

This article is downloaded from



**CHARLES STURT**  
UNIVERSITY

**CRO**

CSU Research Output  
*Showcasing CSU Research*

<http://researchoutput.csu.edu.au>

**It is the paper published as:**

Author: A. Corbo Crehan and C. Jennett

Title: The Ethical Limits of Trust in the Research Context

Editor: G. Whiteford

Conference Name: Qualitative research as interpretive practice: proceedings from the inaugural RIPPLE QRIP Conference

Conference Location: Bathurst

Publisher: CSU

Year: 2004

Pages: 231

Date: 21-22 September 2003

Abstract: This paper focuses on two groups of research informants –“ Indigenous people and serving police officers. The author’s research experiences with members of these groups have shown that these informants consider written consent to compromise the researchers guarantee of anonymity and confidentiality. We assess the practical and ethical validity of the concerns raised by informants from these two groups, and the implications that follow from those concerns not being taken into account by an EHRC. A second issue relevant to the giving of consent by research informants is what researchers ought to do with "confessional findings. Many EHRCs mandate reporting criminal behaviour despite an informants wish to inform the policy process but not to alert the criminal justice system. As this wish is part of what is indicated by the informants consent, ought the informants wishes prevail over the obligations of the researcher to report criminal activity? What if denying the informants wishes would lead to harmful "fallout in, for example, a small community or an employing organisation? The paper will identify the competing ethical issues involved here and make some attempt to determine their respective moral weight. Both of these issues regarding research informants consent have major implications for the development and maintenance of trust between the researcher and the researched and, therefore, for the integrity of the relevant research processes.

Author Address: acorbocrehan@csu.edu.au

cjennett@csu.edu.au

URL: [http://www.csu.edu.au/research/ripple/docs/sample\\_book.pdf](http://www.csu.edu.au/research/ripple/docs/sample_book.pdf)

[http://researchoutput.csu.edu.au/R/-?func=dbin-jump-full&object\\_id=9709&local\\_base=GEN01-CSU01](http://researchoutput.csu.edu.au/R/-?func=dbin-jump-full&object_id=9709&local_base=GEN01-CSU01)

[http://bonza.unilinc.edu.au:80/F/?func=direct&doc\\_number=001366410&local\\_base=L25XX](http://bonza.unilinc.edu.au:80/F/?func=direct&doc_number=001366410&local_base=L25XX)

CRO identification number: 9709

## THE ETHICAL LIMITS OF TRUST IN THE RESEARCH CONTEXT

*Dr Anna Corbo Crehan  
School of Policing Studies; RIPPLE; CAPPE  
Charles Sturt University*

*Dr Christine Jennett  
School of Policing Studies; Australian Graduate School of Policing; RIPPLE  
Charles Sturt University*

### **Abstract**

*This paper focuses on two groups of research informants – Indigenous people and serving police officers. The authors' research experiences with members of these groups have shown that these informants consider written consent to compromise the researcher's guarantee of anonymity and confidentiality. We assess the practical and ethical validity of the concerns raised by informants from these two groups, and the implications that follow from those concerns not being taken into account by an EHRC.*

*A second issue relevant to the giving of consent by research informants is what researchers ought to do with 'confessional findings'. Many EHRCs mandate reporting criminal behaviour despite an informant's wish to inform the policy process but not to alert the criminal justice system. As this wish is part of what is indicated by the informant's consent, ought the informant's wishes prevail over the obligations of the researcher to report criminal activity? What if denying the informant's wishes would lead to harmful 'fallout' in, for example, a small community or an employing organisation? The paper will identify the competing ethical issues involved here and make some attempt to determine their respective moral weight.*

*Both of these issues regarding research informants' consent have major implications for the development and maintenance of trust between the researcher and the researched and, therefore, for the integrity of the relevant research processes.*

### **Introduction**

Ethics regimes include institutions and codes that exist to promote norms and procedures for conducting research along ethical lines. Institutional *Ethics in Human Research Committees* (hereafter 'Ethics Committees') have the protection of research informants as one of their most clearly stated purposes. The National Health and Medical Research Council (NHMRC) Statement on Ethical Conduct in Research Involving Humans includes in its preamble:

The primary purpose of a statement of ethical principles and associated guidelines for research involving humans is the protection of the welfare and the rights of participants in research (NHMRC 2001, p. 1).

