Editors are responsible for what they publish and should therefore seek to protect readers from unreliable or misleading information. This means that they will sometimes have to deal with suspected fraud or misconduct. Various definitions of fraud are used by different organizations and, even if definitions were agreed, it is hard to estimate the frequency of the problem. Rather than entering this debate, this chapter aims to provide practical advice to editors for dealing with suspected or proven misconduct by authors and peer reviewers.

Types of fraud and misconduct
Editors most commonly have to consider misconduct by authors and peer reviewers, although it should not be forgotten that editors themselves may commit offences and abuse their position. According to an international survey by a major publisher in 2009, the ethical problems that most concern editors of science journals are: redundant publication, plagiarism, duplicate submission, undisclosed conflicts of interest, authorship problems, falsified or fabricated data and unethical research. Misconduct by peer reviewers relates to breaches of confidentiality and misappropriation of data or ideas from submissions during the review process.

General principles
The first step in cases of suspected misconduct is usually to ask the authors for an explanation. It is surprising how often what appears to be an ‘open and shut’ case of misconduct turns out either to be more complex than it originally appeared, or, however unlikely it may seem at first, to have an innocent explanation. Ideally, all authors should be contacted (not just the corresponding author) so that everybody’s story can be heard. To enable this, it is helpful to obtain email addresses for all authors during the original submission.

Some journals routinely contact all listed authors (for example, when acknowledging submission) and those that do report that this regularly reveals guest or gift authors who were unaware that their names had been listed. Therefore this simple step may help prevent one type of misconduct.

In the first instance, when contacting an author, the editor should simply set out the evidence or concerns in a neutral manner and should not make accusations of misconduct. (For example, the editor should draw the authors’ attention to closely matching text in two documents rather than accuse them of plagiarism).

If the author(s) do not respond, or the explanation is unsatisfactory, the next step is usually to contact the responsible institution. Editors should remember that their primary role is to safeguard the literature, not to investigate suspected research misconduct or to discipline researchers. Proper investigation of suspected misconduct is usually time-consuming and complex. Journals have neither the legal standing nor the resources to attempt this. Therefore, in most cases and types of suspected misconduct, the editor’s first role is to alert an appropriate authority – such as the author’s institution or employer, or a national research integrity body – to seek an investigation. While the journal should supply what evidence it has, and should cooperate with any formal investigation, it should not attempt to investigate the case itself.

Ideally, cases of suspected misconduct will be thoroughly investigated by the relevant institution (applying due process to ensure that all parties receive fair treatment). In such cases, the journal’s role is simply to respond appropriately to the outcome. However, all too often, editors have to decide what to do when they get no response from an author’s institution, or the institution refuses to investigate, or the investigation does not seem to be thorough or fair. If the editor cannot obtain a proper investigation (and this often requires some persistence) they must decide how to respond. In some cases, the evidence may be clear, for example if text-matching software reveals extensive plagiarism or redundant publication, or when screening reveals unacceptable manipulation of digital images.

If misconduct is discovered in a submitted (but not yet published) article, it is relatively straightforward to reject it. However, unless the author’s institution has been informed, the author may simply submit the article to another journal that checks submissions less carefully, or perhaps after removing evidence of the misconduct. The COPE Code of Conduct therefore recommends that “Editors should not simply reject papers that raise concerns about possible misconduct. They are ethically obliged to pursue alleged cases.”

If an editor believes that an author acted in ignorance rather than malice, or for a relatively minor offence (however that may be defined), they may choose to write a formal letter expressing their disappointment and explaining their concern. This might be copied to a Head of Department or Dean without necessarily requesting a formal investigation or any disciplinary action.

If misconduct is discovered in a published work, the editor needs to decide whether a retraction is required. As the COPE guidelines on retraction note, “The main purpose of retractions is to correct the literature and ensure its integrity rather than to punish authors who misbehave.”

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5.1: Dealing with fraud
COPE recommends that editors should consider retracting a publication if they have clear evidence that published findings are unreliable and in cases of redundant publication, plagiarism or unethical research. An expression of concern should be used to alert readers in cases where there is inconclusive evidence (but a strong suspicion) of misconduct, when the authors' institution will not investigate a case, when an investigation is not considered to have been carried out properly, or when an investigation will not conclude for some time. Corrections should be used if only a small part of an otherwise reliable publication is found to be misleading (especially if this is due to honest error rather than deliberate misconduct) or if the author list needs to be changed.

Since the purpose of retractions is to alert readers to unreliable or fraudulent publications, it is important that they are clearly identified and linked to the retracted article. Publishers should have policies on retractions and systems for ensuring they are properly handled. Online publication facilitates the linkage of retraction notices to retracted articles, and the labelling of retracted articles, which were not possible in the days of print. However, online publication also means that several versions of an article may be available, for example in institutional repositories or preprint servers. A recent development called CrossMark, which has been adopted by several major publishers, identifies the publisher-curated version of a publication and allows readers to check whether it has been corrected or retracted.1

If a publication is retracted, it should not normally be removed from the website, as this might cause confusion to readers and leaves no record of the problem. Even if an article has only appeared online and not in the printed version of a journal, it should not simply disappear if it is retracted but a proper notice of retraction should be issued and the online version of the article should be clearly labelled (for example, by a watermark on the PDF). The only occasions on which articles should be removed from a journal's website completely are if they are libellous or when removal is required for other legal concerns such as breach of copyright. Even in such cases, the title should remain in the table of contents and bibliographic databases but should be clearly identified as relating to a retracted article.

Useful guidelines

The Committee on Publication Ethics (COPE) website contains many useful resources to help editors deal with misconduct. Most are freely available even to non-members. The website includes flowcharts which give step-by-step advice to editors about what to do if they suspect plagiarism, data fabrication, redundant publication, authorship problems, undisclosed conflicts of interest or reviewer misconduct either before or after publication.2 Some publishers also provide guidance to editors, for example Elsevier3 and Wiley-Blackwell4 both offer detailed guides that include the COPE flowcharts.

COPE has produced guidelines on retractions, which also cover Expressions of Concern and explain when these should be used. COPE members can also receive advice on anonymized individual cases via the COPE Forum.

The Council of Science Editors’ White Paper on Promoting Integrity in Scientific Journal Publications5 (updated in 2012) is an excellent comprehensive guide. This includes template letters for a range of situations that may be adapted by editors. (COPE also provides sample letters but these are available only to COPE members.)

While the COPE and CSE guidelines apply across all scientific disciplines, biomedical editors may also find useful chapters in the book ‘Fraud & Misconduct in Biomedical Research’ edited by Wells and Farthing.6 There is also a helpful chapter on dealing with misconduct in Irene Hames’ book on peer review.7 The World Association of Medical Editors website has a useful section on ‘Publication Ethics Policies for Medical Journals’.8

Working with whistleblowers

Occasionally, allegations of misconduct reach an editor via a whistleblower (usually somebody connected with the research who reports their concerns). In many cases, the whistleblower will request that the whistleblower’s request for anonymity. Editors may feel uncomfortable about anonymous allegations, but COPE has advised (in various cases discussed by the COPE Forum) that all well-founded allegations should be investigated, a point of whether the informant is prepared to disclose their identity. Vague or partial allegations may be rejected, but allegations of specific misconduct should be followed up. More guidance can be found in the chapters by Kleinert and Gunsalus & Rennie in Wells & Farthing.9

Avoiding problems

Although, sadly, providing comprehensive guidelines to authors cannot prevent the occurrence of research and publication misconduct, it may reduce its frequency and, at the very least, make it easier for journals to handle it. For example, if journals provide clear guidance about plagiarism and repetitive publication, and get authors to attest (in the cover letter or as part of the submission system) that the submitted work is original, it will be harder for authors to claim ignorance when confronted with apparent breaches of such policies. Similarly, it may be helpful to publish information about how the journal handles cases of suspected misconduct including its policy on retraction. (For an example, see the BMJ’s instructions to authors.)10

Editors should consider the legal implications of their actions and should inform their publisher about cases of suspected fraud. Even an apparently straightforward authorship dispute, wrongly handled, could involve costly law suits (e.g. Romero vs Buhimschi).11 Retraction statements should always indicate the reason for retraction, to distinguish fraud from honest error, but care should be taken to ensure that the wording is not libellous. When in doubt, consult your publisher’s legal department.

Key points

Journals should have policies for dealing with suspected fraud and for correcting the literature. Several guidelines and resources are available that should inform such policies. Editors should not simply reject papers if they suspect misconduct but should pursue such cases. However, editors need to remember that it is not their role to investigate misconduct or discipline researchers – this should be left to the relevant professional body. If misconduct is confirmed, the editor’s job is more difficult, therefore having clear policies on retraction may be helpful.

Note about the author

Elizabeth Wager is a former Chair of COPE, the Committee on Publication Ethics.

References