



**Forum agenda**  
**Meeting to be held on Friday 4 September 2020**  
**4-5.30pm British Summer Time**  
**By webinar**

- 1. Update on COPE activities by the Chair**
- 2. Forum discussion: Systematic manipulation of the publishing process via paper mills**
- 3. New cases**
  - 20-09 How to respond to a reader's repeated concerns**
  - 20-10 Authors requesting withdrawal of articles from similarity check database in order to re-publish**
- 4. Updates**
  - 20-01 Institution refuses to investigate scientific issues**
  - 20-03 Allegations related to multiple papers and journals**
  - 20-05 Is approval needed for a social media survey?**
  - 20-07 Author admits failure to credit other authors**
  - 20-08 Author displays bullying behaviour towards handling editor**

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## 2. FORUM DISCUSSION: Systematic manipulation of the publishing process via paper mills

<https://publicationethics.org/systematic-manipulation-paper-mills>

Increasingly, across the research publishing landscape, large scale manipulations of the publication process are being seen. The production of fraudulent papers at scale via alleged ‘paper mills’ is one such manipulation.

Paper mills are profit oriented, unofficial and potentially illegal organisations that produce and sell fraudulent manuscripts that seem to resemble genuine research. They may also handle the administration of submitting the article to journals for review and sell authorship to researchers once the article is accepted for publication. Indications that manuscripts may be produced by a paper mill are more readily detected at scale as they may be similar in layout, experimental approach and have similar images or figures.

### What are the issues?

- Publishers and editors are being alerted to many potentially problematic published articles that may indicate the involvement of alleged paper mills because they all contain possibly problematic research images (eg, Western blots and flow cytometry data).
- Paper mills are difficult to spot until there is a bulk of published papers that can be compared, often across publishers.
- Asking for raw data from the authors is a logical first step, but collecting and checking the data is not straightforward. This is especially the case if data files require specialist software and the raw data may not seem obviously problematic when assessed in isolation on a case-by-case basis.
- There are difficulties in detecting use of ‘stock images’ as they have no obvious manipulations per se and data can be provided. The issue is only apparent across multiple published papers.
- Correspondence can be difficult because it is unclear if approaching real authors or paper mill agents.
- Approaching institutions may be difficult when it is not clear who to approach or there is a lack of response.

### Questions

- While publishers and editors can handle individual papers on a case-by-case basis, how do we tackle the bigger issues at play?
- What can publishers do to improve the screening processes to detect these problems earlier?
- Are there key author declarations that could be suggested that researchers make?
- Even for journals which do not have a mandatory data sharing policy, should authors be asked to store their original data/images in open or institutional repositories so that data are at least available on request?
- Can COPE play an active role?

### 3. NEW CASES

#### **20-09 How to respond to a reader's repeated concerns**

A meta-analysis was published in a journal ahead of print, and then subsequently in print. Several months later, the journal was contacted by a faculty member at a university not connected with the study. The reader outlined three general concerns with the meta-analysis. The concerns were discussed by the editorial team, including the statistical editor, and it was decided that the overall results of the meta-analysis were not affected. The complainant persisted in the critique, which was relayed to the authors of the original article. The first author provided a detailed response to the issues raised; the journal did not request an erratum at that time.

A discussion followed between the complainant and the editorial office about the extent to which the issues raised were errors or 'a matter of opinion'. One error was clear and was corrected by an erratum. In the journal's view, the other issues raised were open to interpretation. The complainant was invited to write a letter to the editor, but they declined and persisted that an erratum should be published or that the journal should consider retracting the article.

Because some of the points of critique were of general interest to the field, and also in an effort to resolve the issue of the continued critique by the complainant, the journal decided to publish an editorial comment authored by the editor in chief and the statistical editor. The editorial comment paraphrased the complainant's concerns and added a few additional considerations relevant to the interpretation of the meta-analyses. The complainant was given the opportunity to review the editorial comment and the journal also asked his permission to be acknowledged for bringing the issue to the journal's attention. The complainant gave his feedback, which was incorporated, and also his permission to be acknowledged. The journal also gave the authors of the original article the opportunity to respond to the editorial comment. The authors wrote a scholarly response and also provided re-analyses of the data when excluding the contested studies. The editorial comment was published, together with the acknowledgment, the author's response and the erratum.