The actual working of Ethics Committees, however, demonstrates that they operate under a number of assumptions about the relationship between researchers and their research informants.

In this paper, we aim to identify some of these assumptions and question their validity. We will argue that at least some of them raise complex issues of trust. Clearly, trust is a key factor in the qualitative research context – but exactly what value do Ethics Committees put on it. And, perhaps more importantly, what value *should* they put on it. We will focus here on two groups of research informants – Indigenous people and serving police officers – and their attitudes to providing researchers with consent in a form which renders them identifiable. In general terms, their concerns are two-fold:

- The concern that such forms of consent undermine researcher guarantees of confidentiality and anonymity; and
- A set of concerns related to what we call ‘legally compromised information’: information that research informants give of either their own or others’ illegal activity. Specifically, the issue here is that while informants may consent to the provision of this information for the purposes of the research project, they may definitely not consent to the researcher passing that information on to the relevant authorities (e.g. police). This is a situation which puts researchers in the difficult position of coping with ethical obligations of confidentiality and competing legal obligations (or expectations) of reporting information provided. This is compounded by the situation that many Ethics Committees mandate the reporting of illegal information while others work with at least a presumption in favour of reporting such information.

By considering these issues, we will tease out the sorts of assumptions that Ethics Committees make about the nature and extent of the trust relationship between researchers and their research informants. We will identify any issues that these assumptions raise, and propose ways in which such issues might be resolved.

### **Background**

Research conducted by social scientists frequently involves the researcher picking at the very fabric of intra-community and intra-organisational power relationships. In her research into fear of crime in Indigenous communities in NSW (Jennett & Greer 2001) and into policing domestic violence in Indigenous communities in NSW (Jennett et al., 1999), one of the authors of this paper has encountered some research informants who were prepared to participate in the research project once it was explained to them, and even agreed to having their interviews taped but explicitly declined to sign the consent form on the grounds that the field worker had guaranteed that their participation would be anonymous and confidential.

At times Indigenous women feared payback from other community members if it became apparent that they had identified the dimensions and sources of fear in their communities. In one community a whole sub-set of young women had been raped by a very powerful male who represented his people in the public sphere in the wider NSW community. He is the category of person, in his formal duties, to whom university Ethics Committees would be likely to refer for indication of community acceptance of a research project. The women who participated in Jennett and Greer’s research wanted to voice their fears by saying that young women ‘felt safe nowhere’ in their town so that their voices could be fed into the public claims making process (Wolcott 2001) which is the outcome of much academic research. However, they were extremely vulnerable to recriminations from powerful individuals within their community so were unwilling to sign any ethics consent forms. Australian Ethics Committees appear to make it their preferred position that signing such forms should precede any data collection taking

place. Interestingly, Bulmer (2001), a key figure in U.K survey research, states that, while such a requirement is usual in medical research, it is rare in social research. He says that it is important that those being researched 'in some sense ... should have actively given their consent' (Bulmer 2001, p.24) but does not suggest how this should be indicated in the type of research which was conducted by Jennett and Greer.

This case also points to the second issue of concern for us here. What to do with 'confessional' findings which yield 'legally compromised information', where informants reveal their own or others' illegal acts? The young women involved in these rapes were about seventeen years old, i.e. of an age where Ethics Committees may well still require mandatory reporting (as is the case with children).

Other Indigenous women expressed fear of certain families who preyed on people in their community, but would never have reported them to the police because of the likelihood of ongoing victimisation by those families (Jennett & Greer 2001). Similarly, Aboriginal women who had experienced domestic violence feared retribution from the perpetrators' family (including female relatives) so would not necessarily report to the police the crimes which they would reveal to academic researchers (Jennett et al. 1999).

In their studies of best practice among police officers' interventions in situations of domestic violence Jennett et al. (1999) asked officers to discuss good and bad practices among police officers. Police organisations are still fairly tight-knit and hierarchical, and practices like group solidarity and payback to 'whistleblowers' (Locke 2003) are still quite common. Some general duties police who were interviewed agreed to participate and agreed to be taped (but spoke more freely when the tape was turned off). In the same study, when a group of thirty-nine police prosecutors filled out a survey questionnaire on police prosecutors' role in policing domestic violence, there were only thirty-three signed consent forms returned, despite assurances of anonymity at the beginning of the session. (In addition, some people absented themselves from the survey part of the session and the spontaneous focus group which took place afterwards). (Little wonder, as their superior officer, who had been present when the guarantee of confidentiality and anonymity was given, was observed openly glancing through the forms - before he was stopped.) Police who participated in this survey also commented that one of the police officers involved in this research project was a handwriting expert. They laughed as they made this comment but they made their point. This is the organisational world in which they live.

