

## **When an Intent to Protect becomes a License to Harm**

Dr Catherine Scott\*

Visiting Fellow, Centre for Educational Leadership,  
Faculty of Education, University of Wollongong

Over the last few decades ethics committees have become a powerful force in academic life. This has not occurred in isolation but in the context of profound cultural changes that have altered social models of relationships between people. Trust has declined and suspicion increased to the point that it now seems that everyone is potentially either a victim or an abuser, terms that come with an extra charge of sexual anxiety. Suspicion is particularly aimed at anyone in a position of power or authority, including teachers, researchers and scholars. Increased restrictions placed on researchers, and justified as needed to curtail harm, represent one example of the decline of the power and prestige of the professions generally.

### **Introduction**

The last few decades have seen considerable growth in the power and influence of human research ethics committees (hereafter 'ethics committee'), especially within the academic context. The rationale for the establishment and continuing development of the ethics industry was and is the prevention of harm. However, this intent to protect has become a license to harm via its ability to prevent research, silence debate and stymie the acquisition of knowledge about difficult issues. This paper explores the growth of the ethics phenomenon in the context of a culture of increasing distrust and suspicion. It proposes that the characteristics of the relationship between the 'abused' child and her abuser shape our contemporary cultural models of the relationships between all persons, especially where some power differential exists, such as that between researcher and research participant. The model endows ethics committees with a potent brief to protect research participants from the potential harm believed to lurk in their dealings with 'powerful' and 'unscrupulous' researchers, who might force their participants into activities that are harmful to them and that violate their rights. In the process, however, harm is inflicted on researchers and the research enterprise generally.

### **Defining the Problem**

#### *The Age of the Victim*

The growth in the number, power and influence of ethics committees has not occurred in isolation but is a reflection of trends evident in wider society. The contemporary era has been labelled by some the 'Age of the Victim'. Increasing numbers of people put themselves forward as victims with a claim to recognition, acknowledgement, recompense and care. Browsing any newspaper or magazine or tuning into television or radio reveals any number of persons or groups who are described as 'victims' - of other people, natural forces, disasters, diseases or accidents - or as 'survivors' of same. This phenomenon has not passed

unremarked and some regard it as something to be analysed and understood rather than merely taken on face value (Furedi, 2002a, 2002b; Steadman Rice, 1998).

One particular victim, the abused child, has become a potent icon for the times. The image of the abused child, now almost universally understood to be the sexually abused child, is such an integral part of the iconography of Anglophone culture that it seems that few recent novels, plays or film scripts lack an act of abuse (Baxter, 1997). These fictional acts serve as explanatory devices in the narratives in which they occur: characters act as they do because they were 'abused'. If fiction holds a mirror to the society from which it emerges, this fictional epidemic tells us something important about how real people now understand and explain themselves and their acts, to self and to others.

Estimates of the actual occurrence of child abuse vary considerably, but are often proposed to be shockingly high – one in four, for instance. If this figure should be correct, then the worrying corollary is that there are a very large number of adults who prey on children. An industry exists to detect and prevent abuse by this apparent army of paedophiles and consequently in many or most Anglophone countries anyone who works with children is required to obtain a police clearance – as if all paedophiles come with a criminal record handily attached. Various measures are also proposed to track and identify sex offenders, so that the communities in which they live know that they have a monster among them. Children are also 'taught' at school to defend themselves against abuse via various programs – of doubtful value - with messages such as 'if it doesn't feel right, you can say no' (Scott, 2006).

I know of no similar proposals to track murderers nor to notify communities that perpetrators of other sorts of crimes have taken residence in their midst. Child sexual abuse has apparently become the worst of all crimes. It is worth considering why this may be the case, as understanding the meaning of icons is a powerful way to comprehend the psychology of a culture or era. Indeed, the obsession with potential sexual harm to children should be taken as something akin to a cultural psychiatric symptom, rather than a reflection of reality; a 'moral panic', in other words (Cohen, 1972, 1980; Fitzgerald, 2005; van den Hoonaard, 2001). Nonetheless, the belief in the existence of numerous sexual predators has shaped legislation and social attitudes to all adults, even attitudes of adults to their own motivation and probity (Piper & Smith, 2003).

