

Research and Evaluation Management Committee (REMC)

Terms of Reference



To guide the REMC in the oversee of DCS's Research and Evaluation Framework including the review and assessment of research and evaluation applications

June 2014

Strategic Policy, Projects and Partnerships Offender Development Directorate



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Endorsed DCS Executive Group June 2014

1. Role of Committee

DCS encourages external research in a vast range of areas that are of interest to DCS. The role of external research is to enhance the ability of DCS to achieve the goals established through the Strategic Plan and Business Plan, whilst upholding and promoting the Service Principles – Shaping Corrections.

The Research and Evaluation Management Committee (REMC) has been established to; oversee the Department of Correctional Services (DCS) Research and Evaluation Framework (REF), drive the department's research agenda and implementation plan, foster a research culture including the development of a research strategy to increase the organisation's R&E skills and, importantly to review and monitor internal and external research proposals and applications.

The REMC aims to ensure that all research and evaluation proposals/ applications are aligned to the DCS Strategic and Business Plans and in accordance with legislative requirements.

The REMC provides a 'first point of approval' for all research proposals ensuring there is appropriate business level engagement, identifying any ethical considerations as well as potential impacts or implications for DCS resulting from the research proposed.

It is intended that the REMC is guided by the principles set out in the National Health and Medical Research Council (NHMRC) National Statement of Ethical Conduct in Human Research (2007)¹, relevant legislation, policies and codes² and, that it undertakes initial ethics review prior to any formal ethics processes via a university or other endorsed body i.e. the Department for Communities and Social Inclusions – Families and Communities Research Ethics Committee.

1.1 The purpose of the REMC

- Oversee and lead the implementation of the DCS Research and Evaluation Framework (REF)
- Provide leadership and advice regarding the department's strategic research priorities and directions, including alignment of research to DCS strategic priorities
- Facilitate partnerships and collaborative activity with internal / external stakeholders, including universities, clinical or professional staff, other research institutions, other government agencies, third sector organisations, and other jurisdictions
- Strengthen investment opportunities in collaborative projects
- Monitor and review research activity against the department's Research Agenda and Strategy,
 DCS Strategic Plan, and regular review of the research guidelines and processes.

¹ National Health and Medical Research Council 2007, *National Statement on Ethical Conduct in Human Research*, NHMRC, Australian Government, viewed 21 July 2009, http://www.nhmrc.gov.au/publications/synopses/e72syn.htm

² In particular, National Health and Medical Research Council 2007, Australian Code for the Responsible Conduct of Research, NHMRC, Australian Government, viewed 21 July 2009, http://www.nhmrc.gov.au/publications/synopses/r39syn.htm; National Health and Medical Research Council 2003, Values and Ethics: Guidelines for Ethical Conduct in Aboriginal and Torres Strait Islander Health Research, NHMRC, Australian Government, viewed 21 July 2009, http://www.nhmrc.gov.au/publications/synopses/e52syn.htm; Department of the Premier and Cabinet, Information Privacy Principles (IPPs) Instruction

- Review and assess research and evaluation applications in accordance with key legislation, standards, policies, codes and the DCS REF.
- Provide advice and support for research communication and dissemination and facilitate the promotion of research across DCS with external bodies.
- Facilitate DCS's research and evaluation capacity building including development of guidelines, processes and resources to assist and inform researchers and evaluators undertaking research or evaluation in DCS.

1.2 Terms of Reference

- Provide advice and recommendations on research and evaluation priorities for the DCS aligned to the department's Strategic Plan.
- Ensure that research undertaken within departmental sites or commissioned by the department are of high quality and that processes are open, transparent and accountable
- Ensure that resources dedicated to R&E activity are increasingly focused on identified and agreed areas of strategic priority to DCS and the wider criminal justice sector
- Ensure a critical body of research in priority areas is established, shared and used in policy decision-making and practice development
- Build the research capacity of DCS staff and ensure it is enhanced at all levels of the organisation
- Strengthen communication with external researchers and funding bodies to ensure that research effort is focused toward areas of strategic priority to corrections and the wider criminal justice sector
- Foster collaboration with criminal justice institutions and research bodies locally, nationally and internationally.
- Ensure quality research and evaluation governance processes are maintained for the effective implementation of R&E activities.
- Review all research and evaluation applications and consider the merit of each on a case by case basis for the benefit of all parties involved and against key standards and the department's strategic priorities.
- Report regularly, seek direction and provide recommendations to DCS Chief Executive and Executive Leadership Group regarding the department's current and future research and evaluation activity.

1.3 DCS Obligations to the researcher

When considering research applications, DCS will take into consideration the:

- safety of the researcher
- management of the range and extent of research to ensure DCS operations are not jeopardised and research topics are not duplicated
- appropriateness of research methodologies from an operational perspective

cost of providing research assistance and supervision/monitoring, against potential benefits.

1.4 Reporting

The REMC Chairperson will report regularly (at least quarterly) to the DCS Chief Executive regarding current research and evaluation applications and approvals.

1.4 Membership

Membership of the REMC will include nominees from across DCS and at least **2** members external to the department with relevant experience in either in criminal justice, corrections, research, evaluation, pastoral care or victim awareness.

Membership of REMC will include:

- A Chairperson
- At least one person with knowledge of, and current experience in the professional care, management or treatment of offenders
- At least one representative from Statewide Operations
- At least one representative with knowledge of DCS corporate needs amid a changing corrections environment
- At least one person with knowledge of, and current experience in the areas of research regularly considered by the Committee.

Membership may also include (or seek access to) individuals who have expert knowledge of areas of particular relevance to DCS including knowledge;

- to build an organisation capable of achieving it strategic objectives amid a changing environment e.g. workforce development, organizational culture, asset management and infrastructure development, resource allocation, systems and process development
- analyse a wide range of demographic data related to DCS's remand and offender population and identify emerging trends and the potential impacts on the correctional system
- related to the design and delivery of effective criminogenic and rehabilitation programs and services within a psychology, criminology or social work paradigm
- different offender types based on demographic characteristics i.e. female offenders, young adult offender, ageing offenders, Aboriginal offenders, culturally and linguistically diverse (CALD) offenders, and offenders with a disability
- different offender types based on offence-specific characteristics i.e. sex offenders, offenders involved in organized and transnational crime, violent offenders, persistent offenders, traffic offenders, problem gambling
- cross cutting issues affecting offenders i.e. substance abuse issues, health issues, personal capability, victimization and offending
- feedback and evaluation mechanisms to review program, policy and service performance.

Non-REMC members with specialist expertise may at times be invited to provide input or attend meetings to ensure the REMC has available the expertise required to assess the diversity of research proposals.

In addition to the above, the Chairperson in consultation with the REMC may appoint additional members to the committee from two other categories:

- 1. Advisory members appointed to create a pool of experts who can be called upon as needed to provide advice related to any research under review
- **2. Short-term rotating members** (appointed for periods up to 12 months) as an opportunity for DCS staff to develop skills in research and evaluation review and practice.

1.5 Appointments

REMC members will be appointed by the Director, Strategic Policy, Projects and Partnerships, DCS. Members are appointed as individuals for their expertise rather than in a representative capacity.

1.6 Chairperson and Deputy

The Chairperson of the REMC is the Director, Strategic Policy, Projects and Partnerships, Offender Development.

At least two Deputies will be selected by the REMC, to act when the Chair is absent or to chair the meeting where the Chairperson has an actual or potential conflict of interest.

The role and responsibilities of the Chairperson are:

- To chair the meetings of the REMC
- To ensure matters referred to the REMC are addressed and that outcomes and decisions are accurately recorded
- To ensure the guidelines for the operation of the REMC are adhered to
- To ensure research and evaluation proposals are considered in an effective and timely manner.
- To ensure that complaints are dealt with appropriately
- To oversee procedures and monitoring of approved research

1.7 Tenure

Members are appointed for a period of two (2) years with the possibility of re-appointment.

1.8 Lapse of membership

Membership will lapse if a member fails to attend three (3) consecutive meetings of the REMC without an apology, unless exceptional circumstances exist. The member will be notified in writing of a membership lapse.

1.9 Member remuneration

Members of the REMC who are not government employees may be reimbursed for expenses and time associated with attending meetings. No other payments will be made to members.

1.10 Confidentiality

Members of the REMC will treat and keep confidential all information and documents which relate to business considered by the REMC. Members will be required to sign a confidentiality agreement.

1.11 Legal indemnity

DCS indemnifies members when they are acting in good faith for the purposes of discharging their roles as members of the REMC.

1.12 Administrative support

Executive and administrative support to the REMC will be provided by Strategic Policy, Projects and Partnerships Unit, Offender Development, DCS.

2. Committee operations³

REMC will perform its functions according to the procedures outlined in this document.

The procedures will be reviewed periodically and updated as necessary.

All REMC members will be provided with copies of the REMC TOR and Committee Operations and are required to be familiar with the *National Statement on Ethical Conduct in Human Research (2007)* (referred herein as NS).

The REMC will conduct its business at regular meetings. On some occasions, as determined by the Chairperson, the REMC may attend to business out of session via email or phone.

2.1 Meetings

2.1.1 Frequency

REMC will meet bimonthly (once every two months). In the absence of any business, or when matters are attended to out of session, meetings may be cancelled at the discretion of the Chairperson.

2.1.2 Attendance at meetings

A schedule of meetings will be prepared yearly and circulated to members in advance to facilitate attendance.

Where a member cannot attend a meeting he/she should advise the Chairperson or the Executive Officer before the meeting that they cannot attend and also of their views on the items listed for consideration.

A quorum required for a REMC meeting is the physical presence or written feedback of one member more than fifty percent of the total membership.

Where there is less than full attendance of the minimum membership, the Chairperson must be satisfied that, before a decision is reached, the views of those absent who belong to the minimum membership have been received and considered.

2.1.3 Distribution of Committee papers

The agenda and papers will be distributed to all members of the REMC at least five working days prior to the meeting.

Additional or urgent business may be put before the meeting at the discretion of the Chairperson.

2.1.4 Ethics review and approval

The REMC provides a 'first point of approval' for all research proposals ensuring there is appropriate business level engagement, identifying any ethical considerations as well as potential impacts or implications for DCS resulting from the research proposed.

³ Adapted from the SA Department for Communities and Social Inclusions Families and Communities Research Ethics Committee's Operational Procedures (2014).

It is intended that the REMC is guided by the principles set out in the National Health and Medical Research Council (NHMRC) National Statement of Ethical Conduct in Human Research (2007)⁴, relevant legislation, policies and codes⁵ and, that it undertakes initial ethics review prior to any formal ethics processes via a university or other endorsed body i.e. the Department for Communities and Social Inclusions – Families and Communities Research Ethics Committee.

2.1.5 Conflict of interest

Members of the REMC should disclose any actual or potential conflict of interest that bears on any research or evaluation coming before the REMC.

Conflicts might include:

- personal involvement or participation in the research
- financial or other interest or affiliation
- involvement in competing research

Members with a conflict of interest should absent themselves from discussion of the application. The conflict of interest and absence of the members concerned will be recorded in the minutes.

2.2 Reviewing applications

2.2.1 Applications

The closing date for applications is two weeks prior to the sitting date of the REMC. All proposals submitted by the deadline will be considered at the following meeting. Late applications will not normally be considered until the next scheduled meeting.

2.2.2 In-principle approval

All research proposals require in-principle approval from DCS to ensure that the project can be accommodated and is supported before proceeding to full application. *Strategic Policy, Projects and Partnerships* can provide assistance to researchers and confirm the appropriate contact person within the agency.

In-principle approval does not constitute ethics approval and does not guarantee final committee approval.

Researchers are strongly advised to consult with the relevant area of DCS about the research or evaluation project to discuss resource implications, methodology, relevancy to DCS i.e. alignment to the department's key strategic and operational priorities and processes prior to submitting an application to the REMC. *Strategic Policy, Projects and Partnerships* can help with this process.

⁴ National Health and Medical Research Council 2007, *National Statement on Ethical Conduct in Human Research*, NHMRC, Australian Government, viewed 21 July 2009, http://www.nhmrc.gov.au/publications/synopses/e72syn.htm

In particular, National Health and Medical Research Council 2007, Australian Code for the Responsible Conduct of Research, NHMRC, Australian Government, viewed 21 July 2009, https://www.nhmrc.gov.au/publications/synopses/r39syn.htm; National Health and Medical Research Council 2003, Values and Ethics: Guidelines for Ethical Conduct in Aboriginal and Torres Strait Islander Health Research, NHMRC, Australian Government, viewed 21 July 2009, https://www.nhmrc.gov.au/publications/synopses/e52syn.htm; Department of the Premier and Cabinet, Information Privacy Principles (IPPs) Instruction

If in-principle approval has not been sought and received prior to the research or evaluation application being lodged with the REMC, the REMC Executive Officer will liaise with the relevant are of DCS to inquire regarding approval. This may delay consideration of the application by the REMC.

Generally, the REMC will not review an application that has not received in principle approval from the Chief Executive or the relevant agency Executive Director.

However in exceptional circumstances, if approval has not been confirmed by the time of the REMC meeting at which the application is to be considered, the Chairperson may allow the application to be considered. Any approval granted in such a circumstance will be *Conditional Approval* only.

The Executive Officer, REMC may seek confirmation of the business area's continuing approval and support for the project on final receipt of the research application including project methodology, participant materials and data collection tools and ethics approval for committee review.

There may be the requirement for researchers to seek additional ethics approval from the Department for Communities and Social Inclusions *Families and Communities Research Ethics Committee* in circumstances whereby the REMC believes further consideration is required of the ethical impacts to the offender / prisoner group in scope.

2.2.3 Decision making

The REMC will seek to reach a decision through an exchange of opinions which may involve seeking input from non-REMC members with specialist expertise.

After review of the proposal, the REMC may choose to delegate to the Chair or Deputy Chair and nominated members the authority to approve the proposal between meetings.

This review may result in the following decisions:

- Approved
- Conditional approval (approval granted subject to specific amendments to the proposal, additional information being provided, or in-principle approval granted from the relevant DCS business area)
- Deferred (where applicant is required to provide additional information or make amendments to the proposal)
- Not approved

The final decision will be as follows:

- Approved
- Not approved

2.2.4 Urgent consideration of an application

When exceptional circumstances exist (as determined by the Chairperson in consultation with at least two other members of the REMC) that warrant an urgent consideration of an application, the following process will be used;

 The Executive Officer will send out the application via electronic mail to all members of the REMC for comments/ decision

- Generally, members will be given five working days to respond
- The Chairperson will conclude the REMC's decision based on comments provided by members.

2.2.5 Low and negligible risk research applications

Low and negligible risk research applications still require in-principle approval from the relevant DCS Directorate or business area.

Research which is considered low or negligible risk may not require review by the full REMC. The following definition applies:

- Research is low risk where the only foreseeable risk is one of discomfort. Where the risk, even if unlikely, is more serious than discomfort, the research is not low risk
- Research is negligible risk where there is no foreseeable risk of harm or discomfort; and any foreseeable risk is not more than inconvenience. Where the risk, even if unlikely, is more than inconvenience, the research is not negligible risk.

Some negligible risk research may receive an exemption from ethics approval. Exemption is only possible where the research/study involves the use of an existing collection of data or records that contain only non-identifiable data about human beings (NS 5.1.22).

Negligible risk research which falls outside the above criteria and low risk research can receive expedited review by a subcommittee of REMC. This subcommittee will consist of the Chairperson or Deputy Chairperson and at least two other REMC members. At least one of the three subcommittee members must be a REMC member external to DCS.

More detailed information for applicants on which research may receive an exemption or expedited review is provided in **Appendix 1**. Researchers seeking exemption or expedited review can complete the *Low/Negligible Risk Research Application Form*.

The review process for low/negligible risk applications is as follows:

- 1. The applicant seeks in principle approval from the relevant DCS Executive Director or business area.
- Applicants review their project in light of the Low/Negligible Risk guidelines provided in Appendix
 Applicants are strongly encouraged to discuss their application with the REMC Executive
 Officer.
- 3. If the applicant considers the project is low/negligible risk:
 - The REMC Low/Negligible Risk Research Application Form is completed and submitted.
- 4. Negligible risk exemption from REMC review:
 - The REMC Chairperson or their nominee makes a determination as to whether the application
 is eligible for exemption on the ground that the risk is negligible, taking into account the level
 and likelihood of risk and methodology.
 - a. If not eligible, the matter may, at the discretion of the Chairperson or their nominee, be:

- 1. Referred to a sub-committee of REMC for expedited review, if it is likely to be eligible for low risk review, or
- 2. Referred to the full REMC in which case the applicant will be required to submit a full application.
- b. If the application is exempted from REMC review, formal acknowledgement of this will be forwarded to the applicant(s) by the REMC Executive Officer.

