

SUMMARY NOTES

CURA Protocols Project Workshop 2

“Identifying the Starting Points for Agreement”

February 12, 2002

Ucluelet

CURA Research Protocols Project Workshop 2:

“Identifying the Starting Points for Agreement”

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Sponsored by

**The Community-University Research Alliance (CURA)
of the Clayoquot Biosphere Trust (CBT) and the University of Victoria**

February 12, 2002

Ucluelet Court Room, 200 Main St.

12:00-1:00 p.m. lunch followed by 1:00-5:00 p.m. workshop

Attending: Denise Ambrose (Ha-Shilth-Sa, Central Region)
Derek Shaw (Local Consultant)
Sylvia Harron (Local Consultant)
George Patterson (Tofino Botanical Garden)
Anne Morgan (Toquaht First Nation)
Nadine Crookes (Parks Canada)
Barb Beasley (Long Beach Model Forest Society)
Roberta Jensen (West Coast Career Centre)
Caron Olive (Ecotrust Canada)
Craig Paskin (Long Beach Model Forest Society/Central Region Board)
Arlene Suski (Regional Aquatic Management Society)
Gerry Schreiber (Local CURA Research Associate)
Rod Dobell (UVic Public Administration)
Kelly Bannister (UVic Law and School of Environmental Studies)

Opening and Introductions:

- Ucluelet First Nations Elder Barbara Touchie was scheduled for opening prayer and welcome but was unable to attend so Anne Morgan opened the workshop.
- Ucluelet Chief Councilor Larry Baird was scheduled for opening comments but was also unable to attend.
- A brief round of introductions was made by participants.

Overview (led by Kelly)

- The CURA Research Protocols project was briefly summarized for those not familiar with it, then the agenda (which had been circulated for comment in advance by email) was outlined.
- The workshop objective was to identify useful starting points for developing agreed research protocols to guide CURA-sponsored research from the following key background documents:

(i) 1996 Draft Traditional Ecological Protocols for Researchers LBMF Report. Compiled by the TEK (Traditional Ecological Knowledge) Working Group (A. D. Paul, D. Bayne, L. Paul, L. T. Sutherland, C. Mickey, M. Lucas, R. Hamilton, and K. Price).
http://www.lbmf.bc.ca/publications/draft_protocols.pdf

(ii) 2001 [Unofficial] Protocols and Principles for Conducting Research in an Indigenous Context. University of Victoria Faculty of Human and Social Development.
http://web.uvic.ca/igov/program/igov_598/protocol.pdf

(iii) 1999 UVic Policy 1250: Policy and Procedures for Research or Other Studies Involving Human Subjects. University of Victoria.
<http://web.uvic.ca/uvic-policies/pol-1000/1250RSIH.html>

- A request was made to participants to suggest/submit other helpful documents.
- It was noted that Larry Baird was willing to help with First Nations connections but that we need to get something on paper that could be responded to.

LBMF Draft Protocols (discussion led by Gerry)

Gerry led discussion on the 1996 LBMF Draft Protocols to see if they were suitable for our current uses or how they might be adapted to suit the CURA Protocols Project. To our knowledge, three local projects have attempted to follow the LBMF Draft Protocols:

- First Nations Wildlife inventories (LBMFS)
- Hahulthi project (LBMFS)
- Ahousaht Ethnobotany project (former UVic students Juliet Craig and Robin Smith)

Barb and Nadine agreed to share their experiences of trying to implement the LBMF Draft Protocols on the first two projects noted above. Gerry and Kelly will follow up with contacting Juliet Craig and/or Robin Smith about their experiences in the third project.

Although the general outline was followed, the discussions ranged widely and served as a tool for bringing out the issues. Some initial questions that were raised included:

- Who are the protocols designed for?
- Who is the community?
- Should there be one set of guidelines for both First Nations and Non-First Nations? Note that LBMF Draft Protocols were broken into Western Science and TEK (“traditional ecological knowledge”), although the LBMF document leaned toward First Nations'

issues.