It is worth considering the nature and characteristics of the icon. The sexually abused child is, above all else, the ultimate innocent victim. Children are understood to be without sexual desire and under the law cannot consent to sexual activities. Any contact between an adult and a child must be an act of exploitation. The children in these cultural stories are always very young, little more than infants. Recent events in Australia illustrate these presuppositions about the nature of the abused child. A former governor general lost his position, not because he was suspected of child abuse, but because of accusations that, as a senior member of the Anglican Church, he 'covered up' or failed to act on child abuse perpetrated by a junior cleric. While this controversy was raging I asked people of what acts they thought the junior cleric guilty. They mostly replied that he must have 'done terrible things to tiny children'. The 'victim' of 'abuse' in this case, however, was a young woman who, being below the age of 16, can not legally be said to have consented to the affair, but who as an adult has indicated that what she desired – and desires - was for the cleric to leave his wife and family and marry her. There is no doubt that the cleric's behaviour was unwise in the extreme, but his offence did not fit the popular image summonsed up by reports of the events, which led to the subsequent disgrace of the Governor General.

Fables of child abuse are thus tales of exploitation of the innocent and powerless, of blameless individuals forced to engage in activities against their will and best interests. They are ultimately about relationships between people and in these uncertain times the abused child and her abuser have become models of how persons are now considered to relate to each

other. Everyone, it seems, is an abuser or a victim of abuse. The cultural history of the 'abused child' provides a useful template for understanding why abuse and exploitation have become the feared but accepted cultural models of relations between people.

### *The Deregulation of Everything*

Concern about 'widespread' sexual exploitation of children had its origins in the 1970s. By the early 1980s, when I was training to become a school counsellor, detecting the signs and symptoms of abuse among school children was becoming a key issue for the profession. At the same time, articles about child abuse began to appear in the popular press and the public and members of the professions were urged to increase their efforts to detect and report abuse. In fact legislation was passed in my state to make teachers and school counsellors mandatory notifiers of suspected child abuse. Mandated reporting of suspected abuse is also common in other Anglophone cultures and the requirement to report suspected abuse extends to other professionals who might be exposed to situations where real or potential abuse might be uncovered: for example there is now considerable concern about 'elder abuse' and the proposal that police checks be introduced for anyone who works with older people.

Exploring other social and cultural changes also occurring at the same time provide a powerful explanatory device for the sudden discovery of the supposed army of victims of sexual predation. Most important was the range of inter-related phenomena that go under a variety of titles, globalisation included. The era, starting in the 1960s, saw a concerted and deliberate attack on traditional morality, codes of conduct and social structures of all sorts, in the name of 'liberation', or more correctly, individuation. Hierarchical ways of relating were demolished – husbands were not to have authority over wives, or the old over the young. Restraints and restrictions of all sorts were cast aside as pathology-inducing anomalies left over from less enlightened eras. I have written elsewhere (Scott, 2004) about how this dismantling of traditional value systems has led not just to greater personal freedom but also to greater insecurity and mistrust of other people, both as private individuals and professionals. Put another way, freedom has become the ultimate virtue, but freedom is a complex construct, and its operations in the real world are rather more messy and uncertain than on paper. Regrettably, persons come with differing levels of personal and social resources and a 'level playing field' leads as easily to exploitation of the weak by the strong as it does to the 'Age of Aquarius'. Freedom, then, has its discontents (Baumann, 1995, 1997) and these are manifested in relations among people.

Hierarchical systems manage uncertainty and risk via placing responsibility in the hands of those with more power and access to resources. Persons in positions of authority are bound to protect those further down the 'natural' order. Monarchs care for their people, husbands for wives, parents for children, priests for parishioners and so it goes on. This is not to say, however, that in 'the old days' duties were never neglected nor power abused, but at least the expectations existed that most would do their duty, wrongs be avoided, or punished where they occurred, and that the responsibility for managing the intractable uncertainty of human life would be communally shared. Nonetheless, those who in a previous era held positions of power, responsibility and authority – parents, teachers, doctors, priests, day care workers, nurses, scout masters and so on - have been 'unmasked' as unworthy of the trust placed in them via the 'revelation' that many have been guilty of child abuse. Anyone, it has come to seem, who has any power at all is potentially an abuser of innocents. 'Trust no-one' is the potent between-the-lines message of the age.