Before the publication of the editorial comment, the journal held a conference call with the complainant. The complainant had published a paper on a related issue in the preceding year, but the study published in the journal was different from the previous meta-analyses from the complainant's own group. This had not been disclosed to the journal previously. It became also clear that the complainant had not contacted the authors of the article to share his concerns, and the journal encouraged him to do so.

Subsequently, the complainant raised new issues with the original meta-analyses, which they discussed with the authors. The complainant insisted that an additional erratum was needed; the authors of the meta-analysis are now preparing a second erratum. The complainant was again invited to write a letter to the editor, and again declined.

The journal is concerned that the second erratum will not satisfy the complainant and that this issue will not end unless the journal agrees to retract the original article. The assessment of the journal is that there are insufficient grounds to retract this article. One of the complainant's recent emails to the authors says that they will contact the authors' university and colleagues and the funding agencies that support the work of this research group about the purported errors made by this team. The complainant has also requested that the journal involves the publisher's "ethical committee dealing with the publication process".

**Questions for the Forum**

- What is a journal's responsibility to minimise potential damage that readers can do to the reputation of the author where the reader disagrees with the editorial team and the authors of the original article on whether an error has been made versus a difference in opinion?
- What are the options for a journal to respond to (unreasonable) requests from readers regarding the content published in the journal and/or request to retract a paper if the editorial team considers the concern not sufficiently problematic to result in retraction?
- What could the editorial team have done to better respond to the reader's concerns?

## **20-10 Authors requesting withdrawal of articles from similarity check database in order to re-publish**

An author's institution requires that authors publish a set amount of times per year in journals that are indexed by Scopus in order to retain their tenure. The author submits to an open access journal and their paper is published after processing charges are paid. After publication the journal is dropped from the Scopus index. The author asks for the paper to be withdrawn by the journal so that they can submit to a different journal that meets their institution's requirements.

The publisher removes the paper but it has been indexed for Crossref's Similarity Check database, meaning that if the author submits to another journal it will produce a 100% match and provide evidence of prior publication. The author is asking that Crossref removes the article from the Similarity Check database.

Crossref is seeing an increasing number of requests like this, where authors are asking for their articles to be removed from journals that they no longer perceive to be a suitable place for publication. Removing the article from the Similarity Check database will allow the author to publish elsewhere, but it could be argued that this obscures the scholarly record by "hiding" the fact that the article has been published before.

### **Question for the Forum**

- Should CrossRef remove the article from the database and give the author a "clean slate" to submit the paper elsewhere?

## 4. UPDATES

### 20-01 Institution refuses to investigate scientific issues

A publisher was alerted to possible issues with band duplication in an article (more than 10 years old) by a reader. The corresponding author was contacted to resolve the issue. The author was unable to provide a satisfactory explanation for the bands, and because of the age of the article, the original data were no longer available. The institution was asked to investigate; a summary of the case was provided and the similarities in the bands using an open source tool were highlighted.

When the publisher received a copy of the investigatory committee's report, it was clear that the institution had focused on the use of the software tool exclusively. The institution concluded that the software was not a validated tool, and so there was no basis for concluding that the blots in question were duplicated or improperly altered. The contact person also stated that it was not the institution's place to comment on whether the data in the publication were sound and trustworthy.

The publisher pointed out that the software was not used to detect problems with the paper—it was simply a tool to provide a visual demonstration of the similarities between the blots. The publisher stated that they would have raised this issue regardless of whether the tool was available. They explained their expectation and experience that institutions initiate inquiries into potential ethics cases raised by journals and comment specifically on whether the conclusions are still sound. The publisher asked again that the committee investigate the scientific issues raised about this paper; the institution declined.

Next step being considered are sending the paper to one of publisher's editors who has relevant scientific expertise, or to an independent adviser, asking them to advise on whether the conclusions are still supported if the blots in question are unreliable. The publisher is also considering sending the paper to an independent ethics expert to verify that there are potential problems with the blots.