The LBMF Draft Protocols were initiated to:

- Develop criteria to screen for funding eligibility.
- Ensure concerns, needs and rights of First Nations were addressed.
- Ensure that First Nations were engaged and involved in the research (so that outside researchers wouldn't just come in, do their thing and take all the information, leaving little benefit to local communities and with little understanding of local intellectual property rights issues).

General Comments:

- A “right to be involved” in research is of a different magnitude than a social contract or a right to intellectual property. Must distinguish between rights and needs. Is research responsive to communities?
- Requiring research to address needs is potentially problematic. This could disqualify some important basic research. We need to have room for both applied and basic research, not discourage one or the other.

What are we trying to do with the protocols?

- Help researchers make their research relevant to communities.
- Encourage more community involvement in research where desired.
- Try to ensure that those local people who care have the opportunity to know about the research that is happening in their community and avoid surprises.

What kind of guidelines would improve on research itself?

- Distinguish between different categories of research:
 - (i) Basic.
 - (ii) Community-based; responsive to needs.
 - (iii) Research about the community itself (e.g., economics, adjustment strategies).
- Do we need more distinction of categories than the LBMF Draft Protocols' categories?
- We are looking for harmony with the drafts and thoughts that have already been written down.

Separating research into categories.

- There is a need to distinguish between TEK and western science research. There will be more First Nations interest in TEK, and TEK will also involve internal [First Nations] protocols.
- The CURA research protocols should be designed to include First Nations and protect their interests but also help researchers to understand the area. For example, when you go to a hereditary chief it would be useful to know “how to least offend”. There is a need for more practical elements (local etiquette), and tips on how to build relationships and help researchers understand the First Nations cultures better.
- There are realities to face with TEK. We are not trying to make hoops to jump through, but the reality is that research protocols are different when dealing with First Nations. There

appears to be some uncertainty with First Nations about who the proposals or research should go through.

- If you try to put all research in the same box, it will be complicated and will wear people out trying to figure out the appropriate process. A study of whale behaviour could encompass both TEK and Western Science—so which category to fit it in?
- We need to keep the guidelines simple and useful.
- Maybe we need a protocol that is a series of steps to determine the level of community engagement for individual projects. We could set up a practical link to administer it on the ground, to decide on the appropriate steps for each project. Don't try to make too many categories of research up front or it will become unwieldy in detail. Better to set something up on the ground.
- We do need to recognise distinctions between major research categories (for example, TEK and western science), even if just to emphasise that there are different expectations for each. For example, for a Masters (of science) thesis on whales, it would be courteous to have a local public meeting to share your reasons for being here.
- One way to do this would be to present research projects to the "community" and get "tips" on how to proceed.
- Research involving TEK and interviews require more detailed guidance.
- Research that indirectly uses TEK needs to follow protocols also.
- Each First Nations community probably has its own protocols. For example, in the LBMF wildlife inventories, the Hesquiaht did not participate because they were conducting their own research (i.e., Management for a Living Hesquiaht Harbour), using their own protocols, but they did give some guidance to the LBMF researchers.
- Perhaps a general protocol needs to indicate that First Nations should be contacted for their own protocols. Researchers should be encouraged and required to check with each First Nations community that may be affected or interested in the particular research.

Who is the "community"?

- Several people agreed that community meetings are important to provide the "opportunity for community members to discuss issues related to the project". It was brought up that sometimes there is difficulty in finding out who the "community" is.
- If there are specific questions the community wants answered it will help. We can wear out communities with redundancies.
- There is some question of who do researchers "present" their information to? Who is the "community". Given differences between political and hereditary leadership, this is not always clearer in First Nations communities than in Non-First Nations.
- Are we overestimating community interest?

Need for a local information exchange or clearinghouse.

