being submitted.

A letter of complaint was submitted in November 2009 relating to an editorial published in one of our journals, authored solely by the editor in chief. The person who wrote the letter of complaint has insisted that his anonymity be protected from the editor in chief. This is because he had previously been, in his view, the victim of a harassment suit (which subsequently failed) by the organisation mentioned in the editorial for interfering in their businesses.

This letter made two allegations: (i) that the content of the editorial contained numerous inaccuracies and unsubstantiated accusations and (ii) that the editorial had an undeclared conflict of interest as an individual (Dr X) involved with the organisation that the editorial mentioned had influenced the writing and appearance of the content without Dr X's name being disclosed

The editor in chief was advised that this communication had been received and was informed about both allegations (on an anonymised basis). The Editor responded to state that Dr X was well known to him and that he had been asked to help with the editorial because of his superior use of English. Dr X had originally been asked to be a co-author of the editorial but had refused. The editor stated that it was true that Dr X had had some influence on this editorial but the content of this editorial was fully his intellectual product for which he bore all responsibility.

The editor categorically denied that there was an undisclosed conflict of interest and concluded by requesting that the person making the allegations should bring the matter into the open and send in a letter to the Editor. In our response, we advised that since Dr X had helped with the refinement of the text, their name should have been declared at the end of the editorial, particularly as Dr X was involved with the organisation that the editorial mentioned. We asked the editor to provide further clarification about Dr X's involvement with the editorial. The editor replied to say that Dr X was a reviewer of his paper and that he, the editor, would not agree to general or even specific disclosure of Dr X's participation with the preparation of the editorial to the readers of the journal. He reiterated that he would be prepared to enter into an open debate if the person making the allegations would submit a letter to the editor.

We responded to the editor to say we believed that the editor was confusing his role as author and editor. That as an editor, since he authored an article in which he viewed Dr X as taking the role of expert reviewer, then the paper should not have been handled by him as editor but should have been passed to another editor to make the decision about whether the editorial was suitable for publication. As the author of the article, he was required to disclose the involvement of Dr X who helped him to write it.

The editor responded and stated that he agreed there was some confusion between the roles of editor and author but that he did not see how the roles could be separated and reiterated that he would only respond to the allegations if a letter to the editor was openly submitted to him.

Despite further communication with the editor, no further progress has been made and the matter has been left with us advising the editor that it is not acceptable to us as owner and publisher of the journal to have published an editorial authored by the editor in chief who has subsequently admitted to us in writing that there was a further individual involved in the writing and preparation of the editorial whose name has not been disclosed to the readers of the journal. We advised the editor that if he remained unwilling to comply with our request that we would have to consider what further action to take which may involve taking this matter to COPE.

With regard to the second allegation, we advised the editor that we would be obtaining independent evaluation of the content of the article. The editorial was sent out to three independent experts. The outcome of these was that one reviewer supported publication of the editorial whereas the other two opposed publication. Given this mixture of reviews, we have not taken this matter any further and are still hopeful that the person making the initial anonymous complaint may still decide to write a letter to the editor to bring his concerns into the open.

We would appreciate the advice of COPE as to what next steps we should now take.

## **10-11 The ethics of drug/medication use evaluation audit cycles and publication of the results (JL)**

We are seeking guidance on the ethical issues surrounding drug/medicine use evaluation (DUE or MUE) audit cycles, particularly with respect to the publication of findings but also perhaps with regard to the conduct of these audits in general.

DUE is a quality improvement activity that involves data collection and evaluation (usually by audit), followed by 'action' or intervention and a repeat or 'follow-up' audit to monitor changes in practice. DUE methodology was used for a recent national quality improvement activity overseen across approximately 60 hospitals by an independent organisation funded by the government to promote quality use of medicines. Participating hospital 'project teams' were asked to identify a predefined number of patients from their surgical lists for the baseline audit, obtain consent from the patient for inclusion ('if required by local authorities'), conduct a brief postoperative patient interview regarding pain management and, after discharge, retrospectively collect pain management data from the medical record .

Data were submitted to the national project team for collation and assessment, with individual and combined results fed back to hospitals. An educational intervention was then conducted at each site, attempting to address medical, nursing and pharmacy issues staff, and utilising a number of tools, including one- on-one 'academic detailing', presentations and posters. A follow-up audit (same as the baseline) was then conducted at each institution.

A manuscript was submitted to our journal describing the conduct and outcome of the project in two hospitals, and comparing these with each other and with the national results. The hospitals were not specifically identified but were labelled A and B, although one could be assumed to have been the primary institution of the authors and the other probably one of two smaller institutions in the same area health network. The methods stated that formal patient consent was not required for the inpatient interview component because the questions asked fell within routine postoperative care. Institutional Ethics Committee approval appears not to have been sought for any aspect of the project in either of the hospitals concerned although the overall project appears to have been conducted with the approval of various state health bodies and presumably individual hospital administrations, although this is not clear.

The manuscript was rejected on a number of grounds, mainly relating to questions of methodology and partly related to the question of publishing a small subset of a much larger set of data (also to be published eventually according to the website of the national project). The submission did, however, raise other ethical questions that remain a matter of some debate among the editors concerned, and we seek the help of COPE in addressing these since it appears this sort of situation is likely to come up again with increasing regularity. Our first question relates to the study subjects study. In the submitted paper, the assumption appeared to be that the patients were the subjects and their 'recruitment' was discussed . However, we feel that the subjects of the investigation were the staff of the participating hospitals since it was their drug prescription administration and documentation behaviour that was being examined before and after a behavioural intervention.

Our second question regards the nature of the project. Is it a quality assurance/improvement activity that does not require ethics approval for its conduct and/or publication of results? Or is it actually a research study examining the behavioural effect of an educational intervention on hospital staff, and as such does require ethics committee consideration, approval and possibly individual participant (staff) consent?

## **10-12 Retract, correct or both? (SY)**

Like many journals, we do not collect actual signatures of each co-author, asking the corresponding author to declare on a form that, among other things, he/she has the authority to submit on behalf of the others

A paper was published in our journal in April 2010. Shortly afterwards, we were contacted by one of the authors saying that he and his colleagues had been unaware of the existence of this paper and that the corresponding author, who had been visiting their department from another country, had taken data from their database and written and submitted the manuscript without the permission of the department or hospital. His first knowledge of the article was when the publishers had sent him a set of proofs (since the corresponding author had not responded to their emails); unfortunately, he did not tell us then, before publication, but contacted the corresponding author directly in an attempt to stop publication and had assumed it had been dealt with

I asked him to check the data and he did so, saying that while they were not inaccurate or unreliable, they presented an incomplete picture and the paper ought to be considerably revised to incorporate other data and a fuller discussion, in order to put it into context

Meanwhile, I have written to the corresponding author without response. My intention is to contact the corresponding author's institution(s) if there's still no response by the end of May. I have also written to the research ethics committee at the hospital concerned to check that approval was given as claimed in the paper (so far also without response).

