

Dealing in Pieces of Silver: Financial Inducements in Research



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Issues in Research Ethics

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Context

- An important question is: what is ‘undue inducement’?
 - I.e. What is the nature of the ‘undueness’?
- I am not concerned with reimbursement
- My focus is on cases where the financial incentive enters into (and changes) the overall risk/benefit profile of the research

Outline

1. Consent and Voluntariness
2. Risks and their Appreciation
3. Altruism and Commercialization
4. The Role of Background Inequalities

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Consent and Voluntariness

Here the claim is that financial incentives undermine the consent that participants are able to give. How?

- i. By limiting or reducing autonomy
- ii. By compromising voluntariness
- iii. Because they constitute coercion

Consent and Voluntariness

Autonomy and Freedom

‘Consent protects autonomy not freedom’

(Wilkinson and Moore, 1997)

- Eg. Only alternative to death is surgery

Examples: dangerous work, questionnaire

- Show that the ability and kind of decision separates from the content of the decision in certain key cases

Consent and Voluntariness

Autonomy and Freedom

Procedural view of autonomy/rationality

- We might 'thicken' our view so that these choices cannot be autonomous
- i.e. Include some values and goals
- But it is hard to see how this could rule out only financial payments for research

Consent and Voluntariness

Voluntariness (Applebaum et.al, 2009)

“The presence of influences does not mean that a decision is not voluntary. A decision is involuntary only if it is subject to a particular type of **influence** that is external, intentional, **illegitimate**, and causally linked to the choice of the research subject.”

Consent and Voluntariness

Coercion

- Usually thought of as involving the restriction of options
- But we might also have coercive offers
i.e. where the offerer plays a role in limiting the options available to the offeree
- But this looks not to be the case in research

Risks and their Appreciation

- McNeill (1997): “ My concern is not whether her consent was invalidated by the inducement. My concern was that the inducement of a considerable sum of money, would expose my daughter to additional and unnecessary risks.”
- Emmanuel (2005): “Undue inducement is when we offer people goods to assume *clearly excessive and unreasonable risks.*”

Risks and their Appreciation

Understanding these claims:

- (a) The nature and extent of the harm involved is too great
- (b) The participant will get the risk/benefit calculation wrong
- (c) The financial incentive encourages “careless decision-making”

Altruism and Commercialization

Altruism in research

- Financial incentives undermine altruism in research
- The importance of the 'gift' in research
- But it is unclear why research should require gifts or donations
- (Better version) Undue inducements seem to bring inappropriate norms in the research context

Altruism and Commercialization

Corruption/Commodification

- Degradation objection (prostitution degrades human sexuality, etc)
- Norms associated with money outweigh or overrule the norms associated with the endeavour in question and so, undermine particular kinds of valuing
- Necessary and Corrosive Theses

Altruism and Commercialization

Corruption/Commodification

- The task here is to show that the norms/goals of medical research are distinct from, conflict with and will outweigh the norms that are introduced with payment

Background Inequalities

- Financial incentives trade on background social inequalities and injustices
- What is problematic here is the extreme need or harsh conditions etc. of those for whom these incentives are attractive
 - It is a terrible that people are in a condition such that ...

Background Inequalities

- These background inequalities are not the fault of the researcher but we might think that there are limits on how research may trade on these inequalities
- Research as characterised by an essential moral tension
 - Individual patient's good vs. future patient's good
- Society is 'doubly implicated'

Final Remarks

A broad explanation of the difficulty that we have with financial incentives in research:

- Social responsibility for inequalities
- Tension implicit in research

This difficulty is not to be understood as involving consent (coercion, etc), the lack appreciation of risks or an undermining of the proper motives for participation

Final Remarks

Normative comments:

1. Not too much to be concerned about with financial incentives
2. Sliding scale between the two background inequalities

Practically:

- Consent, rectification of inequalities, education, harm prevention

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