- Need to have a central clearinghouse for information to make it easier to access past research papers, current research projects, people, organisations and other resources, and to help with the logistics of compiling scattered information.
- Clayoquot Biosphere Trust (CBT) could build up an archive of research. Each community of First Nations can have its' own archive but there should be a central place.

- Outside researchers need to be able to get a hold of these documents at a local repository.
- This is complicated. We must keep in mind that not all First Nations are supporting the CBT.

Suggestion

- Include a First Nations representative from each community.
- Make a presentation to the Central Region Chiefs and ask them to appoint a contact person in each community. Then hire a liaison person in each community. This person could be a good resource person for getting this info out and bring it back to communities.
- Mamook Development Corporation has developed a list of human resources and expertise in First Nations, which might provide a good starting point for community contacts.
- If we go through a respectful process we will get more First Nations interest.
- First Nations have lots of proposals sent to them so this will help researchers and allow their project to stand out.
- Provide a detailed letter of informed consent before any interview. Taking food (e.g., fruit basket) to interviews. Let people know who you are/where you are from.

Protocols suggestions

- Perhaps a set of nested questions that lead a researcher through the maze of communities and people to where they need to go. A "decision tree" would allow a researcher to more smoothly find their way through.
- Should we leave the decision tree to the researchers? There is the potential problem of misinterpretation and differing perceptions thus the research going astray. Protocols should lead researchers to local people or community groups for more input.
- Perhaps all we need is just an opportunity for community members to discuss issues related to the project? But it is hard to discuss something if you don't know what is going on. If you have information then you have the opportunity to respond. There is a need to get information out there.
- Perhaps the protocols should be a series of principles with a set of tips and guidelines flowing from the principles—a list of suggestions on how to proceed.
- Perhaps community presentations are not needed to indicate intent and get "approval". This is not really a protocol issue. It would be a normal part of scoping out research at the initial stages of design, i.e., good research practices.
- How much expectation is there that the community or individuals be told what is happening? It would be nice, but difficult to insist on.
- Disclosure of funding source, and who you represent (transparency) is important.
- Need for simple, flexible protocols.
- Need to start with an overall purpose.
- Principles are very important, but we need to know how to apply them. Generally it will probably not be difficult to agree on principles, but there will be a need for a process by which to apply them
- "Tips" would be a key part of applying principles. Need guidelines for novices, tips for scoping out your research.
- Suggestion for: Principle - Practice – Process.
- There are likely collective/common denominators - with extra considerations for First Nations.

- University research involving humans has a set of standard well-thought out and articulated protocols/policies, but this is not the case in other areas of research.
- UVic has recently come to recognise First Nations concerns around traditional knowledge, which has been a major move for the university.
- Perhaps we need a more general set of guidelines for 'community-based' research to get new researchers started. Getting students from universities to understand may be difficult, e.g., Masters students with university mentors that are not really ready to mentor in a community sense. There is some consideration at UVic for offering courses on community-based research methods and issues in the future. Perhaps it would be useful to train the communities as well.
- Typically, universities don't recognise general community issues unless they are linked with commercialisable research (for profit).
- There was a suggestion that the protocols indicate some of the pitfalls inherent in simple things like wording, e.g., for the Hahuulthi project questions were developed and tested on family – this enabled a rethinking of the language used. There were also language barriers since some of the elders speak English as a second language. Once the questions were right, and asked in a respectful way following "protocol" the First Nations information just started flowing - the questions weren't really needed. This is the kind of tip that would be very useful to researchers.
- Need to remember who you are addressing. This brings up the question of scope of the protocols - are they becoming a manual on how to do basic research?
- Perhaps needs to be at a more general level, e.g., invite various people from several communities to get together with other organisations and universities to share information and get everyone on the same page. The May 2001 Adaptive Management/Sustainable Communities workshop tried to do this. The workshop was held both at the university and in the communities, which was novel
- The science symposiums are a link to keep this going. Past conferences have stressed the importance of inclusion.
- The protocols should be written in a way that will take care of conflicts before they becomes a problem, so that issues like the ability to “halt research” at a any time (e.g., LBMF Draft Protocols) would never come up.
- Recognising that there are various levels of research, there could be a sliding scale of sensitivity.
- Could include something about the expectation of the community that the researchers use the local services wherever possible.
- We should have a list of local services to facilitate the use of local services, prices, numbers etc to help researchers through what we are asking them to do.
- The protocols should help researchers (both local and those from outside the community) to be aware of other research that is being done or has been done in the area. This would help enhance projects and reduce duplication. It would also help researchers get started on their search for information and contacts in the area.