My suspicion is that the claimant is correct, that the corresponding author has behaved improperly. In due course my intention is to publish a notice to this effect, that will include any response (or lack of) from the author and his/her institution; clearly, I will need to gather more information if possible and give the institutions time to respond.

My question is whether it would be better to do this in the form of a correction, setting out the circumstances and including any supplementary information supplied by the claimant, or to retract the paper and allow the claimant to re-submit a revised version, accompanied by a notice of some kind. And whether it would be worth publishing a statement of concern in the meantime while investigations are ongoing. The paper itself is a review of patients of a particular type, undergoing a particular treatment, so it does not claim that treatment X is better than treatment Y although it might contribute to treatment decisions in terms of counselling/offering that treatment to these patients—thus does have clinical implications.

### **10-13 Suspect author (SY)**

Author A has published approximately 150 original articles since ~1994, with ~100 on one particular topic. Since some of these events were up to 16 years ago, and there are no formal records from then relating to these studies, the only information we have is the memory of the editors of the affected journals in post at the time. According to their accounts, suspicions were aroused over the validity of the data, in particular the similarity between baseline data of some of the different studies. When author A was pressed to provide raw data, he stopped responding and stopped submitting papers to the specialty journals, switching to general journals where he continues to publish. The editor of one specialty journal raised concerns with the author's institution (in another country) approximately 12 years ago; it responded saying it saw no reason to investigate further. A letter, published in one of the specialty journals in 2000 by an independent researcher, asked the question "Why are author A et al's data so nice?", pointing out that the probability of such results occurring by chance were infinitesimally small, but as far as we know there have been no formal investigations of author A's work

Following an April 2010 editorial in one of the specialty journals about research fraud in general, that mentioned this particular author by name, a correspondent raised the lack of investigation into author A, stating that his update of a systematic review was being hampered by the (suspect) influence of author A's work in this area. The current editor-in-chief of that journal contacted the current editors of seven other affected specialty journals, who until this point were largely unaware of the problem, or its extent, having not been in post at the time the papers were submitted to their journals. We have since been discussing the problem and possible courses of action. The points raised are:

(1) Regarding the older papers:

- (i) the journals themselves do not have the ability to mount an investigation;
- (ii) it is unlikely that an investigator, bona fide or not, will still have original data from the older studies;
- (iii) it is unlikely that author A's institution will be interested in investigating studies so old, and we think he might have moved universities since then;
- (iv) currently we do not have any firm data of wrongdoing, just suspicions. Options for gathering more data include asking the original correspondent and the systematic reviewer to provide a more formal commentary, although we have not done that yet. Meanwhile, one of the editors has gathered data on all author A's studies: there are 135 in which author A is the first author, reporting almost 12,000 randomised patients in 17 years. Most are with one of the same three co-authors. The largest group of papers (by topic) are all very similar in design, with very little variability in baseline placebo event rates, and generally similar results although the outcome measures differ and there are one or two 'surprising' (at best) findings. One particular drug features in 71 studies. Dropouts are hardly ever reported.

(2) Regarding the newer papers:

- (i) these may be easier to investigate since the data should still exist;

- (ii) we could contact the editors of the non-specialty journals (there are many, publishing just 1-2 of A's articles each) to alert them but the problem of having only suspicions remains (compounded by the relatively large number of journals, each with a small number of papers);
- (iii) we could ask a respected academic in author A's country to make discreet enquiries of author A's co-investigators, some of whom may not realise what is going on, or they may have concerns themselves. However, this could be a delicate situation for such a person.

We would welcome COPE's advice on how best to proceed



### **10-14 Supervisor publishes PhD student's work (MH)**

The PhD supervisor and a co-supervisor published a paper. The paper contained the work of a PhD student; approximately 90% of the paper was from the thesis. The PhD student found out when the paper was electronically pre-published. He contacted the supervisor. The supervisor's first reaction was "How did you find out"? The supervisor did not want to include the PhD student as an author since he himself had done most of the work. The editor decided to remove the paper from the journal until the case was decided.

The editor contacted the supervisor and he stated that he would have included the student as an author when the paper was accepted. Contact with the co-supervisor (and co-author) showed that he was not aware of the paper. He found the quality too low and did not want to be involved. He informed the editor that a similar case with the supervisor had occurred in another journal, 2 years earlier. (The editor contacted the editor of the other journal who confirmed that a similar case had occurred and the paper had not been published.) The paper was finally removed from the journal; no paper version had been printed.

What do we do in this case? We want to ban the supervisor but allow the student to publish. The editor told the PhD student that he could submit a paper himself. However, the quality may not be sufficiently high for it to be accepted. To date, the PhD student has not submitted a paper to the journal.

### **10-15 Inadequate reporting of a trial, despite earlier rejection from a different journal (TG)**

We have been contacted by a reviewer after he spotted a paper he had reviewed for us (journal 1) now published in a second journal (journal 2). Both journals are members of COPE. The reviewer had advised we reject the paper when it was sent to him to review in September 2008. This was based on his assessment of the paper and also the supplementary material he was sent by us: protocol, CONSORT statement and trial registration details. Seeing the paper now published in journal 2 (April 2010), he still has the same concerns about the conduct of the trial and validity of the data presented—for example, the study was not really randomised (subjects were allocated alternately to treatment or control and participants' trial numbers were known to the outcome assessors)—and reporting of the outcomes was inconsistent with scores given in the raw data.

Following the original rejection from journal 1, the authors appealed against our rejection and we declined their appeal. The letters from us made it clear that we had concerns about the methods and reporting, and both external reviewers' reports were available for the authors to see.

So in spite of making it clear that there were problems with their paper, the authors still went ahead and submitted to journal 2.

When contacting us, the reviewer wanted to know if he could contact the editor of journal 2, make it known that he had seen supplementary material when he had reviewed the paper and explain his concerns to the editor. We advised him to write to the editor of journal 2 in confidence, explain what had happened and say that we had reservations about breaching confidentiality in this way but thought that the benefits of doing so outweigh the risks.

