

Australian Journal of Asian Law

Address The Editors
The Australian Journal of Asian Law
c/- Asian Law Centre & Centre for Indonesian Law, Islam and Society
Melbourne Law School, Level 7
The University of Melbourne VIC 3010
Australia
Email law-asianlawjournal@unimelb.edu.au
Website: <https://law.unimelb.edu.au/centres/alc/research/publications/ajal>

Background and Policy on Ethics and Malpractice

A. About the Australian Journal of Asian Law

The *Australian Journal of Asian Law* (AJAL) is produced as a joint initiative of scholars from the Asian Law Centre (ALC) and Centre for Indonesian Law, Islam and Society (CILIS) at Melbourne Law School, the University of Melbourne, with support and advice from Australian and international colleagues. Names of the Executive Editors, the Editors and the Advisory Board are available on AJAL's website.

Journal articles are double-blind peer reviewed.

AJAL's ISSN is 1839-4191.

AJAL publishes two issues per year. AJAL is available through SSRN and is indexed by HeinOnline, EBSCO and Informit. Articles can also be obtained through these databases.

Aims and Scope

AJAL is a forum for debate for scholars and professionals concerned with the laws and legal cultures of Asia. It aims for recognition as a leading medium for scholarly and professional discourse in a region characterised by rapid growth and social change.

How to Contribute

The editors welcome contributions from scholars and professionals worldwide. We publish multi-disciplinary, historical and contemporary research and fieldwork in English, including first English translations. Contributions are accepted on an ongoing basis.

The journal does occasionally commission longer essays (20,000 words) but does not accept unsolicited submissions of this length.

Contributions should involve analysis of issues, engage with existing academic literature and not be simply descriptive.

There are no author fees for publishing articles in AJAL.

Requirements for Submission

1. Standard articles or translations should be 8,000 to 12,000 words (inclusive of notes and reference), depending on the subject matter.
2. Book reviews or review essays should be 1,000, or, 3,000 words for a longer review essay.
3. Intending authors should adopt the style used in this journal, that is, in-text citations. A **style guide** is available from the editors on request.
4. An abstract of 150-200 words should accompany every submission.
5. We recommend that authors who are not native speakers of English seek the **assistance of a native speaker to proofread** their articles *before* submitting them to the journal.
6. All submissions must include the authors contact details, institutional affiliation and position.

7. A reference list of all material mentioned in the article, including books, book chapters, journal articles, court decisions and laws, should be provided at the end of the article.
8. Author name and titles, academic qualifications and other relevant personal and identifying information should be recorded on a separate sheet.
9. Contributions should be submitted to the editors (**law-asianlawjournal@unimelb.edu.au**) as an email attachment using Microsoft Word.

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AJAL requires from authors:

3. an undertaking that **no substantially similar article or derivative of it will be electronically published or electronically distributed within two years** of the date of first publication in AJAL;
4. an undertaking that you have **not knowingly engaged in plagiarism**, that the article contains **no libel**, and that it has not been submitted anywhere else for potential publication; and
5. acknowledgement that acceptance of this publication agreement means that the **article cannot be published by another journal, book or research/working paper series**, unless prior permission is sought from AJAL editor (law-asianlawjournal@unimelb.edu.au). Generally, this permission will only be granted for book chapters, unless exceptional circumstances can be demonstrated. If permission is granted, prior publication in AJAL must be acknowledged. (You can, however, put a **hyperlink on your webpage to your article in SSRN and also reprint the abstract**.)

B. Policy on Ethics and Malpractice

AJAL requires high standards of ethics by authors, reviewers and editors. These standards are also supported and practised by the publisher of AJAL. Our ethics requirements and procedures are based on international standards, including those advocated by the Committee on Publishing Ethics (COPE)

<https://publicationethics.org/files/u7141/1999pdf13.pdf>

Below is a summary of our key expectations of editors, peer-reviewers and authors.

1. Ethical Responsibilities

Editors' responsibilities:

- Act in a **balanced, objective and fair** manner, without discrimination on grounds of gender, sexual orientation, religious or political beliefs, ethnic or geographical origin of the authors.
- Assess all submissions solely on their **academic merit**, and to make final decisions to accept or reject material submitted to the journal.
- Follow transparent and reasonable procedures in dealing with any **complaints** regarding ethics or conflicts of interest. The editors must provide authors with a reasonable opportunity to respond to any complaints. All complaints must be investigated no matter when the original publication was approved. Documentation associated with any such complaints must be retained.

Authors' responsibilities:

Authorship should balance intellectual contributions to the conception, design, analysis and writing of an article, against collection of data and other routine work.

It is recommended that authors decide early in the project who will be authors or

contributors and how they will be acknowledged. AJAL encourages authors to acknowledge in a footnote any contributors who do not meet the criteria for being an author.