Local awareness of research.

Some participants felt that it is important to know what local research is happening. If there is any overlap or impact on local projects, the community would probably want to have some input to minimize or enhance effects on local research. Others did not have an expectation that researchers should inform them. There is a lot of local research going on at the community level, which should be considered by other researchers (e.g., bird inventory in Spring Cove -- someone could interfere with that and not even know it). In this respect, it is also important for local people to register their observations/projects so it is recorded and available to outside researchers coming into the area. Information works both ways for impact and research quality, duplication etc. A need was identified for a forum of mutual exchange that includes local people.

Thoughts on how researchers could let the communities know about their proposed work:

- Researchers could be required to publish a proposal in the local newspapers.
- A central place could be better than an announcement, perhaps use a website? Note there is poor internet access on reserves.
- Postings on local notice boards.
- Find out through various organisations who might be interested and talk to those local groups or individuals.
- Contact a local "clearinghouse".

Thoughts on post-research dissemination of results

- Make reports available at relevant organizations with the advice of local "partners".
- Make reports available in the Library.
- Make available at the local "clearinghouse".
- Mail back results to those who showed interest.

Non-university researchers.

- Do non-university researchers (private consultants) have to make results public?
- Not private consultants (unless specified in the contract), since they are not publicly funded. Some industry-sponsored research would likely require nondisclosure.
- Most government research would be subject to the Freedom of Information and Protection of Privacy Act so could be accessed with due cause.

Enforcement questions.

- A concern was raised about whether it was too harsh to demand that researchers follow the protocols in order to be 'allowed' to do research in the area.
- How do we ensure that data and or results are available to the community? - Research Police?
- Perhaps we should have a public notice of who has signed on to the protocols. Could be used as leverage in the form of peer pressure.
- Is it realistic to set up expectations for researchers to follow protocols that they don't know exist (catch 22), or protocols that have changed? It needs to be very clear how and where to go in the community to access the information.

- It was suggested that the Protocols project coordinators identify the experiences of researchers who have run into protocols issues and how they dealt with it.

Community Response and Feedback

- Concerns were expressed over time frame issues. It was generally agreed that the time frame should be clear.
- Early clarification of time frame is important and that a need to follow up as a reminder should be considered essential.
- No response can be interpreted as a positive or negative. The protocols should state that a "no response" by a certain date should not be assumed as a positive response.
- A time of two months was suggested with a follow up after 1 month. How does this fit in with the needs of university deadlines for projects/theses? These timelines also have to be part of the research conception and design.

UVic Policies (led by Kelly)

- There are several policy documents that describe what to expect from UVic.
- One document still under development deals specifically with research with First Nations. **[2001 Protocols and Principles for Conducting Research in an Indigenous Context. University of Victoria Faculty of Human and Social Development]**. This is not an official version yet, and although there are some problems with it, it is a starting point to help us get some initial ideas on paper.
- This document highlights three principles: Partnership, Protection, and Participation.
- As an example, Kelly used these three principles in a simple version of a 'matrix' which allowed a categorization of research and identifying whether it was Principle, Practice or Process. This was accepted as covering most of the essential elements, but it was difficult for participants to know just which box to put things into. NOTE: FOR A COPY OF THE PRESENTATION MATERIALS, PLEASE SEE "APPENDIX A: SAMPLE ELEMENTS AND STRUCTURE OF A PROTOCOL AGREEMENT"

Data and Ownership Issues

The university ethical review process for research with humans includes developing a Letter of Consent. However, it is unclear if a Letter of Consent is a legally enforceable contract. It is certainly a moral agreement and may have legal clout, particularly if involving First Nations ownership issues. It is unclear (unless money is exchanged) if recourse would fall under contract law or tort (civil wrongs) law.