The editor of journal 2 has now contacted us asking to see the supplementary material. Unfortunately, we no longer have the files available (we do not archive them that long) but we do have the reviews.

#### Questions for COPE

- Should we share with journal 2 the reviews we still have?
- In principle, could we have shared the supplementary files and original submission (although they are no longer available)?

## **10-16 Question of paper retraction due to proven fabricated data (JH)**

A published paper has been under legal scrutiny due to fabricated data. The court has concluded that the evidence presented undermined the credibility of the study. We have read the COPE guidelines for retracting an article and have checked the flowchart 'What to do if you expect fabricated data'. From reading the guidelines it seems that the editor has the right to retract the paper and to do this promptly. However, because we have not had a case in which a paper has been discredited through a civil court process before, we would like to seek the advice of COPE before we ask for a retraction.

The case in more detail:

- 2006: journal publishes paper that explores the link between two drugs, A and B and vision loss.
- 2006: the drug company responds in a published letter, pointing out flaws in author's case control study (mainly well known biases of observational studies).
- 2007: author becomes expert witness in case against drug company, based on his paper .
- 2009, June: journal receives letter from author outlining some changes he wants to make to the paper—corrections, and referring to re-contacting people and re-analysing, reaffirming result of link with vision loss in men with a history of MI who have taken drug A (but only drug A now and not B).
- 2009, August: drug company tells journal that author is expert witness and casts doubt on his letter. They want to release source documents to the journal that have been disclosed to them by the author's university as part of the court case. The university is resisting because it wants the issues argued in court.
- 2009, October: journal consults COPE, who suggest not publishing the letter until the outcome of the court case is known. COPE clearly discussed it as a conflict of interest issue (letter driven by the fact that the author was the expert witness).
- 2009, August: drug company writes to say author has been excluded as expert witness in the trial because errors in the trial call the study's reliability into question. Provides transcript of relevant court ruling. This makes it clear that the author became an expert witness in February 2007, after publication of paper but before submission of the letter. He clearly became an expert witness on the basis of the study. Transcript says that author acknowledges inaccuracies—11 of 27 patients who originally reported use of the drug before developing vision loss turned out, from original trial forms, not to have started drug A or B until after diagnosis of vision loss. The 'history of MI' in some of the men turned out to be a family history of MI. Author also claimed to have re-contacted patients during the trial but court found no evidence of that. Court concluded that these undermined the credibility of the study. The court also ruled out the letter from the author as being similarly inaccurate.

It is clear that the author as an expert witness was arguing that his study showed causation. It was a small observational study: it could never show causation. We have not yet approached the author for his comments.

So, we would like to take this back to COPE to ensure our proposed course of action below is the correct one. We do not think we have had a case in which a paper has been discredited through a civil court process so we want to make sure that the actions taken are still acceptable.

- (a) Ask the author whether in the view of the court opinion he wants to retract the paper?
- (b) If author says no, refer to his university, asking it to investigate and consider ordering retraction of the paper.

### **10-17 Is it unethical to reject unregistered (or late registered) trials? (EV)**

We would like other editors' opinions as to whether adhering to the journal's policy on trial registration may contribute towards the non-publication of trial results (and thus bias in the literature).

All of our journals have the same policy on trial registration—for studies started before July 2005, we permit retrospective registration (providing it was done before submission) but for trials started after July 2005, we require registration to have been done before enrollment of the first participant.

In recent years we have tried to enforce this policy strictly and have rejected many papers reporting trial results where the trial was not registered in line with our policy. A very quick audit reveals about 20 or so studies which have been rejected in the past year or so due to non-compliance. For these studies, we have informed the authors of our policy and advised them they can retrospectively register, for free, at [clinicaltrials.gov](http://clinicaltrials.gov), where they are also able to deposit results (should they be unable to secure journal publication).

We are now also considering removing the 'grandfather' clause for old trials (pre-2005) (ie, that we would be unable to consider these for publication unless they had also been prospectively registered). One specific case we handled recently relates to a large cancer screening trial, which we felt was likely to be methodologically sound, and addressed a question where there was little data in the peer reviewed literature. The results would undoubtedly have informed future clinical practice and may have had the potential to save lives—the trial results suggested benefit for a screening approach which is not currently routine practice. The trial had been done after July 2005 but was only registered some months after enrollment started. We rejected purely on the basis that the study had not been properly registered in line with our (and other journals') policies. We did not think that selective reporting was an issue with this particular study.

However, would other editors have a concern about strict application of the registration rule (ie, that editors have a duty not just to apply policy regardless but to consider their responsibilities to the integrity of the evidence base in a more flexible way, which in some cases may be achieved by overriding their own policies? However, we are concerned that having some laxity in our policy (eg, with the grandfather clause for older trials) may encourage trialists to think that prospective registration is not mandatory (and thus avoid registration in the future).

### **10-18 Self-plagiarism? (CS)**

A paper was published with four authors from two universities and the contact author provided an ELF on behalf of all of the authors. After publication, one of the authors contacted the editor claiming a case of plagiarism. The claim is that the published paper was a direct copy of an MSc thesis which this person had supervised 7 years previously. Complications arise in that the first author of the paper was the MSc student, now working at the other university, and the complainant was an author of the published paper. Thus apparently the authors included the person whose work was being plagiarised and the supervisor of that work, who is also complaining about the publication of the paper. The claim was that the other authors had plagiarised the MSc thesis and had no right to publish the material.

As editor, I was asked to take action but my only route was to contact the authors by e-mail. I received an email from the corresponding author assuring me that all procedures had been correctly followed and also an email from the first author, the MSc student on whose thesis the paper was based and now a PhD student with the corresponding author's university, stating that he was happy with the publication. However, I have had another co-author request the paper they have been included on be delayed as they had not known of its submission until we contacted them. The author making the complaint states that the work belongs to him, not his student, but I understand that an MSc is written by the student and is the student's own work hence the student would have copyright and the right to subsequently publish papers from the MSc data. Additionally, the system we use automatically informs all authors and co-authors on submission of a paper that the paper has been submitted so the delay is also a problem.

What actions are possible?

### **10-19 What constitutes authorship? (NC)**

Author X submitted a paper to another journal, and included author Y, a student in the same institute, as a courtesy. Author Y had drawn two figures for the paper and discussed some of the observations (all made by author X) with author X but the paper did not deal with the thesis research of author Y.