Authors should:

- declare their institutional affiliations and any **conflicts of interest**. These could include personal, commercial, political, academic or financial interests, which could influence the authors and/or potentially deceive readers of their impartiality. ‘Financial’ interests could include employment, research funding, stock or share ownership, payment for lectures or travel, consultancies and company support for staff.
- maintain **accurate records** of any unpublished material or data associated with their submitted manuscript, and to supply or provide access to these data, on reasonable request.
- obtain express permission from human subjects and respect their privacy. **Research protocols** must be observed by all contributors and collaborators, including, if appropriate, the participants. The final protocol should form part of the record and the author’s institutional ethics committee approval noted, if required.
- **acknowledge and cite** any sources or material that overlap with material in the manuscript, whether by themselves or others. That is, there should be **no duplicate or redundant material**. Authors should provide the editor with a copy of any submitted manuscript that might contain overlapping or closely-related content.
- provide a data availability statement to describe the availability or the absence of **shared data**, if appropriate. AJAL expects that data supporting the results in the paper will be archived in an appropriate public repository. When data have been shared, authors are required to include in their data availability statement a link to the repository they have used, and to cite the data they have shared. Whenever possible the scripts and other artefacts used to generate the analyses presented in the paper should also be publicly archived. If sharing data compromises ethical standards or legal requirements then authors are not expected to share it.
- confirm that all the work in the submitted manuscript is **original** and to acknowledge and cite content reproduced from, or that draws on other sources. Authors must obtain permission to reproduce any content from other sources. **Plagiarism** is the act of using someone’s words, data or other material without acknowledgement and could relate to text, illustrations, diagrams, maps, material downloaded from websites and unpublished material, such as lectures.
- not produce work that is **libellous or defamatory** of individuals or institutions, that is, work which makes false or unsubstantiated statements that could harm an individual or group.
- confirm that the submitted manuscript is **not under consideration or accepted for publication elsewhere**.
- promptly notify the journal editor if a significant **error** in their publication is identified. Authors must cooperate with the editor publish an erratum, addendum, corrigendum notice, or to retract the paper, where this is deemed necessary.

Responsibilities of peer reviewers:

Peer reviewers are external experts, chosen by editors, to provide written opinions. AJAL uses a ‘double-blind’ peer review system, where neither the reviewers, nor the authors, know each other’s identity. Names of potential reviewers are not sought from authors.

Reviewers should:

- assist the editors to assess the **academic merit** of a submitted manuscript. To provide **timely and objective** reviews of manuscripts. They may also suggest ways

- in which the author/s could improve the manuscript.
- maintain the **confidentiality** of the review process and not retain, use or copy the manuscript or material from the manuscript, unless they have the authors' permission.
- alert the editor to any published or submitted content that is substantially similar to that under review (**redundant publication**).
- be aware of any potential **conflicts of interest** (financial, institutional, collaborative or other relationships between the reviewer and author) and to alert the editors to these, if necessary withdrawing their services for that manuscript.

2. Procedures for Dealing with Unethical Behaviour

Identification of unethical behaviour

- Misconduct and unethical behaviour may be identified and brought to the attention of the editor and publisher at any time, by anyone.
- Misconduct and unethical behaviour may include, but need not be limited to, breaches of the standards and duties outlined above.
- Whoever informs the editor or publisher of such conduct should provide sufficient information and evidence in order for an investigation to be initiated. All allegations should be taken seriously and treated in the same way, until a successful decision or conclusion is reached.

Investigation

- The editors will take an initial decision, and if appropriate will seek advice from the publisher. If the alleged misconduct involves any of the editors, that editor will not participate in the decision.
- Evidence should be gathered, while avoiding spreading any allegations beyond those who need to know.

Minor breaches

- Allegations of minor misconduct may be dealt with without the need to consult more widely. In any event, the author will be given the opportunity to respond to any allegations.

Serious breaches

- Allegations of serious misconduct might require that the employers of the accused be notified. The editors, in consultation with the publisher, should make the decision whether to involve the employers, either by examining the available evidence themselves or by further consultation with a limited number of experts.

Outcomes (in order of severity; applied separately or in conjunction)

- Informing or educating** the author or reviewer where there appears to be a misunderstanding or misapplication of acceptable standards.
- A more strongly worded letter to the author or reviewer covering the misconduct and as a **warning about future behaviour**.
- Publication of a **formal notice** detailing the misconduct.
- Publication of an **editorial** detailing the misconduct.
- A **formal letter** to the head of the author's or reviewer's department or funding agency.
- Formal retraction or withdrawal** of a publication from the journal, in conjunction with informing the head of the author or reviewer's department, abstracting and indexing services and the readership of the publication.
- Imposition of a **formal embargo** on contributions from an individual for a defined period.
- Reporting** the case and outcome to a professional organisation or higher authority for further investigation and action.