For this Working Group, the question of defining the legal clout of a Letter of Consent has arisen from medical genetics research on arthritis that was conducted on Nuu-Chah-Nuulth families in the 1980's by a former UBC medical geneticist who took blood samples to test. The arthritis research results were not returned to the participants and the blood was used for other kinds of research (i.e., research that was NOT covered in the Letters of Consent signed by the participants). The participants (led by Larry Baird) are presently working to have their blood returned and have not indicated they want to pursue legal action. Nevertheless, clarifying what a Letter of Consent represents is important for all researchers and participants to consider.

Universities have policies that address data ownership and the rights to development of commercialisable products of research. Essentially, UVic's policy is that the researcher (rather than the university) owns the data and retains rights to the data. If the data is to be commercialised, there will be a sharing arrangement with UVic and any other partners (usually corporate). There are no policies (yet) in place that explicitly recognise ownership and rights of "non-corporate" communities.

An important part of maintaining rights to knowledge is maintaining the direct connection between the knowledge and the original knowledge holders. This means that the original source of the knowledge/information should always be acknowledged, along with the authors of the work. Issues around authorship and acknowledgement should be addressed up front.

Kelly went through a list of "checks" that the UVic has developed, as follows:

At minimum, the following information should be provided by an UVic applicant researcher based on UVic's standard ethical requirements for human research:

- *Information that the individual is being invited to participate in a research project.*
- *Comprehensive statement of the research purpose.*
- *Identity and affiliations of researchers and how they may be contacted.*
- *Expected duration and nature of the participation.*
- *Comprehensive and complete description of the research procedures.*
- *Comprehensive, realistic, and complete description of reasonably foreseeable harms and benefits from research participation (note: these should be spelled out in terms of impact on the cultural, social, economic or political well-being of the community), as well as the likely consequences of non-action.*
- *Assurance that prospective participants are free not to participate, have the right to withdraw at any time and will be given continuing opportunities to discontinue participation.*

- *Comprehensive disclosure of any possible commercialisation of research findings, and the presence of any apparent or actual or potential conflicts of interest on the part of the researchers, institutions or sponsors.*
- *Comprehensive description of whether, and how the anonymity of the participants will be protected and who will have access to information collected on the identity of the participants.*
- *Comprehensive description of how confidentiality will be protected and how and when the data will be destroyed.*
- *Comprehensive description of the possible uses of the data including a description of how the results will be disseminated and how the participants will be informed of the results of research.*

Note that it is important to get things in writing so you have something to go back to - for clarity of issues. This could take the form of a "research agreement", "letter of consent" or "memorandum of understanding" to clarify things like:

Who speaks for who?

Research goals and objectives.

Terms of Partnership.

Future control of information.

Clarity about what can be published (e.g., sometimes can publish results but not the data)

Even if research is based on material already published (i.e., in the public domain), if the material concerns traditional knowledge, it is considered good protocol to talk with the relevant First Nations first. This is not legally required but should be seen as good moral conduct, for both practical (e.g., to check accuracy) and ethical reasons (e.g., to let communities know what you are doing and have a chance to respond). There are often family ownership issues within various First Nations communities.