If it can be verified independently that there are potential problems with the blots, there are two courses of action: (1) if the adviser finds that the conclusions are still sound, issue an expression of concern/publisher's note highlighting the specific blots and detailing the steps taken so that readers can make their own decision about the data; (2) if our adviser finds that the conclusions are not sound, retract the paper. The publisher would tell the institution the route they plan to take.

#### Question(s) for the COPE Forum

- Are the publisher's plans reasonable, or is there a better course of action?
- Regardless of whether an expression of concern/publisher's note is published, or the paper is retracted, is it reasonable to quote from the report of the institution so that readers know the institution refused to investigate?
- Should the publisher consider contacting the relevant funding agencies?

#### Advice

The Forum suggested that if an institution is not willing or unable to investigate, one potential option might be to contact the original funders listed in the paper, or to contact any regional integrity offices, if these exist.

COPE's retraction guidelines state "When editors or journals have credible grounds to suspect misconduct, this should be brought to the attention of the authors' institutions as early as possible, but the decision to correct or retract an article should be made by the journal and does not necessarily depend on an institutional finding of misconduct." This scenario is common—often institutions do not conduct investigations or do not provide a definitive answer to questions raised by the journal.

If the editor feels that the data are unreliable or might be misleading, then the paper should be retracted. Getting further expert opinion to support the concerns of the editor is good practice. If the editor decides to retract, the retraction notice should explain why the journal believes that the findings are unreliable. The editor should inform the institution and the authors in advance, with the wording of the notice, and give them a chance to respond.

However, if the editor is uncertain of the integrity or the data or cannot resolve the concerns because the data are not available, then an expression of concern could be published, which could change to a retraction if the institution confirms there has been misconduct. The institution would need to investigate further. The expression of concern could state that the institution has been contacted but that the concerns have not been resolved.

Another option might be to ask the reader who brought up the issue to write a commentary and allow others to dig deeper into the issue.

In general, journals or publishers cannot always depend on an institution when deciding whether or not to retract an article because standards differ across institution. A journal needs to adhere to its own policies and not necessarily to what the institute thinks is appropriate.

### **Follow up**

The editor prepared an expression of concern for publication in the journal and is awaiting the authors' agreement on the wording.

### **Follow up (September 2020)**

The journal is about to publish an expression of concern. The editor did not hear back from the authors despite numerous attempts at contacting them. The journal considers the case closed.

## **20-03 Allegations related to multiple papers and journals**

A publisher is responding to allegations about a particular group of authors. The complainants have accused this group of authors of wide scale research fabrication and misconduct, relating to a large number of their papers across many different journals (published by a variety of publishers).

The publisher and the journals that are investigating and responding to these claims have referred the concerns to the institution responsible for the research governance of the authors. The institution said they would investigate and respond by a certain date, but their response is slightly overdue.

### **Question(s) for the COPE Forum**

- Should an expression of concern be published while waiting for the outcome from the institution?

- One of the journals has received another submitted paper by the same group of authors. Should the paper undergo normal peer review, or should it be delayed because of the unresolved investigation about the other papers?
- Should different publishers/journals share information with each other about cases that involve multiple papers and journals? If so, how should the information be shared with others?

### **Advice**

COPE typically advises that cases should be handled and judged individually. A new submission should not automatically be dismissed from being peer reviewed, but the editor may wish to consider additional precautions in its review. One suggestion is to ask the author to provide all of the raw data or any underlying images. The journal may wish to do additional statistical analysis to see whether there are unlikely patterns in the data.

Communication with other editors might be fruitful where there are duplications among different papers in different journals across publications. Otherwise, the editor should try to respect confidentiality. The editor should look at their own journal independently of other journals. It is not appropriate to correct or retract a paper just because there are problems with other papers.

There is existing COPE guidance on Sharing of information among editors-in-chief regarding possible misconduct (<https://publicationethics.org/resources/guidelines-new/sharing-information-among-editors-chief-regarding-possible-misconduct>) which explains how to share information. It may be appropriate to share some amount of information with other editors perhaps not with the intent of a full investigation but rather for notification and documentation to the institution regarding these claims.