After the original paper was returned, requiring extensive revisions, author X revised the paper and submitted it to our journal. Author X did not include author Y as an author, but listed Y's contribution in the acknowledgments. Following notification of acceptance and online publication, author Y complained to the editor, insisting that he should be added as an author by the journal without reference to author X. The editor contacted author X who indicated that author Y did not make a substantial scientific contribution to the article and that the notice in the acknowledgments was appropriate.

Authors X and Y hold similar views as to what author Y's contribution was, but different views on whether this is sufficient for authorship. The editor notified authors X, Y and the administrative head of the institute, and recommended that the parties resolve the matter among themselves. Author Y indicated that this suggested approach was unacceptable, repeated that he should be added as an author on the paper regardless of the opinion of author X and did not accept the editor's position that this matter could not be resolved arbitrarily in author Y's favour by the editor or the publisher. Author X has insisted on publication as the single author. The editor has continued to attempt to make contact with the parties, without recent success.

### **10-20 Plagiarism of published paper (BK)**

My subeditor handling this case told me he had found similarities with the protocol of a paper published elsewhere. The subeditor decided to send the paper for review to one of the authors of this published paper. The reviewer reported that the manuscript had the same figures and conclusions as a second paper he had published. All figures and the conclusions of the manuscript were the same as the second published paper. The reviewer also noted that most of the data were the same or had been only slightly changed and the text in the materials and methods section was also mostly identical. The reviewer asked me as editor to inform the first author's institution asking for an in-depth investigation of this case of scientific fraud. The reviewer also said that he would inform the director of his own institute about this case of unethical behaviour.

This paper was first submitted to my journal in February 2010 and rejected on initial review by a different subeditor because it was missing many references and was incomplete.

I could not find any other papers written by the other authors on the paper so I'm assuming they were probably students, with the last author the professor. It is not clear to me if the paper was submitted with the approval of all authors as this was not stated in the covering letter.



### **10-21 Dual publication (SD)**

The authors submitted a paper to our journal which went through the review process and was accepted for publication. It was then placed online in corrected proof. While online we were informed by a reader that the paper appeared to have been published in a journal local to the authors, although only an abstract was available in English. We requested that the authors submit an English language version of the original paper so that we could assess whether this was a case of dual publication. In the meantime, we removed the online version.

Following this, the authors withdrew the paper. The question now is, should we pursue this further by reporting the authors to the regulators in their country for an apparent attempt at dual publication and, if so, to whom should we report?

### **10-22 A claim of stolen data and a demand for retraction (CL)**

The publishers received an email from author B about a recently published paper, which passed peer review and had been available online for about a month. In this email, author B claimed that he and another colleague C had determined the peptide sequence in question and had not published it yet, nor given permission for it to be published. He claimed that author A had access to his unpublished results as a subcontractor on one of his grants. Furthermore, author B demanded the article be retracted. Author A alerted author B to their intention to publish in 2009, to which no response was received. Author A says that the data were obtained in his laboratory in joint work with authors B and C. Author C says that the data were obtained by him and author B, and only disclosed to author A afterwards in some collaborative work.

A further complication is that both authors B and C (and notably not author A) have a patent pending on the peptide sequence in question. However, author A could not have known about this. There is clearly some communication breakdown between authors A and B, but does author B have the right to demand that author A's paper be retracted?

### **10-23 Lack of acknowledgement of contributor (AM)**

Our case relates to a paper (by author's A and B) that was retracted because of lack of acknowledgement of the contribution of another author (C). The retraction statement noted: "While the A/B paper is largely the work of A and B, it includes some sentences and ideas that previously appeared in an unpublished paper and/or Power Point presentation only with A and C listed as authors. We regret that the paper was published without any acknowledgement of the earlier collaborative work." Author A has contacted the journal expressing concern that this retraction is damaging his reputation.

The basis for the retraction was evidence from C that parts of the A/B paper were the same as parts of a paper started by A and C but never finalized or published. C provided six specific cases involving about 23 lines of duplication. While this represents a small percentage (about 4%) of the total number of lines in the paper, because they duplicated lines from some version of the A/C paper, the editor believes there was a moral obligation on A and the new author (B) to acknowledge the earlier paper and/or the collaborative efforts of C.

However, A claims that (1) s/he wrote all of the A/C paper, (2) asked C to identify his/her own material, (3) offered to delete any such material from the final paper with B, (4) received no instructions regarding what to delete and (5) proceeded to use whatever he liked and drop whatever he did not like. There is no way for anyone now to know exactly what A and/or C wrote in the various versions of the A/C paper or what exactly each contributed to the ideas that were presented in the PowerPoint presentation.

The editor felt that there was a clear obligation on the part of A to acknowledge the earlier collaborative work with C, and that there was an equally clear obligation on the part of the journal to inform its readers that this acknowledgement was neglected in the A/B paper. A's obligation resulted from (1) all the collaborative efforts between himself and C, (2) the fact that both A and C were listed as authors of the PowerPoint presentation and the various versions of the unpublished paper, and (3) the fact that A's signature on the Statement of Authorship claiming originality of the entire work was not true.

Author A is contesting the retraction and states that the posting has damaged his personal reputation and career. The case was referred to the publisher's Plagiarism and Piracy Task Force, but this committee could not agree, since some felt the editor had acted correctly, but others felt some sympathy with author A.

### **10-24 Parallels between an unpublished manuscript and a published article from other authors (AB)**

I am seeking advice on a confidential 'letter of concern' from an author (X) of a manuscript submitted before I was appointed editor of the journal but rejected by me on the advice of the associate editor.

Author X is concerned with similarities or parallels between his manuscript, rejected in 2008, and a recently published article. I have looked over our file and contacted the associate editor who handled the manuscript. One of the authors of the published article, author Y, was in fact a reviewer of the manuscript by author X and recommended rejection, as did two other reviewers. In the opinion of the associate editor, there are clear parallels between the article by author Y and the manuscript by author X, but these seem to be the result of common research interests rather than appropriation of ideas or data.

Author Y has published previously on this subject. Both authors X and Y are well established scientists, although from somewhat different disciplines. At this point, it is my view that author Y should have declared a conflict of interest in the review of the manuscript but has not appropriated ideas or data. Unfortunately, our system at the time of this review did not include explicit guidelines on conflicts of interest. I can also imagine that the reviewer would have assumed that his overlapping interests were obvious from his previous publications.

