

Editorial Policy Committee Ethics Clinic (Part 1)

Moderator:

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Dallas, Texas

Panelist:

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Reporter:

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This session was organized by the Council of Science Editors Editorial Policy Committee and was based on a survey e-mailed to CSE members earlier in the year. The survey presented a series of hypothetical scenarios involving ethical dilemmas, and respondents were asked which option (typically of four) they would most likely choose. Debra Parrish presented the results via speakerphone, her plane having inconsiderately failed to arrive, and added comments from her perspective as a lawyer. The most interesting or controversial findings are reported here.

In response to the situation in which “an institution investigating an allegation of misconduct asks you for records of the peer reviewers and peer reviews of a manuscript”, 40% of respondents said that they would “ask the reviewers for permission to reveal their names and reviews and abide by the limitations they request on disclosure,” 22% would give the inquirer the

reviews but not the names of the reviewers, and only 15% would deny the request because the documents are confidential. Parrish wondered whether, having opted for the “request permission, then reveal” option, a journal’s ability to attest to the confidentiality of reviews in the future might be compromised. She suggested asking the authors to provide the reviews they received or requesting that reviewers provide reviews after signing a confidentiality waiver. Some 22% of respondents claimed that they would consult a lawyer; Parrish tended to agree.

There was some lively discussion in reaction to the situation in which “you get a manuscript that has plagiarized material in it, and the author is alleged to have plagiarized material before when he was at another institution.” Of the respondents, 49% would reject the manuscript and ask the institution to start a misconduct investigation. Only 4% would inform the funding agency and let the agency advise the relevant institutions about a misconduct allegation. Parrish suggested that the latter course of action would have provided a “buffer” between the institution and the journal, and she added that some institutions are not inclined to take up such investigations.

An audience member noted that the situation might be less black and white if the author’s first language was not English. If that were the case and if the plagiarism took place in the methods section rather than in the results, he suggested, the journal might be better off if it advised the

author to rewrite the section before taking drastic action. Another audience member remarked that in the field of physics, there is an international guideline on what is acceptable with respect to use of previously published material. In some instances, researchers are not aware that what they are doing is wrong; it is best to look at the author’s motivation (theft of words versus theft of ideas) before involving the institution. Parrish agreed that guidelines are a great help and that it should be incumbent on professional societies to state what is and what is not acceptable.

Finally, an intriguing hypothetical situation was this: “An institutional official writes to you indicating that a published paper should be withdrawn, but none of the coauthors indicates it should be withdrawn. The institution’s investigation is ongoing.” Some 38% of respondents said that they would not take action until the institution had evidence or the authors admitted misconduct. Parrish agreed with that approach. Another 33% of respondents would have asked the authors whether the paper should be withdrawn and would not have withdrawn the paper unless misconduct were found to have taken place. And 17% of respondents would have published an expression of concern, disclosing that the situation was being investigated. Some in the audience felt that expressions of concern should not be used in this instance, because it would be awkward to have to “lift” them if the investigation failed to find evidence of wrongdoing. 