



Forum agenda
Meeting to be held on Friday 6 March 2020
4-5.30pm GMT
By webinar

- 1. Update on COPE activities by the Chair**
- 2. Forum discussion: Editing of reviewer comments**
- 3. New cases**
 - 20-01 Institution refuses to investigate scientific issues**
 - 20-02 Institution wants to retract despite ongoing legal proceedings**
 - 20-03 Allegations related to multiple papers and journals**
 - 20-04 Is approval needed for a social media survey?**
 - 20-05 Sharing by a reviewer on social media**
 - 20-06 Author displays bullying behaviour towards handling editor**
- 4. Updates**
 - 19-11 Withdrawal of paper at proof stage**
 - 19-12 Appropriate scope of review for retractions**
 - 19-13 Reproducibility of methodology**
 - 19-14 Removal of an author**

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2. FORUM DISCUSSION: Editing of reviewer comments

<https://publicationethics.org/editing-reviewer-comments-forum-discussion-topic-march-2020>

Peer reviewers are asked to contribute intellectual work to assess and improve scholarly publications. As with all work, the quality and characteristics of peer reviews vary. Editors responsibilities include support not only to the peer reviewers who typically volunteer the time and knowledge but also to the authors, who reasonably should expect non-conflicted, thoughtful, unbiased, thorough reviews of the work in question and to not be subjected to hostile or personal attacks.

Examples of possible problematic reviews or circumstances for which some editors might consider whether to edit or quash the review:

- "This author group clearly is lacking any fundamental knowledge of the topic."
- The reviewer recommends inclusion of their own work in the reference list without clear reasons.
- The editor encouraged the submission of the work and is eager to publish it, but one review is very negative.
- The review is replete with typographic errors.
- The review is a single line "This paper should be revised" or "This paper should be rejected".
- The reviewer accuses the authors of plagiarism or other misconduct within the body of the review.
- The reviewer's comments are very different from those of the other reviewers and it seems that the reviewer did not understand the paper.

Questions for the Forum:

- Is it ever acceptable for an editor to change the content of a peer review or to quash it altogether?
- If so, under what circumstances would this be acceptable?
- If not, why not?

3. NEW CASES

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 or adviser finds that the conclusions are not sound, retract the paper. The publisher would tell the institution the route they plan to take so they could.

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?

20-02 Institution wants to retract despite ongoing legal proceedings

The case has been with two publishers for more than a year. Journal A at publisher A published article A by author A, affiliated to institution A and institution B (in another country), and author B affiliated to institution B. Journal B at publisher B then published article B, by the same authors and affiliations. The two articles are on closely related research.

Shortly after publication of article A and before publication of article B, a senior colleague of author A at institution A contacted publisher A asking for article A to be retracted. The claimant said author A had left institution A after the submission to journal A but before publication. The claimant alleged that author A used other researchers' data without permission and used the affiliation without approval (breaching an agreement signed by author A), some data were unverified by institution A, and author B and institution B were not involved in the research. The other researchers alleged to have been involved were not acknowledged. These allegations were confirmed by the head of department at institution A. Author A disputed this, saying they did do the work and were still affiliated to institution A (as confirmed by a letter signed by an institutional representative and a court document), and they were no longer subject to the agreement they were said to have breached because it had been terminated. Author B has not commented on the allegations and institution B has been uninvolved in the investigation.

Publisher A asked institution A to formally investigate. Institution A's preliminary investigation confirmed grounds to suspect misconduct and they began a further investigation. At this point, institution A asked for the publication of an expressions of concern (EoC) to inform readers of the investigation, which both publishers agreed to. Author A asked for the EoCs to not be published due to ongoing legal action against institution A and the claimant and asked to be allowed to add comments to the EoCs if they were published, but each publisher posted the EoC without author A's comments.