Social science researchers endeavour to collect data about people's lives in order to make public claims that those people require assistance to break negative power structures and community dynamics (Jennett & Tulloch 2003; Jennett & Greer 2001) or to assist organisations, such as NSW Police, to identify and eliminate poor policing practices (Jennett et al. 1999; Jennett & Woolston 1998). To do this they require their informants to reveal things about themselves and others which could render them vulnerable to retribution. If such informants are to be made to feel that they can trust researchers to understand the sensitivity of their position then Ethics Committees are going to have to trust researchers in the field by providing sufficiently flexible consent provisions for them to be able to respect the needs and desires of their research informants.

### **Obtaining consent in formats which identify research informants**

As the previous discussion shows, research informants trust researchers with information which is both personally and socially significant – information that, if mishandled, could lead to serious (and, perhaps, severe) consequences. As Palys and Lowman have said:

The researcher-participant relationship is unique to the extent we have little to offer participants beyond our interest and understanding, and the opportunity we provide for their voices to be heard. At times they gamble their liberty on no more than the integrity of our word. Our ethical obligation is to safeguard that trust, and ensure no harm comes to them for their participation (n.d., p. 4).

Participants trust researchers, amongst other things, to guarantee their confidentiality and anonymity; in fact, this appears to be where the greatest burden of their trust lies. They rely on this confidentiality and anonymity being maintained for very important reasons. In relation to the Indigenous women mentioned earlier, their desire for confidentiality is often a form of survival strategy in a context of unequal community power relations. Police officers may rely on the guarantee of confidentiality and anonymity to avoid punitive action stemming from, for instance, criticism they make of the organisation for which they work or information they give on their difficulties with enforcing particular laws in circumstances where their actions may be questionable, either legally or from the perspective of standard police procedures.

What then is the nexus between trust and informed consent? Onora O’Neill, in her 2002 Reith Lectures ‘A Question of Trust’ describes the relationship between the two this way:

Informed consent is ... always important, but it isn’t the basis of trust. On the contrary, it presupposes and expresses trust ... (O’Neill Lecture 5, 2002, p.2).

So, when researchers are obtaining informed consent from research informants, the expression of that consent (whatever form it takes) is an affirmation of the informant’s trust in the researcher. Here, then, is the nub of at least one problem: as our earlier discussion demonstrates, many research participants are prepared to give informed consent *per se* to participate in a research project, but they are not prepared to express that in a form which renders them identifiable. They may mistrust the researcher’s guarantee of confidentiality or recognise how difficult it could be to ensure confidentiality in the circumstances of the research. And, because the informants know that identifying information can find its way into the ‘wrong hands’, thus causing harm to themselves and/or others, they are loathe to give such information in the first place.

However, if we accept that trust is the basis of informed consent, and that it is essential for researchers to secure such consent from their informants, it is surely incumbent on Ethics Committees to sanction processes that allow researchers to establish and keep the trust of their informants. And clearly, requiring written informed consent or informed consent in any format that includes identifying information does not count as such a process, for at least some groups of research informants. What should be done?

There are other forms of consent sanctioned by both the NHMRC and individual Ethics Committees. The NHMRC’s National Statement says, at 1.9,

Where consent is required, research must be so designed that each participant's consent is clearly established, whether by a signed form, return of a survey, recorded agreement for interview or other sufficient means (2001, p. 12).

This is not particularly helpful. Yes, a returned survey can clearly be anonymous and not link-able to an individual research informant (though we mustn't forget the hand-writing expert mentioned earlier). But a recorded agreement seems to be just as link-able as a signed form, and the issue of what constitutes 'other sufficient means' is not addressed at all. Roberts and Indermaur (2003, p.11) have proposed a way of obtaining verbal consent, which they say avoids the problems inherent in obtaining written and recorded consent. Briefly, their method involves reading the contents of the informed consent form to informants, giving those informants an information sheet about the research, checking for comprehension of what the research involves and then asking each informant whether they consent to the interview. If so, a note to that effect is made on the interview sheet, but 'at no stage during the consent or interview process is the individual's name or identifying information requested' (ibid., p.11). This approach clearly avoids the problems that obtaining consent in identifiable formats can create for some research informants.

