

## Ethics and Malpractice Statement

The *Monash University Law Review* requires authors, reviewers and editors to maintain high standards of ethical practice. By submitting an article to the *Monash University Law Review*, all authors agree to comply with the following Ethics and Malpractice Statement. These requirements and procedures are based on domestic and international standards, including those advocated by the Committee on Publishing Ethics ('COPE').

### 1. Ethical Expectations

#### Responsibilities of Authors

- **Originality and plagiarism:** Authors must submit original work. Authors must not plagiarise the work of others.
- **Exclusivity:** Authors must confirm that their work has been submitted exclusively and is not under concurrent consideration by another journal. Authors must confirm that their work has not been previously published elsewhere, either in whole or in part.
- **Acknowledgment:** Authors must appropriately acknowledge and cite any content that draws upon other sources or material.
- **Conflicts of interest:** Authors must declare any real or perceived conflict of interest that may influence their duties during the publication process or the interpretation of their work. Authors must acknowledge individuals or organisations that have provided financial support for their research.
- **Data access and retention:** Authors must maintain records of any unpublished data associated with their work. Upon reasonable request, authors must provide access to the data for editorial review.
- **Error:** Authors must promptly notify the editors of any significant errors in their publication. Authors must cooperate with editors to publish a notice or addendum or retract their paper where necessary.
- **Consent and privacy:** Authors must obtain express permission from research subjects and respect their privacy.

### Responsibilities of Reviewers

- **Confidentiality:** Reviewers must keep all information regarding submissions confidential. Reviewers must not use or copy material from submissions.
- **Objectivity:** Reviewers must review submissions objectively and according to academic merit.
- **Justification:** Reviewers must clearly justify their views with supporting arguments. Reviewers may make suggestions for improvement.
- **Promptness:** Reviewers must provide timely reviews of submissions.
- **Disclosure:** Reviewers must notify the editors if they are aware that the submission is under concurrent consideration or has been previously published elsewhere. Reviewers must notify the editors if the submission is not the original work of the author.
- **Conflicts of interest:** Reviewers must not review submissions in which they have conflicts of interest (financial, competitive, collaborative, personal, institutional, or otherwise). Reviewers must notify the editors of any real or perceived conflict of interest that may influence their duties during the publication process.

### Responsibilities of Editors

- **Objectivity:** Editors must manage the submission process in an objective manner, without discriminating on the basis of age, gender, sexual orientation, race, ethnic or geographical origin, religious or political beliefs, or disability. Editors must assess submissions and make decisions solely on academic merit.
- **Integrity:** Editors must maintain the integrity of the peer review process. Editors must not reveal the identity of authors to reviewers, or the identity of reviewers to authors.
- **Confidentiality:** Editors must not disclose information about submissions to anyone other than the author, reviewers, faculty advisors and publishers during the publication process. Editors must not use or copy material from submissions.
- **Investigations:** Editors shall properly and fairly investigate complaints and suspected breaches of ethical standards.
- **Transparency:** Editors must follow transparent and reasonable procedures in dealing with complaints regarding ethics or conflicts of interest. Editors must provide authors with a reasonable opportunity to respond to complaints.

### **2. Procedures for Dealing with Malpractice**

Malpractice or unethical behaviour may be brought to the attention of the editors at any time, by any party. This includes, but is not limited to, breaches of the ethical expectations and responsibilities outlined above.

#### **Investigations**

Where a suspicion or allegation of malpractice arises, the editors will take the following steps:

1. The editors will gather evidence about the allegations, including seeking the views and explanations of the complainant. During this process, editors will maintain confidentiality by avoiding spreading allegations beyond the editors, faculty advisors, and complainant.
2. The editors will notify the author of the issue and allow authors to provide an explanation and any evidence supporting that explanation.
3. The editors will determine whether a breach has occurred in consultation with the faculty advisors.

#### **Outcomes**

Once a breach has been established, the editors may discretionarily apply any of the following outcomes in consultation with Faculty Advisors:

- A letter to the author or reviewer detailing the misconduct and warning against future malpractice;
- A formal letter to the head of the author or reviewer's department;
- Rejection of the submission;
- Formal retraction or withdrawal of a publication from the journal;
- A prohibition on contributions from an individual for a defined period;
- Reporting the case to a professional organisation or higher authority.

Instances of misconduct may also constitute infringements of copyright or breaches of contract that warrant further legal action.