### **Follow-up**

After a delay, the journal heard back from the authors' institution who carried out the investigation. However, the institution's response has not given the journals enough information to fully evaluate the articles. The publisher is reaching out to other publishers who have been affected by this case to see whether the institution has given other publishers any more information that might be useful. The journal is waiting to receive responses.

### **20-05 Is approval needed for a social media survey?**

An author has contacted the journal enquiring about the need for institutional review board approval for a survey. The survey is not derived from a specific institution but rather out of the personal interest of the author(s) who are targeting a point of wide scientific interest. The authors have a broad reach in social media.

The topic is of significant interest to the field, and there is a high potential for publication once the data are gathered and analysed. There are no patient data involved or publicised.

### **Question(s) for the COPE Forum**

- What is the policy on institutional review board approval for social media surveys or research?

### **Advice**

The Forum agreed that institutional review board (IRB) approval is required for social media surveys or research. The Forum suggested that if the authors are associated with an institution, they should be using the institutional IRB for approval of the research. If researchers are gathering data about people, and social media is just a means of collecting the data, then some form of ethical oversight is needed.

The editor told the Forum that the response from the institution was that because the study did not involve an intervention on a patient, they were not responsible for oversight of the study. The Forum noted that often IRBs are only interested in interventional research, and they will not consider survey, qualitative or quality improvement research as part of their remit. In the USA, the American Association for Public Opinion Research (<https://www.aapor.org/>) has information on standards, ethics and suggested IRB forms. But ultimately, it is the university's responsibility to approve the research.

Surveys might be asking questions about people's health, sexual orientation or criminality, for example, and the survey could involve vulnerable groups. An IRB would be concerned about these aspects and so the survey would clearly require ethical review in these circumstances. Most universities have a distinction in terms of light touch versus heavy touch institutional review, where the IRB might review the research questions, who the researchers are talking to, is private information being requested, are the individuals identifiable? Interacting with people online could also be considered an intervention and hence ethical approval would be required.

#### **Follow-up**

The authors ultimately decided to file for institutional review board approval at their institution and this was granted for the social media survey.

#### **20-07 Author admits failure to credit other authors**

An author submitted a manuscript and stated that he was the sole author. The manuscript received a favourable peer review and eventually was accepted. Some time after the article was published, a co-author told the author to contact the journal to correct the author list. The author of record (AOR) did this, and supplied co-author names to the journal.

The editor worked with the author group to determine the source of the error and to resolve the list and order of authors. The AOR acknowledged that he should have credited additional authors. All authors agreed with the corrected list of authors, but the AOR insisted on being the first author and the other authors did not agree.

Pursuant to COPE guidelines, the editor contacted the university of the AOR for assistance and found that the author had left and was now a resident of another country. The university was unable to assist in resolving the authorship issue. The AOR then contacted the journal and stated that due to disagreement on the order of authorship, he was requesting a retraction of the article.

One more attempt was made by the editor and a co-author to resolve the dispute, but the AOR refused to acknowledge any other lead author. However, the AOR agreed that, following retraction, the manuscript could be resubmitted with another lead author. Attempts to negotiate another solution and education about the consequences of retraction have been unsuccessful in resolving the problem.

### **Question(s) for the COPE Forum**

- Are there any remaining options other than retraction?
- What is the recommendation should the authors wish to resubmit to the same journal, as has been expressed?
- Aside from the existing extensive author guidelines required by the journal, is there another way to prevent this in the future?
- What other steps should be taken to address the authors in the case?

### **Advice**

The Forum agreed that the editor followed the correct route in terms of handling this case. If the article itself is sound and there is nothing wrong with the research or the integrity of the data in the article, it is usually not appropriate for an article to be retracted for an authorship dispute. The purpose of retraction is to rectify the scientific record not to resolve an authorship dispute.

