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DIVISION OF RESEARCH

Use of Deception in Research

FAU HRPP

Overview

- Historical Issues
- Ethical considerations
- Regulations
- Researcher Responsibilities
- Case Studies

Historical Issues

- 1947 Nuremburg Code
- 1963 Milgram Obedience Study
- 1971 Stanford Prison Experiment
- 1974 National Research Act
- 1979 Belmont Report
- 1981 Dept Health and Human Services Code of Federal Regulations for Research (45CFR46)

Nuremburg Code

"The voluntary consent of the human subject is absolutely essential."

- This means that the person involved should have legal capacity to give consent; should be so situated as to be able to exercise free power of choice, without the intervention of any element of force, fraud, deceit, duress, over-reaching, or other ulterior form of constraint or coercion; and should have sufficient knowledge and comprehension of the elements of the subject matter involved, as to enable him to make an understanding and enlightened decision.

https://history.nih.gov/research/downloads/nuremberg.pdf

Belmont Report

"Respect for persons demands that subjects enter into the research voluntarily and with adequate information."

- To show lack of respect for an autonomous agent is to repudiate that person's considered judgments, to deny an individual the freedom to act on those considered judgments, or to withhold information necessary to make a considered judgment, when there are no compelling reasons to do so.

http://www.hhs.gov/ohrp/regulations-and-policy/belmont-report/index.html#xrespect

Ethical Considerations

- Deception should not be used if…
  - The intent is to trick a subject into participating in something they would otherwise not do *and/or*
  - Place subjects at financial, social, legal, physical, or psychological risk.

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Regulations and IRB Considerations

Regulations (45CFR46.116.d)

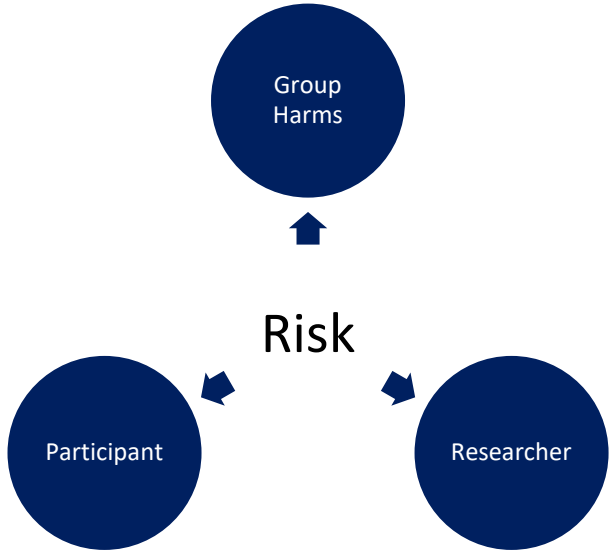
- An IRB may approve a consent procedure which does not include, or which alters, some or all of the elements of informed consent set forth in this section, or waive the requirements to obtain informed consent provided the IRB finds and documents that:

1. The research involves no more than minimal risk to the subjects;
2. The waiver or alteration will not adversely affect the rights and welfare of the subjects;
3. The research could not practicably be carried out without the waiver or alteration; and
4. Whenever appropriate, the subjects will be provided with additional pertinent information after participation.

IRB Considerations

Risk Assessment

- The IRB must assess if risks are minimized and if there is a favorable risk/benefit ratio



Study Design

An IRB will ask…

- Why is deception necessary?
- Is deception justified?
- When/how will subjects be debriefed?

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Researcher Responsibilities

Researcher Responsibilities

- Assess study design and ethics
- Consider regulatory requirements
- How will consent be provided? What information will be given or held back?
- How and when will debriefing take place?
- Do you have support for subjects who may need it?

Researcher Responsibilities

Debriefing Options

- Immediate: Immediately following participation.
- Delayed: Providing debriefing information via email, website, or other means when study has completed.
- Incomplete: May not provide all information. For example, subject selection was based on a negative behavior.

Considerations

- Is withholding information always deception?
- Is the deception justified by the scientific value of the study?
- Are other non-deceptive procedures acceptable for data collection?
- Would withheld information affect the subjects decision to participate?
- Is debriefing necessary?

Examples: “I read it on Facebook”

1) A researcher uses fake news articles and social media feeds to assess subject reactions to various issues and scenarios.

Is this deception?

2) A researcher uses fake news articles and social media feeds to assess subject reactions to various issues and scenarios. The researcher indicates the articles and feeds are of actual events.

Is this deception?

Examples: “Shop Around”

A researcher wants to assess sales habits of retail employees. Data collection will include how aggressive the employee is, how many times a store credit card is offered, and what items the researcher is steered towards. In order to ensure a true response, the researcher does not state this is part of a study and instead acts as a true customer.

Should the employee be debriefed?

What obstacles exist if debriefing is required?

A researcher wants to assess sales habits of retail employees. Data collection will include how aggressive the employee is, how many times a store credit card is offered, and what items the researcher is steered towards. The research team will compare experiences across racial and perceived socio economic status. In order to ensure a true response, the researcher does not state this is part of a study and instead acts as a true customer.

Should the employee be debriefed?

What obstacles exist if debriefing is required?

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