Several months later, an institutional representative asked for retraction based on author A not providing data to the investigation and doubts that the named authors were the only ones who contributed to the research. Institution A said author A had taken further legal action against institution A, but nevertheless asked for the articles to be retracted due to misconduct by author A. Institution A stated that there will be no further investigation of, or action against, author B.

The publishers have not been given details of the investigation report or findings. Author A still denied misconduct and said they had not been given evidence of this, and confirmed their ongoing legal action against institution A.

Question(s) for the COPE Forum

- One option may be to update the EoCs to note the finding of institution A's investigation of misconduct and their request for retraction. Is this reasonable in the absence of detail on the institution's findings and in light of the ongoing legal action (which the institution admits is continuing)?
- Institution A is pressing for retractions and presumably legal proceedings could be dragged out by author A. Does institution A have the authority to force retractions while civil legal proceedings are underway?
- Can the publishers insist on seeing the findings of the institutional investigation?

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?

20-04 Is approval needed for a social media survey?

An author has contacted the journal enquiring about the need for institutional review board approval. 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.

Topic is of significant interest to the field and there is a high potential for publication once data are gathered and analysed. There is no patient information used or publicised.

Question(s) for the COPE Forum

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

20-05 Sharing by a reviewer on social media

A journal operated double blind peer-review, so the reviewers do not know the identity of the authors, and vice versa. However, the anonymity of the authors is not guaranteed, as the reviewers may discover the identity of the authors (because of the area of research, references, writing style, etc). But rarely can the authors identify the reviewers.

The journal received a request from a reviewer to share a post on twitter, which may disclose the reviewer's identity to the authors.

Question(s) for the COPE Forum

- Does the double-blind peer-review process apply after publication?
- What should be the position of a journal when reviewers ask to share their report or experience on social media?

20-06 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?

4. UPDATES

19-11 Withdrawal of paper at proof stage

An original paper was submitted to our journal. After peer review, the authors were requested to revise the paper, and the revision was submitted back to the journal. Our manuscript editor accepted the paper.

The paper was scheduled for publication 3 months later after copyediting was completed. We informed the corresponding author about acceptance of the paper and sent them the typeset article for proof reading.

The corresponding author contacted us stating that they wished to withdraw their submission, two weeks after we sent their paper for proof reading. As the chief editor, I immediately sent a message to the corresponding author and requested an explanation. The articles have been edited by one format editor, three peer reviewers, one manuscript editor, one copy editor, and finally typeset by our printer. We do not charge any article processing fees.

Question(s) for the COPE Forum

- Significant resources have been provided to modify and improve the paper. Should we accept the withdrawal?
- Is there anything else we should do if the authors do not respond to our request for an explanation?

Advice

The Forum noted that editors have no control over whether authors withdraw a paper even if significant work towards publication has already been done. The Forum questioned why the authors did not receive notification that their paper had been accepted before copyediting began. Were all the authors notified of this decision? Did they assign copyright, or did they agree to publication?

The Forum recommended that journal processes should be in place to preclude these situations. The editor should re-evaluate the journal's internal editorial processes. Is there a possibility that the authors discovered a critical error and decided they could not publish the paper? The editor could consider communicating with the authors to determine if something in their process caused them to withdraw their paper. The editor would not want to publish an article if the author wants to withdraw it.

The editor has no choice but to accept the author's decision. The Forum recommended that the journal should review their internal processes to make sure expectations are clear in their communications with authors and revise where needed. COPE's journal auditing tool (<https://publicationethics.org/news/new-cope-audit>) might be helpful to the editor in that process.

Follow-up

The journal contacted the corresponding author stating their disappointment with the author's decision. The journal decided not to pursue the matter further.

19-12 Appropriate scope of review for retractions

An institutional review recommended retraction of certain works by a highly prolific and influential author who has since died. The institutional review focused on a relatively small portion of this author's work. The institution recommended retraction based on deeming the articles unsafe and identifying several concerns, including that the articles' conclusions were implausible.

