

EXAMPLES OF ETHICAL DILEMMAS

The Ethics Committee has compiled some generic ethics cases that are intended to challenge academic staff to reflect on ethical issues and assist them in planning projects, teaching ethics and dealing with ethical dilemmas. Below are examples of cases found on the web that might be used in this way but this is work in progress and it is hoped that staff will contribute other case studies either from personal experience or known to them through their research so as to have a range of cases that are applicable to the various disciplines.

(1) Destroying data

What happened?

A study involved video observation of group dynamics during student discussions over the course of tutorials in one academic year. All students who participated in the discussions had signed consent forms, agreeing to be videoed. Subsequently, one student dropped out of the course and decided that he also wanted to withdraw from the study. He asked for his data to be destroyed. The researcher was very reluctant to do this, as destroying the video recordings would mean that she lost data on all the other students who had been involved in those discussions.

What did the researcher do?

The student was entitled to ask for destruction of his data when he withdrew from the study. The researcher explained why she wanted to keep the recordings, and suggested that she analyse them only in terms of interactions that did not involve the student concerned – so she could still use partial data from these sessions. The student did not agree and threatened to make a formal complaint to the University ethics committee, and so the researcher destroyed the data as requested.

<http://www.ethicsguidebook.ac.uk/Examples-of-ethics-dilemmas-141>

THE RESEARCH ETHICS GUIDEBOOK, A Resource for Social Scientists

(2) Data Sharing

Dr. Wexford is the principal investigator of a large, epidemiological study on the health of 5,000 agricultural workers. She has an impressive dataset that includes information on demographics, environmental exposures, diet, genetics, and various disease outcomes such as cancer, Parkinson's disease (PD), and ALS. She has just published a paper on the relationship between pesticide exposure and PD in a prestigious journal. She is planning to publish many other papers from her dataset. She receives a request from another research team that wants access to her complete dataset. They are interested in examining the relationship between pesticide exposures and skin cancer. Dr. Wexford was planning to conduct a study on this topic.

What can the researcher do?

Dr. Wexford faces a difficult choice. On the one hand, the ethical norm of openness obliges her to share data with the other research team. Her funding agency may also have rules that obligate her to share data. On the other hand, if she shares data with the other team, they may publish results that she was planning to publish, thus depriving her (and her team) of

recognition and priority. It seems that there are good arguments on both sides of this issue and Dr. Wexford needs to take some time to think about what she should do. One possible option is to share data, provided that the investigators sign a data use agreement. The agreement could define allowable uses of the data, publication plans, authorship, etc.

<http://www.niehs.nih.gov/research/resources/bioethics/whatis/>
US Department of Health and Human Sciences

(3) All in the Interpretation

Kate is a graduate student in Professor Bigwig's lab. She started a project examining the effects of certain video games in children during her first year of graduate school. Kate has collected all of the data for her project, and she has been carefully examining the trends. Looking back, she might have changed some of her data-collection methods if she could do it over again; but she knows that is the nature of research, and that lessons learned in one project generate new questions to ask in the future. She is excited to see a clear trend in her data that indicates a positive effect of educational video games, but the effect washes out after about a year or two, and she is unsure how to interpret it. She creates a rough draft of a paper that carefully outlines all of her analyses and gives it to Dr. Bigwig for review. Later in his office, Dr. Bigwig explains that the "Results and Conclusions" section of her paper is very weak. He says that she does not make a strong case for the importance of her research. She feels she must choose a black or white stance in her interpretation of the effects of gaming in order to create a strong paper. She also knows that if she emphasizes the positive effects of the games, she could easily write another grant to the video game manufacturer to study the later wash-out period with a high probability of funding.

Kate decides that the initial trend in her data is interesting enough that it should be emphasized in her paper. The paper is published, and Kate receives a great deal of recognition. Eventually Kate's paper is challenged by a competing research group. Their results indicate a deleterious effect of the games over a longer time period. At this point Kate is working in her own lab on another research topic. She is a little worried that the interpretation of her research may have encouraged parents to have their children play games that may ultimately be harmful. Some reporters are even suggesting that her interpretation of the data was motivated by her industry funding, although she doesn't think that is true. She decides to adopt a policy of not communicating with any members of the press.

Issues raised

In what ways might industry funding influence a researcher and affect his/her research?
What should Kate and her institution do to help preserve her scientific integrity in this case?
What is Kate's responsibility in presenting her research findings?
How might the possibility of future funding influence a researcher's presentation of his/her findings? What should be done to minimize the undue influence of funding on the way a scientist interprets and presents his/her findings?
Knowing that most people will not look up the original article when they hear a news report, does Kate's and/or Dr. Bigwig's responsibility to the public change in any way when interacting with the press?
Does Kate (or do researchers in general) have a responsibility to communicate with the media?
If Kate feels that her research is misrepresented in the press, how might she approach the situation? Is she ultimately responsible for the information that is disseminated to the public?

(4) Dilemmas of consent

[Julia Lawton's \(2001\)](#) research was conducted in an in-patient hospice in the UK and explored the experiences of dying patients. Lawton sought to conduct a participant observation approach in which she took on the role of an in-patient volunteer in order to unobtrusively observe patients and day-to-day life, and death, in the hospice. This observation was conducted with consent both from the hospice staff and patients. Patients were informed about the study by senior medical staff at the time that they were admitted to the hospice and were given the opportunity to opt out of any observations that were made. Despite the plans in place to manage the informed consent of hospice patients, several dilemmas in relation to consent were raised.

The first set of dilemmas about informed consent concerned whether it was always possible to assume that informed consent had been achieved prior to observation taking place. In such a busy and stressful environment patients clearly were not able to give lengthy consideration to whether or not they were willing to participate in a research project. It may also have been the case that not all patients would remember consenting to the study. The difficulty also emerged in relation to people who were comatose when they were admitted. In these cases, their family members were consulted for consent on their behalf but this raises a number of ethical dilemmas concerning whether or not relatives should be able to give consent for another person.

The second set of dilemmas concerned issues of on-going consent. Consent was obtained at the time of admission to the hospice but this did not necessarily mean that patients remembered that the research was taking place in subsequent encounters with the researcher. In this case, Lawton's role as a volunteer could have meant that patients viewed her primarily in this role rather than as a researcher. This led her to question whether information provided to her during interactions with patients, particularly that of a personal nature, could legitimately be used for research purposes.

A related dilemma concerned the extent to which a patient's consent could be assumed to remain valid when their medical condition deteriorated such that they ceased to be the person they were when they gave initial consent. Including people in the last stage of their life was important for the study because one of the study aims was to explore the impact of patients' deaths on other hospice patients.

The third set of dilemmas concerned a different aspect of consent which relates to the ways in which, in qualitative research, the specific outcomes of research cannot be predicted. In common with other qualitative studies, Lawton's study evolved into something other than that for which participants originally gave their consent and her findings ended up critiquing the hospice movement. This left Lawton to pose the question whether patients would have consented to participate, and indeed whether hospice staff would have granted her access, had they known what the outcome of the research would be.

The dilemmas identified by Lawton centre around the need to conduct high-quality research that can provide answers to important research questions which will have the ability to impact on policy and practice but to do so in ways that respect research participants' wishes as well as their dignity. Lawton managed these dilemmas by careful and selective use of the data collected. She notes ([Lawton 2001](#): 699): Researchers who employ this methodology have a responsibility to use the data they collect in a sensitive, ethical and reflexive manner. In this project, every effort was made to quote patients and to use specific case studies in a highly

selective fashion. The experiences of many patients were only drawn on in abstract ways, for example, in developing the generalized themes and trends that were highlighted in the study.

Lawton J., 2001 *"Gaining and maintaining consent: ethical concerns raised in a study of dying patients."* *"Qualitative Health Research."* 11 5 693–705 pp.