## The Consequences for Researchers

### *Ethics Committees*

Into this shifting cultural landscape with its obsession with harm to innocents have also emerged tussles for power among different influential groups: governments; political parties; industry; unions; the professions. These developments further complicate the picture. Many have noted a tendency afoot in Anglophone countries to centralise power in the hands of governments (Charlton, 2002). I have argued elsewhere (2003) that scholars, researchers and teachers have not escaped these attempts to rest power away from 'rival' groups and place it in the hands of those at the centre.

It is a venerable political ploy to use preventing harm as an excuse to extend control (Mueller, 2006). Ethics committees were instituted to 'prevent harm' to the human participants in medical and behavioural research. While there sometimes exists considerable potential harm to participants in medical research, there has never been any evidence that participants in social scientific research face similar perils (Mueller, 2006; O'Brien, 2006,) nonetheless the research ethics apparatus in Australian, North American and other communities has become increasingly powerful, intrusive, demanding and insatiable, such that research is now restricted and stymied in ways scarcely credible a few decades ago (Scott, 2004).

University administrators have found ethics committees to be a useful way to control faculty, who traditionally enjoy considerable autonomy in their work (Mueller, 2006; O'Brien, 2006). Similarly, conservative political forces seeking to bring to heel those 'over-mighty subjects', the professions, including academics and researchers, have found a powerful implement in the 'over-sight' provided by auditing tools, including ethics committees (Charlton, 2002; Power, 1994, 1997; Scott, 2003). What better excuse for increasing surveillance and control than the desire to protect innocents from 'abuse' of power by 'mad scientists' and unscrupulous, self serving researchers.

Ethics committee thus function against a background of anxiety over the supposed dark army of predators preying on the innocent. In North America training films have been produced to assist members of ethics committees to perform their duties. In a cultural context of intense distrust of those in authority and a powerful model of human interaction as characterised by 'abuse' these films commence with a montage of images, some of which feature the Nazi doctors who performed unspeakably cruel research on prisoners - as fine an example of pure evil as can be located in the modern era. From the start, then, ethics committees members are invited to see themselves as crusaders against exploitation and abuse and the researchers, whose work they assess, as being on the 'other side'.<sup>1</sup>

### *Victimhood as Virtue*

Moral codes exist, according to Mary Douglas (1994, 1996), in order to decide 'who's to blame'. The dismantling of the old value systems, and the related discovery that anyone in a position of authority was 'to blame' – which in a real sense they were, as authority equals responsibility – has left a moral vacuum at the heart of our culture. Without a ready system for apportioning responsibility and blame we are now all both under suspicion and suspicious of everyone else. The cultural obsession with child abuse can be seen, to use the psychiatric terminology, as a massive example of 'displacement', that is the discharge of energy and anxiety onto an object or activity that substitutes for the true source of pain or distress.

Certain aspects of human cognition lead to the adoption of an apparently universal model of the moral cosmos, one characterised by the conflict between ultimate good and pure evil

(Baumeister, 2001). Baumeister discusses what he calls the 'myth of pure evil', in which evil persons are characterised by seven attributes. Evil people:

- Inflict deliberate harm;
- Inflict harm for its own sake;
- Harm good and entirely innocent victims;
- Belong to an out-group: the enemies or the outsiders;
- Have always been evil;
- Represent the antithesis of peace, order and stability;
- Are egotistical;
- Have difficulty maintaining control over their feelings

Examining this list it is easy to see how these attributes map onto religious models of the cosmos, with their saints and demons, and the righteous beset by the forces of evil. It is also possible without too much effort to see how the cultural icon of the abused child and her selfish, lustful, irredeemable abuser also fit this model. It is but a short step to propose that the abused and the abuser have taken over the role formerly played by saints and demons as cultural definitions of pure innocence and pure evil. It is no wonder, then, that this template is then applied to the interaction between many groups and individuals, such that each now plays the role of either the victim or the abuser. Just as historically there was little incentive to identify as one of Satan's minions, now the pressure is to side with the victims by being a victim, and thus one of the undeniably virtuous, or joining the righteous who crusade against abuse, rather than to risk being lumped with those who perpetrate it.

### *Sexualising Childhood*

The identification of archetypal 'abuse' as 'sexual abuse' requires some further investigation. Sexual liberation was touted as a necessary freeing of people from the chains of tradition, inflicted on their minds and persons by the church and other discredited institutions. We were all to become self-actualising individuals, unafflicted by old-fashioned hang-ups. Indeed, in the last few decades our public culture has become hyper-sexualised and clothing styles, images, language and story lines that only a few years ago would have been considered grossly indecent are now commonplace. There is a strong possibility that the perceived identity of the abused child as a victim of sexual predation may have its origins in the unsettling 'in your face' sexual openness of public culture. Perhaps many of us feel 'victimised' by the inescapable sexualization of public life. There are others better versed in the language of depth psychology who could discuss this possibility with more subtlety than I, but it remains a plausible hypothesis.

