

# **‘The project cannot be approved in its current form’: feminist visual research meets the human research ethics committee**

**Penelope Pitt**

Received: 9 April 2013 / Accepted: 9 November 2013 / Published online: 19 November 2013  
© The Australian Association for Research in Education, Inc. 2013

**Abstract** This article reflects on a university human research ethics committee’s unease regarding a feminist visual pilot study within the field of education. The small exploratory study proposed to explore a migrant mother’s production of her son’s identity through her family photograph collection. The committee requested substantial changes to the research design which centred primarily on their concerns regarding risk of harm to pre-existing relationships, and also issues of anonymity and consent. I consider the combined liberal individualist, utilitarian and positivist biomedical basis for the ethics committee’s discomfort with the proposed research which was to involve members of my family. I draw on my experience of the review process to critique the human research ethics committee paradigm which constructs the ideal researcher as an objective and disinterested observer, hinges on a weighing of risks and benefits, and considers humans to be independent and equal. I demonstrate how the blanket application of these values acts to problematise some kinds of research, and how these values can be inappropriate, incompatible and even destructive when applied to research proposals that are exploratory, visual, and/or involve the researcher’s family members as participants.

**Keywords** Human research ethics committee · Institutional review board · Family photographs · Feminist visual research · Researcher’s family · Risk of harm

---

P. Pitt (✉)  
Faculty of Arts and Education, School of Education, Deakin University, Melbourne Burwood  
Campus, 221 Burwood Highway, Burwood, VIC 3125, Australia  
e-mail: penelope.p@deakin.edu.au

## Introduction

The increasingly controlling role and conservative disposition of university human research ethics committees (HRECs), also known as institutional review boards (IRBs), has been identified as a growing concern among qualitative social researchers (Haggerty 2004; Lincoln 2008; Guillemin et al. 2012; Monaghan et al. 2013). Haggerty (2004), for example, has coined the term ‘ethics creep’ to describe the expansion and intensification of the activities that ethics committees regulate. This conservative climate has been identified as particularly detrimental for research involving visual methods (Wiles et al. 2012a) and research involving the researcher’s own family members (Murray et al. 2012). In this article, I reflect on difficulties encountered during the ethics review process for an exploratory research study that included these aspects that HRECs tend to view as problematic. I set out as a doctoral student at an Australian university to conduct a small qualitative pilot study in order to develop and refine my research design and methodology for a planned future study with a larger cohort of participants. An early task I faced, together with my two doctoral supervisors, Ruth Arber and Julianne Moss, was to navigate the proposed project through the university HREC’s mandatory application and review process.

In this article, I analyse the values underpinning the HREC members’ discomfort with aspects of the proposed research, the involvement of members of my family and the suggestion that the participant woman (my mother-in-law) would share and discuss her family photographs with me in my role as researcher. At the time I composed the ethics application for the pilot study I anticipated some discussion with committee members about privacy, consent and copyright in relation to the participant’s family photographs, but, perhaps naively, I did not anticipate their opposition to my family members’ involvement in the proposed research. Since going through the HREC application and review process, I have taken time to reflect on the epistemological basis for the HREC members’ discomfort with the visual and familial aspects of my research proposal and in this article I draw together these reflections. The specific values underpinning the HREC members’ discomfort are the view of the ideal researcher as an objective, disconnected and disinterested observer; the weighing of risks and benefits; the view that distinct individuals are independent prior to forming relationships; and the notion of the equality of individuals. I question the appropriateness and usefulness of the ‘one size fits all’ application of a combined liberal individualist, utilitarian and positivist biomedical paradigm to feminist, visual and exploratory research proposals.

This article has several further sections. First, I briefly describe the proposed pilot study’s aims and methodology. Following this, I provide some background and context to the HREC approach in Australia. This is accompanied by a discussion of the position of visual research ethics in relation to the dominant HREC model. I then describe my perceptions of the verbal and written exchange my supervisors and I engaged in with a university HREC, and go on to explore the ethics paradigm and values underpinning the committee’s concerns and demands. Throughout, I consider the way the committee’s imposition of their ethics paradigm shaped the emergent research design.

## Background and context

### The proposed study

The pilot study was situated within feminist ethnographic and critical visual methodologies and in its early incarnation proposed to look at one migrant mother's production of a visual narrative of her son's identity through her family photograph collection. The key aim of the pilot study was to trial and develop methods for a future larger study. A further aim was to contribute to the literature on migrant identity and education by incorporating visual data into a study of the interplay of the concepts of subjectivity and migration. Whilst previous migrant identity research within education and other fields has tended to privilege written and oral data, my research was designed according to the understanding—as articulated by Moss (2008)—that 'visual...possibilities provide new insights and practices in education research' (p. 240).

I proposed to interview my mother-in-law as the sole participant mother of the pilot study. At the time, I did not regard this as a controversial or problematic proposal. My principal supervisor and my husband each suggested to me that I consider asking my mother-in-law to be the pilot study participant. They understood that my mother-in-law was—like myself—a doctoral candidate in the field of education who was familiar with research methods and research ethics. I was keen to develop research methods collaboratively with a participant in my pilot study and given my mother-in-law's educational knowledge and research background I considered her to be particularly well-placed to assist me. Further to this, my mother-in-law had previously expressed an interest in helping with my research project if she could and I thought she might enjoy collaboratively working with me to develop and hone appropriate methods for my larger research study.

The proposed research methods were for my mother-in-law to show and discuss her family photograph collection with me over a series of three semi-structured audio-recorded interviews, focusing on photos of her son (my husband). The data sources were to include field notes of the interviews, my mother-in-law's family photograph collection, and transcripts of the interviews. The photographs and interview transcripts were to be considered interdependently as multi-layered accounts, and the data was to be analysed using visual narrative analysis.

### The human research ethics committee approach in Australia

Guidelines for HRECs and researchers are set out in the 'National Statement on Ethical Conduct in Human Research' (NHMRC et al. 2007a) which was developed by the National Health and Medical Research Council (NHMRC), the Australian Research Council (ARC) and the Australian Vice-Chancellors' Committee (AVCC). The Australian Code for the Responsible Conduct of Research (NHMRC et al. 2007b) is a further document guiding research in Australia. Researchers at Australian universities are required to complete either a National Ethics Application Form (NEAF), or a form modelled on the NEAF, and to submit it to their institution's ethics committee prior to beginning any research.

Ethics frameworks that inform and regulate human research in Western countries including Australia, United Kingdom and North America have been critiqued as based in utilitarian ethics, liberal individualism and the positivist biomedical model (Denzin and Lincoln 2005; Halse and Honey 2010; Christians 2011; Ryen 2012). As Christians (2011, p. 66) notes in his important discussion of ethics and politics in qualitative research in the United States, '[i]nstitutional review boards (IRBs) embody the utilitarian agenda in terms of scope, assumptions, and procedural guidelines'. Utilitarianism may be defined as 'the view that the morally right action is the action that produces the most good', or in other words, 'the right action is understood entirely in terms of consequences produced' (Driver 2009, n.p.). Christians (2011, p. 64) critiques utilitarianism as compatible with value-neutral scientific thought in that '[u]tilitarianism favors specific actions or policies based on evidence', and as offering a limited perspective on research issues. Similarly, Halse and Honey (2010) note, in discussing the Australian context and generalising to the broader Western context, that '[t]he ethics framework that regulates Western research and guides the decision making of ethics committees' is based in a mixture of Kantian rationalism, 'social contract theories of liberal philosophers' and a tradition of positivist biomedical research (p. 131). Thus the ethical paradigm espoused by the National Statement on Ethical Conduct in Human Research (NHMRC et al. 2007a)—hereafter referred to as the National Statement—and enforced and proliferated by Australian university HRECs and the NEAF is based in a particular, limited and non-neutral value system.

The National Statement (NHMRC et al. 2007a, p. 11) reflects utilitarian ethics and liberal individualism in the four values of ethical conduct it recognises: respect for human beings, research merit and integrity, justice, and beneficence. In the National Statement, the value of respect for human beings is centred on the principle of the autonomy of individual human beings. The value of research merit and researcher integrity refers to the research being 'justifiable by its potential benefit', amongst other merits, and to the researcher being committed to 'searching for knowledge and understanding; following recognised principles of research conduct; conducting research honestly; and disseminating and communicating results...' (p. 12). The value of justice is defined as including distributive justice and procedural justice and further clarification is made that 'justice involves a regard for the human sameness that each person shares with every other' (p. 11). The value of beneficence compels researchers to maximise the benefits of their research whilst preferably avoiding or otherwise minimising any risk of harm to their research participants.

The National Statement (NHMRC et al. 2007a) dictates that these four values of the dominant paradigm prevail and any other ethics paradigm, such as feminist ethics or relational ethics—e.g. an ethic of care (Gilligan 1982)—is considered at best to be secondary and supplementary. Feminist ethics are based in a questioning of whether moral principles are universal, whether a focus on the separation of self and others is relevant or useful, and whether morality should be thought of as a set of rules and rights. An ethic of care was initially proposed by Gilligan (1982) and later honed by Tronto (1995/2005) as an alternative to an ethic of rights. An ethic of care 'characteristically sees persons as relational and interdependent, morally and epistemologically' (Held 2005, p. 13).

It is widely understood that HRECs/IRBs and their guidelines were developed to regulate biomedical research and to protect the subjects of this research from physical harm (Christians 2011). This connection between institutional ethics guidelines and biomedical research continues to be very much alive today in Australia as is evident in the listing of the National Health and Medical Research Council as the first co-author of the National Statement (NHMRC et al. 2007a). The continuing wholesale imposition of the positivist biomedical model of research ethics upon widely varying disciplines has been convincingly problematised by researchers such as Halse and Honey (2010) who summarise positivist research as ‘tak[ing] for granted the existence of a putative knowable reality, and that objective, universal truths can be revealed through empirical scientific data collection and explicit, transparent, experimental research operations and procedures’ (p. 131). As feminist researchers, Halse and Honey (2010) work from a different epistemological position to the positivist biomedical model embedded in research ethics policies, and argue for a more collaborative research ethics process based on Benhabib’s discourse ethics which is focused on ‘the interdependence of a care ethic and justice’ (p. 136). Indeed, it is common for social and educational researchers to work from a variety of epistemological, methodological and ethical positions, and yet in Australia, as elsewhere, HRECs are required to consider all research proposals—regardless of epistemology and methodology—against the positivist biomedical research model as a gold standard.

### Visual and feminist research ethics

There is general agreement in recent visual research literature that whilst HRECs/IRBs tend to over-regulate some aspects of visual research, in other aspects the HREC/IRB codes and processes are inadequate and require supplementation (Clark 2012; Clark et al. 2010; Rose 2012; Wiles et al. 2008). Visual researchers need to consider many complex ethical issues that develop throughout the lifespan of a research project and tend to be poorly addressed by HREC/IRB review processes (Clark 2012). Writers on visual research have responded to the inadequacies of the HREC/IRB system by suggesting that a ‘situated visual ethics’ (Clark et al. 2010) or a ‘personal ethics’ (Rose 2012) needs to be enacted alongside, or in addition to, the required HREC/IRB review process. A situated or personal visual ethics tends to supplement the HREC/IRB ethics paradigm with a concern for power relations and images, representation, image reproduction and manipulation, shifting contexts of images, and reinterpretation by different audiences. Professional associations have also identified the HREC/IRB principles as lacking and have developed ethical guidelines for visual research to supplement the existing principles. Key examples are those research ethics guidelines developed by the International Visual Sociology Association (Papademas and the IVSA 2009) in the US, and the British Sociological Association’s Visual Sociology Study Group (2006) respectively.

It is less common for visual researchers to argue that the HREC/IRB ethics paradigm is incompatible with a situated or personal visual ethics. A situated or personal visual ethics shares with a feminist approach to ethics a primary concern about power relations and difference. Christians (2011) draws on Linda Steiner

(2009) to argue that whilst a liberal individualist and utilitarian ethics has as its starting point an assumption of equality between people and relationships viewed from the standpoint of a neutral observer, a feminist approach to ethics begins with asking and addressing questions about power relations and difference. As feminists espousing an ethic of care have argued, the Kantian liberal conception of morality upholds an ideal equality whilst overlooking the pervasiveness of unequal relations (Cudd and Andreasen 2005). And further to this, as Christians argues, '[a] liberalism of equality is not neutral but represents only one range of ideals and is itself incompatible with other goods' (pp. 67–68). It is the incompatibility between the HREC model and my emergent feminist visual methodology, as informed by a feminist visual ethics, that I explore in relation to the HREC's review and shaping of my pilot study in the sections that follow.

## The ethics exchange

### Preparing the national ethics application form

The university required me to submit a NEAF to the relevant HREC before commencing my research. As part of the process of completing the NEAF, I met with one of the university's ethics advisors who provided me with extensive oral and written feedback on my draft NEAF. The advisor's key concerns about my proposed research stemmed from my proposal to invite family members to participate. The advisor suggested that I would find it difficult to remain impartial, and that this may be a threat to the validity of my findings. As I had no intention of taking on the role of impartial observer as researcher, I dismissed this concern. It seemed to me that the advisor had either missed the sections where I described my study as a feminist ethnography or was unfamiliar with this epistemological viewpoint and methodology. I was hopeful that the HREC members who reviewed my application would include a range of academics including members who would recognise how I was placing myself within the research situation.

The ethics advisor also expressed a concern that there was a risk of coercion and a risk to interpersonal relationships between my mother-in-law, my husband and myself. I understood the advisor to be reflecting the National Statement (NHMRC et al. 2007a) here, and after seeking further advice from Ruth and Julianne, I bolstered my statements in the NEAF in sections where these risks needed to be addressed. I highlighted my social work and counselling qualifications, my years of experience counselling people from vulnerable populations and my well developed skills in talking with people about personal issues; and I delineated a staggered and ongoing consent process. In amending the NEAF, I increasingly adopted the language and paradigm of the ethics advisor and the HREC, problematising the 'pre-existing relationship', and suggesting 'mitigating risks' through, for example, a 'two stage invitation to participate'.

After submitting the application to the HREC, my supervisors and I received an email inviting us to attend the next committee meeting when our application would be discussed. The email suggested the committee members had queries about three

specific issues: the need for a plain language statement and consent form for my husband whom the committee regarded as the subject of the research; the need to make clear to my mother-in-law and my husband that anonymity could not be guaranteed; and the need for a plan of action regarding any sensitive data.

### The committee meeting

On the day of the meeting, I arrived at Julianne's office early in order to prepare for the discussion. The phone rang. We spoke via speaker phone to the committee members gathered in a meeting room at another campus of the university. Most of the questions were addressed directly at me. The chairperson began the discussion by commenting that it was a 'very interesting project' and went on to raise the issue of anonymity. I explained that my mother-in-law and husband could decide themselves, in conversation with me, whether or not they wished to have their data anonymised in any resulting publications. I added that in terms of photographs, pixilation of identifying features was a possibility. A committee member made the point that if I leave out of the writing up of the research that the participant is my mother-in-law, it would be 'less useful research'. I agreed that honesty and clarity about the relationship between researcher and participants was important, but felt that I was unable to answer conclusively as to how this issue would be dealt with before discussing this with my mother-in-law and husband. I felt this needed to be worked through within the research situation rather than decided solely by me at the outset. Although the committee did not contest my point, I sensed they found my explanation unsatisfactory.

The next question was about consent; the committee members wanted to know how I would gain my husband's consent. I reiterated the comments I had made in the NEAF to address this issue: in relation to my husband, I would thoroughly discuss the research with him before proceeding and if at any stage he (or my mother-in-law) was not comfortable with it, I would discontinue and find another participant. I explained that if my mother-in-law consented to some photographs being reproduced, I would then seek my husband's written permission for any photograph picturing him to be reproduced. In the NEAF, I stated that if my husband preferred, photographs would not be reproduced, and I reiterated that the main purpose of the pilot study was to pilot methods for the larger planned study and that reproducing photographs was not essential to this. I emphasised that it would be my mother-in-law's and my husband's decision—if indeed they consented to any photographs being reproduced—as to whether people pictured in these photographs be anonymised. I again sensed that the committee members were not satisfied with my response. A committee member then questioned who held the copyright of my mother-in-law's photographs. To my relief, Julianne jumped in with a reply, arguing that it is the owner of the photographs who holds the copyright.

The next question was about how I planned to deal with risks to the interpersonal relationships between my mother-in-law, my husband and myself. I did not answer this question as well as I could have. Although the ethics advisor had raised this concern in our pre-submission meeting, and I felt I had addressed this in the NEAF, it hadn't been flagged in the committee's email. I found myself rifling through the NEAF, trying—and failing—to find the section where I addressed this issue.

Flustered, I spoke about how I thought the risk of causing my mother-in-law some stress by asking her to talk about her migration to Australia was more of a risk than any risk to our interpersonal relationships. In effect, I was suggesting that I did not share the committee's concerns. I was confident that as three mature and well-educated adults, we would be able—if indeed my mother-in-law decided to participate in the first place—to together negotiate how to alter and reshape the research design so that we all gained something from the process and none of us were the worse as a result. I understood that the HREC required these matters to be comprehensively addressed by me as the researcher alone prior to the research commencing; and this was simply not possible.

The meeting ended with Ruth and Julianne expressing confidence in my ability to carry out the research responsibly, sensitively and ethically. It had been a highly stressful and disorienting fifteen or so minutes. What had just happened? What did this mean for the pilot study? And what did it mean for my larger research project? I left the meeting feeling disappointed with myself. Perhaps I hadn't presented how I would address the committee's concerns as well as I needed to. I felt anxious about the future of my research.

### The aftermath

Within days of the meeting, my supervisors and I each received an email with a letter attached that stated: 'the project cannot be approved in its current form'. The committee were asking for what Lincoln (2008) refers to as a 'rereview', meaning where a HREC/IRB 'tells the researcher to provide "additional clarification", which may range from primarily trivial changes to major revisions in the research plans' (p. 239). In our case, the committee wanted substantial changes made. The reason the committee members gave for not allowing the study to proceed was that there was a risk of social harms to relationships between myself, my mother-in-law and my husband if I carried out the research as proposed. In the letter, the committee members drew on the National Statement (NHMRC et al. 2007a) to argue that the potential benefits of the research did not outweigh the potential social harms and that therefore the research proposal was ethically unacceptable. No suggestions were offered as to how we could adjust the research design to make it ethically acceptable for me to interview my mother-in-law. It seems research with one's own family members was simply unethical from the HREC perspective.

The committee's letter suggested that I could proceed with an unrelated participant, as long as I made adjustments to the study design in relation to consent and anonymisation of data. Unlike the experience of some researchers, as for example those reported by Wiles et al. (2012b) who have faced a HREC/IRB insisting that all participants be anonymised regardless of some participants' wishes to be identified in publications, in our case the HREC allowed for the possibility that people could consent to the reproduction of photographs in which they were identifiably pictured as subjects. However, the committee placed considerable burdens on me as the key researcher in requiring that I gain consent from all photographers *and* from all subjects pictured in photographs. My suggestion to use pixilation as a method to anonymise subjects pictured in photographs to be



reproduced was rejected by the HREC members who argued in the letter that that pixilation could change the visual narrative, and in doing so, reduce the validity of the research. However, the committee suggested no alternatives to pixilation. The committee also required that once I recruited a participant, I would need to gain consent from her children before she could talk with me on the subject of her children or show me her family photographs.

In order to avoid delaying the pilot study, my supervisors and I agreed to the HREC's requirement that we invite a woman to participate who was neither related to one of us nor in a dependent relationship with one of us. We also agreed to seek consents of various people as required by the committee and created three additional consent forms: firstly, 'Consent to sharing and discussing photographs' for children pictured in the research participants' family photographs; secondly, 'Consent to reproduction of identifying photographs' for persons pictured in the research participant's photographs; and thirdly, 'Consent to reproduction of photographs' for photographers. Thus, we capitulated to the HREC's paradigm based demands so as to move forward with the research.

### **A reading of the committee's application of values**

In the National Statement (NHMRC et al. 2007a), there is a brief acknowledgement that the values underpinning it 'are not the only values that could inform a document of this kind', however the authors proceed to justify their choice of a particular ethics paradigm and an application of that paradigm to all research in stating that:

the values of respect, research merit and integrity, justice, and beneficence have become prominent in the ethics of human research in the past six decades, and they provide a substantial and flexible framework for principles to guide the design, review and conduct of such research (p. 11).

My experience of placing an exploratory feminist visual research proposal before a HREC suggests that the framework enshrined in the National Statement is neither substantial nor flexible. It is not a neutral framework, but rather enshrines a value laden paradigm. When viewed from within the National Statement ethics paradigm, which the HRECs are required to implement, my proposed pilot research was problematic from the outset, and ultimately, unethical. In this section, I consider how the four values underpinning the National Statement's ethics paradigm informed the HRECs review of my research proposal and shaped my research.

#### **Respect for humans beings: issues of consent and copyright**

In order for me to reproduce and publish any photographs from the participant's family photograph collection, the HREC required I obtain consent from the photographer and consent from all subjects pictured in any photo to be reproduced. The HREC was following the standard legal view of copyright which as Marcus Banks (2007) states, is that '[i]n Euro-American societies, copyright in images is generally assigned to the image creator' (p. 88). However, in the case of a family photograph collection

comprised of photographs taken by many different people, including passers-by who are unknown to the family, ownership is unclear and complicated. In relation to her own research involving family photos, Davies (2008) points out that whilst the photographer legally owns the photo, 'this becomes less clear when applied to photographs of photographs or family photos where it is not always clear who the photographer was' (n.p.). The HREC was focused on individual ownership of photographs, which fits with their ethics paradigm's emphasis of the autonomy of individuals as integral to respect for human beings. The National Statement (NHMRC et al. 2007a) argues that 'respect includes recognising the value of human autonomy—the capacity to determine one's own life and make one's own decisions' (p. 11). It is perhaps unsurprising therefore that the committee was unwilling to enter into conversation around the collaborative nuances of family photography.

The additional consents the HREC required me to seek in my pilot research meant that in practice I could only reproduce photos that were both taken by and pictured the participant, her husband and children, from whom I could seek consent. This ruled out photographs taken by other family, friends, and passersby. It would be impossible to gain consent from photographers unknown to the family and impractical to ask consent of many different photographers and subjects who were not in the participant's immediate family. A serious implication of the HREC's consent requirements was that they acted to focus the research on the nuclear family of the participant and reduced the focus on the family's connections with other family members living in Iran, friends, acquaintances, and the broader community. This was particularly limiting given the research aimed to look at how selves are produced in relation to mobilities, space and place.

Missing from the National Statement/HREC value of respect for individual human beings, is any recognition of respect for collaboration between people in creating and reproducing images. The production of a family photograph is collaborative; it involves more than one person as a creator of an image. A family photograph involves a decision to get out a camera, decisions about subjects, backdrop, positioning, staging, as well as uploading of digital photos, possibly cropping and editing work, decisions about keeping or deleting photos, printing photos, placing photos in digital folders, in albums possibly with captions, framing photos. All of this contributes to the creation of a photograph, a photograph album, a photograph collection, and necessarily involves more people than an individual photographer as a creator of an individual image. A family photograph within a collection is part of a much larger creative work, and the album creator/s, the collection creator/s, play an important part. The liberal individualist paradigm in which an individual photographer holds the copyright is inadequate and cannot be satisfactorily stretched to fit the collaborative nature of family photography.

#### Research merit and integrity: pixilation, meaning and validity

The HREC expressed concern that pixilation of faces was unsatisfactory as a method to anonymise subjects pictured in photographs because it might change the visual narrative and as a result decrease the validity of the research. The committee's particular concern with pixilation and validity reveals an understanding

of the nature of truth, representation and interpretation based in the positivist biomedical model. Their concern appears to rely on an assumption that a photograph can be lifted from a personal photograph collection and placed into a research context (and into a publication) with the photograph's meaning intact and readable by a sufficiently neutral, disinterested and objective researcher. Inherent in their concern is the notion that a photograph has a singular, fixed and knowable meaning to begin with, that can be captured and preserved with minimal influence of the researcher on the data, and a view that this should be done so if the research is to have merit and integrity.