My options seem to be the following:

- (1) Reply to author X, acknowledging the parallels but communicating the view of the associate editor that there has not been appropriation of ideas or data. (To acknowledge the apparent undeclared conflict of interest would seem to violate reviewer Y's anonymity.).
- (2) As above, but ask author X if he wishes to make a more formal complaint (waiving his own confidentiality), in which case we would need more specific details about the suspected appropriation of ideas or data.
- (3) Write first to reviewer Y and request a response to the 'letter of concern'. However, I do not think this is appropriate, given that author X indicated his communication was confidential.

I have consulted the COPE flowchart but find that the issue of a conflict of interest is not well covered.

## UPDATES

### **09-12 The ethics of using privileged information**

#### **Anonymised text of the case:**

A paper published in one of our journals (paper A) provoked the submission of a correspondence article claiming that a minor conclusion of the paper was a misinterpretation and erroneous. The point in contention was a question of zoomorphology and our paper's conclusions were based on analysis using a non-invasive technique while the rebuttal relied on more traditional techniques. We are bringing this case to COPE because although it appears to be in the process of being amicably resolved, with a clear resolution of the scientific issues, it has highlighted an area of confusion about the use of privileged information.

The authors' of the correspondence article (rebutting authors) originally expressed anger and surprise that the paper A contained this error, because they thought they had clearly laid the issue to rest in an earlier rebuttal of a previously published paper making similar errors (paper B). Although this first rebuttal had not yet appeared in print, it had been considered and accepted for publication by the one of the authors of paper A, in his/her capacity as the editor of another journal. Furthermore, this first rebuttal not only challenged the findings of paper B, it also specifically called into question the interpretation of some website data which was included (unmodified) in paper A.

We sent the correspondence article for peer review, and the reviewers supported the soundness of the rebuttal data presented and the alternative morphological interpretation. The reviewers appeared inclined towards the view that the perpetuation of the "wrong" interpretation in paper A was surprising and did not reflect well on the authors of paper A. However, they also indicated that given the close chronology of the various publications, this was a grey area, and not germane to the scientific case for publishing the second rebuttal. We therefore asked the correspondence authors to revise their text to keep the focus on resolving the scientific questions.

Having decided we should, in principle, accept and publish the correspondence article, the authors of paper A were invited to submit a signed response. In this they have clearly acknowledged that the data presented by the authors in both their rebuttals fully support the conclusions reached in these rebuttals and that some of their own data had been misinterpreted in paper A. They also explained that they were already convinced by the first rebuttal which one author had seen in his/her capacity as an editor, and the other had reviewed. However, they had felt it would not be ethical to make use of this privileged information to modify their own paper (paper A) shortly before final acceptance.

We are inclined to accept this as the personal view of the authors of paper A but question whether they adopted the best ethical course.

#### Questions for COPE

- What is COPE's view?
- How should editors and reviewers proceed when they have access to privileged information which suggests that their own work should be modified or corrected?

- Is there an ethical responsibility to avoid letting known errors into the scientific literature which was transgressed in this case?

**Advice:**

The Forum questioned the authors' use of the term "privileged information". The Forum agreed that the authors had acted wrongly. They could have delayed publication of their paper until after the information was in the public domain. The authors should have contacted the publisher and asked them to hold back on publication, explaining the reasons why. Although there was no major misconduct, a correction should appear in the journal (in addition to the correspondence) so that the article will be permanently linked to it.

**Update:**

The case was successfully and amicably resolved. All parties found the advice from COPE very helpful.

## **09-22 Plagiarism, double submission and reviewer ethicality**

**Anonymised text of the case:**

This is a complicated case which involves possible plagiarism, double submission and reviewer misconduct. The timeline is as follows:

- In year n, a paper P1 authored by A1 and A2 was published in the English language journal X. The paper describes a theoretical analysis of a particular phenomenon.
- In year n+6, paper P2 was published in a non-English language outlet by authors A3 et al, which cites P1, but carries essentially the same scientific message.
- In year n+8, A3 et al submitted paper P3 to conference Y without referencing P1 or P2. The main content of the paper was essentially the same as that in P1. This paper was awarded a best student paper prize at the conference and journal X, which has an arrangement with conference Y to fast track "extended" versions of best papers, invited submission of such an extended version. Journal Z, unbeknown to journal X, also invited a paper to be published in journal Z based on P3.
- In year n+8, paper P4 was published in journal Z; the paper did not cite P1 and was only a very minor extension of P2; under journal X's rules, P4 would have been rejected as not being sufficiently different from P3 since conference Y is regarded as archival in the field. The editors-in-chief of journal Z were two of the reviewers of P3.
- In November year n+8, A3 et al submitted paper P5 to journal X. P5 has the same theoretical content as papers P1–P4, but also has a new experimental section, which does make a new contribution. P5 does reference P1, but only incidentally and does not properly acknowledge that the theoretical content of P5 has previously appeared in P1 (or indeed in P2–P4). The editor-in-chief of journal X was not alerted to the overlap with the previous papers by the two reviewers (who were, in fact, the editors of journal Z). It is not a coincidence that the reviewers of P5 were the same as for P3 since this is part of the journal's fast tracking process. The editor-in-chief of journal X accepted the paper and it was published in year n+9.

- Around 6 years later, journal X (with two new editors-in-chief) received two independent complaints that P5 contains large sections of material plagiarised from P1, noting that although P1 is referenced, the reference is not sufficient. Journal X starts investigations. Two editorial board members and an independent reviewer confirm the facts as stated above. One of the complaints was submitted in the form of a paper for publication; at present, this has not been sent out for review but is simply being treated as additional evidence/confirmation of plagiarism. (We have recently discovered that this paper has been posted on a web site devoted to plagiarism discussions.)

Other points:

- The co-authorship has changed over the papers P2–P5. A3 is constant (although not always first author) but the “et al” changes. Of particular note is that the authors of P3 are not a subset of P5, despite the fact that content-wise P3 is a subset of P5.
- P5 has become highly cited and A3, although junior at the time of submission of P2–P5, has become well known with many papers and sits on the editorial board of journals. This should of course not affect our action, but it is worth noting that our decision could have a significant impact.
- A3 has admitted in a non-English language web site that he was invited to submit a revised version of P2 to journals X and Y.
- One of the complainants has just pointed us to another publication by A3 et al in a foreign language journal which again appears to have a high degree of overlap, published in the same year as P3 and P4. At the time of submission of this case we have not yet contacted A3 or the referees of P5.