The paradox of the obsession with children as actual or potential victims of sexual predation is that they have become sexualised in a way that they previously were not. Endless public iterations of anxiety over the sexual harm supposedly inflicted on large numbers of minors and the florid reporting of 'international rings' trading in child sexual pornography have turned children into objects of forbidden sexual desire. The repeated pairing of the image of the child with the image of the sexual victim has made many people anxious about their own feelings and impulses, how others will perceive their actions and even whether their own children or those in their care will 'turn them in' for fictional offences (Piper & Smith, 2003) It's a bit like the injunction 'don't think about the bear'. Once made, it is hard to think

of anything else. Repeated stories about children as objects of lust create mental associations and set in train a whole range of fears and unease that would not have existed otherwise. This generalised distrust of motives towards children has meant that even the utterly blameless accept that they should submit to police investigation before they can be allowed near young people.<sup>2</sup>

The ubiquitous cacophony over child abuse and child pornography has made conducting research with young people especially difficult. 'Violation' of children's privacy has become an extreme concern. Every contact with a child is a potential occasion for abuse and every image now has a potential pornographic use or overtone, it seems. Whereas parents could photograph their children and their team-mates at sports events or similar events and schools freely use images of their pupils to publicise their activities, special permission to do so has been proposed or has become the case. It is considerably more difficult for researchers (the twice damned) to conduct research that requires them to photograph or film children. Indeed on ethics proposal forms that I have encountered photographing or filming children are listed under 'high risk activities'. My own research on classroom communication is seriously compromised by the restrictions placed on it by the injunction against filming classroom activities. There can be no explanation other than somehow every image of a child is now a form of pornography likely to fall into the hands of sexual predators, even an anonymous photograph of a classroom full of bored kids, slumped in their seats, eyes glazed. Or possibly we have all lapsed into some sort of superstitious belief that a photograph is a form of identity theft and its viewing by the 'unauthorised' a form of violation.

### *Freedom and Responsibility*

In our contemporary 'privatised' individualist culture the structures have been levelled and it's every man and woman for him or herself. Of course these changes have been dressed up in the palatable language of 'choice'. 'Choice' is understood to be good, and who, after all, lobbies for more restrictions on his or her own activities.<sup>3</sup> The notion of 'informed consent' owes much to, among other things, the sovereignty of personal choice. No-one must be forced or coerced into consenting to any process or activity that he or she does not fully understand, in order, it is believed, to avoid the possibility of exploitation and victimisation. Of course the essence of the abused, unable to consent, child is that he or she has been forced to engage in harmful activities with a more powerful and predatory adult.

Consent is of course a major issue addressed by ethics committees. Much time and effort are expended to make sure that participants truly are freely consenting to involvement in research, that they comprehend exactly what that involvement requires of them, that they know their rights and understand that they can withdraw their consent at any time. The lengths to which ethics committees go to ensure these things have become nothing short of extraordinary and requirements to 'fix' the consent process are often the means by which approval of research proposals is delayed or denied. It is almost as if research participants are identified with vulnerable children who cannot truly consent to involvement with researchers. Certainly the model participant depicted by ethics procedures requirements is an infantilised individual who cannot know his or her best interests but must have these protected for him/her by the ethics committee. The situation is worse for those potential participants who are deemed especially 'at risk': the disabled; children; indigenous peoples. Particularly in the latter case the obsession with making consent truly informed has, in my experience, led to the requirement that consent forms be several pages in length. Maybe it's just me, but such a blizzard of words seems likely to obscure more that it reveals, especially for those whose literacy can be poor.

There is an element of bad faith in these endeavours. With the introduction of the concept of consent comes a subtle - or not so subtle - shift in responsibility. If one has consented to something then any ill-effects become one's own fault: it's not rape if you said 'yes'. This attempt to shift or pin the blame has further eroded trust. Private conversations with those involved with the ethics process at Australian universities have revealed the extent that the extraordinary attempts to extract iron-clad 'consent' from research participants have been affected by how research participants are now regarded. Participants are seen as potential litigants who may sue the university for harm eventuating from involvement in research. The 'innocent' are thus revealed to be as self serving as the rest of us and this ambiguous image of research participants as simultaneously vulnerable and risky undoubtedly further complicates the response of ethics committees to the tasks they face.

