

PRESERVATION OF THE OBJECTIVE RECORD OF SCIENCE An STM Guideline

First issued April 2016, last updated 5 September 2017

It is a general principle of scholarly communication that the Editor of a learned journal should be guided in editorial decisions by the scientific merit of a submitted paper and the fit of the submission with the aims and scope of the journal and related editorial principles. While journals are part of the mission or business of the publisher, the independence, integrity and objectivity of editorial decisions must be maintained at the highest possible level.

A corollary to this principle of independent editorial judgment is the importance of the scholarly archive as a permanent, historic record of the “minutes” of scholarship. Articles that have been published as the version-of-record should remain extant, exact and unaltered to the maximum extent possible.

On occasion circumstances may arise where an article is published that must later be corrected retracted or even removed. By this is meant the publication or posting of a notice of an “erratum”, an expression of concern or of a retraction, which identifies the relevant errors or ethical concerns (bearing in mind that “erratum” is often used interchangeably with “corrigendum” and also with other forms of correction) or even a removal by the actual deletion of an article (possible for the electronic format, but difficult for the print format). There are in addition other actions that commonly take place such as the publication of letters exchanged with the journal editor.

STM believes that such actions must not be undertaken lightly and should only occur under exceptional circumstances, such as:

- Infringements of professional ethical codes, such as multiple submission, duplicate or redundant publications of versions-of-record, bogus claims of authorship, plagiarism, fraudulent use of data and the like;
- Legal infringements, defamation or other legal limitations; and
- False or inaccurate data, especially those that if acted upon could pose a serious health risk.

Authorship (by which we mean who should or should not be credited as an author of the publication) cannot be determined by the Editor and/or the publisher and authorship disputes should be resolved at institutional level or through other appropriate independent bodies.

STM’s Guidelines and recommendations do not and should not, however, substitute for legal advice.

In order to assure the maintenance of the historical record of scholarly publishing, STM supports the principle of favouring 'correction' ("erratum" or "corrigendum"), 'expression of concern' or 'retraction' over 'removal' in virtually all cases. To further this principle, STM encourages STM member publishers and other scholarly publishers to not require another publisher to permanently remove infringing or offending articles, with only very rare exceptions, such as where it is legally required.

The Editor and/or publisher may also consider publishing an expression of concern to alert readers to errors or ethical concerns which are either inconclusive, unreliable, currently being investigated or that an investigation into the alleged misconduct might not be fair and impartial or conclusive.

Cases of honest or unintentional error may often warrant a correction. There may be other cases where retraction is justified, but the article, after the necessary corrections have been made, can be republished (referred to as "replacement"). "Replacement" may be suitable where there has been an honest or unintentional error which has resulted in a change in the direction or significance of the results, interpretations and conclusions of the article, and where the underlying science is nevertheless valid and the corrected paper passes peer review and editorial scrutiny. In such cases, the extent of the changes should be shown in supplementary material or in an appendix to ensure transparency.

As an example, the publisher with the earliest publication rights from an author to a particular paper (determined as discussed below) should not require the removal of the same paper that is subsequently published in another publisher's journal, but should instead accept the publication of an erratum or retraction in the second journal noting the double publication and referring the reader to the first article and journal. Technically, the publisher in such a case could demand as a matter of copyright law the removal of the infringing article (as the first journal has superior rights), but we believe should forego this remedy.

The determination of the earliest publication right should be based on the first or earliest effective date of transfer or license of rights from author to publisher. In a situation where two publishers have dated publishing agreements, the agreement with the earliest execution date will be the earliest publication right. STM notes that publisher practices with respect to the timing and execution of transfer or license agreements vary considerably. Publishers should be reasonable, and not overly demanding, in their interpretation of dates, procedures, and effectiveness of transfers.

If the duplicate submission is deemed to be based on the original publication by the same author group and the authors have developed it further, but have not disclosed the prior publication to the Editor and/or have not referenced the original publication, the Editor may consider issuing either a correction or a retraction depending on the severity of the overlap.

STM adopts the following principles for correcting the scientific record:

1. A practice of correction or retraction, with erratum/corrigendum or retraction notice included in an upcoming print journal issue and/or linked to the electronic version of the infringing or offending article, will be utilised for the following circumstances:
 - a. Errors in data or research results, unintentional or fraudulent;
 - b. Plagiarism, meaning the unauthorised reproduction, in whole or substantial part, of the work (research or writing) of others (which might be identified as copyright infringement);
 - c. Lack of compliance with professional or agency codes such as those dealing with conflicts of interest or ethics in testing and experiments;
 - d. Duplicate or redundant publication, in which event the journal with the earliest publication rights will be deemed the publication of record;
 - e. Correction of authorship claims (a retraction is not usually appropriate if a change of authorship is required but there is no reason to doubt the validity of the findings);
 - f. Lack of proper attribution or crediting of the works of others where the absence of same has substantive significance in the relevant discipline;
 - g. Correction of bibliographic data to ensure the article can be cited without ambiguity.

2. The practice of issuing an expression of concern, included in an upcoming print journal issue and/or linked to the electronic version of the article in question, should be considered if the Editor and/or journal:
 - a. Receive inconclusive evidence of research or publication misconduct by the authors;
 - b. Receive evidence that the findings are unreliable but the authors' institution will not investigate the case;
 - c. Believe that an investigation into alleged misconduct related to the publication either has not been, or would not be, fair and impartial or conclusive;
 - d. Are aware that an investigation is underway but a judgement will not be available for a considerable time.

3. The practice of removal, deletion or obscuring of an article or portion thereof should be limited to circumstances such as:
 - a. An inappropriate violation of the privacy of a research subject;
 - b. Errors to which a member of the general public might be exposed that, if followed or adopted, would pose a significant risk to health;
 - c. Clearly defamatory comment made about others or about their work.

Even in these circumstances, bibliographic information about the "removed" article should be retained for the scientific record, and an explanation given, however brief, about the circumstances of its removal.

Editors and/or publishers will consult with the authors or protagonists involved (the offending and the offended) and will reasonably take into account the views of such individuals and teams, while exercising their independent judgment as to the merits of the views so expressed.

STM accepts that no examples or list can be prescriptive or deal with all circumstances that may arise, but we believe that the examples noted can serve as reasonable guides or a basis for interpretation. As noted, in many cases the issues in contention may require legal analysis, and these Guidelines are not a substitute for legal advice.

Version 2, September 2017

Version 1. April 2006.

For further reference:

Committee on Publication Ethics (COPE) *Retraction Guidelines* (2009) at https://publicationethics.org/files/retraction%20guidelines_0.pdf.

International Committee of Medical Journal Editors (ICMJE) *Recommendations on Publishing & Editorial Issues such as Corrections, Retractions, Republications and Version Control, and Scientific Misconduct, Expressions of Concern and Retraction* (accessed August 2017) at <http://www.icmje.org/recommendations/browse/publishing-and-editorial-issues/>.

U.S. National Library of Medicine *Fact Sheet about Errata, Retractions, Corrected and Republished Articles, Duplicate Publications, Comments, Updates, Patient Summaries, and Republished (Reprinted) Articles Policy for MEDLINE* (last updated 29 March 2017) at <https://www.nlm.nih.gov/pubs/factsheets/errata.html>.

IFLA/IPA *Joint Statement on the Removal of Articles from Databases* (2006) at <http://www.internationalpublishers.org/images/joint-statements/2006/pr-26-04-06.pdf>.