This verbal consent process, however, raises some interesting issues about the role of trust in the research process. For what such a process presupposes is a great deal of trust in the researchers on the part of the Ethics Committee – trust that they have done what they said they would do and that their notation on the interview sheet is indeed reflective of the facts. So now the question becomes one of the extent to which Ethics Committees should trust their researchers in relation to the obtaining of informed consent. Should they simply rely on researchers' assurance that such consent was obtained, without requiring any documentary evidence to support that assurance? And this question seems to devolve to the question of whether Ethics Committees should simply assume that their researchers are trustworthy.

*Prima facie*, it's not clear why they should. Researchers have engaged in unscrupulous practices in the past, and it could be argued that the current 'publish or perish' imperatives provide the sort of pressure that could make unethical practices appear attractive. Moreover, this is quite a significant matter, both morally and practically, with which Ethics Committees are trusting researchers. As the research informants we've referred to show, significant matters of safety, health, employment security and welfare can be at stake.

On the other hand, though, perhaps this question is a red herring (in disguise!). For when we think more carefully about the practices of Ethics Committees, what becomes clear is that they already have to trust their researchers to a large extent. Think about written consent forms: Ethics Committees trust that researchers have not forged or otherwise wrongfully obtained documents that are claimed to be informed consent forms filled in by the research informants. Such forms could be as false and deceptive, as could any assurances that a researcher might provide to an Ethics Committee. If then, Ethics Committees are already prepared to trust their researchers as to the authenticity of completed consent forms, is it such a large ethical step for them also to trust their researchers about the authenticity of any other form of assurance? Logically, it would seem not.

What this shows, then, is that written consent forms and other ways in which researchers could demonstrate to an Ethics Committee that informed consent has been obtained, both imply significant levels of trust on the part of the Ethics Committee. More importantly, to ask such Committees to accept alternatives to forms of consent which contain identifying information is not to ask them to increase the level of trust they have in their researchers to any significant degree. Therefore, on the grounds at least of the respective levels of trust involved, Ethics Committees ought to have no problem about accepting assurances from researchers that consent has been obtained in situations where other matters mitigate against using forms of consent which could identify individual research informants.

Curtin University's Indigenous Research Policy (2002) states that research needs to be conducted in ways which 'demonstrate respect for Aboriginal and Torres Strait Islander people and their culture, knowledge and understandings'. This would appear to demonstrate an appropriate level of trust in their researchers. It implies that those researchers ought to engage in consultation with the relevant elders and thereby determine the sorts of considerations to take into account when responding to Indigenous research informants' wishes about confidentiality. This appears to be especially important given our earlier point that in some contexts those desires for confidentiality will be a form of survival strategy in a context of community power relations in which certain powerful males are in a position to represent what is the local 'culture, knowledge and understandings'.

Thus far, then, our conclusion is that Ethics Committees ought to develop procedures which allow for forms of consent which do not include any identifying information about research informants – if those Committees are to give due recognition to the trust relationship which underlies the giving of informed consent in the first place.

### **Legally compromised information**

Given what we have said so far about the trust between researchers and those they research, we turn now to identifying the issues that arise when that trust revolves around what we call 'legally compromised information': information that research informants give of either their own or others' illegal activity when that information is not the prime purpose of the research project. By this latter qualification we mean to distinguish those situations in which researchers are specifically focussing on gathering data about illegal behaviour, from those situations where researchers are gathering data on, say fear of crime, in the course of which they are likely to be given legally compromised information. The reason for the distinction is this: where researchers are undertaking research directly into illegal behaviours, they can build certain safeguards for informants' confidentiality into their research methodology. This means that they can pre-empt and deal with the competing values of undertaking the research and maintaining informants' confidentiality. For example, Beyer (2003) has discussed the changes to Federal legislation which her research needed before confidentiality for participants ('high-level drug offenders') could proceed. And Loxford and Hawks discuss research concerning 'youth AIDS and drugs' where

... it was decided that the researchers would seek some protection for the study by informing the local Drug Squad about the ... [project] ... We were given assurances (although not guarantees) that our research premises would not be located or searched, although we also undertook various security measures to keep the address of the field office as secret as possible (1995, pp. 18-19).

