



CODE OF CONDUCT FOR RESEARCHERS

1. Introduction

This Code of Conduct applies to all persons and organisations conducting research at the Department of the Attorney General (DotAG). The purpose of this Code of Conduct is to outline the research principles to be adhered to when undertaking research in DotAG.

For the purposes of this document the following applies.

- The term ‘research’ also relates to evaluations.
- ‘Clients’ includes young people¹ and adult offenders, prisoners, court defendants, victims and young people’s families.
- ‘Staff’ refers to all employees working within DotAG.
- ‘Participants’ are the subjects of the research.
- ‘Researchers’ are individuals who undertake research within DotAG services.

2. Requirements for research projects and researchers

- a) The project must respect RAAC ethical standards such that the safety, privacy, welfare and human rights of defendants, offenders and their families, victims, prisoners, staff and researchers are protected.
- b) The project must have a research design that uses defensible, evidence-informed methodologies suited to the nature of the research and that can be endorsed by RAAC.
- c) The project must contribute to the advancement of knowledge about the justice system.
- d) Where an ethics approval is required by the researchers’ organisation (for example a University), RAAC requires that approval documentation be included with the research application.
- e) The selection of participants must be equitable, within the constraints of the required sample, and informed consent must be sought and documented, except in the cases where the research utilises large, data sets, where it is not practical to obtain consent.
- f) Incentives to participate must not be offered to potential research subjects. Research should not advantage or disadvantage participants or non-participants in any way.

¹ Being those young people over ten and under 18 years of age.

- g) The researcher/s are responsible for the actions of any person participating in the research project as an associate, assistant or subcontractor.
- h) The researcher/s must not publish factual information about a facility that the Department deems to be a security risk to any persons.
- i) The researcher/s must observe the rules and operation of any DotAG facilities where the research is conducted.
- j) The researcher/s must submit any changes to the research design to RAAC for approval prior to implementing the changes.
- k) Researcher/s having direct access to DotAG clients, facilities and/or client data may be required to undertake a criminal screening and, if applicable, a Working With Children clearance as per DotAG policy. Researcher/s may need to complete a *Consent to Obtain Personal Information Form* used by DotAG as part of the criminal history record check. A previous criminal conviction or pending charge will not necessarily preclude a person from the research project. It is at the discretion of RAAC and/or DotAG executive to assess the circumstances and determine approval.
- l) Any approval to access data or clients will be for the duration of 12 months from the date of the signature of the Code of Conduct. Further access will be subject to new approval.
- m) The researcher/s must inform RAAC on any possible contentious issues at any stage so that they may be resolved to the mutual satisfaction of the researcher/s and RAAC.
- n) Court transcriptions may only be used in accordance with the relevant legislation and procedures of each Court.
- o) For reasons of security, privacy and confidentiality, recording of client consent/interviews by external researcher/s are in principle not permitted. Any requests for exceptions to this principle need to be included in the application, providing the rationale for the request.

3. Cultural sensitivity

- a) Research conducted at DotAG must acknowledge or take into account the specific cultural needs of people from culturally and linguistically diverse backgrounds.
- b) Research conducted at DotAG must be in line with the Guidelines for Ethical Conduct in Aboriginal and Torres Strait Islander Health Research published by the NHMRC².

² http://www.nhmrc.gov.au/_files_nhmrc/publications/attachments/e52.pdf

4. Access to departmental databases

- a) Access to individually identifiable data will be considered according to research requirements, rationale and legal requirements. Access will be subject to continuing monitoring of requirements.
- b) Data obtained from DotAG, or collected during the research, can only be used in the manner approved by RAAC for the approved project. Any subsequent use of the data must be submitted to RAAC as a new application.
- c) Researchers who are conducting research on behalf of DotAG can gain access to those records relating to the subject of the approved research project. This may include individually identifiable data if appropriate.
- d) Researchers conducting approved research which is not on behalf of DotAG, can gain access to records that are non-individually identifiable, subject to the Code of Conduct.
- e) All records which contain identifiable data must be returned to an appropriate area within DotAG as soon as they have been de-identified and integrated into any analysis.
- f) Non-identifiable data received from DotAG should be stored or disposed of according to the organisation's own record keeping policies.