### **Personal Experiences of Researching in a Climate of Fear**

#### *Speaking out against the Moral Panic*

As is obvious from this paper I regard the present obsession with abuse as a phenomenon worthy of research, rather than a reflection of an indisputable fact of contemporary life. I have watched both the rise of the cultural icon of the abused child and the increase in the power of ethics committee. I have noted what I regard as the probably common social roots of both these and written and spoken on the use of 'victimology' to justify increasing scrutiny, oversight and control of scholars and researchers (Scott, 2003). I have attempted to research the consequences of the obsession with abuse as the model of relations between children and their non-family carers, including teachers. These activities have led to professional difficulties, which I shall now describe.

I have been interviewed on radio a number of times because of my work on perceptions of risk and the rise of the victim identity. In early 2004 I was interviewed again on a program that included an interview with a researcher who was investigating the real as opposed to the supposed consequences of child-adult sexual contact. When I returned to my home town I found an email from a colleague at the same university who also worked as a clinical psychologist. It was a long email, self righteous in tone and containing grave charges against me. The sender had cc'ed it to my Head of School. The sender informed me that he had been contacted by patients who had found my name on the radio network's website in connection with the interview on consequences of child-adult sexual contact and that he was disgusted by my condoning of child rape. He informed me that his patients had told him that my remarks had increased their pain and suffering intolerably. He noted that he had previously read about my research in this area in an article in the local press. He also indicated that my attitudes gave solace to sex offenders with whom he had worked and who had contacted him to tell him that they felt vindicated by my words. It seemed, from the tone of the email, that he had encouraged both sorts of patients in their false beliefs about my research interests. He also demanded that I make a full account of myself and explain why I held such vicious beliefs.

I was appalled and astounded by his email on a number of levels, personal and professional. I conduct research in schools and I am quite aware that any whiff of condoning or accepting sexual assault of children could see me excluded from schools. I am also a mother of a small child and the resident of a country town. I would be quite easy to locate, I reasoned, and the thought that convicted criminals may now be interested in me or my family was frankly terrifying. In the next few days I received worrying anonymous telephone calls at work, which only increased my fear and concern.

I sent the man an email telling him that he was mistaken, that I do not do the type of research he was condemning but that I had been interviewed on radio with someone who did. There was obviously some misunderstanding, I noted, as I had certainly never appeared in the

local paper as someone who researched that topic. I received a reply from him that demonstrated that he had not accepted my explanation and he also repeated various accusations against me and again demanded that I explain my vicious attitudes to the victims of sexual abuse. It was, I could see, like talking to the proverbial brick wall, or like pleading innocence to the prosecutor of a witch trial. My supposed attitudes had placed me in the category of 'evil' and there was to be no talking myself out of that.

In some considerable distress I contacted senior members of the university administration to explain what had happened and my consequent professional and personal fears. At first there were some elements of insistence that I prove my innocence, for instance by showing that I had never appeared in the local press as a researcher interested in child-adult sexual contact. As we know, proving a negative is extraordinarily difficult, but fortunately the immoderate tone of the accusatory emails and my own record told against the person, as did my having received the worrying phone calls. We were both required to attend a mediation session, chaired by his Dean and mine, and the university subsequently disciplined him. During the session I spoke of my fear for my family and myself from the disturbed people with whom he had shared his wrongful opinion of me. I asked that he contact the sex criminals and set straight their ideas. He revealed that only one sex offender, who lived in Texas, and one or two other patients who were also unlikely to be able to harm my family had contacted him. Apparently distorting the facts to score points against evil people is acceptable, however: his emails gave the impression that I had an army of disturbed people bent on exacting retribution for my heretical beliefs.

Of interest also in this case is the insight that the man's emails gave into the victim industry. In his first email he informed me that many patients came to him with complaints of vague distress and dissatisfaction that they thought could be dealt with fairly quickly and easily in a short course of therapy. However, once he had started to work with them they 'discovered' that they had experienced abuse and as the therapy proceeded they also found that they had been deeply and seriously harmed, that the abuse affected every facet to their lives and that they would require a long course of therapy. It did occur to me that the person had furiously attacked me not only because my supposed program of research put me on the side of evil against violated innocence, but also because I threatened what must have been a nice little earner if I really could show that sexual contact between adults and children, where it did indeed occur, was not always devastatingly harmful.<sup>4</sup>

#### *Researching the Consequences of Fear*

As a consequence of my interest in risk perception, I have made contact with others with similar interests from around the world. I was offered the opportunity to join a team of researchers, headed by Dr Heather Piper, researching the consequences for children, teachers and child care workers of the prevalent extreme anxiety over physical contact between adults and children, work known as the Touch Project. Anecdotal evidence had suggested that many of those who work with children now fear to touch them even to provide comfort or necessary first aid, for fear of being accused of sexual misbehaviour.<sup>5</sup> Preliminary analyses performed on data collected in Britain had confirmed that these fears are widespread and it was hoped that I might be able to provide comparative data from Australia.

This work, it seemed to me, is essential. There must be some way of assessing the actual outcomes, as opposed to the hoped-for consequences, of the sorts of immense changes to relationships and beliefs about persons represented by the obsession with child abuse. We need this information to expand our knowledge in this area and if we are to develop the empirical evidence essential to guide policy development. Naturally those who have contributed to increased distrust and scrutiny do so in the belief that it will make people's

lives better. However, there is considerable evidence that the quality of the professional lives of anyone who works with children has suffered because of the rampant distrust. As well, many of those who work with children now regard young people themselves as a threat because they might make professionally and personally catastrophic false charges of assault. This compromises the quality of care and relationships that children receive in schools and other settings. It is important to uncover the unintended consequences of attempts to make children's lives safer so that we can decide if our well-meaning efforts are worth the costs to trust and community sentiment.

As I have noted above, I have encountered considerable difficulty gaining approval to do even very innocuous research with children in schools. Filming or recording is regarded as potentially very risky and harmful, but asking children even very unproblematic questions is regarded as a dangerous endeavour that must be circumscribed with layers and layers of permission and consent. It is no longer satisfactory for parents to consent to their children's involvement in research: now the children themselves must consent and indeed sign consent forms – even five year olds, thus entering into contracts that are strictly illegal. I have seen colleagues, by these means, prevented from including children in research about education issues that vitally concern them and about which they have perspectives that differ in important ways from parents' and teachers'. Thus 'protecting' children comes to actually mean removing their voices from debates over issues of vital concern to them.

Given the anxiety-provoking subject I wished to now investigate I approached the task of gaining 'ethics approval' with considerable trepidation. The research consisted of two phases: in the first, a short questionnaire was sent to schools and early years settings merely asking if policies were in place about physical contact between staff and children and asking to whom we could speak about the policies and for a copy of any that existed. In the second phase, a sub-sample of schools and settings were to be visited in order to interview staff, children and parents about policies and the perceived effects on relationships within the school/setting. In order to conduct this research I had two hurdles to jump: the ethics committee at my institution and the ethics apparatus at the state Department of Education.

As I have noted, I had expected trouble from the two ethics committees from whom I had to seek approval, and I was not disappointed, or perhaps I was, depending on how one looks at the issue. The whole thrust of the research patently made the university ethics committee members very uneasy. The proposal that was sent to them unleashed a storm of criticism over minor matters like the positions of page breaks and trivial aspects of wording on consent forms. There was also the 'issue' of what to do about those children that we would encounter in schools who had 'been abused'. Making the changes requested did not satisfy the committee, however, and further amendments were sought. With the prospect of a never-ending series of nit-picking demands stretching before me and delaying the start of the project, I decided to ask for permission to do just the first, questionnaire, phase of the research and to later seek permission to do the second phase. I was given consent to send out the questionnaire.

Next I approached the state department of education and met a similar series of problems, including, of course, instructions to reverse changes that I had made in order to satisfy the university ethics committee. Some demands I encountered were considerably more stringent than I had encountered from the ethics committee, however. As an example, the title of the project itself was deemed unacceptable: I could not call it the 'Touch Project'. This, it was maintained, was 'too suggestive', a claim that is diagnostic in itself, revealing as it does the extreme sexualisation of, well, everything. The most difficult to satisfy demand, however, was that I was to interview not only teachers, students and parents, but to include a large number of education bureaucrats and policy makers in those surveyed. I pointed out that I was not receiving any funding to do the research and that it would greatly increase the cost if I

were to do so, quite apart from the purpose of the research being to discover the views of those directly affected. I succeeded in keeping the project name, but could not persuade the Departmental ethics committee to budge from their position of demanding that I interview administrators and legislators. In the meantime, quibbles over page breaks and wording also continued. It was now many months since I had attempted to start the project and exhausted and demoralised I gave up. I can only speculate why the Department wished me to extend the research beyond its intended scope, as I was never explicitly told why this demand was made.

### **Conclusion**

The contemporary era is an anxious one and concern about the safety of children runs rampant, distorting relationships and fashioning a model of human interaction in which everyone is a victim or an abuser. Attempts to curtail the possibility of exploitation of the weak by the strong have caught university scholars in their nets and ethics committee police research to prevent harm but, in the process, stymie research and increase the general climate of fear and suspicion. The evidence points to much of the current anxiety as overblown and unnecessary, leading to more harm than it prevents. However, stepping outside the current orthodox fold and attempting to question and research the prevailing climate of fear, including asking the vital question of how children are affected by living in a society where any contact with them is regarded as potentially abusive, is difficult and even professionally dangerous. Silencing those most affected by the moral panic over child abuse prevents us from better understanding the state in which we now find ourselves and makes more remote the possibility of injecting a little sense into the debate. Certainly, attempting to research the bases on which restrictions to research are built is truly, in the current climate, beyond the pale and risks placing the scholar even more firmly in the category of pure evil.

### **Best Practices**

A problem as large and pervasive as the one I describe seems to defy easy solutions. One useful recommendation is, however, that the benefit of programs designed to reduce harm, including that to research participants, be checked against the facts. Evaluation of the outcomes, intended and unintended, of regimes of research review by ethics committees is a necessity. This should include the consequences for researchers of being subject to the review process: how many are unable to begin their projects; which sorts of projects are most likely to be refused; what potential knowledge is being lost; how many give up on research as career? Of interest also is how potential research participants experience the informed consent process: does it make them more or less likely to become involved; does it tell them what they need to know; is it, rather, “too much information”? Such evaluation would hopefully provide information that could inform policy decisions and help pull us, as a culture, back from the brink of total distrust of all against all.

### **Research Agenda**

As this work is theoretical rather strictly empirical there is no obvious further research exactly of its kind that could be conducted. There is potential further research implicit in the sorts of evaluations proposed above. A sharing of views on the points raised would also be of interest and value, as would any observations about the models of relations between researchers and participants that occur in communities where ethics committees are absent or less powerful.

A potential source of useful data is statistics on actual harm to participants from countries where ethics committees are not such a dominant part of academic life. If it could be

demonstrated that the stringent requirements to which Anglophone researchers are subject make no difference to outcomes for participants there would be a powerful case for reviewing processes and policies.

### **Educational Implications**

The main implication arising from this work is the necessity to make explicit models of persons currently implicit in thinking about the relationship between researchers and research participants. I have attempted to become involved in dialogues of this sort with officers and members of research committees but have found it extremely difficult. Researchers, in my experience, are assumed to be at best ignorant and at worst selfish, manipulative and unscrupulous. The first view leads to offers to 'help' the researcher understand her faults and failings, the latter closes down communication completely. Data of the sort I describe above, demonstrating the real degree of harm occasioned to all parties to the research enterprise, participants and researchers alike, would be useful. Education of committee officers and members along the lines of resisting temptations to demonise researchers would also be of benefit.

\* Dr Catherine Scott has a PhD in psychology from Macquarie University, Australia, and is also a qualified school teacher. She has taught in secondary and primary schools and, since 1989, in universities, where she has taught educational and developmental psychology and research methods. Her research interests include teachers' occupational identity, satisfaction and well being; classroom communication; and contemporary perceptions of risk and their consequences for professionals and their clients.

### **Endnotes**

1. Anyone who has ever attempted to argue with an ethics committee about an unfavourable assessment of his or her research has probably experienced the uneasy feeling of being among the damned, whose every word and act are further proof of the evil lurking within. Attempting to talk sense does no good, as sense is not something that comes from the lips of the wicked, only lies, selfishness and deceit disguised as other things.

2. Research has demonstrated that this endlessly proliferating choice does not lead to more contentment and increased well-being, but quite the reverse, and that the citizens of contemporary Anglophone cultures are drowning in a sea of often unwanted decision-making (Schwartz, 2004).