The same research project also involved speaking to drug dealers as informants, but the researchers' discussions with police indicated that 'they [the police]... might pay close attention to any research conducted with them [ie. the drug dealers]' (1995, p. 18). The researchers therefore altered their original methodology, and interviewed convicted drug dealers serving gaol sentences instead.

When information about illegal activities is not sought from research informants, but is nonetheless given by them, researchers are – in a sense – 'caught on the hop'. They must be able to weigh up the relevant ethical issues and come to practical conclusions. The unanticipated nature of the issues faced here makes them morally more complex. A trust relationship has been established with informants, based on certain terms, and this relationship now has to be re-negotiated (at least from the researcher's perspective) in light of the unsolicited information received about illegal activities.<sup>1</sup>

The key issue is that while informants may consent to the provision of this information for the purposes of the research project, they may definitely not consent to the researcher passing that information on to the relevant authorities. This is a situation which puts researchers in a difficult position, given that many Ethics Committees mandate the reporting of illegal information while others work with at least a presumption in favour of reporting such information. The researchers face the issue of dealing with their role as a responsible law abiding citizen and their role of data collector in a trust relationships with their informants.

A number of questions thus arise. Does the trust relationship between researchers and their informants extend indefinitely or are there some moral limits which ought to be observed; that is, are there circumstances in which researchers are justified in breaching their informants' trust? More significantly, are there circumstances in which they are obliged to breach that trust? Perhaps most contentiously, are there circumstances in which researchers would be morally obliged to ignore mandatory reporting requirements for the sake of the trust established with their research informants? These questions have complex moral and practical facets: any weakening of the trust relationship between researcher and informant/s may weaken the research enterprise itself (both in relation to a specific research project and in relation to informants' willingness to be involved in research projects generally); even if it is determined that the obligation to honour an informant's trust ought to override the obligation not to break the law, nonetheless breaking the law could have serious effects on the researcher – the gaining of a criminal record, the imposition of some sort of penalty, etc. Clearly, the underlying issues are extraordinarily complex and we will not be able to resolve them here. Instead we want to raise a number of considerations which ought to inform any such resolutions.

Firstly, there are considerations about the informants' welfare and autonomy.: What if a research informant reports illegal behaviour, possibly of a serious nature, but does not

---

<sup>1</sup> A not dissimilar situation would occur if a researcher had selected a methodology for collecting information on one form of illegal activity from informants, but was – in the process – given information on other sorts of illegal activity ('The research, for example, may be on drug use and the researcher may be given information about a robbery, or even a murder ...'; Hyde 1995, p. 36). Despite being slightly different to the 'standard case' being considered above, it shares the same key characteristic in that the researcher obtains unsolicited information about illegal activities.



want the researcher to pass that information on to police? For example, it has been shown that women suffering domestic violence often develop complex matrices of their competing interests such that leaving their violent partner is not seen as necessarily being in their interest. So, for instance, they may decide that the violence is 'better' than leaving and being without financial resources or being ostracised from their community or, indeed, being killed. (As Buzawa et al. (1993, p.3) have noted, complaints are often dropped because 'arrests have accomplished their goals of deterring future abuse, of allowing an easy separation, or of simply ratifying their status as victims'). These women have developed 'survival strategies' for themselves that do not involve the intervention of police except in times of extreme crisis. Put another way, they make informed decisions to use police to defuse particular crises, but do not expect or suppose that police can 'solve the whole problem'.

In such situations, any breaches of trust by the researcher would interfere with the women's decisions thereby undermining their autonomy, and so would need to be considered very seriously indeed. While it is certainly not true that autonomy always has overriding value, it is true that incursions on another's autonomy ought to be treated as very serious actions in want of careful justification.

