

6 South Gray St
Edinburgh EH9 1TE

October 3rd 2011

Dear Dr Eidelman

I have now had a chance to make some enquiries and so respond to your letter of July 21st complaining about the on line abstract "Childbirth at checkpoints in the occupied Palestinian territory".

As I understand it, in March 2011, *The Lancet* took part in the second writers' workshop on health in the occupied Palestinian territory, with the aim of linking medical scientists in Palestine with those in other countries and so facilitating research collaborations. Scientific papers were presented to the conference in the normal way, and also in the normal way abstracts were available. What is unusual is that the abstracts (I am not sure if all or some of them) were published online by *The Lancet* which does not as far as I know publish abstracts from other meetings. I imagine this policy is designed to encourage the linkages and collaborations. I do not know what proportion of these abstracts are followed by a full published paper but, as I am sure you know, a significant proportion of abstracts at scientific conferences are never published as a full paper.

Personally I have never rated abstracts very highly, and I doubt if I have ever cited one. I far prefer to await the full paper where there is the detail so that I can judge for myself whether the methods are appropriate, and the results likely to be correct. In this case I agree that "the abstract gave no serious details of the methodology", but that applies to many abstracts which is why I tend to ignore them. I agree completely that "epidemiologic and public health studies require a clear definition as to the source of the raw data" and "there needs to be appropriate population statistics so that proper calculations of the magnitude - if any - of the problem can be made". Also I agree that "clear analysis needs to ensure that inappropriate and confounding biases and variables are minimized". The trouble is that one just can't tell from this abstract to what extent these rules were followed, for lack of detail in the methods section. I hope that during the conference the methods were made more explicit. My guess, and it is only a guess, is that the epidemiological rules were not well followed because the sole author is not a scientist but a lawyer (she received an LLM qualification in 2008 and is currently a legal intern at Human Rights Watch and a junior associate and trainee at Kamal & associates - attorneys and counselors-at-law <http://www.linkedin.com/pub/halla-shoaibi/14/35a/404>). I also take your point,

without having the means to check it, that “the proper perspective about the number of births at check points is that it yields on average 8.6 / year, which represents 0.016% of the births”. I am sure that if *The Lancet* were to receive the full paper for publication it would be properly reviewed and scrutinised with all your points in mind, and if found wanting it would surely be rejected.

I am not sure if Richard Horton is explicitly supporting the notion of crimes against humanity when he writes in his Commentary “A legal analysis of the evidence of denial of free movement for Palestinian women in labour and the consequences for their children supports the conclusion that Israel’s policy “is consistent with the criteria for crimes against humanity”. He may be only *reporting* the legal analysis rather than agreeing with it (I am not sure what analysis he is referring to, perhaps the author’s who after all does have a law degree).

Having said all that, I think that your concerns are not very directly linked to my role as Ombudsman because I have no say in editorial decisions – *The Lancet* can publish what it wants, in the same way as any other scientific journal, or indeed any newspaper. If it published low grade science, then this will be ignored and eventually show up as a declining impact factor which is absolutely not what *The Lancet* wants to happen. I should add here that I am not expert enough in the nooks and crannies of the impact factor calculation to know whether these Palestinian abstracts would get counted in the denominator. My role as Ombudsman is to do with failure of governance and process which is not an issue here I think.

You write that “As ombudsman you must surely believe that it is totally inappropriate for a medical journal such as the Lancet to serve as a platform for such highly charged political conclusions”. While I share your concerns about the validity of the data and so the jump to the International Courts in the ‘interpretation’ of those data (in fact more the implications I think), you must agree that much of epidemiological – and more so public health – research is inevitably ‘political’ in the sense that it impacts so directly on public policy (on smoking, obesity, exercise, the food industry, the arms industry etc etc).

I agree the Israeli/Palestinian issue is highly controversial and a huge burden to the people in both countries, but the correct way to make your concerns known must surely be to write a letter to the editor in the hope that he will publish it, outlining your points about the lack of methodological detail, the likely invalidity of the results, and indeed your comments about the International Courts.

Yours sincerely

Professor Charles Warlow
Ombudsman to The Lancet