| C | O | P | E | COMMITTEE ON PUBLICATION ETHICS

COPE Seminar, 4 April 2008
Main Hall, Woburn House, Tavistock Sq, London 9.30 am–4.30 pm

Programme
9.30   Registration
10.00   Welcome
        How have you changed your practice in the past year after attending last year's
        seminar?– Harvey Marcovitch (*COPE chair*)
        Introduction to COPE's new website – Jeremy Theobald (*COPE treasurer*)

Session 1
10.15   How does patient privacy legislation affect editor's ability to publish?— chaired
        by Virginia Barbour (*PLoS Medicine*)
10.20   A Pandora's box of tissues – Peter A Hall (*The Journal of Pathology*)
10.50   The promise and perils of patient privacy – Faith McLellan *(The Lancet)*
11.20   Workshop presentation and discussion: Case 1— Virginia Barbour

11.30   Tea Break

Session 2
11.50   What is publication? — chaired by Pritpal S Tamber (*Medicine Reports Ltd*)
11.55   Pre-publication or duplicate publication? How to decide – Linda J Miller *(Nature)*
12:25   What really happens to a publication after it appears in print – Liz Shanahan *(FD
        Santé Communications)*
12:55   Workshop presentation and discussion: Case 2— Pritpal S Tamber

1:05   Lunch

Session 3
2.00   COPE best practice guidelines and audit — chaired by Elizabeth Wager (*Sideview*)
2:05   The COPE publication ethics audit: learning from the pilot (presentations from journals
        that have been piloting the audit)
2.45   Screening for plagiarism: the CrossCheck initiative — Geoffrey Bilder *(CrossRef/
        CrossCheck)*
3.15   Workshop presentation and discussion: Cases 3 and 4 (pro's and con's of anti-
        plagiarism software) — Elizabeth Wager

3.30   Tea Break

3.50   Workshop feedback: cases 1–4, chaired by Trish Groves (*BMJ*)

4.20   Summary and close

4.25   COPE AGM
Please note that the proceedings of the seminar may be recorded and in some cases reported verbatim in COPE's annual report. By attending the seminar you are agreeing that any feedback you give may be recorded and may appear in print.

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Workshop with discussion of hypothetical cases

CASE 1: Consent to publication for case details

You are the editor of a journal which has received a paper which reports on the outcomes of treatment of an individual with an unusual psychological disorder, which had not responded to standard treatment. Following ethical review and approval, and consent from the patient and his family, the individual was treated with several courses of an experimental therapy. The individual's clinical and family history, and their response to the experimental therapy, were detailed in the paper. Before proceeding to review, you ask the authors to obtain signed consent for publication, on one of the journal's forms, from the patient or carer and to send the form to the journal.

The authors respond that they feel they have removed all identifiers from the paper. You disagree – substantial identifying details remain. The authors go onto to say that they feel that revealing the patient's identity to the editorial office would violate the patient's right to anonymity and moreover would be illegal under HIPAA legislation.

You think that the case is worth reviewing and possibly publishing but feel it is essential to have the patient or the carer specifically consent to publication.

What options would you now consider?

CASE 2: Innovations that question the traditionally peer-reviewed journal article as the scientific record

You edit a respected "middle-ranking" biology journal and receive a research submission, the findings of which seem familiar to you. As part of your pre-external peer-review processing you search PubMed to see if the article—or a significant chunk of its data—has been published elsewhere. You find nothing. By making a submission, the authors have implicitly acknowledged that the work is new and not published elsewhere so you take this at face value and send it for review by two trusted peers.

One of the reviewers offers some mild constructive criticism and feels the article is sufficiently novel and an advance in the field to warrant publication. The other reviewer offers little criticism of the article itself, but mentions that much of it, including the raw and synthesised data, has been published either on the FDA website

or the funders' website (the former even has a DOI). The work also got publicity within the scientific media during an annual conference last year.

You realise this explains your familiarity, and reminds you that you have seen the findings blogged about, the data from the FDA site commented on within a trusted peer's Connotea network, and also "added" to a science social network of which you are a (reluctant and often absent) member.

Do you still consider the work novel enough for publication? What would you do next?

CASE 3: Anti-plagiarism software (1): how much overlap is too much?

A reader notified me as editor of a small medical journal that a review I published by a renowned author who is head of his institution was substantially similar to several other reviews by the same author published over the past 3 years in other journals. Guided by the COPE flowchart on suspected redundant (duplicate) publication in a published article, I questioned the author about the degree of overlap. His reply was that:

"This isn't a problem because I have referenced my other reviews. The field hasn't changed a great deal over the past few years so there's bound to be some similarity. I wrote this review for you in good faith after you approached me and now you have the temerity to accuse me of self-plagiarism. I won't write for your journal again and will advise our librarian to have it dropped from our collection forthwith."

On checking the article with anti-plagiarism software, the degree of similarity to the other reviews (excluding the references) is 57%.

- Is this acceptable?
- Are there any guidelines as to what similarity is acceptable in a review article, or for that matter, in original research articles?
- When does copyright become an issue?
- I am scared of taking this any further because of the power of this author and the reputation of my journal.

CASE 4: Anti-plagiarism software (2): dangers of scanning unpublished papers

I am the editor of a peer-reviewed immunology journal published by a large, multinational publishing company. The publisher has implemented a plagiarism-checking software system across all its biomedical journals that is integrated into the online manuscript submission system*. Although the system is restricted to the publisher's journals, the list includes several in the same specialty as mine, including one that is in the top 10 immunology journals by impact factor. I have a committee of six Associate Editors who scan submissions and decide whether or not to send them out for peer review or reject them immediately.

At an editorial committee meeting, one of my Associate Editors presents an analysis of articles submitted to the high-impact journal, which he has worked out by typing key phrases into the plagiarism detection system. He suggests we fast track a controversial paper so we can 'scoop' the other journal. Another Associate Editor is angry because details of his wife's paper are included in the analysis.

What should I do?

* NB Plans for CrossCheck do <u>not</u> include the ability to check submitted but unpublished articles --- but this would be technologically possible so please imagine this scenario for the purposes of the case study discussion!