Secondly, by breaching an informant's trust and reporting information received to the police, an informant may be put at risk of significant harm. This is part of the fear expressed by the Indigenous women and implied in the response of the police informants discussed earlier. Should the researcher expose their informants to such harm? They might try to argue that the harm resulting from informing the police could not be worse and, indeed, might be 'better', all things considered, than the harm currently resulting from the illegal behaviour. While this would not necessarily be true in any case, is it right for the researcher to be making the decision as to what level of harm an informant 'should' suffer? One way around these issues would be for the researcher only to report the illegal behaviour *if* they can offer the informant the relevant sort of protection from retribution. But this is problematic too. Would such protection breach the professional boundaries that the researcher ought to be observing? Might it skew the research itself if a relationship of dependence forms between the researcher and the informant? Even if it does, how much does that matter? These are issues we hope to address in a later paper. For now, we just want to make the point that these complex matters are ones that need to be addressed in order to determine whether, and if so when, a researcher is justified in avoiding mandatory (or even non-mandatory) reporting of information they receive from a research informant.

Also at issue here, is what Hyde has called the 'public interest in the prosecution of criminal behaviour' – an interest which, he says, is 'almost always an overriding consideration' such that a 'public interest in research would only prevail for fairly minor offences' (Hyde 1995, p. 35). His claim definitely has some considerable plausibility, but at what point should the public interest in prosecuting criminal behaviour give way to individual's (ie. informant's) interests in their own well-being and safety? It is clearly too simplistic to argue that the victims in such cases will be better off if the public interest in prosecution prevails, even if they are unable to see that now. As we have noted above, the power dynamics in some communities are such that this is blatantly untrue.

Thirdly, what use should be made of information gained by a researcher that identifies illegal behaviour directed against someone other than the informant? This would still devolve to the question of whether a breach of the informant's trust is justified, but the imperatives in relation to the informant's autonomy (or their direct safety/wellbeing) would not be as pressing. For instance, what if the informant gave information about illegal behaviour that involved sexual offences against children? The dynamics of a community may still be such that *not* speaking out to police minimises the overall harm done to the victims. However, this is a difficult point to accept at face value, and indeed a difficult one to argue, but it does seem that many victims have come to such conclusions themselves in small communities where the offenders wield considerable power. However, the issue is a complex and ambiguous one as the well publicised case of Susan Taylor's short life and death in the Swan Valley Nyungah Community, after repeated abuse by male relatives and its denial by her grandfather and community elder, Robert Bropho (Age 16/2/02). Welfare workers were denied access to investigate such claims due to this elder's gate-keeping on the grounds of Aboriginal self-determination (ie. group autonomy which can and does mask inter-community power relations). What should a researcher do here? How much weight should a research informant's desire for confidentiality be given, when that confidentiality will perpetuate harms against others?

There are a number of facets to the problem that the researcher faces:

- there is the problem of determining what is in the best interests of the research informants and what weight should be accorded to the promise made to them guaranteeing their confidentiality and anonymity;
- there is also the problem of balancing the rights and interests of the research informants against the rights and interests of other victims in the community and, indeed, of other potential victims in the community;
- there is the problem of balancing all of the aforementioned rights against genuinely competing values (we will not argue here as to whether, in the circumstances just described in Swan Valley, self-determination is a genuinely competing value; clearly, from some perspectives, it was);
- and there is the problem of balancing all these things with the previously-mentioned 'public interest in the prosecution of criminal behaviour' (Hyde 1995, p. 35).

Finally, there is the issue of whether, by not reporting illegal information, researchers are acting so as to protect the interests of the wrong-doers? For instance, are they, as Rhodes-Little (2002, p.1) has said, 'inscribing outdated and unjust power relations by [effectively] offering confidentiality to ... violent and abusive ..[men]'? Are they effectively protecting the on-going use of poor policing practices? We think the answer to these questions is probably 'yes'. However, by not reporting the information it is also true that they are protecting the interests of their informants. So we return to the ethical balancing act: is it more important to protect the informant's interests or to act against unjust and/or unfair practices? The question does not admit of a simple answer. In relation to the police situation, for instance, it may be that the harm caused to the informant by reporting the illegal information is substantially more than the good which the reporting can do in respect to such a large and complex organisation. Indeed, it might be impossible to guarantee that any good will come from the reporting.

However, it should also be acknowledged that informal ways of drawing attention to the illegal behaviour may be available to researcher. For example, there may be a person to whom information of a general nature can be given in an informal manner. This

however may not be appropriate in cases where the illegal behaviour is causing particularly serious crimes – the informal reporting mechanisms available may not have a suitable degree of efficacy.

There are a number of other considerations that ought to inform researchers' decisions about legally compromised behaviour. We have only identified the key ones here.

