Reviewer's report

Title: Restrictions Impeding Web-based Courses: a survey of publisher's variation in authorising access to high quality on-line literature

Version: 2 Date: 24 November 2003

Reviewer: Trish Greenhalgh

Reviewer's report:

General

Comments Name: Trish Greenhalgh
Position: Professor of Primary Care, UCL

I have previously refereed this paper for BMJ. I recommended that it should not be published in its present form, but that with additional work it could provide an important addition to the literature. I've reproduced my BMJ review below and annotated it to indicate where I think the authors have changed the manuscript.

Trish Greenhalgh

This paper gives a simple message, that gaining copyright permission for making materials available to students of online courses in the health sciences is a time consuming, frustrating and expensive experience, and - importantly - that different publishers give different responses to similar requests. My own experience exactly accords with the findings presented here. The subject is important and getting more so. Courses fold because of it.

They've written it up well, but as a research paper I don't think this one works too well, because it isn't really research - it's the experience of one team plus a commentary. It might work as a short report but that would not allow sufficient space for discussion, which is what we all need on this.

Some specific comments:

1. Copyright is a boring subject, and the paper as written doesn't bring it alive. This is of course unfair criticism since we all need to learn about boring subjects, but the journalist in me wanted more spice! I think the way to deal with this is abandon any attempt to write it as an IMRAD paper and instead make it either a personal view or - possibly - an editorial. Alternatively, perhaps make it an E&D piece on e-copyright, using the Manchester experience as illustration. If they chose to do the last of these (or indeed in any case) I'd be very happy to share our (much larger) database of who said what to requests for copyright permission, and how much they tried to charge! [NOTE: SEEING THIS PAPER SECOND TIME ROUND I STILL THINK IT'S BORING AND UNENGAGING, THOUGH THIS MAY NOT BE QUITE AS MUCH OF AN ISSUE FOR BIOMED AS IT WAS FOR BMJ SINCE YOUR MARKET IS DIFFERENT]
2. I think naming and shaming might be in order here. Some publishers are notoriously ungenerous while others (e.g. BJGP, Radcliffe) have allowed my team to use anything for free as long as we did the work ourselves. This leads into an interesting question which BMJ itself has wrestled with - does making material freely available online reduce or increase one's profit in the long run? This could be discussed.

3. There’s a big difference across the Atlantic - American publishers tend to throw the law at you and British ones are much more collegiate. As the authors briefly say, this leads to a big distortion [BIAS] in the materials that our students get access to. This could also be discussed. But there’s another bias too. I have recently deliberately NOT submitted an article to a major US education journal, sending it instead to a small UK journal, for the sole reason that I want people to be able to access it without paying 30 bucks, and I don’t want people to get sued for making a photocopy for their friends. In other words, the DIFFERENTIAL policies on e-copyrighting taken by different journals goes against contemporary thinking/action on the nature of knowledge (in the information age, we EXPECT knowledge to be freely available and to be able to pass it around at little or no cost), and hence the rigid and constraining approach taken by a few big publishers is beginning to distort the market for academic publication. This too could usefully be explored and commented on.

4. An important resource in the UK is HERON (http://www.heron.ingenta.com/), an independent copyright-getting agency which universities can join for an annual fee, and which does a lot of the work in chasing publishers, scanning documents etc. HERON keep central copies of all papers scanned so that the next group to request the same paper doesn’t need to reinvent the wheel. One of my bugbears about HERON (confidentially) is that I don’t think it’s terribly efficient of professional, and there may well be models in other countries that work better. My own view is that HERON should be bunked and subject-specific agencies established via the Learnign and Teaching Support Network. Another possible topic for a discussion paper, but quite a political one. [COMMENT: THEY HAVE NOW INCLUDED MENTION OF HERON, THOUGH THEIR DISCUSSION DOES NOT COMMENT ON ITS VALUE]

5. The authors need to distinguish different issues more clearly in their discussion: (a) how easy it is to get copyright permission; (b) the cost in terms of fees + labour + frustration/demoralisation, and also the cost to the publisher who is also wasting time sending letters etc.; (c) the separate issue of ‘visibility of research’; (d) conclusions and recommendations. [NOTE: I DON’T THINK THEY HAVE DONE MUCH HERE AS THEY HAVE DECIDED NOT TO TOTALLY REWRITE THE PIECE. GOOD LUCK TO THEM BUT MY ORIGINAL VIEW STILL STANDS!]

6. A different piece might also consider differential problems with different bodies of literature. Anything over 30 years old is out of copyright. We ourselves run a philosophy module, and thought we were OK reproducing Aristotle and Plato - but got caught out because it’s the date of translation that counts, not the date of publication of
the original.

In summary, I believe this is an important but dry topic that could benefit from a different sort of article!

Trish

Discretionary Revisions (which the author can choose to ignore)

See above. The first editorial decision is whether they need to completely rewrite the paper. Once you've decided that, you can divide the comments above into discretionary and minor!

Minor Compulsory Revisions (such as missing labels on figures, or the wrong use of a term, which the author can be trusted to correct)

Major Compulsory Revisions (that the author must respond to before a decision on publication can be reached)

What next?: Unable to decide on acceptance or rejection until the authors have responded to the major compulsory revisions

Level of interest: An article of limited interest

Quality of written English: Acceptable

Statistical review: No

Declaration of competing interests:

None except that I also do research in a related field.