Participatory Research (led by Kelly)

Some general features of participatory research were outlined and discussed. **FOR A COPY OF THE PRESENTATION MATERIALS SEE “APPENDIX B: FEATURES OF PARTICIPATORY RESEARCH”**

Existing information

- Lots of research done in the Clayoquot Sound region by local organisations as well as by outside researchers.
- Current database (originally compiled by LBMF, current until 1999) of sustainable forestry research in the area over the past decade or more. This type of information needs to be hinged to the community more fully.
- The CURA project is seeking to support the update and expansion of this database for community use. This should assist further researcher, and help put researchers in touch with relevant organisations or individuals.

Nest steps

- In response to a question about researchers beyond the reach of the UVic, Kelly noted that at this point we would be comfortable drafting something within the context of CURA, but should keep an open mind about wider applications and opportunities to work with other local initiatives looking at protocol development, such as Parks Canada. **[Nadine, Kelly, Gerry, Anne, and Tyson will meet to discuss this in more detail]**
- We decided it would be better to work on specifics at more individual meetings as needed.
- It was agreed by most that the Protocols Project now had enough input to draft something fairly comprehensive. When that was done, it could be sent around the Working Group (all those who have attended workshops or expressed interest to be included) for comments, additions, changes etc.
- At some point, perhaps end of March, we could have another workshop to further revise the document into an agreed draft that can be circulated more widely.
- Kelly and Gerry will continue to actively pursue contact with the Central Region Chiefs to seek more formal First Nations input.

Listserve

The question of how we should use it most effectively was posed.

- Some felt that it was too easy to send out "fuzzy" drafts.
- Some expressed the concern that if everything was automatically forwarded to them they would be inundated with e-mails that they weren't necessarily interested in seeing. For example, some didn't want to see the comments of others in revising the draft protocols - "just show me a near final version" - but other people were interested in other's comments as it generates some thought and new ideas.
- It was suggested that the title or header should be self explanatory. Eg. "meeting response" so that the recipient could immediately decide open it or cybernix it.
- Sending out relevant documents is useful. The recipient can decide whether or not to open them.

Conclusions:

- Kelly will continue to moderate the listserve (i.e., so all emails sent to PROTOCOL@UVVM.UVIC.CA will automatically go to her first before being sent onward)
- She will make headers descriptive so people will know what the contents are.
- Gerry and Kelly will work with a small group of interested others to create a first draft of protocols, to be send out for wider discussion amongst the Working Group.
- The draft will be based on a combination of "principles, practices and tips" and include a "research decision tree" to help researchers navigate the expectations for research conduct, based on the subject matter and location of the research.
- A third workshop will be planned for late March or early April to critique, evaluate and revise the draft.

**APPENDIX A:
SAMPLE ELEMENTS AND STRUCTURE OF A PROTOCOL AGREEMENT**

Scheme A: SIMPLE

1. Title

2. Authors/Proponents

3. Rationale (preamble on respect, local context etc.)

4. Purpose

5. Guiding principles (framework)

e.g., Partnership
Participation
Protection

6. Recommended practices (articulation of principles and process for compliance)

Three stages of research:

- **Conceiving** the research
(*e.g.*, community engagement, defining goals, consent, permissions)

- **Conducting** the research
(*e.g.*, hiring local assistance, methodology)

- **Concluding** the research
(*e.g.*, return of results, data storage, publication and credit)

Sample articulation for Scheme A (for discussion purposes only):

Principle	Practice	Process (or Tip)
Partnership	In advance of research, request information on local groups and past research in area to identify common interests and local needs.	<ul style="list-style-type: none"> -Written request to CBT or CRB (provide this contact info) -Presentation to CRC and request for feedback and participation
Participation	<ol style="list-style-type: none"> 1. Co-define or refine research question 2. Refine methodology 3. Hire local assistants 3. Community review of results 	<ul style="list-style-type: none"> -Meeting with local partners -Meeting with local experts -News paper advertisement, local listserve, CBT internet board -Submit report/thesis to local partners to allow 2 months review and feedback period
Protection	<ol style="list-style-type: none"> 1. Develop letter of agreement 2. Give moral assurance of compliance 3. Establish communication channel 4. Decide on local repository for results 	<ul style="list-style-type: none"> -Meetings with local partner (define expectations, benefits and harms, obligations, process for dispute resolution) -Signature acknowledging conditions of research or public ceremony ratifying agreement -Define contact person(s) and best mode of communication (phone, email, fax) -Local Band Council or NGO; sign researcher registry

Scheme B: MODEL AGREEMENT

1. Title

- describes the formal title of the document that will be used or cited.