As a publisher, we are moving forward with reviewing potential retraction of the articles identified by the institutional report. We are questioning whether we should also review the other articles written by the author in the journals' backfile, based on the following:

1. The institutional report cited serious systemic concerns with the research and findings.
2. The author was highly influential.
3. Many of the articles were published in the 1970s/1980s or earlier.
4. Other areas of the author's work/findings seem contrary to current scientific standards (and potentially harmful).

Question(s) for the COPE Forum

- When responding to an institutional report recommending retraction of certain articles, should editors review the other works of an author as part of their response (and depending on the reasons the retraction was recommended and the potential relevance to the author's other articles, issuing an editor's note or expression of concern to reference the concerns identified in the report findings for the separate retractions).
- With respect to articles in the journal's historic backfile that reference findings that have since been overturned by later works and do not meet current scientific standards (and are potentially harmful or are supportive of a practice that has since been prohibited), is it appropriate for journal editors to initiate their own review of these articles? Should these articles be retracted, or would these cases be more appropriately handled with a "statement of concern" alerting readers to the concerns with the article's findings
- Is retraction an appropriate action so long (decades) after publication?

Advice

The Forum agreed this is a difficult case and one that increasingly arises in historic papers with questionable data practices. This is a reflection of a wider problem of how far back to go if there are problems with the data. Data maintenance practices in the past may not always have been very good. It is up to editors to have a look at the papers and see if there's anything very obviously wrong that could be investigated but if it is a general suspicion that the data might not be correct but there is no way to validate this, then an expression of concern might be appropriate.

There is a presumption that the institution must have had specific reasons why the 10 papers should be retracted and not the other ones. If the data are not available and it cannot be proved that there was any manipulation or whether the findings are correct for the other papers, then retraction would be inappropriate, and a statement of concern should be considered, given that the author cannot reply. If an author has committed misconduct, does that mean their whole body of work is invalid? The Forum suggested applying retraction to the 10 articles. For the other articles, a statement of concern for the other papers is appropriate if there is clear evidence of misconduct. Retraction for these articles is not

appropriate unless the institution provides sound evidence that the data sets were manipulated or fraudulent.

For the 10 publications that the institution has suggested retracting, are there any living co-authors that could provide more information? The editor might consider contacting any co-authors for more information.

Regarding the fact that the findings of the previous articles may be unsafe, from the institutional perspective, this may not mean a danger to public health. Sometimes institutions use the term unsafe with regard to relying on the data that back the study. Perhaps unsafe means that there is little to support the actual findings and they should be disregarded or looked at it from an historical perspective. The advice was for the editor to apply common sense. There are many practices and treatments (eg, cancer treatments) that have changed dramatically over time and would be considered completely unsafe today, but we would not consider retracting those papers.

Follow-up

Two journals had published 10 articles that were identified by the deceased author's institution as "unsafe" and recommended for retraction. The editors of these two journals reviewed the institution's findings and agreed with the recommendation to retract. A retraction notice was issued by each journal for the related articles. The editors of these two journals also issued an expression of concern linked to the other articles by the author that were not identified in the institutional report. The expression of concern alerts readers to the separate institutional report and findings, informing readers that the articles linked to the expression were not part of the institutional review.

Several other journals published articles by the author that were outside the area of research by the institutional review and therefore not listed in the institutional report. The editors of each of these journals were alerted separately to the institutional report so that they could review the articles published in their journals and determine if any action was appropriate. To date, none of the editors have published an expression of concern or taken any other action.

19-13 Reproducibility of methodology

A whistle blower contacted journal A regarding two published articles. The articles focus on the effect of energy healing on an in vitro model of disease. The whistle blower raised concerns about the appropriateness and reproducibility of the energy healing methodology used.

The authors were contacted to provide an explanation of the methodology as there was a lack of clarity in the articles. The corresponding author responded with a clear explanation of how they implemented the study but concerns about how this would be reproduced by others persisted.