<http://www.bloomsburyacademic.com/view/What-Are-Qualitative-Research-Ethics/chapter-ba-9781849666558-chapter-006.xml>

Based on an article in the Bloomsbury Academic

(5) Dilemmas of disclosure

Michael Rowe's research was a study of British policing ([Rowe 2007](#)). The aims of this study were to explore the factors that shape officers' decision-making and their exercise of discretion. The focus here is on two specific incidents which presented him with ethical dilemmas. These two incidents centre around issues of role conflict, namely if and when a researcher should report an incident they are concerned with which will result in breaking confidentiality and/or affecting the very thing a researcher has set out to observe.

The most significant incident that Rowe observed concerned an incident in which a police officer lied to a victim of crime. The 'victim' was a woman with learning difficulties who reported the theft of a mobile phone by a young man known to her. The officer said that he would go and talk to the person she had accused of stealing her phone. However, the officer told the researcher that he thought that the mobile phone may not have been stolen at all and that the woman may have lent it to the person she accused of stealing it and he had simply not returned it as agreed. Even if this were not the case he thought that the young man would probably lie and say that it was. Either way it was felt that the woman would not be a 'credible witness' due to her learning disability and, given the incident was minor, it was not likely to lead to any criminal proceedings. The officer decided that he would tell the woman that he had spoken to the young man's mother and that she would get him to return the phone to her once he arrived home even though this was not the case.

Rowe was very surprised by this incident. He decided that three options were available to him: to do nothing; to discuss the matter with the officer; or, to report it to a more senior officer. The first of these would protect his position as a researcher because he was not intervening but would mean he was colluding with the officer's behaviour which fell short of official stated police standards. The second might impact negatively on the relationship developed by the researcher with the officers he was studying and might result in officers limiting the activities that he was able to observe or censoring their behaviour while he was observing. The third option would be likely to result in significant consequences in relation to the on-going research and relationships with officers as well as the additional problem that he would be breaching confidentiality and also run the risk of spoiling the field for other researchers. Rowe decided not to report the incident primarily because he felt the seriousness of the officer's behaviour did not outweigh the likely consequences of reporting it. He notes that if an officer had committed an offence of a more serious nature a different decision might have to be taken.

In a second incident, the researcher observed a suspect put something in his mouth and swallow it. This occurred outside of the view of an officer. The researcher was concerned that the suspect may have swallowed drugs, an action that might have a detrimental impact on them and the officer. At the same time, however, from a methodological point of view, he did not want to interfere with the situation and influence events but rather to observe what would naturally unfold if he was not present. However, he decided that the potential impact on the suspect and the officer were primary and so he told the officer what he had seen.

For Rowe, moral questions about whether to intervene and the consequences of such interventions for the research and those involved with it are dilemmas which have to be considered situationally, according to the severity of the incident. He notes ([Rowe 2007](#): 47, 48): If an absolute code of ethics is not feasible, researchers must be prepared to be reflexive in terms of ethical dilemmas.

Rowe M., 2007 "Tripping over molehills: ethics and the ethnography of police work." *International Journal of Social Research Methodology*. 10 1 37–48 pp.

<http://www.bloomsburyacademic.com/view/What-Are-Qualitative-Research-Ethics/chapter-ba-9781849666558-chapter-006.xml>

Based on an article in the Bloomsbury Academic

(6) Reporting Bad Results

The ethical responsibility of presenting abused women's parenting practices in a negative light.

The paper presents and analyses the ethical dilemmas involved in presenting research findings that describe abused women's parenting practices in a negative light. The study was based on data collected by in-depth interviews for the purpose of examining the turning point among 20 Israeli abused women who refused to live with violence and took active steps to stop it while staying with the perpetrator. Overall the analysis indicated successful survival stories but the women's parenting practices became questionable. This raised dilemmas as to how to present such findings and what are the ethical implications related to interventions with abused women.