5. Informed consent

Before commencing research which requires the participation of staff or clients of DotAG, the researcher/s shall:

- a) Provide each participant with a written and verbal research explanation that includes the following information – please check the [example](#)³ provided on the [DotAG website](#)⁴:
 - identification of the principal researchers;
 - outline of the nature and content of the research project;
 - outline of the objectives of the research project;
 - a description of the research methodology (in plain English) and the potential impact on the participant, including any likely discomfort and risk;
 - an outline of anticipated use of the research results;
 - an offer to answer any additional questions regarding the research;
 - a statement that participation is voluntary;
 - a statement that participation will have no impact on the participant's trial outcome, sentence, release date or release eligibility (if applicable);
 - a statement that the participant can withdraw at any time without penalty or prejudice;

³ http://www.department.dotag.wa.gov.au/S/students_researchers.aspx

⁴ <http://www.department.dotag.wa.gov.au>

- assurance of individual confidentiality of the research information and exceptions to this confidentiality as required by State or Commonwealth law -
 - for example, the limits of confidentiality are to be clearly articulated and all participants must be made aware that confidentiality cannot be guaranteed if participants do or say something that involves harm to themselves or someone else, or if they talk about an offence which they have not been charged or convicted for, or if they intend to perform actions that threaten the security or good order of a court or prison;
- procedures in place where participants can raise any issues regarding the research; and
- statement that, if a participant discloses criminal behaviours for which they have not been charged, the researcher/s must inform an appropriate manager of the disclosure.

b) Obtain from each participant either of the following:

- either a written informed consent - please check the [example](#) provided on the [DotAG website](#);
- a verbal consent that is electronically registered (tape recorded) or witnessed and signed off by an independent witness; or
- in cases where the participant is a minor, the additional consent of a parent or guardian is needed.

6. Monitoring approved research projects

The RAAC will monitor all research projects for compliance with DotAG requirements, rules and regulations. A register of all projects will be maintained by RAAC.

7. Conflict of interest

The researcher/s must disclose any information that is or might be relevant to determining whether an actual, potential or perceived conflict of interest exists to the RAAC. The researcher must inform RAAC if a conflict of interest becomes apparent during the course of the research.

8. Termination or suspension

The RAAC reserves the right to suspend or terminate a research project in the following instances.

1. The continuation of the research may prove detrimental to DotAG clients, staff or the safe and orderly operation of the facilities.
2. The person who is subject to this Code does not abide their agreement with RAAC.
3. A person who is subject to this Code is convicted of committing (or has been charged with committing) a criminal offence or has engaged in misconduct contrary to their employment contract.

9. Reports

- a) Reports on the progress of the research are required on an annual basis or as specified, starting from the approval date.
- b) After completion of the project, and prior to publication, researchers will provide RAAC with an electronic copy of the full report, as well as an executive summary.
- c) Reports may be used for internal distribution and a copy can be held in DotAG library. The executive summary may be posted onto the Departmental website. All of these decisions are subject to RAAC's discretion.

10. Publication of results of research is permitted under the following circumstances

- a) In any publication the researcher/s shall acknowledge DotAG's participation in the conduct of the research.
- b) The researcher/s shall publicly state in any material they publish cannot be considered as either endorsed by DotAG or an expression of the policies or the view of DotAG.
- c) The RAAC requires a copy of any document 20 working days prior to its public release. Submission of theses, manuscript submission, conference presentations, journal publications, press releases and internet postings are considered public release.
- d) The researcher/s must not publish any document that identifies DotAG clients or staff, contains factual inaccuracies, or contravenes any legislation (i.e. reveals inappropriate information about a facility). RAAC reserves the right to refuse the researcher/s permission to publish components of the report that contain DotAG data if these conditions have not been met, and refuse to consider future research submissions.

11. Declaration

Having read and understood the DotAG Research Code of Conduct, I declare that I will preserve the confidentiality of the information released into my care and will adhere to this Code of Conduct and other conditions that have been agreed in communication with RAAC.

Investigators		Witnesses
Signature:		
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All researchers who are involved in the project (i.e. all personnel who will see name-identified data, DotAG databases or access DotAG premises/staff or clients) must sign this declaration. Please attach extra copies of this page as necessary. Researchers should not witness each other's signature. This should be done by an adult independent to the researchers. Researchers should keep a signed copy of the Code of Conduct for their own records. Researchers should initial each page of the agreement.