



A sensitive topic: the ethics of social surveys (B-epilogue)

Cecily Melbourne's case never came before the Tribunal.

The Department of Family and Workforce Planning put forward the view that the Tribunal had no jurisdiction because it (the Department) had no identifiable information on Cecily.

The Tribunal accepted this view, and the Department subsequently declared the case to be closed. Cecily's only option to pursue the case would be through a Freedom of Information request.

A civil liberties representative, discussing the case later on a radio programme, was critical of the failure to gain informed consent to the survey, as well as the "complete failure to deal with the complaint in a proper fashion." He said the sequence of events "really makes the whole idea of ethics approval a nonsense" and raised a number of broader issues about the privacy of databases held by the government.

The newly appointed chairman of the Canzalian Health Ethics Committee (CHEC) said that a Human Research Ethics Committee, when it approves a project, should also decide what kind of monitoring of the conduct of the approved project should be put in place. The chairman, appointed after the CHEC considered Cecily Melbourne's complaint, acknowledged that research entities must balance their obligation to protect research participants with their accountability to their parent institution.

This epilogue was written by Janet Tyson, Australia and New Zealand School of Government, for Dr George Argyrous, University of New South Wales. It is for teaching use with Case 2008-66.1. The use of teaching materials is restricted to authorised persons.

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CHEC had referred to Cecily's complaint back to the Department of Family and Workforce Planning and subsequently accepted the Department's assurance that the survey was being conducted within national guidelines.

While individual ethics committees can and have removed approval from projects not proceeding in a manner seen as satisfactory, a national body such as CHEC only has an oversight and guidance role.