GUIDELINES FOR ETHICAL VISUAL RESEARCH METHODS

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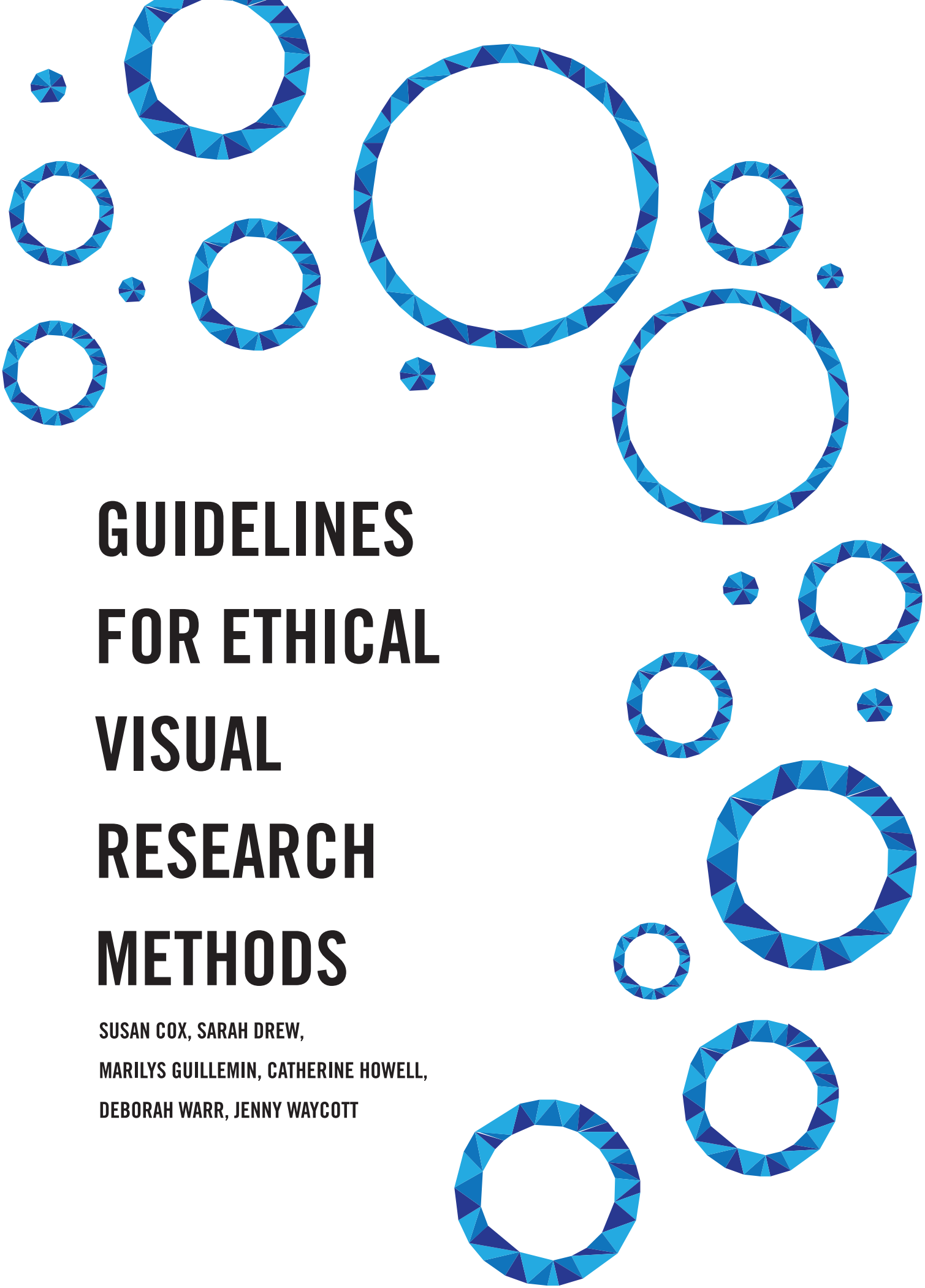

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GUIDELINES FOR ETHICAL VISUAL RESEARCH METHODS

This document presents guidelines to assist researchers and research ethics committees in recognising and responding to ethical issues that arise from the use of visual research methods. The guidelines have been developed in recognition of the growing use of visual methods in research. Visual research methods present both familiar and novel ethical issues that are often amplified by the kinds of data collected in visual research, the processes used for data collection and dissemination, and the sensitive settings in which visual methods are frequently used.