Questions for COPE:

- It is clear that the theoretical part of P5 is effectively plagiarised as the reference to P1 is insufficient. How severe should our response be?
- There is some element of double submission (P4, P5): is this worth pursuing?
- Should we take any action against the reviewers of P5 who have arguably acted unethically, or at least less than ideally?

Other comments are welcome on this complex case.

**Advice:**

The Forum discussed this complicated case and agreed that there was some culpability on the part of the editors, given that authors A1 and A2’s work was plagiarised, there was redundant publication and possibly dual submission. The advice was to contact authors A1 and A2 and solicit their opinion. This will give the editor a stronger case against author A3. For multiple papers, the editor should assess the level of overlap and consider retraction of the second paper if the overlap is unacceptable. A3 was a junior author but was also the supervisor on the paper but it may be that publication practices were not correctly understood. The advice from the Forum was to address the plagiarism issue. If there is an acceptable explanation,

then the editor should consider the less serious offense of redundant publication. Or the editor may wish to issue a correction, mentioning that papers P1 and P2 should have been cited in the other articles.

**Update:**

We sent a letter to the author A3, setting out our concerns and asking for a response. We also followed the advice from COPE to contact the authors (A1 and A2) of the allegedly plagiarised article. One of these two authors (A1) replied (the other is now emeritus) and said that they had already been contacted by A3 asking for their help in defending the charges. A1 confirmed our view—essentially that the paper did replicate ideas without proper acknowledgement. He was perhaps inclined to be lenient to a junior researcher and regard it as ‘unintentional plagiarism’ but left the decision to us of course. A3 replied, heavily defending their position both on the count of plagiarism and that of double submission. This response was reviewed by the Editors-in-Chief and the two editorial board members who had advised initially as well as the same external referee.

Our conclusion was that the charge of double submission could be dropped (since P3 contains sufficient novel material) but there was definitely inadequate reference to the earlier paper in the theoretical part of the paper. We also decided that there was sufficient novel (and interesting and important) novel material in the paper so that a retraction was inappropriate. We therefore wrote to A3 et al again asking them to sign a short note to be published in the journal acknowledging the inadequate reference to prior work, and apologising for this (we also said that if no response was received we would publish the note in the names of the editor in chiefs. This note also (implicitly) acknowledges that no citation was made to P1 in P3 published in conference Y.

We have recently had a response from A3 et al, agreeing in principle to sign an apology note to be published, but disputing the exact extent of what was to be apologised for. We are currently reviewing these questions within the Editorial Board and will respond to A3 et al shortly.

We also considered the issue of possible unethical behaviour by the editors of journal Z who published paper P4 and who reviewed P3 for journal X. We have decided not to pursue this further owing to lack of hard evidence.

It seems that the substantive issues have now been addressed and the case can probably be regarded as closed (subject to our final editorial board review).

## **10-01 Case of duplicate publication detected after 9 years**

**Anonymised text of the case:**

An original research article was published in a journal in 2000. This is a quarterly, non-indexed journal. The abstract is available on a national indexation website.

The same article with a slight change in the title was published in our journal in April 2002. Ours is a monthly journal which has been indexed in Medline since 1975.



Both articles appear the same, with the study of 190 inpatients, and both have similar wordings. The authors and the order of their names are the same. The authors were affiliated to a reputable teaching medical institution. However, with the passage of 9 years, all of the authors have dispersed and some have left the country. Their contact numbers and email addresses are not available.

As the duplicate publication occurred in our journal, we feel we should take the necessary action. According to COPE guidelines, the authors should be approached for an explanation. This is difficult as no contacts are available.

We would appreciate suggestions from the Forum as to what steps should be taken for this misconduct detected after a lapse of 9 years.

**Advice:**

If it is impossible to contact the authors, the advice from the Forum was to contact the institution and inform them of the authors' behaviour and ask them to investigate. If it is a clear case of duplicate publication, there is no need to have the authors' permission to publish a notice of duplication. So if the editor is convinced that this is a case of duplicate publication, the advice was to publish a notice of duplication publication.

**Update:**

The email address of the corresponding author was obtained from the internet. After having success with a test mail, a letter was sent with the proof of duplicate publication. (The scanned copies of both articles were mailed as attachments.) An immediate reply was received which was discussed in our editorial board meeting in which we agreed it was not convincing.

The author apologised for any perceived misconduct but stated that as the other journal was not an indexed journal, he believed that this submission was not a bar to subsequent submissions to an indexed journal.

Having discussed the case with the COPE Forum and not being convinced by the author's reply we took a decision to retract the article on the grounds of duplicate publication. The retraction notice was published in the May 2010 issue of our journal.

A detailed reply was sent to the author, specially highlighting the fact that ignorance can not always be forgiven.

The institution was also informed and the addresses of the co-authors were requested. The authorities have not responded favourably.

## **10-02 A case of child abuse**

**Anonymised text of the case:**

Child abuse is a common but underdiagnosed problem in our country. The abuse ranges from minor injury to severe head trauma. The true incidence of intentional head injury in children remains uncertain.

We published a case of child abuse with blunt head trauma with intracranial haemorrhage presenting as loss of consciousness simulating a diabetic ketoacidosis. We received a complaint from a reader about a photograph illustrating the case which showed details of the abuse (bruises and signs of abuse around the perineum but the upper half of the body was not visible). We believe the case report warranted that the photo be published.

However, the complainant argues that he believes it was wrong to publish the photograph at all and especially in its present explicit form. The complainant believes that publishing this photograph of the child is a violation of child's human rights. The complainant also states that before publishing the photograph, he hopes the editors had obtained appropriate consent to publish.

**Advice:**

Some members of the Forum questioned whether it was necessary to print the photograph of the child. Could the case have been described adequately without the photo? Although the photograph is already published, some suggested removing the picture from the online version of the journal. Others argued that as the editor believed overwhelmingly in the importance of this case and had published it in good faith, he should stand by his original decision. The father of the child had agreed to the photograph being published and the child had since died, so there was no issue of consent. Another suggestion was to write an editorial on the subject highlighting the issues involved.

**Update:**

Our editorial board decided not to delete the photo from the e-issue because it was thought that it was an important finding and it was necessary to keep it to educate our readers (doctors/paediatricians).

## **10-04 Author dispute over data presented in a paper**

**Anonymised text of the case:**

A manuscript was submitted to our Journal in 2008. The six authors signed the author form for the Journal which accompanies all submitted manuscripts. The author form gives information on the role each author played in the study and states that each author has read and approved the paper for submission to the Journal.