### **Concluding Comments**

To conclude the paper overall, rather than summarising the main points made, we wish to draw attention to an important question which has rested in the background during the discussions in this paper, *viz.*, the question of the extent to which Ethics Committees ought to enforcing moral values and norms and, conversely, the extent to which such Committees ought to be leaving certain ethical decisions up to researchers to resolve in their respective contexts. Related here is whether Ethics Committees can (and, if so, whether they should) see their role as being to 'save' researchers from having to make difficult ethical and moral decisions in the course of their work. These questions will have to await another paper.

### **References**

Beyer, L 2003, 'Workshop: The Role of Ethics in Research' from <http://www.aic.gov.au/conferences/evaluation/beyer2.pdf> Accessed 16 August 2003.

Bulmer, M 2001, 'The Ethics of Social Research' in *Researching Social Life*, (2<sup>nd</sup> ed), N Gilbert (Ed), Sage, London.

Buzawa E, Austin T L & Buzawa, C G 1993, 'Responding to crimes of violence against women: Gender difference versus organizational imperatives', *Crime & Delinquency*, vol.41, no.4, pp.443-466. This paper was printed off the CSU Library full-text journals on-line site; on the print-out, the quoted material was on p. 3.

Curtin University 2002, 'Indigenous Research Policy' <http://gunada.curtin.edu.au/circ/research/irs.html>, Accessed 1 September 2003.

Hyde, M 1995, 'The Police Need for Discretionary Powers of Prosecution and the Benefits of Research for Law Enforcement', in *Ethical and Legal Issues when conducting Research into Illegal Behaviours*, Proceedings of a forum, J L Fitzgerald and S Daroesman (Eds), University of Melbourne, Melbourne.

Jennett, C & Greer, P 2001, 'Fear, Risk and Visibility: Fear of Crime among Aboriginal people in New South Wales', ANZSOC Conference, University of Melbourne, Melbourne.

Jennett, C & Tulloch, M 2003, 'Women, Liberty, Fear & Community' in *Casting New Shadows*, AWSA 2001 Conference Proceedings, W Wearing (Ed), Institute for Women's Studies, Macquarie University, Sydney [CD-ROM].

Jennett, C, Miller, J, Woolston, R & Fleming, V 1999, 'The contribution of the Prosecutorial Phase to policing Domestic Violence in New South Wales', Paper presented at the *Second Australasian Women and Policing Conference*, University of Queensland, Brisbane.

Jennett, C and Woolston, R 1998, 'Policing Domestic violence' in *Crime, criminology and justice: Current trends and future directions*, proceedings of the Australian and New Zealand Criminology Conference, C McLeod (ed) [CD-ROM], Queensland University of Technology, Brisbane.

Locke, D 2003, *Watching the Detectives*, ABC Books, Australian Broadcasting Corporation, Sydney.

Loxford, W & Hawks, D 1995, Legal Protection for Illicit Drug Use Research, in *Ethical and Legal Issues when conducting Research into Illegal Behaviours*, Proceedings of a forum, J L Fitzgerald and S Daroesman (Eds), The University of Melbourne, Melbourne.

National Health and Medical Research Council 2001, *National Statement on Ethical Conduct in Research Involving Humans*, Commonwealth of Australia.

O'Neill, O 2002, 'Lecture 5 – Licence to Deceive, *The 2002 Reith Lecture's*, from [http://www.bbc.co.uk.radio4/reith2002/lecture5\\_text.shtml](http://www.bbc.co.uk.radio4/reith2002/lecture5_text.shtml), Accessed 10 April 2003.

Palys, T & Lowman, J (n.d.) 'Abandoning "the highest ethical standards": Research ethics at SFU', from <http://www.sfu.ca/criminology/ethics.htm>, Accessed 21 August 2003.

Rhodes-Little, A 2002, 'Confidentiality (con;fides): Keeping Faith? With Whom? Ethics, identification and the socio-legal context of the question of confidentiality for abusive men, *Just Policy*, no.27, August.

Roberts, L & Indermaur, D 2003, 'Signed consent forms in criminological research: protection for researchers and ethics committees but a threat to research participants?' <http://www.aic.gov.au/conferences/evaluation/roberts.pdf> Accessed 16 August 2003

Wolcott, H F 2001, *Writing Up Qualitative Research*, (2<sup>nd</sup> ed), Sage, Thousand Oaks.