

Coming back from disgrace

The tragic suicide of Yoshiki Sasai, one of the authors of the retracted STAP stem-cell paper (discussed in the Letter from the Chair in the August 2014 edition of COPE Digest), highlights the fact that, above all, the communication of research is about people and about trust. Some researchers are seemingly able to bounce back from a finding of serious research misconduct. For example, Hwang Woo-suk was last year granted a patent related to stem-cells. However, for other researchers in such a situation it is the end of their careers. Some may argue that that is no bad thing; researchers who commit serious research misconduct have no place in research. Contrast that with the situation when a crime is committed. Most places, when a crime is committed, punishment results, and after some time that person is allowed back into society. Indeed, in some jurisdictions, if the crime was not severe, after some period following expiry of the sentence a “spent conviction” may be recorded. That is, history of the misdeed will be erased.

Back to our context:

- If your journal knew that one of the authors of a submitted paper had previously been found to have committed serious research misconduct, would you agree to review the paper?
- If you did agree to review the paper, and the author asks for blind reviewing as he/she could not otherwise be assured of an unbiased process, would you agree to the request (assuming you don't have blind reviewing already). This was a recent COPE case.

Flowing from that, should there be a process for researchers who have had a finding of serious research misconduct to be reaccepted as researchers worthy of consideration as authors?

COMMENTS FROM THE FORUM (Tuesday 10 March 2015) – NOTE, Comments do not imply formal COPE advice, or consensus.

- Treat submissions from previously offending authors carefully, but do not avoid them solely because of the author's past record.
- Changing your normal journal reviewing process is acceptable, as long as it benefits the author. It is important not to prejudice the author; it is fine to accept the paper if it is found to be worthy of publication after careful review.
- However, if you do not normally offer double-blind review, reviewers may become suspicious and ask why the authors names are not given, and hence it may be difficult to get an unbiased review.
- It is the editor who has the ultimate responsibility for providing the author with a fair assessment as it is the editor who has knowledge of the background of the author.
- On the other hand, openness may be a solution; not hiding behind double-blind peer review. Have an open peer review process. The editor may need to choose suitably experienced reviewers and it would be advisable to publish the reviews. This way forward may also help the author's rehabilitation.
- Submissions should be handled in the normal way, and you should not change your normal journal review process. Reviewers could be advised that they may recognise the name of the author who has committed a previous misconduct, but they should be asked to review the paper on merit.
- Transparency is necessary to ensure a fair process, both for the author and the reader—blinding the review process can be misleading for reviewers.

- In broad terms, most journals, if they knew that one of the authors of a submitted paper had previously been found to have committed serious research misconduct, would agree to review the paper. An exception might be a medical doctor who has been struck off. So it is important to make sure that the author has a license to do research.
- A distinction should be made between ethical misconduct and honest error. Sometimes this may become confused if, for example, the author has had a paper retracted. But retractions can happen for genuine error rather than misconduct. So editors need to make sure they know what the prior issue was.
- There are often co-authors involved, and it is important not to penalise the whole group.
- Editors should always behave in a professional and fair manner, throughout the peer review process, and maintain confidentiality when necessary.
- Fairness can also include additional scrutiny of the submitted paper, if appropriate, if the peer review process is open, and an understanding of the process by the editor is essential, especially when dealing with reviewers. Editors should ensure they have proper communication with their reviewers and that reviewers understand their role.
- Do we need criteria to determine if someone is serious about changing their behaviour? It is difficult to judge people's intention and we can never be certain if the authors intentions are honest. All we can do is scrutinise the available data and view the facts.
- This is a discussion every journals should have at their own editorial board meetings, and this should include debate about whether the journal operates a different peer review process under these circumstances.

COMMENTS POSTED ON THE WEBSITE

Posted by Reynir Tomas Geirsson, 26/2/2015

My answer to all three questions is a yes, in principle. But for the most serious offences we have had up to a 5-year period until accepting again articles from someone who showed serious misconduct. In a couple of cases it has occurred that an author of fraudulent material has joined a new author group and we told the corresponding author of the new manuscript that we lacked trust in one of the authors and would not handle the submission.

Posted by Charon Pierson, 26/2/2015

I have had submissions from at least one author who had an article retracted for ethics violations and several others from authors who have been rejected for plagiarism that was caught in the submission stage. In all cases, the new manuscripts were sent for blind peer-review (we use double-blind review as our normal policy). I think we have to handle these submissions the way we normally handle submissions and not prejudice a reviewer with any comments like "this author has had ethical violations in the past." We do not have a policy of banning submissions for any period of time, so theoretically the author could submit another manuscript immediately, although our policy is not to reconsider a manuscript that has been rejected for plagiarism or other ethics violations. Our guidelines state that appeals on decisions will not be considered for rejection for ethical reasons and we abide by that policy even if the author proposes to correct the problems. I admit I am very cautious of these authors, but so far I haven't found any repeat of ethical problems.

In another case we had where there was a finding of misconduct by ORI, the researcher was banned from participating in Federal projects/reviews for a period of time but that person was fired from his position and apparently is not in a position to do research. Should he resurface with a manuscript, I would follow the same process—haven't had to face that decision so far.

Posted by Chris Leonard, 8/3/2015

It's a problem I've only had to mediate in once in my career, but I was definitely of the opinion of trying to be even-handed, but proceeded with caution. So the new submission from the sometime-offending author was double-blind peer reviewed (whereas single-blind was the norm at that time for that journal). The reviews were given some scrutiny by the editor, and the in-house staff performed many background checks on previous research in this area. I think if it happened again, this even-handed, but cautious approach would probably be employed again, but if accepted, I would strongly encourage the publication of the peer review reports to display to the world how the work was judged on its merits, with no prejudice against the author.

Posted by Pauline Starley, 10/3/2015

Interestingly, such a rehabilitation programme exists in the US called RePAIR (Restoring Professionalism and Integrity in Research) which aims to rehabilitate researchers accused of misconduct. See <http://www.nature.com/news/rehab-helps-errant-researchers-return-to-the-lab-1.12165> for more information and Retraction Watch for further recent discussion <http://retractionwatch.com/2015/03/09/do-fraudsters-deserve-a-second-chance/>