<http://www.socialworkpolicy.org/research/ethics.html>

Social Work Policy Institute

(7) Reckless behaviour

Can any of us say we have never made a serious misjudgement? Have we ever allowed our enthusiasm for a particular approach, perhaps a novel solution of our own, to blind us to the potential downsides or even hazards?

A measure of uncertainty is a fact of life, and it is not always possible to ensure that every last detail is handled as thoroughly and carefully as is theoretically possible – particularly considering the ever-present constraints of time and money. However, there comes a point at which there is no excuse to justify less-than perfect behaviour, and that is the point at which the exercise of judgement and human frailty become recklessness. There is no simple solution or formula that shows at which point that line is crossed. However, it is the duty of any ethically-acting, responsible engineer to critically observe themselves, and the actions of their colleagues, to watch out for this line and ensure that it is never crossed.

http://www.icheme.org/About_us/Ethics/~/_media/Documents/icheme/Ethics/ethicsmay.ashx

Trust me - I'm a professional! Institution of Chemical Engineers

(8) Field Trips and Ethical Issues

In a book dedicated to the topic of experiential education and ethics, [Hunt \(1990\)](#) provides an in-depth review of some particular ethical scenarios in outdoor education settings related to:

- **Informed Consent:** It is ethical to disclose the content and risks of activities to students, so that they can make informed decisions regarding their participation. But when, if ever, is it appropriate to go ahead without informed consent?
- **Deception:** Sometimes in outdoor education, deception is used for the supposed benefit of students. There is often an element of intentional surprise, of purposely telling students misleading information, so that students encounter and work through challenges themselves. However, can deception be ethically justifiable?
- **Secrecy:** Sometimes instructors in outdoor education intentionally withhold information for the supposed benefit of students. For example, giving students a map without roads marked and not telling students where water can be found is to keep this information secret. When and how can the practice of secrecy be ethically justifiable in outdoor education?
- **Captive Populations:** A captive population has no choice in their participation. For example, if an instructor leads a group intentionally into a difficult situation on an expedition and then gives a group two options - to go one way or another, then the group is being forced to choose from two options it may not have chosen had it been given a choice much earlier on. Is this ethical?
- **Sexual Issues:** For example, participants in an outdoor education program start a relationship. Some of the participants feel uncomfortable about the situation and approach the instructor and ask her what she thinks should be done about the situation.
- **Environmental Concerns:** For example, a physically disabled participant on an outdoor education program involved in a river rafting trip defecates in his pants and requested the assistance of an instructor to help him wash himself in the river, without the other participants in the group knowing, to avoid embarrassment. However, this is a particularly environmentally sensitive river ecosystem and there are strict park regulations that no fecal contamination whatsoever is allowed to enter the water stream. What would you do and why?
- **Individual versus Group Benefit:** This is a very common dilemma that occurs when there is a conflict between what might be optimally beneficial for the group as a whole versus what might be optimally beneficial for particular individuals.
- **Students' Rights:** For example, if instructors withhold letters written to students by family and friends, because they believe it is beneficial to students to spend time only with the group and the environment, is that ethically justified? What are students' rights?
- **Social Implications:** For example, a nuclear power plant company approaches a financially struggling outdoor education company and request a program to improve the teamwork of their managers as they are preparing to engage in a major new phase of production and they want their managers to work more effectively. The nuclear power plant company has been subject to criticism by environmental surveillance agencies for possibly contaminating the local environment. What should be done and why?
- **Paternalism:** Paternalism refers to taking away an individual's right and capacity to make a decision, supposedly in the interests of that person's well-being. For example, if a participant wants to leave a program, but a powerful other, e.g., course director, talks the person into staying on the program. What are ethical approaches in these kinds of situations?

Hunt, J. S. (1990). *Ethical issues in experiential education* (2nd ed.). Boulder, CO: The Association for Experiential Education.

<http://www.wilderdom.com/EthicsMoralDevelopment.htm>

Outdoor Education, Ethics and Moral Development