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Wiley's Policy on Dual Publication, Plagiarism and Defamation

Dual Publication

Dual publication of an article is generally not permitted. In signing the Agreement, you are being asked to represent that the contribution has not been submitted elsewhere for publication. There are narrow exceptions to the dual publication rule for some materials, such as standards. In any such case, prior approval from the journal to which you are submitting is likely to be required.

Plagiarism

The Contributor's representations contained in the Agreement are designed to protect against plagiarism. Wiley policy is based on the 'Guidelines on Good Publication Practice' published by the Committee on Publication Ethics (COPE). COPE defines plagiarism as follows: "Plagiarism ranges from the unreferenced use of others' published and unpublished ideas, including research grant applications, to submission under 'new' authorship of a complete paper, sometimes in a different language... It applies to print and electronic versions."

It is the duty of journal editors to investigate suspected cases of misconduct. They need to decide whether it is necessary to retract a published contribution and in some cases, whether it is necessary to alert the employers of the accused author(s). Some evidence is required, but if the employers have a process for investigating accusations, it is not necessary for the editor to assemble a complete case as this may entail wider consultation which would bring the author into disrepute before the facts of the matter have been decided. Editors may decide not to involve employers in cases of less serious misconduct, such as dual publication, deception over authorship or failure to declare a conflict of interest. In all cases, authors must be given the opportunity to respond to accusations of misconduct before any action is taken.

The COPE guidelines have no legal force and it is generally prudent to avoid "naming and shaming" authors and simply to confirm a retraction, when necessary, in neutral and concise terms. The following sanctions are set out in the COPE guidelines, but journal editors should consider the application of any sanction very seriously due to the potential impact on an author's reputation or career:

- A letter of explanation (and education) to the authors, where there appears to be a genuine misunderstanding of principles
- A letter of reprimand and warning as to future conduct
- A formal letter to the relevant head of institution or funding body
- Publication of a notice of dual publication or plagiarism
- An editorial giving full details of the misconduct
- Refusal to accept future submissions from the individual, unit or institution responsible for the misconduct, for a stated period
- Formal withdrawal or retraction of the paper from the scientific literature, informing other editors and the indexing authorities
- Reporting the case to the General Medical Council, or other such authority or organization which can investigate and act with due process

Defamation

Libel and slander are both forms of defamation and so in defining them, it is necessary to look at what is meant by "defamation." Broadly, defamation arises where a statement is made which is false and which impugns another person's reputation, or adversely affects his or her standing in the community.

- "Libel" can be defined as a statement in print, or some other permanent form, concerning any person, which exposes that person to hatred, or ridicule, or which might injure that person in their profession, trade or calling. In the UK, the printer, publisher and author may all be held liable for libelous statements in printed published form. Ignorance is not an acceptable defense.
- The difference between libel and slander relates to how the defamatory statement is made. In libel, the defamatory statement is expressed in a permanent and visual form including written words and printed images. In slander, the defamatory statement is in a transient form, conveyed for example by spoken words or gestures.
- Here is a range of defenses to an action for libel: In the UK, the two main defenses (apart from "privilege") are "justification" and "fair comment." In a defense of justification it must be established that the works in question are true in substance and in fact. In a defense of fair comment, which only protects statements of opinion, the defense is that the words in questions are a comment – based on actual facts – on a matter of public interest and are not malicious. Laws in other countries differ, but truth is always a defense. If in any doubt, please refer to Wiley staff for guidance.

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