

# COMMENTS

## Notes on Confidentiality of the Review Process

There has been considerable discussion recently regarding confidentiality of the review process. While many have regarded a manuscript under review as, in some sense, "confidential," this concept has not been clearly defined to either reviewers or authors. Certainly most journals have not required reviewers to sign a confidentiality agreement prior to being sent a manuscript for review. For reviewers to seek assistance from a colleague in carrying out a review is probably commonplace; sharing an interesting manuscript with someone in the laboratory is probably not unusual. Many reviewers in academic settings lack the physical facilities to effectively assure confidentiality of any document. The open nature of academic institutions with students, fellows, and colleagues circulating freely through unlocked laboratories and shared offices is not, and should not be made, conducive to the maintenance of confidentiality, which indeed is anathema to the spirit of openness of research espoused by most academic institutions.

The imposition of a legal obligation of confidentiality upon reviewers could be a significant and unfair burden to persons who provide their services without

monetary compensation or meaningful recognition. Altruism would undoubtedly be chilled by the potential for a lawsuit. Concerns would be even greater in the for-profit sector. Even if journals were to request confidentiality from their reviewers, they certainly have no effective means to assure compliance by volunteer reviewers over whose actions and facilities the journal has no meaningful control or knowledge.

It is appropriate to recognize the realities of behavior, the inability of journals to guarantee the actions of reviewers, as well as the concept of openness of research emphasized by the very act of submission of a manuscript. Certainly I am not advocating stealing as appropriate behavior, but conversion of an ethical responsibility into a legal requirement is neither practical nor desirable.

The Instructions to Authors published in *PSEBM* is therefore being modified to inform authors that the journal cannot assure the confidentiality of the review process.

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