2. Proponents or authors

- acknowledges the origins of the document for citation purposes.

3. Policy Statement or Rationale

- types of problems caused by research
- need for this document
- overall interests to be pursued
- recognition of the value of research to the communities, researchers and society
- acknowledgement of competing valid interests
- assumption of fair share of risks inherent in research

4. Statement of Purpose

5. Scope or Reach

- geography
- persons
- subject matter

6. Definitions and Terminology

7. Define process—need to balance generality and specificity.

8. Substantive provisions

9. Remedial Processes

Sample articulation for Scheme B (for discussion purposes only):

1. Title—describes the formal title of the document that will be used or cited.

(2002) Working Draft of Research Protocols for the Clayoquot Alliance for Research Education and Training

2. Proponents or authors—acknowledges the origins of the document for citation purposes.

Protocols Working Group of the Clayoquot Alliance

3. Policy Statement or Rationale—could include: (i) types of problems caused by research which pointed to the need for this document; (ii) overall interests to be pursued; (iii) recognition of the value of research to the communities, researchers and society in general; (iv) acknowledgement of competing valid interests; (v) assumption of fair share of risks inherent in research.

Researchers are knowledge brokers (often between unequal parties) with the power to construct legitimating arguments for or against ideas, theories or practices. They are collectors of information and producers of meaning, which can be used for or against local Aboriginal and non-Aboriginal community interests.

Community-based or community-placed research is complex and represents a diverse set of values and interests. The researcher likely has a commitment to several stakeholders, including the affiliated academic institution, research sponsor(s), funding agency, and one or more Aboriginal or non-Aboriginal communities, individuals or organisations. Each of these may have their own expectations of the research and researcher. The challenge facing the researcher is to consider the interests of all concerned in a balanced fashion and clarify his/her responsibilities to all stakeholders.

There is value in medical, social and natural science research for local communities, researchers and society in general and the burden and risks of research must be fairly shared among stakeholders. However, there has been some dissatisfaction with research conduct in the Clayoquot Sound region in areas such as: (i) obtaining appropriate consent or permission for research; (ii) informing and involving local people in the research; (iii) sharing benefits and returning findings in appropriate forms (iv) and enhancing capacity within the communities through the research process and/or outcomes.

4. Statement of Purpose

The purposes of this protocol is to provide a standard of acceptable research conduct that:

- *clarifies in advance any expectations of the research process and outcomes for all parties;*
- *fosters mutual exchange of information, ideas, skills and appreciation among all parties to the research; and*
- *guides discussion and resolution of unforeseen problems that arise in the research.*

Furthermore, the research proponent will show evidence that:

- *the interests of local individuals and communities are represented in the design and evaluation of research;*
- *the customary ownership of cultural, ecological and intellectual properties are respected and protected to the full extent of existing means;*
- *local employment is supported whenever possible;*
- *results of research are returned to participating individuals and communities in a timely fashion and in mutually-agreed forms that are relevant to locally-defined needs or interests.*

5. Scope or Reach—in terms of geography, persons and subject matter

This agreement concerns all types of research or projects conducted by University of Victoria faculty, students or staff with local communities in the Clayoquot Sound UNESCO Biosphere Reserve region of British Columbia, including the villages of Tofino and Ucluelet and the central region Nuu-Chah-Nulth First Nations of Hesquiaht, Ahousaht, Tla-o-qui-aht, Toquaht and Ucluelet.