Also, it is not the role of publishers or editors to resolve authorship disputes. These issues need to be investigated and resolved by the authors' institutions. The editor may wish to push this request back to the institution and indicate that the journal will not retract the article unless specific reasons for retraction are given.

The COPE retraction guidelines (<https://publicationethics.org/files/retraction-guidelines.pdf>) include a section on "Should retraction be applied in cases of disputed authorship?" The guidelines state that "If there is no reason to doubt the validity of the findings or the reliability of the data, it is not appropriate to retract a publication solely on the grounds of an authorship dispute." The ideal situation would be for the authors to agree on a course of action. Failing that, the institution should be asked to investigate. If the institution fails to investigate, or does not respond, the journal should consider publishing an expression of concern or a corrigendum, which transparently states that the journal has become aware that there is an ongoing authorship dispute.

Another view was to consider if there are grounds for retraction based on copyright infringement or some other legal issue (eg, libel, privacy). If the publisher finds there is infringement on the other authors' rights to have been included as authors on this list, retraction might be justified. The Forum would advise the publisher in consultation with their legal department to determine if there is a serious legal issue that necessitates that the article be retracted. Whether the article is republished with another author list is another issue that would need to be resolved but it would mean that the research is not lost but the authorship is corrected.

For future submissions, the journal may wish to update their instructions to authors to state that a signed statement by all of the authors is required on submission, recognising the order of authorship, that there is no one else that should be included as an author in the manuscript and that manuscripts will not be retracted on the sole basis of an authorship dispute.

### **Follow-up**

The journal chose to republish the article with a corrected author list and a corrigendum. The corrected article has been published online and will later appear in a print issue of the journal.

### **20-08 Author displays bullying behaviour towards handling editor**

A handling editor rejected a paper without review, after consulting with a senior editor. The corresponding author sent an appeal about 2 weeks later where he requested that the paper be given a second chance and be sent for peer review. He added that, in case of a new decision to reject without review, the editor should provide a detailed response to a number of questions and comments raised in the appeal letter. He also mentioned that, in order to illustrate the importance of the study, he had done a social media poll asking whether the paper in question was more relevant to the journal's readership than another paper whose link he provided in the poll and that had recently been published in the journal. The appeal was also read by another senior editor and it was agreed to reject the paper again without providing any detailed explanations as the behaviour was considered borderline bullying.

Three weeks after the second rejection, the corresponding author contacted the journal expressing his disappointment with the decision and threatened a freedom of information request to access the correspondence between the editors that led to the editorial decision. Moreover, he suggested he would be writing about his negative experience with the journal.

The handling editor perceived this as aggressive and litigious behaviour and shared the correspondence with the head of the research section of the journal, who responded to the author and copied the senior author in the correspondence. The senior author responded by acknowledging the inappropriate behaviour of the author and promising to take action internally.

#### **Question(s) for the COPE Forum**

- Did the journal handle the case appropriately?
- Could something else or something different have been done?
- How can this type of situation be prevented?

#### **Advice**

The Forum agreed that the journal behaved appropriately and handled the case correctly.

In terms of what the journal could do for future situations, the COPE Audit stresses the need for an appeals process, and that the process is clearly described in the author guidelines or on the journal's website. The journal might wish to look again at their instructions to authors and include a statement about the editorial decision making process in the appeals process, stating that the associate editors make recommendations to the editor, if appropriate, and that the final decision rests with the editor. The journal might also wish to add prominently to the author guidelines that the deliberations and decisions are, in general, confidential, and that any specific enquiries would have to be requested formally by a lawyer.

The Forum suggested that in retrospect, perhaps the journal should have involved the other co-authors, given that it was the corresponding author who made the threats. It is possible the co-authors may not have been aware of the corresponding author's threats.

Also, with the benefit of hindsight, it is possible that after the author had done the social media poll, and was asking for more detail, it might have been possible to de-escalate the situation by giving more detail on why the appeal was declined.

Another suggested approach was to look at this from the point of view of a difficult personality with misdirected enthusiasm, someone who does not understand the process well, but is engaged and enthusiastic, who might respond to direction and education from the journal.

**Follow-up**

The journal considers the case closed.