The HREC's recommendation that I not use pixilation limited the possibilities available to my participant and I for de-identifying photographs. In practice, the outcome was my participant decided she would consent to a selection of her family photographs being reproduced in publications if she and the other pictured subjects were de-identified and I submitted an amendment to the HREC to create line drawings from the photographs. Consent forms were amended to detail 'Consent to inclusion of line drawings in research reports' for subjects pictured and for photographers. Whilst creating line drawings from the photographs was approved, this raised complex aesthetic and ethical issues around me as researcher re-working the images. These issues remained unaddressed by the HREC's codes and processes, although they were partly brought about by their demands.

#### Justice: the problem of pre-existing relationships

The assumption of human sameness or equality, on which the value of justice in the National Statement (NHMRC et al. 2007a) is based, is problematic as it suggests that the beginning or default position is equality of individuals. Feminists subscribing to an ethic of care have suggested the Kantian liberal conception of human equality is an ideal rather than a reality which 'erects a pretense of equality, while ignoring the actual relations of inequality among persons' (Cudd and Andreassen 2005, p. 240). In the National Statement (NHMRC et al. 2007a), the existence of unequal and dependent relationships is treated as an aberration from the assumed norm of equal and independent individuals. A chapter in the National Statement entitled 'People in dependent or unequal relationships' dedicated to the special case of problematic relationships which 'typically involve unequal status, where one party has or has had a position of influence or authority over the other' provides examples such as 'teachers and their students; prison authorities and prisoners' (p. 59). Interestingly, researchers' family members' participation in research is not mentioned here or anywhere else in the National Statement. However, it seems that in regard to my pilot proposal, the HREC considered my relationship with my mother-in-law and my husband to fall under the problematised 'People in dependent or unequal relationships' category.

The National Statement (NHMRC et al. 2007a) suggests that if a participant is in a dependent or unequal relationship with the researcher, this dependence 'may influence a person's decision to participate in research' (p. 59). In this way, my proposal to invite my mother-in-law to participate and to discuss photographs of my husband was problematised from the outset by the National Statement's paradigm as

the relationships of mother-in-law/daughter-in-law, husband/wife, and mother/(adult) son are characterised—according to the paradigm—by dependence rather than independence. Importantly, however, the National Statement goes on to explain that the influence of dependence ‘does not necessarily invalidate the decision’ to participate in the research (p. 60). It is recommended that careful attention be paid to the consent negotiation process and that researchers ‘must take particular care throughout the research to minimise the impact of that dependency’ (p. 60). In keeping with this, I delineated a two-stage consent process in my NEAF to minimise the effects of my ‘dependent’ relationships with family members, however this was evidently insufficient for the HREC. A possible measure for reducing risk of coercion is noted in the National Statement: ‘it may be appropriate for their consent to be sought by an independent person’ (p. 60). In my case, this measure was not suggested by the committee and no other suggestions were offered for reducing coercion within a research situation with family members.

The problematising of pre-existing relationships is based in the epistemological view that humans are independent autonomous individuals who go on to form relationships. As Michael Sandel (cited in Held 2005, p. 13) states, dominant moral theories based on liberal individualism espouse the view that ‘[w]e are distinct individuals first and *then* we form relationships’. In the case of my proposed research, the personal relationships precede the proposed research relationships. Further, the mother/(adult) son relationship was perhaps particularly threatening to the HREC’s paradigm as my husband was clearly not a distinct individual before entering into a relationship with his mother. In this way, the family participation element of the research proposal exceeded the parameters of the ethics paradigm in which it was required to neatly fit. The National Statement/HREC paradigm is designed to address public relationships between disinterested, independent individuals based on equality—with special rules for aberrant unequal or dependent relationships—and does not address private family relationships. As a researcher cannot be disinterested and objective about her/his own family, a researcher ethically carrying out research with members of their own family is deemed not only inappropriate, but impossible.

**Beneficence: harms versus benefits in exploratory research with researcher’s family members**

Haggerty (2004) argues that ‘the range of potential research related harms envisioned by REBs at times seems to be limited only by the imagination of different reviewers’ (p. 400), and I tend to agree. I was initially baffled by the HREC’s decision to ban the potential participation of my mother-in-law based on a concern that the research could result in harm to family relationships. I thought the committee’s role would be to recommend measures I could put in place to reduce any risk of harm to a lower, more satisfactory level. Although the National Statement (NHMRC et al. 2007a) states that ‘steps to arriving at a judgement on the ethical acceptability of risks should include... establishing the means for minimising the risks’ (p. 17), in my case the HREC did not offer any guidance as to how to minimise the risk of the general social harms they identified. As Edwards and Mauthner (2002) astutely point out, the aim of ethics committees, ‘appears to be

to avoid ethical dilemmas through asserting formalistic principles rather than providing guidance on how to deal with them' (p. 18). And the notion of the researcher, participant and subject together developing methods and ethics within the research situation, and together working to maximise benefits and minimise risks as the research unfolded, was not permitted according to the paradigm the committee was operating within.