Consequently, a post-publication peer review was conducted. Unfortunately, the post-publication peer review provided no comment on the energy healing methodology that was implemented. The reviewer focused only on the methodological elements that gave no cause for concern, and summarised that the methods are suitable and valid.

Given this review, the editor who handled the manuscript feels that no editorial action is required. However, concerns surrounding the energy healing methodology and its reproducibility remain. It has been suggested that the reviewer is contacted again for an assessment of the specific energy healing techniques used in these studies.

Question(s) for the COPE Forum

- If the reviewer or the handling editor determine that the methodology is sound but not reproducible, how should the journal proceed?

Advice

A suggestion from the Forum was perhaps to ask at least one other post-publication peer reviewer to specifically comment on this particular issue.

This is an ongoing problem in this field. Some techniques that people use for healing touch and many other types of hands-on healing are difficult to standardise. People who work in this field and use this technology most likely understand this and so the problem is probably more for people who are uninitiated. A suggestion was that there needs to be commentary in the article by the author about the difficulties of reproducing the techniques if that was not sufficiently addressed in the discussion.

A discussion of the limitations of the study could be addressed in the journal, through the usual post publication discussion process or letters to the editor.

Another view was that in a scientific publication, if the method is not reproducible, then it is not considered science. Reproducibility is the foundation to science and so if it is not reproducible, should it be published? However, the post publication review suggested the methodology is sound.

Follow-up

The journal sourced a second post-publication review, which addresses the concerns raised. The editor-in-chief is considering the report and all other evidence to decide what editorial action is required.

19-14 Removal of an author

A paper was submitted to a journal with authors A, B, C, D and E. The paper was peer reviewed. Before acceptance, the corresponding author asked for a new author, author F, to be added, and an existing author, author C, to be removed.

The editorial office asked all of the authors (authors A, B, C, D, E and F) to complete a change of authorship request form and for the corresponding authors to justify the reason for change of authorship.

All of the authors complied with the requirement except author C (the author to be removed). The corresponding author explained that author C did not participate in the paper (ie, they should not have been left on the paper in the first place). The explanations on who did what in the paper confirm this statement, but author C is not contactable to confirm or negate the statement as they are on long term sick leave (author C is not responding to the HR department of their institution).

If author C did not contribute to the paper, their name should not have been left on the submission. However, as the article was submitted with their name on it, it seems wrong to remove their name during the peer review process.

Question(s) for the COPE Forum

- What course of action would the Forum advise?
- If author C is removed without their permission, could they ask for the article to be retracted?
- If author C remains on the article but they have been ill and not signed off on the final accepted version, could they ask for retraction of the article because they did not agree to the final article being published with their name on it?

Advice

A suggestion was to move the missing author to the acknowledgements section with an explanation of what has happened. A note could also be added that the journal was unable to contact this author.

There may be reasons why the university is not forthcoming or helpful, but the editor might try and contact someone else at the university who may be willing to provide a little more information that might be helpful in terms of the decision making for the journal.

Did the author see the final version of the paper that was submitted? It would seem so, as the submission had the author's name included. Perhaps getting a timeline from the corresponding author would be helpful, detailing when author C became ill and stopped working on the paper and if the author saw and approved the final version. If the author did not approve the final version, they should not remain on the author list and should be added as an acknowledgement—author C worked on this paper and is thanked for their contribution.

Could efforts to contact author C be directed via the publishers to take independent steps that to try and contact author C (eg, via social media). The editor may wish to consider verifying the corresponding author's version of events in case there are other reasons why the corresponding author may not be contacting author C. The editor may wish to contact the research department or institution and ask if they can confirm the details of what has happened.

Follow-up

The journal was eventually able to reach out (directly) to the author whose name had been removed from the list of authors. The institution responded to the issue, understanding that the journal was trying to follow its guidelines on publication ethics. Direct contact with the author resolved any ambiguity over why their name had been removed from the original article, confirming the message received from the other parties. The editor considers the case closed.