This document has four sections. Part A provides an overview of the field of visual research and explains how the guidelines were developed. Part B presents six categories of ethical issues for researchers to consider when using visual methods. Part C presents guidelines for human research ethics committees when considering visual research projects. The guidelines are not intended to be prescriptive; rather they identify critical questions that should be considered when developing and conducting studies using visual research methods. Finally, Part D lists resources that we have drawn on, and that users of these guidelines may find informative.

PART A: OVERVIEW

WHAT IS VISUAL RESEARCH?

Visual research is research that uses still or moving images either as data or to elicit meanings about the given research topic. Visual data can be collected for 'stand alone' and mixed methods studies. Forms of visual data include:

- Pre-existing or found images, such as photographs, cartoons, postcards, advertisements, maps, and artworks;
- Researcher-generated images, which record, represent or illustrate research topics and themes; and,
- Participant-generated images, which are created when participants are asked to produce images that explore research themes in direct or indirect ways. Participant-generated visual data can take the form of photographs, video-diaries, drawings, portraits, cartoons, and other visual artefacts.

Visual research has a long history in anthropology and, to a lesser degree, in sociology. It is increasingly being adapted across a range of disciplines, including cultural studies, geography, psychology, health and urban studies, design, art research, performance and movement studies to name a few. Digital technologies are now expanding the ways in which images can be created and shared as well as providing new applications for visual research methods. For example, internet based visual research now includes analyses of virtual characters and their experiences, Facebook images, and geospatial mapping combined with photography. It is beyond the scope of this document to discuss each of these in detail but in Part D we provide a list of resources that readers may find useful.

BENEFITS OF VISUAL RESEARCH

The saying, 'A picture is worth a thousand words', applies equally to research. Where social research has largely relied on numbers and words to depict social life, visual methods offer exciting potential to enhance the epistemological and political effects of research. For both researchers and research participants, still and moving images are a very powerful and significant means of communicating ideas, while opening up ways of seeing and knowing. Visual methods generate richly textured and nuanced accounts and can be used to explore abstract phenomena that are made more concrete through visual means. Visual methods are also beneficial when working with sensitive topics that are likely to elicit raw emotions that cannot readily be expressed in words. Using visual methods such as photographs or drawings may enable participants to begin to articulate what otherwise may have been unsayable.

With visual methods, populations who were previously limited through the strictures of standard research methods are presented with new possibilities for reflecting, describing and sharing their experiences with researchers. This enables participants to play a more active role in the process of knowledge production. When working with children or those who cannot verbally express themselves because of physical or language difficulties, visual methods are invaluable additions to researchers' methodological toolboxes. In mixed methods studies, visual approaches can be used to consider the vantage points of different social actors and display complexity that is critical for understanding contemporary social issues.

By giving presence to alternative ways of understanding social life, visual methods can heighten the political impacts of research. Compelling representations of social issues can also be used to foster public interest and galvanise social action.

The potential benefits and challenges of visual methods are important to explore and address, including new kinds of ethical dilemmas that are presented when collecting, analysing and disseminating visual data. Emerging ethical issues and risks need to be carefully considered by researchers and research ethics committees.

THE NEED FOR GUIDELINES FOR ETHICAL VISUAL RESEARCH METHODS

There are systems and regulations in place to guide ethical practice in research, including human research ethics committee protocols and professional codes of ethical practice for researchers. Currently, however, these often have little specific reference to visual practices or the creation and use of imagery. Visual methods require researchers to rethink how they need to respond to key ethical issues, including confidentiality, ownership, informed consent, decisions about how visual data will be displayed and published, and managing collaborative processes.

The guidelines we have developed broadly address two sets of concerns that confront researchers and members of research ethics committees. On the one hand, there are concerns that worthy and rigorous studies may not be granted ethical approval, or require revisions that compromise methodological potential, because the methods are not yet well understood by committee members. On the other hand, projects may be given ethical approval to proceed when the ethical implications are yet to be fully recognised and planned for. These concerns underline the need for practical guidelines that: (a) provide assistance in the everyday practice of visual research, and (b) are tailored to meet the needs of human research ethics committees who review and approve projects involving visual methods.