The focus on beneficence, or the minimising of risks and maximising of benefits, is part of a utilitarian model, which as Edwards and Mauthner (2002) note, 'is underlain by a universalist cost-benefit result pragmatism' (p. 20). In the NEAF, I stated that the main aim of the pilot research was to enable the piloting of methods of data gathering and analysis, and therefore a key benefit would be the development of methods for a larger future study. I argued that a further benefit would be a contribution to the literature on migrant identity and family photography. That the HREC deemed these expected benefits to be less than a risk of harm, suggests that the utilitarian weighing of risks and benefits may be biased against both research with family members and exploratory research where the purpose is to trial novel methods and where specific benefits of the larger future research are unknowable at the commencement of the research.

### Closing thoughts

Shifts in the research design and methodology of my project happened from the very beginning of the ethics approval process. The liberal individualist, utilitarian and positivist biomedical principles and values of the National Statement (NHMRC et al. 2007a) are enshrined in the NEAF's questions and prompts, and so I was disciplined into adopting a particular ethics paradigm through the lengthy process of filling in the NEAF, consulting with an ethics advisor, revising my NEAF to be more in keeping with the ethics paradigm of the National Statement, attending the HREC meeting, making changes to meet the HREC's demands, and completing a modification form. As a novice researcher setting out to pilot novel methods in a feminist visual research study, I was effectively required to reshape my research design to fit a liberal individualist, utilitarian, positivist biomedical model. The resulting limitations on whom I could interview, which photographs I could reproduce and how I could re-present those photographs significantly impacted my capacity as a researcher to both pilot workable methods and to contribute to the literature on migrant identity and family photography. Perhaps most importantly, the imposed model also severely limited the possibilities for developing methodology and ethics in practice together with research participants.

On a more positive note, this experience has ignited in me an interest in research ethics and a concern to see the current HREC system transformed. In this article, I have questioned the usefulness of a combined utilitarian, liberal individualist and positivist biomedical ethics as the starting point for feminist visual research. The HREC codes need to be re-written to not only accommodate, but to enable and support researchers to develop a research ethic *appropriate* to the epistemological approach, design and context of their research.

It is hoped that this account and analysis may contribute to emboldening those researchers who, like Christians (2011, p. 68), consider ‘[r]efining the IRB process and exhorting IRBs to account for the pluralistic nature of academic research’ to be ‘insufficient’. The model on which the IRB/HREC ethics is based is not only inadequate but also incompatible with the epistemological approach of many research studies. The practice of starting with the HREC/IRB paradigm and attempting to supplement it with a situated or personal ethics both sets research projects within a particular paradigm from the outset and stifles the possibilities for developing more ethical research practices. For researchers to be enabled to develop their research within an appropriate paradigm from the beginning of a project is something worth fighting for.

**Acknowledgments** I wish to thank those who have read earlier versions of this article and have made encouraging comments and valuable suggestions: my doctoral supervisors Ruth Arber and Julianne Moss; Ali Alizadeh; and the two anonymous reviewers. This research was funded by a Deakin University Postgraduate Research Scholarship.

## References

- Banks, M. (2007). *Using visual data in qualitative research*. London: Sage.
- British Sociological Association’s Visual Sociology Study Group (2006). *Statement of ethical practice*. Retrieved March 3, 2013, from [http://www.visualsociology.org.uk/BSA\\_VS\\_ethical\\_statement.pdf](http://www.visualsociology.org.uk/BSA_VS_ethical_statement.pdf).
- Christians, C. G. (2011). Ethics and politics in qualitative research. In N. K. Denzin & Y. S. Lincoln (Eds.), *The Sage handbook of qualitative research* (pp. 61–80). Los Angeles: Sage.
- Clark, A. (2012). Visual ethics in a contemporary landscape. In S. Pink (Ed.), *Advances in visual methodology* (pp. 17–35). Los Angeles: Sage.
- Clark, A., Prosser, J., & Wiles, R. (2010). Ethical issues in image-based research. *Arts and Health*, 2(1), 81–93.
- Cudd, A. E., & Andreasen, R. O. (2005). Introduction (to Part V: Is value gendered). In A. E. Cudd & R. O. Andreasen (Eds.), *Feminist theory: A philosophical anthology* (pp. 239–241). Oxford: Blackwell.
- Davies, K. (2008). Photo elicitation and informed consent: Reflections from the Living Resemblances project. In R. Wiles et al. (2008). *Visual ethics: Ethical issues in visual research*. ESRC National Centre for Research Methods Review Paper. Retrieved November 10, 2011, from <http://eprints.ncrm.ac.uk/421/>.
- Denzin, N. K. & Lincoln, Y. S. (Eds.). (2005). Epilogue. The eighth and ninth moments: Qualitative research in/and the fractured future. In *The SAGE Handbook of qualitative research* (3<sup>rd</sup> ed.) (pp. 1115–1126). Thousand Oaks: Sage.
- Driver, J. (2009). The history of utilitarianism. In E. N. Zalta (Ed.), *The Stanford encyclopedia of philosophy*. Retrieved April 7, 2013, from <http://plato.stanford.edu/archives/sum2009/entries/utilitarianism-history/>.
- Edwards, R., & Mauthner, M. (2002). Ethics and feminist research: Theory and practice. In M. Mauthner, M. Birch, J. Jessop, & T. Miller (Eds.), *Ethics in qualitative research* (pp. 14–32). London: Sage.
- Gilligan, C. (1982). *In a different voice: Psychological theory and women’s development*. Cambridge: Harvard University Press.
- Guillemin, M., Gillam, L., Rosenthal, D., & Bolitho, A. (2012). Human research ethics committees: Examining their roles and practices. *Journal of Empirical Research on Human Research Ethics*, 7(3), 38–49.
- Haggerty, K. D. (2004). Ethics creep: Governing social science research in the name of ethics. *Qualitative Sociology*, 27(4), 391–414.
- Halse, C., & Honey, A. (2010). Unraveling ethics: Illuminating the moral dilemmas of research ethics. In W. Luttrell (Ed.), *Qualitative educational research: Readings in reflexive methodology and transformative practice* (pp. 123–138). New York: Routledge.