6. Definitions and Terminology

“Research” is the use of systematic methods to gather and analyse information for the purpose of proving or disproving a hypothesis, evaluating concepts or practices or otherwise adding to knowledge and insight in a particular discipline or field of knowledge or to demonstrate or investigate theories, techniques or practices. For the purpose of this protocol, research includes:

- *Basic and clinical research*
- *Behavioral, anthropological, archaeological, sociological, ethnobiological and ecological studies,*
- *Feasibility and other studies designed to evaluate or test programmatic techniques or to develop basic data in all phases of public administration.*

Other terms to clarify?

7. Define process—need to balance generality and specificity to create a useful and readable document.

- Who will ‘administer’ the protocol and monitor the process?
- Is there a review process for research or research outcomes?
- What happens when the CURA grant runs out?

8. Substantive provisions

At minimum, the following information will be provided by an UVic applicant researcher (as per UVic’s standard ethical requirements for human research):

- *Information that the individual is being invited to participate in a research project.*
- *Comprehensive statement of the research purpose.*
- *Identity and affiliations of researchers and how they may be contacted.*
- *Expected duration and nature of the participation.*
- *Comprehensive and complete description of the research procedures.*
- *Comprehensive, realistic, and complete description of reasonably foreseeable harms and benefits from research participation (note: these should be spelled out in terms of impact on the cultural, social, economic or political well-being of the community), as well as the likely consequences of non-action.*
- *Assurance that prospective participants are free not to participate, have the right to withdraw at any time and will be given continuing opportunities to discontinue participation.*
- *Comprehensive disclosure of any possible commercialisation of research findings, and the presence of any apparent or actual or potential conflicts of interest on the part of the researchers, institutions or sponsors.*
- *Comprehensive description of whether, and how the anonymity of the participants will be protected and who will have access to information collected on the identity of the participants.*
- *Comprehensive description of how confidentiality will be protected and how and when the data will be destroyed.*
- *Comprehensive description of the possible uses of the data including a description of how the results will be disseminated and how the participants will be informed of the results of research.*

On data ownership, material property and Intellectual property rights:

UVic's policies here are generally flexible, granting data ownership to the researcher and claiming to honor contracts that the researcher has made with respect to data and intellectual property ownership (unless there is intent to commercialise, in which case UVic would like a fair share of any profits). But UVic also claims to protect the academic freedom of the researcher to publish the findings, so this could be a gray area unless spelled out. To clearly establish agreed community rights and entitlements it seems prudent to have a written and signed statement as part of a research agreement, formulated in advance of the research.

What is missing here from the perspective of local Aboriginal or non-Aboriginal communities?

9. Remedial Processes

For example, outline a process for resolving disputes over data or methodology, or what happens to data if research is abandoned for some unforeseen reason.

APPENDIX B: FEATURES OF PARTICIPATORY RESEARCH

1. The knowledge, expertise and resources of the involved communities are often key to successful research.

2. Three primary features of participatory research include:

- Collaboration
- Mutual education
- Acting on results developed from research questions that are relevant to the community.

3. Participatory research is based on a mutually-respectful partnership between researchers and communities.

4. Partnerships are strengthened by joint development of research agreements for the

- Design
- Implementation
- Analysis
- Dissemination of results.

5. Results of participatory research have local applicability and are transferable to other communities.

6. What should be understood between researchers & communities:

- Who represents who.
- Research goals and objectives.
- Methods and duration of the project.
- Terms of the community-research partnership.
- Degree and types of confidentiality.
- Strategy and content of the evaluation.
- Where the data are filed.
- Current interpretation of data.
- Future control and use of data.
- Methods of resolving disagreements with the collaborators.
- Incorporation of new collaborators into the research team.
- Joint dissemination of results in lay and scientific terms to:
 - Communities
 - Clinicians
 - Administrators
 - Scientists
 - Funding agencies.

A mechanism to address changes of research design, of personnel, and of mind.