

- Hudson J, editor. Proceedings of the conference "Can ethics be done by committee". Melbourne: Monash Centre for Human Bioethics, 1988: 92-97.
3. National Health and Medical Research Council. Report on workshops on the constitution and functions of institutional ethics committees in Australia 1984-1985. Canberra: NHMRC, 1985: 12.

Ethics committees: is the tail wagging the dog?

Sed quis custodiet ipsos Custodes?
Juvenal, circa 100 AD

But who shall guard the guards themselves?

To the Editor: Konrad Jamrozik draws attention to a number of failings of the current system of ethical review by institutional ethics committees (IEC),¹ focussing in particular on their inadvertent capacity to hinder research and create waste — of researchers' time, of IEC members' time and of paper.

More sinister, and not touched on by Jamrozik, is that IECs do not always act in good faith and that the hindering of good research projects is not always inadvertent. Norman Swan,² then the producer of the ABC "Health Report", appears to have been the first in Australia to draw attention to the fact that IECs are in a position to abuse their authority and that they have, on occasion, done so. Vested individual interest, or worse, vested institutional interest, can mean that well designed ethically sound research projects are thwarted and poor or unethical projects given the green light. Furthermore, where the problem is one of vested institutional interest, there is always the possibility of unsound practices becoming entrenched and hidden from the wider academic community.

One solution to this problem would be for the NHMRC to conduct regular open audits of IECs. This possibility was touched on in an early NHMRC publication,³ but to our knowledge has never been implemented. The disadvantage of this is that if ever such an audit is undertaken it may be perceived as prima-facie evidence of an IEC having acted improperly. This ought not to be the case; rather, audits should be perceived as integral to the process of ethical review and the primary means of "guarding the guards".

A second reason for the NHMRC to conduct audits would be to introduce a measure of sanity and order into what appears sometimes to be a random process. Implicit in the need for some research projects to be submitted to multiple IECs is the suggestion that what might appear ethical to one committee may seem unethical to another. While a diversity of opinion is not of itself a bad thing, it has been known for one IEC to approve a project and for another to quash the same project, purportedly on ethical grounds, but in fact because the project was politically sensitive or stirred the professional jealousy of a member of the second IEC.

An alternative to the audit process would be to create a forum (perhaps a "whistle-blower" group) in which IEC abuses of authority could be publicised. Without either audit or forum, the situation is likely to remain much as it was when Swan remarked, "I have to deal in anecdote because there are few people willing to speak up about the level of cynicism and cases of abuse of the ethics system". With a little effort and shared experience, we believe that much could be achieved.

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1. Jamrozik K. Ethics committees: is the tail wagging the dog? *Med J Aust* 1992; 157: 636-637.

2. Swan N. Is there a clinical role for the ethics committees. In: