



CONSULTATION DRAFT #1
'The Australian Code for Conducting Research 2004'
December 2004

ITEM	COMMENT
<p>2.2.7 Researchers must make available for discussion data that form the basis of publications of any kind. Where confidentiality provisions apply (for example, where the researchers or institution have given undertakings to third parties, such as the subjects of the research), it is necessary for data to be kept in a way that reference to them by third parties can occur without breaching such confidentiality.</p>	<p>Comment: What are the circumstances under which such data must be made available? Freedom of information? Scientific misconduct? Court subpoena?</p> <p>Court subpoenas in particular for research into critical areas involving drug abuse and other criminal behaviours and who promise confidentiality to their study participants. What protection can be offered to the researcher and participant.</p>
<p>2.3 When researchers are given access to information of value to others, such as in the peer review process, strict confidentiality must be maintained.</p>	<p>Comment: Discussion of confidentiality in the peer review process, whether as part of the review of grants or manuscripts is out of place here. This belongs in Chapter 5.</p>
<p>2.4.1 Researchers must hold data for sufficient time to allow reference to them by other researchers and interested parties. For published data, this may be for as long as interest and discussion persists following publication.</p>	<p>Comment: In a footnote, NHMRC recommends that the minimum period for retention is 5 years from the date of publication but for specific types of research, such as clinical research and clinical trials, 15 years or more may be appropriate.</p> <p>This statement should be in the body of the code and the minimum time period for retention should be proscribed not recommended in order to ensure that ethics committees and other parties are quite clear on the obligations of the researcher with respect to data retention.</p>
<p>2.4.3 Researchers must retain data that are the basis for publications in a durable form and under the control of the institution where all or most of the work was undertaken.</p>	<p>Comment: What does durable mean?</p>
<p>2.5 Researchers must ensure that data are stored securely in order to protect the privacy of participants and in accordance with such confidentiality agreements as may apply. (See also 2.2.4)</p>	<p>Comment: Also ensure that research participants are not identifiable through small cell sizes. This should go to 5.3</p>
<p>3.4.2 Researchers must not re-publish without full disclosure and cross referencing, and must have received permission to do so from the original publisher.</p>	<p>Comment: Full disclosure and cross referencing is good. However, permission from the original publisher should not be required if that publisher did not include a condition at the time of publication that the work could not be published elsewhere without permission</p>

ITEM	COMMENT
<p>3.5.2 Researchers must be cognisant that integrity and accuracy in publications of results also extends to the accurate listing of publications in applications (for positions, research grants, awards etc), curricula vitae and public statements. This also applies to accurately describing the state of any publication (“in preparation”, “submitted”, “accepted”) of research funding (“applied for”, “granted”, “funding period” etc) and of awards conferred, including where any of these relate to more than one researcher.</p>	<p>Comment: Belongs to Section 4 on authorship</p>
<p>3.7 Researchers must take great care when reporting research findings to the media. It would be preferable for such findings to have been subjected to peer review before reporting. The status of research findings, whether preliminary, complete, peer reviewed or otherwise must be explicitly disclosed.</p>	<p>Comment: The inclusion of material on researchers’ relationships with the media in this document is good.</p>
<p>CH 4. To claim to be an author requires that a person is directly involved in the creation of the work – conceiving it, analysing and interpreting the data on which it is based, writing or revising its intellectual content, and taking responsibility for it once published. Authorship should honestly reflect the contribution to the work being published. No person who is an author, consistent with this definition, may be excluded as an author without their permission in writing.</p>	<p>Comment: Does an author have to contribute to all or some of the components outlined in sentence 1?</p> <p>How does this sit with 4.3.2. Is 4.3.2 in addition to this, or an alternative for defining authorship?</p>
<p>4.1 Institutions must have a written policy on the criteria for authorship. This policy must comply with authorship criteria appropriate to the range of disciplines to which an institution’s researchers belong.</p>	<p>Comment: It should also comply with this Code</p>
<p>4.3.1 Researchers must not deviate from acceptable execution of duties and responsibilities of authorship. Expressly unacceptable are:</p> <ul style="list-style-type: none"> • Gift authorship (granting authorship for reasons of friendship, position of authority etc without their having met the criteria above); • Relinquished authorship (inducing or forcing persons to be removed from authorship where they do meet the criteria above); • Ghost authorship (being a writer who has had no input into the physical or intellectual work involved in the research); • Honorary authorship. (as for example granting authorship to a person simply because that person is Head of Department), and • Omission from authorship of those who have made substantial intellectual contributions. 	<p>Comment: Who assumes responsibility for this? The corresponding author?</p>
<p>4.3.2 At least one author must accept responsibility for each part of an article critical to its main conclusion. An author’s role in a publication or other research output must be sufficient for that person to take public responsibility for at least that part of the output to which that person contributed.</p>	<p>Comment: How does this sit with introductory statement. Is this in addition or an alternative for defining authorship?</p>

ITEM	COMMENT
5.1 Agencies must establish and publish the principles and processes upon which they will make decisions for supporting research, including the criteria upon which applications will be assessed.	Comment: They also have a responsibility to research staff employed under grant monies, to ensure that the conditions of employment for research staff are fair, at appropriate levels, and for appropriate FTEs. This is very difficult to achieve where there is an increasing gap between the level funded (e.g. NHMRC PSPs) and the cost of a researcher to the employing institution.
6.1 To fulfil their duty of care to students and junior researchers, institutions must establish clear lines of responsibilities for, and standards of, supervision and mentorship to be provided by staff.	Comment: Replace “junior” with “early career”
6.5 Researchers must not exploit research students and junior colleagues.	Comment: What does “exploit” mean? Very broad.
6.6 Researchers must not put research students or junior researchers at risk. Risks can include chemical hazard, infectious disease and psychological trauma.	<p>Comment: Replace “junior” with “early career”</p> <p>Add explicitly that, in particular, researchers must be mindful vulnerable persons such as pregnant women.</p>