

RETROSPECTIVE RESEARCH ETHICS REVIEW

It is fundamental to the spirit of the University Research Ethics Policy that research involving human participants, human tissue or personal data should not begin before research ethics review has taken place, according to the Research Ethics Approval Procedure, and ethics approval granted. Retrospective ethics review is, therefore, not permitted. It is the responsibility of the principal investigator or, in the case of a student project, the supervisor, to ensure that ethics review is undertaken in good time. There are no exceptions to this principle.

However, there may be circumstances in which there is legitimate uncertainty about when research begins (or has begun). In particular, scholars may accidentally, or unexpectedly, come across materials or events that subsequently become of research interest (i.e., they could be used as data within research).

The following examples may serve to illustrate the kinds of circumstances in which this may, with the best of intentions, happen:

- Attendance at a public occasion generates notes and observations that, subsequently, contribute to the framing of a research problem. For the sake of illustration, the occasion in question might, for example, be a political meeting, an academic conference, or a sporting occasion.
- An historian may come across documents that deal with living individuals and which set off a train of research thought. The expression 'come across' can cover a variety of eventualities: someone may send them, unsolicited, to the scholar concerned, for example, or the researcher may find them in an archive while investigating another, unrelated matter.
- A routine Internet search for material of interest with respect to ongoing research, or even undertaken for unfocused curiosity, may throw up something unexpected that stimulates the development of another line of research.
- Data collected as part of routine student module evaluations may show some interesting trends which the module leader would like to develop into a publishable piece of research.

These examples are simply chosen to illustrate the role of serendipity in the genesis of research, and do not exhaust the possibilities.

Taking the first paragraph of this Research Note completely literally it might be thought that in all three cases the initial material would be unusable as data, because it was noted or collected prior to ethics approval.

However, it is not the purpose of the Policy to discourage or prevent ethically defensible research from taking place. So, in cases such as the above, as soon as the researcher in question decides either (1) to develop a research project on the basis of the original materials or (2) to publish an account or analysis of the material in question, without further research, ethics review must take place immediately. No further work on the material will be permissible until ethics review has taken place. The research ethics application must make it

clear that research ethics approval is being sought for existing material, that might already be in the researcher's possession, to be used in research, and that retrospective research ethics approval is not being sought.

These limited exceptions cannot be used to permit retrospective ethics review for a project that could, and therefore should, have been reviewed through the normal procedure. Therefore, applications of this, exceptional, kind must initially be referred to the University Research Ethics Committee (UREC), together with details of how the materials were originally generated, and the original intention of these materials. UREC will determine whether it would be legitimate for a research ethics application to be made for these materials to be used for research and thus, decide whether they should proceed to ethics review within the department concerned. Only once this process has been undergone, and research ethics approval has been obtained, can research on the materials commence.