Following peer-review the paper was accepted for publication. It was published in February 2009. In October 2009 the Journal received a letter from the corresponding author who asked for the paper to be retracted. The corresponding author stated that the first author had used data which was originally generated by a student working in the department (permission had been given to the first author to use the data) but that the data presented in the paper were different to the data published by the student in a thesis. The corresponding author further stated that the first author was being investigated by the university in which the research took place and by the Ministry of Education.

The Editor-in-Chief of the Journal and the Publisher wrote to the corresponding author and said that they would wait until the investigation by the university and Ministry of Education had concluded before deciding whether the paper should be retracted. The corresponding author responded to this letter and asked that the paper be retracted immediately and stated that the investigation would take several years.

The Editor-in-Chief and the Publisher then wrote to the first author and asked for a full and detailed explanation as to the concerns raised by the corresponding author. The first author responded and said that the dataset for the paper was extracted from a patient database which contains information on patients treated at the university. Datasets from several sources were used to update the main database and information was extracted based on the inclusion criteria outlined in the paper. The first author stated that she had identified more patients who fitted the inclusion criteria from the database than the student and this was the reason for the discrepancy in data between the thesis and the paper published in the Journal. The first author also told the Journal that the corresponding author had brought the discrepancies in the data to the attention of the Ministry of Education, the university's Academic Ethical Committee and the Faculty Appeals Committee. The first author says that these groups have accepted the reasons behind the discrepancies in the data.

The Editor-in-Chief and the Publisher also wrote to the co-authors of the paper (four co-authors, excluding the first author and the corresponding author). Three of the co-authors have responded and state that they accept the reasons behind the discrepancy in the data produced in the original project and the data used in the paper. In addition to writing to the co-authors, the Editor-in-Chief and Publisher informed the corresponding author that they were contacting the co-authors. The corresponding author responded and said that the paper should be retracted immediately and that he was considering whether to publicly announce that the paper should be retracted from the Journal.

The Journal would appreciate advice on how to proceed.

**Advice:**

The Forum commented that it was unusual for an author to criticise his own paper. The Forum suggested asking the corresponding author to write a letter detailing his concerns that could be published in the journal and then his co-authors would have the chance to comment on the letter. Other advice was to contact the institution and ask them about their investigation and how long it will take to complete. The institution should be approached in neutral terms asking them to confirm the corresponding author's claim that the investigation will take several years. The Forum believed that the editor is not in a position to do anything else at the moment.

**Update:**

Following the COPE meeting, we were informed by one of the authors involved in our case that an investigation had been launched to examine the allegations surrounding the data used in the paper. We wrote to the authors and asked for details of the investigation, particularly the contact details of the person chairing it. We received confirmation that the investigation is being coordinated by the research ethics committee of the university where the authors are based and have written to the chair of the committee and requested a report of their conclusions once the investigation has been completed. We have not yet heard back,

although the letter was only sent recently. We have also let the authors know that we have contacted the research ethics committee and will wait on the findings of the investigation before proceeding any further.

### **10-05 Retraction or expression of concern?**

#### **Anonymised text of the case:**

Shortly after publishing a short report, another group involved in similar work accused one of the authors (A) of the short report of fabricating and/or stealing data from their lab. The other group also stated that author A's conclusions about an image published in the short report were wrong.

We asked to see author A's original data and talked to his co-authors and the institution where his studies were reportedly carried out. We were satisfied that the data presented in the short report were real and the author's own, and there was no evidence of data fabrication or theft.

We asked for expert opinion on author A's interpretation of the image. Three experts thought that the author could not draw the conclusions he had based on the scan he presented in the publication and that reference images produced from the original data were needed to support his conclusions. We went back to author A, told him we were satisfied that there was no evidence of data fabrication or theft, but that we did think he needed to provide more data to support his claims. He did provide some additional images. However, our experts' view was that the data provided did not verify the author's claims. He had used images from published articles as reference images, and not reference images from his original data.

In the meantime, the other group submitted a correspondence article explaining how their own studies conflict with author A's claims. This was sent for review. The reviewer felt that author A's article should not have been published, but that the other group needed to provide some more experimental detail and data. At this point we approached author A telling him that we did not think the data he provided supported his claims and that he might want to consider retracting the article. Author A responded by sending us several opinions from 'experts' he had found arguing that the article should not be retracted. None of these 'experts' is an expert in the imaging technique used. He also said he would now be able to provide reference images from his original data, although we have not seen them and do not know, without checking with our experts, whether or not they would be enough.

The short report describes an invasive clinical intervention and makes claims about its efficacy. This is a controversial area of research, and our concern is about leaving something that may not be accurate in the public domain, but we also do not feel that the author has intentionally misled us or the public. We feel at this point that the best course of action is to publish the critic's correspondence article, along with the authors' response, and let the public judge for itself. However, given the clinical nature of the short report and the doubts raised about the veracity of author A's claims, we would like the committee's opinion on whether the publication of the correspondence piece and the authors' response is enough, whether we would be justified in publishing an expression of concern about author A's article or whether there are grounds to retract.

**Advice:**

The Forum agreed that the editor had done the right thing by allowing the authors to comment. Exchange of correspondence is ideal in such cases as this will be linked permanently to the original article and so the debate will be in the public domain. The Forum did not think the article should be retracted. Also, the Forum advised against publishing an expression of concern as this indicates that there is something wrong with the data. All agreed that the editor had done all he could except perhaps to write an editorial on peer review and post publication comment.

**Update:**

We did not publish an expression of concern but encouraged the 'other group' to submit their revised correspondence. They decided they did not want to, so we have not taken any further action.

**10-06 Concerns over research by an author in numerous, separate publications**

**Anonymised text of the case:**

The authenticity of the content of numerous publications by Author K has been questioned by 'concerned researchers' in an anonymous email sent to the Editor of Journal A in December 2009.

The email noted that author K had been publishing articles in numerous journals that "report remarkable findings that watching humorous films, drinking deep-sea water, exposure to road traffic, cell-phone noise and radiation, kissing, playing computer games, listening to Mozart, infant suckling, sleep deprivation and starvation all affect various [physiological] responses." Few of K's findings have been replicated by other authors and the 'concerned researchers' were clear that they believe the findings to be unusual and the research based on improbable hypotheses and mechanisms.