3. While opportunities were in theory increased by this deregulation, risks were also privatised. We are now more responsible for our failures as well as our successes, so that more choice in, say, how our superannuation is invested may lead to increased wealth in old age, or, if most know as little about such matters as I, then it could just as easily lead to destitution. Similarly, many have vigorously promoted 'school choice'. Should the choice prove poor and the child suffer, however, it is the parents who are to blame.

4. I also received other emails as a consequence of my appearance on radio, mostly from people who told anguishing stories of false accusations of abuse and the real harm these did to individuals and families. One man spoke of how his daughter, dissatisfied with her life, went

to seek help from a therapist who 'recovered' memories of abuse by her father. Subsequent criminal prosecution of the father failed for want of evidence, but the family was destroyed in the process.

5. This is of course not a fanciful fear. The case of the vicar who was charged with assault for kissing the cheek of a child, whom he knew, as he presented her with a prize at an award assembly demonstrates this most plainly.

### References

- Bauman, Z. (1995). *Life in fragments: Essays in postmodern morality*. Oxford, UK: Blackwell.
- Bauman, Z. (1997). *Postmodernity and its discontents*. Cambridge, England: Polity.
- Baumeister, R. F. (2001). *Evil: Inside human violence and cruelty*. New York: Owl Books.
- Baxter, C. (1997). *Burning down the house: Essays on fiction*. Saint Paul, MN: Graywolf Press.
- Charlton, B. (2002). Audit, accountability and all that, In Prickett, S. & Erskine-Hill, P., Eds. *Education! Education! Education!: Managerial ethics and the law of unintended consequences*. Thorverton: Imprint Academic.
- Cohen, S. (1972). *Folk devils and moral panic: The creation of the Mods and Rockers*. New York: St. Martin's Press.
- Cohen, S. (1980). *Folk devils and moral panic: The creation of the Mods and Rockers*. New York: St. Martin's Press.
- Douglas, M. (1994). *Risk and blame: Essays in cultural theory*. London: Routledge.
- Douglas, M. (1996). *Thought styles*. London: Sage Publications
- Fitzgerald, M. (2005). Punctuated equilibrium, moral panics and the ethics review process, *Journal of Academic Ethics*, 2(4), 1–24.  
<<http://dx.doi.org/10.1007/s10805-005-9004-y>>
- Furedi, F. (2002a). *The culture of fear: Risk-taking and the morality of low expectation* 2<sup>nd</sup> ed. London: Continuum
- Furedi, F. (2002b). The silent ascendancy of the therapeutic culture in Britain. *Society*, 39(3), 16–24
- Mueller, J. (2006). *Do no harm*, paper presented at the Law and Society Conference, Baltimore, 8<sup>th</sup> July, 2006.
- Nolan, J. L. (1998). *The therapeutic state: Justifying government at century's end*. New York: New York University Press.
- O'Brien, R. M. (2006). The Institutional Review Board problem: Where it came from and what to do about it. *Journal of Social Distress and the Homeless*, XV(1), 24–46.
- Piper, H. & Smith, H. (2003). Touch in educational and child care settings: Dilemmas and responses. *British Educational Research Journal*, 29(6), 879–894.
- Power, M. (1994). *The audit explosion*. London: Demos.
- Power, M. (1997). *The audit society: Rituals of verification*. Oxford, UK: Oxford University Press.

Schwartz, B. (2004). *The paradox of choice: Why more is less*. New York: Harper Perennial.

Scott, C. (2006). A little knowledge is a dangerous thing, *spiked! online*, 2<sup>nd</sup> March, 2006.  
<<http://www.spiked-online.com/index.php?site/article/224/>>

Scott, C. L. (2003). Ethics and knowledge in the contemporary university, *Critical Reviews in International Social and Political Philosophy*, 6(4), 93–107.

Scott, C. & Dinham, S. (2000, September 13–19). Auditing the Auditors, *Campus Review*, 10(35), 12.

Steadman, R. J. (1998). *A disease of one's own: Psychotherapy, addiction and the emergence of co-dependency*. New Brunswick, NJ: Transaction Publishers.

van den Hoonaard, W. C. (2001). Is research-ethics review a moral panic? *The Canadian Review of Sociology and Anthropology*, 38(1), 19–36.