- Held, V. (2005). The ethics of care: Personal, political, and global. *Oxford Scholarship Online*. doi:10.1093/0195180992.001.0001.
- Lincoln, Y. S. (2008). Institutional review boards and methodological conservatism: The challenge to and from phenomenological paradigms. In N. K. Denzin & Y. S. Lincoln (Eds.), *The landscape of qualitative research* (3rd ed., pp. 221–243). Thousand Oaks, CA: Sage.
- Monaghan, L. F., O'Dwyer, M., & Gabe, J. (2013). Seeking university Research Ethics Committee approval: The emotional vicissitudes of a 'rationalised' process. *International Journal of Social Research Methodology*, 16(1), 65–80.
- Moss, J. (2008). After image. In J. Moss (Ed.), *Researching education: Visually-digitally-spatially* (pp. 229–243). Rotterdam: Sense Publishers.
- Murray, L., Pushor, D., & Renihan, R. (2012). Reflections on the ethics-approval process. *Qualitative Inquiry*, 18, 43–54.
- National Health and Medical Research Council (NHMRC), Australian Research Council (ARC) and Australian Vice-Chancellor's Committee. (2007a). *National statement on ethical conduct in human research*. Canberra: Australian Government. Retrieved September 7, 2012, from [http://www.nhmrc.gov.au/\\_files\\_nhmrc/publications/attachments/e72.pdf](http://www.nhmrc.gov.au/_files_nhmrc/publications/attachments/e72.pdf).
- National Health and Medical Research Council (NHMRC), Australian Research Council (ARC) and Universities Australia. (2007b). *Australian code for the responsible conduct of research*. Canberra: Australian Government. Retrieved February 8, 2013, from <http://www.nhmrc.gov.au/guidelines/publications/r39>.
- Papademas, D., & the International Visual Sociology Association. (2009). IVSA code of research ethics and guidelines. *Visual Studies*, 24(3), 250–257.
- Rose, G. (2012). Ethics and visual research methodologies. *Visual methodologies: An introduction to researching with visual materials* (3rd ed., pp. 328–344). Los Angeles: Sage.
- Ryen, A. (2012). Assessing the risk of being interviewed. In J. F. Gubrium, J. A. Holstein, A. B. Marvasti, & K. D. McKinney (Eds.), *The SAGE handbook of interview research* (2nd ed., pp. 477–493). Los Angeles: Sage.
- Steiner, L. (2009). Feminist media ethics. In L. Wilkins & C. Christians (Eds.), *The handbook of mass media ethics* (pp. 366–381). New York: Routledge.
- Tronto, J. (2004). An ethic of care. In A. E. Cudd & R. O. Andreasen (Eds.), *Feminist theory: A philosophical anthology* (pp. 251–263). Oxford: Blackwell.
- Wiles, R., Coffey, A., Robinson, J., & Prosser, J. (2012a). Ethical regulation and visual methods: Making visual research impossible or developing good practice? *Sociological Research Online*, 17(1), 8. Retrieved June 22, 2012, from <http://www.socresonline.org.uk/17/1/8.html>.
- Wiles, R., Coffey, A., Robinson, J., & Heath, S. (2012b). Anonymisation and visual images: Issues of respect, 'voice' and protection. *International Journal of Social Research Methodology*, 15(1), 41–53.
- Wiles, R., Prosser, J., Bagnoli, A., Clark, A., Davies, K., Holland, S., & Renold, E. (2008). *Visual ethics: Ethical issues in visual research*. ESRC National Centre for Research Methods Review Paper. Retrieved November 10, 2011, from <http://eprints.ncrm.ac.uk/421/>.

## Author Biography

**Penelope Pitt** is a doctoral candidate in the School of Education at Deakin University. Her research focuses on migrant mothers and the production of subjectivity through family photograph collections, and incorporates poststructural and posthumanist understandings of space, temporality, place and mobility.