5. Regarding **expedited** review:

- The Chairperson or their nominee will make an initial determination of whether the application is eligible for expedited review:
 - a. If not eligible, the matter is referred to the full REMC for review and the applicant will be required to submit a full application.
 - b. If the application is eligible, the Chairperson or their nominee will refer the application to a subcommittee of the REMC for review. The subcommittee meets out of session and deliberations may result in the following decisions:
 - 1. Approved
 - Conditional approval (where the applicant is granted approval subject to specific amendments being made to a proposal, additional information being provided to the Chairperson, or in principle approval being granted by the relevant DCS Executive Director or business unit)
 - 3. Deferred (where the applicant is required to provide additional information or make amendments to the proposal)
 - 4. Full REMC review required (the subcommittee may determine that the application is not appropriate for expedited review and the applicant will be required to submit a full application.
 - 5. Not approved
 - c. The final decision will be:
 - 1. Approved
 - 2. Not Approved

2.2.6 Considering amendments to approved research protocols

Researchers are required to seek approval for any significant modifications to their research protocol. Depending on the nature of the proposed amendment/s, these may be:

- considered by the Chairperson/nominee between the meetings and the REMC notified of the decision at the next meeting,
- sent to the full REMC for consideration out of session, or
- considered at the next meeting of the REMC.

The Chairperson will decide on a case by case basis which process will be used, taking into account the nature of changes and associated risks, the impact of the changes on participants and potential risk, and the impact of any delays on the conduct of the project.

2.2.7 Charging of fees

The REMC does not charge fees for the consideration of research proposals.

2.3 Communicating with researchers

2.3.1 Encouraging open communication

The REMC supports open and informal communication with researchers in order to improve efficiency, reduce misunderstandings and encourage a shared commitment to robust review.

To this end, researchers are encouraged to discuss their proposal with the REMC Executive Officer. Researchers may also be invited to REMC meetings to discuss their proposal.

2.3.2 Communicating outcomes

Where further information or clarification is required or where amendments are requested communication may be in writing or informal.

The Executive Officer will contact applicants as soon as practicable after the meeting and advise them of the REMC's decision. This will be followed by a letter to the Principal Researcher listed in the application, formally advising on the outcomes of the meeting.

The area of DCS in which the proposed research project was to be conducted will also be advised of the outcome and any conditions imposed by the REMC.

In the case of student researchers, their supervisors will also be provided with a copy of the letter outlining the REMC's decision.

2.4 Monitoring of projects

Responsibility for monitoring research lies with the institution under which the research is conducted and with the researchers responsible for research conduct (NS Chapter 5.5).

The REMC, as a reviewing body, may request researchers to provide information relating to the conduct of the project. Specifically, the REMC will require applicants to provide a report at least annually and at completion of the study, outlining progress to date (or outcomes for completed research), maintenance and security of records, compliance with the approved proposal and compliance with any conditions of approval.

The REMC will, as a condition of approval, require that researchers immediately report anything that might warrant review of ethical approval of the project. This includes reporting of:

- Adverse events
- Early termination of a research
- Modifications to the research protocol

In such a circumstance the Chairperson may refer the matter to the responsible institution and request an investigation.

2.5 Suspension or withdrawal of research approval

The REMC may suspend or withdraw approval if it has reason to believe that the project may compromise participants' welfare (NS 5.5.7).

The REMC will take whatever steps necessary to ensure researchers, institutions and other stakeholders are informed of this decision (NS 5.5.8).

If the Chairperson considers that urgent suspension of research is necessary, he or she will contact the responsible institution.

2.6 Handling of complaints

2.6.1 Complaints concerning the conduct of a project

All proposals approved by the REMC must include contact details of the Executive Officer on the Information Sheet for participants.

Complaints regarding the conduct of research can be lodged with the Executive Officer or the Chairperson detailing the grounds of the complaint. The Chairperson may refer this complaint to the responsible institution for investigation.

2.6.2 Complaints concerning the Committee's review process

Researchers cannot appeal the decision of the REMC.

Applicants are entitled to lodge complaints about the conduct of the REMC in reviewing applications.

Complaints must be lodged in writing with the REMC Executive Officer within one month of the REMC's final decision being communicated to the applicant. This requirement may be waived in exceptional circumstances at the discretion of the Chairperson.