The data presented in each of the articles are remarkably consistent 'and, to be frank, seem too good to be true'. Most of these articles have been published by author K as a single author, and for a lone researcher the output is prolific.

The concerned researchers, the editorial office for Journal A and colleagues from the publishing house have all attempted to find an institution that author K may be affiliated to. There are suspicions surrounding author K's affiliations to two institutions. When the author's name and the two institutions are typed into a search engine, a lot of references to very similar articles appear in the search results.

The 'concerned researchers' therefore "cannot help but question whether the data presented in these articles are genuine. If not, this appears to be a case of scientific misconduct that could have far-reaching implications [in the field] ... This is ongoing, with nearly 100 articles published over the last few years including some published this year (2009)".

Journal A published a paper by author K in 2004 which, taking into account the summary above, could have easily been fabricated from the perspective of the editor of the journal. The

editors and the concerned researchers wish to know more about the legitimacy of these publications and whether the articles by author K are reliable.

**Advice:**

The Forum suggested that if the author's institution cannot be found, the editor could report the author to the General Medical Council or the equivalent medical licensing authority in the author's country. The Forum asked if the editor had tried responding to the anonymous email. There is little that the editor can do without substantive evidence. He could respond to the anonymous email, asking for more information and emphasising that strict confidentiality is assured. The Forum noted that the editor has a duty of care with regard to the journal's published papers. The editor should contact the reviewer(s) of the 2004 paper that was published in his journal and ask them to look again at the paper. Other advice was to contact the other journals where the author has published as they may have some information that would lead to the author's institution, which should be contacted if possible. The Forum advised the editor to be alert to any more papers that come in from the same source.

**Update:**

Following on from the COPE Forum, I took on COPE's advice and contacted the other editors that were listed at the end of the anonymous email that our editor received. There were 12 other editors and journals listed in this email, from a wide range of publishing houses. I have received five responses so far. One was apparently not aware of the email ever being sent. One asked a colleague to respond to my message, which I am still waiting for.

Three have expressed concern about the nature of the email; one of these editors has offered to judge the papers of the suspected author and provide a response, and I am waiting to hear back from them. One of the editors contacted a colleague who lives in the same country as the author and received a general response from their colleague who claims to know of the author and mentioned that the author 'is known for [their] unique treatment'. However, this colleague noted that "I am not personally an acquaintance with [the author]. I just heard from some colleagues that many of [the author's] works seem to be fake or fabrication, although I do not have any evidence about it".

One editor responded with a lengthy email where they mentioned they have had discussions with the other editor of the journal and administrative staff at the publishing house. The editor noted that "My personal view was that we should go ahead and ask the people who made the allegations to give in confidence their names so that we felt that there was a legitimacy to proceed with the inquiry that was clearly needed by virtue of the allegation". However, the editor was not successful in obtaining personal identification from the anonymous email authors. The editor goes on to say that "At this point, our views are split. My view is that there was enough of a basis and concern given the subject of anxiety by the authors of the email about being victimised as whistleblowers. I thought that an open ended question to the author of the series in publication that are in question, [the author], is merited and, at the very least, a request to be able to contact [the author's] head of department or person connected to their institution to gather more information on their research activities. My colleagues thought that this was unreasonably intrusive with no names or specific accusation. As a result, we have not advanced".

As for our journal, we managed to find some email and postal addresses for the author, by searching online and going back through previous submission records. An article by the

author was submitted and published in 2004, and the editor of our journal has mentioned that the paper “could easily be fabricated”. The editorial office sent a message to the author expressing concern about the integrity of a paper that was published in their journal and asked the author to respond as soon as possible. This email was sent out earlier this week, and one of the email addresses bounced, but the second one seems to have worked. We are now waiting for any sort of response.

## **10-07 Dispute over authorship and usage of research protocol**

### **Anonymised text of the case:**

In November 2009, the Editor of Journal X received a letter complaining of a serious breach of publication ethics regarding an article already published a month earlier on the Journal’s website. The paper concerned had not yet been published in a full journal issue either online or in print. One of the authors of the letter, Professor X, was a named author on the published paper. His complaint was that he had never seen the article prior to publication and had not agreed to be an author.

Professor X stated that some years previously, a number of research groups around the world were invited to join a collaborative research effort. A late Dr Y made the suggestion to make the work a multicentre study and suggested Dr Z as one of the investigators. Professor X also stated that Dr Y asked him to manage all the multicentre groups and compile the work into one final paper. Professor X said that an agreement was made to use a research protocol developed by him across the whole multicentre study.

The published article has Dr Z as corresponding author in addition to a Dr W as first author. Drs W and Z are at the same research institution. Professor X claims that he tried to discuss the progress of work (using the agreed protocol) with Drs Z and W but without reply. Professor X feels that Dr Z has not followed the agreed research protocol and by not liaising with colleagues has made this publication appear as if it is his original work and taken credit for work which was not his original idea. Professor X also states that as the original research protocol was not followed, the findings in the paper are of poor credibility.

When asked about the situation, Drs Z and W stated that they thought each other had been in contact with Professor X to obtain his consent before submitting the manuscript to the Journal. They both apologised for the mis-communication and suggested that Professor X could be removed from the author list before the paper is published in a journal issue. Professor X replied saying that only a full retraction of the paper would be a satisfactory outcome for him because his reputation was damaged by the publication of work that had not followed the originally agreed research protocols that he had developed.

On gathering both sides of the story, the Publisher decided that the two parties (Professor X and Drs Z and W) should communicate with one another in order to find a resolution to the problem and agree how, or if, this paper should be published in a journal issue or whether it should be retracted outright. Dr Z has since written to Professor X saying that there was no agreed usage of the protocol or publication plan and that he was kept informed of the ongoing project. Dr Z reiterated an offer to change the list of authors including the removal of Professor X from the paper.

**Advice:**

The Forum was told by the editor that the case has since been resolved. The paper has been published with the amended author list—Professor X's name was removed. The Forum suggested tightening up the journal's authorship and contributorship criteria and also copying all authors on all correspondence rather than just the corresponding author to avoid the occurrence of a similar case in the future. The Forum also stressed that it is essential to publish a correction to the published article and to ensure that there are not two versions of the article in circulation.

**Update:**

Following the advice from the Forum, we have tightened up the author and contributor criteria for our journal to try and prevent this happening again. We have also recommended that the editorial office copy in all authors on correspondence. Although the paper had been published online, it had not reached a full issue of the journal so we have been able to correct the paper prior to its formal publication in a journal issue.