The Chairperson will investigate the complaint and make recommendations to the REMC about the appropriate course of action.

A review of the REMC's decision will only be conducted if it is found that the conduct of the REMC substantially affected decision that was made.

Complainants who are not satisfied with the outcome of the initial investigation may contact the Executive Director, Offender Development, DCS and request a review of the complaint review process. This must be done in writing within 14 days of formal advice being submitted. This requirement may be waived at the discretion of the Executive Director.

If the applicant remains unsatisfied with the decision, he or she may contact the Chief Executive (CE) of the department and seek final resolution of the complaint.

The CE's decision will determine the appropriate course of action, against which neither the REMC nor applicant can appeal. The matter will subsequently be considered closed.

2.7 Records

The Executive Officer will prepare and maintain written records of the REMC's activities, including agenda and minutes of all meetings of the REMC.

A file will be created for each application received and will include a copy of the application, and any relevant correspondence. Files will be kept securely, with their retention and disposal consistent with guidelines under the State Records Act (1997).

A register of all the applications received and reviewed will be maintained by *Strategic Policy, Projects and Partnerships*, in accordance with NS 5.2.24.

2.8 Review of guidelines

These Operational Guidelines will be reviewed as required but at a minimum once every two years.

In addition, the Guidelines will be updated to reflect any changes to the Australian Code for the responsible conduct of research (2007) or the National Statement on Ethical Conduct in Human Research (2007).

3. Appendices

Appendix 1

Low and negligible risk research applications

What constitutes low/negligible risk?

A list of issues has been compiled below to aid researchers in determining whether a study may be low or negligible risk.

This list is divided into two parts: 1) research topics or circumstances that **cannot**, and 2) those that are generally **unlikely** to be considered low or negligible risk.

References to sections of the NS are provided for guidance. For brevity, issues related to atypical risks for the REMC, such as tissue samples or genetic testing, are omitted.

Requires full REMC review

- Any research that involves more than low risk (5.1.6)
- Actively seeking (as opposed to incidentally) recruiting participants from the following list:
 - Those with a cognitive impairment, an intellectual disability, or a mental illness (NS 5.1.6)
 - Aboriginal and Torres Strait Islander Peoples (NS 5.1.6)
 - o People highly dependent on medical care who may be unable to give consent (NS 5.1.6).
- Research involving any of the following:
 - Research intended to study or expose illegal activity, or where there is the likelihood of discovering such activity (NS 5.1.6)
 - o Interventions and/or therapies, including clinical and non-clinical trials and innovations using methodologies/techniques discussed in NS 3.3.
 - o A focus on issues relating to Aboriginal and Torres Strait Islander Peoples (NS 4.7)
 - Using personal health information without the person's consent (NS 2.3.5).

Is likely to require full REMC review.

- Actively seeking (as opposed to incidentally) recruiting participants from the following list:
 - o Those aged less than 18 years (NS 4.2)
 - Those in a dependent or unequal relationship with the researchers or those facilitating or implementing the research (eg lecturer/student, doctor/patient, teacher/pupil and professional/client) (NS 4.3).
- Research involving any of the following:
 - Where the requirement for participant consent is waived or disclosure is limited (NS 2.2) (eg
 data linkage projects and asking participants to provide information about another person
 who has not given their consent)
 - Discussion with participants, whether by interview or questionnaire/survey, around sensitive topics (eg parenting, mental state/psychological disorder, disease or health problems, substance abuse /addictions, cultural issues etc.) (NS 3.1.12)
 - A DCS employee conducting research in their workplace for private study purposes (DCS requirement).

4. References

Department for Communities and Social Inclusions (2014). *Families and Communities Research Ethics Committee's Operational Procedures*. South Australia.

Department of the Premier and Cabinet (2013). *Information Privacy Principles (IPPs) Instruction*. South Australia.

National Health and Medical Research Council (2007). *Australian Code for the Responsible Conduct of Research*, NHMRC, Australian Government.

National Health and Medical Research Council (2007). *National Statement on Ethical Conduct in Human Research*, NHMRC, Australian Government.

National Health and Medical Research Council (2003). *Values and Ethics: Guidelines for Ethical Conduct in Aboriginal and Torres Strait Islander Health Research*, NHMRC, Australian Government.