The guidelines are informed by a number of excellent resources that have been developed over the last decade (see Part D). We suggest, however, that there remain some critical gaps in these resources. These guidelines therefore provide nuanced overviews, and related critical questions, addressing six key ethical issues. We aim to prompt researchers to carefully consider the specific implications of visual research methods, and to ensure that ethics committees are sensitised to

the kinds of questions to ask of visual research projects. The guidelines may convince ethics committees of the need to better understand and incorporate the complexities of visual methods into their current procedures for assessing research and, in some cases, modify their requirements accordingly. The guidelines also highlight our responsibility as researchers to reassure ethics committees of the legitimacy of these methods, and point to their methodological and ethical rigour.

HOW THESE GUIDELINES WERE DEVELOPED

In 2012 an interdisciplinary group of committed visual researchers working in Australia and Canada came together and formed the Visual Research Collaboratory (http://vrc.org.au/) with the goal of pooling our expertise and developing practical resources to support researchers using visual methods. This project, *Enabling Socially Inclusive and Ethical Visual Methodologies*, was developed by a group of members of the Visual Research Collaboratory as part of a 2013 Interdisciplinary Seed Grant through the Melbourne Social Equity Institute, at the University of Melbourne. In developing these guidelines, we ran a series of workshops and meetings, bringing together researchers with diverse interest and skills in a variety of forms of visual research. As a result of these discussions we identified a variety of ethical issues and practical concerns in visual research. We solicited a wide range of available resources, such as codes of conduct, human research ethics guidelines, and guidelines from relevant professional associations, relating specifically to visual methods. From these combined sources, we developed these guidelines as a resource for other visual researchers interested in developing a more ethically informed practice, and for human research ethics committees who approve visual research projects. Throughout the guidelines, quotations from researchers who participated in the workshops are used to illustrate issues. Interested researchers, practitioners and research ethics committee members kindly gave feedback on the guidelines to ensure their relevance and usefulness. We offer these guidelines as a work-in-progress, rather than as a definitive set of prescriptions. We are primarily social scientists, and therefore these guidelines reflect that. We invite your feedback and comments on the use of this guide and how it might be improved through the Visual Research Collaboratory website; we are particularly interested in engaging with researchers from other disciplines who face these issues.

PART B: CONSIDERATIONS FOR RESEARCHERS

KEY ETHICAL VALUES INFORMING VISUAL RESEARCH METHODS

Human research is governed by both legal and ethical obligations. Although these guidelines touch on legal obligations of researchers where relevant, the emphasis is on ethical values and how they guide visual research practice.

Research ethics have been developed to protect research participants from incurring harm through their involvement in research. Critical issues include avoiding physical and emotional harm; protecting research participants' anonymity and confidentiality; and promoting research that serves a public good. It is generally agreed that human research is grounded in the following key values:

- Respect – this is central to human research and is the basis for autonomy and protecting and enabling research participants.
- Research merit and integrity – research must have merit and offer potential benefit in order for it to be ethically justifiable; in addition research must be conducted with integrity to be deemed ethical.
- Justice – research participants must be treated fairly, and the benefits and burdens of research must similarly be distributed in a fair and just manner.
- Beneficence – research conducted must consider the potential benefits of the research to both the participants and the broader community, while balancing any potential harm.

These values are distilled in ethical principles guiding the professional practice of research. For researchers using visual research methods it is important to uphold these general values and principles. These values inform both 'procedural ethics' and 'ethics in practice', where procedural ethics refers to seeking approval from a human research ethics committee to conduct research, while 'ethics in practice' concerns the everyday ethical issues that arise in the actual conduct of research and may not have been anticipated as part of the formal approval processes. In this section we present six categories of ethical issues that are relevant to visual research methods. These six categories are primarily for the consideration of researchers but will also be relevant for ethics committees to consider. In this way, they address both procedural ethics and ethics in practice. The six issues acknowledge, where relevant, national guidelines that govern ethical research, such as the Canadian Tri Council Policy Statement and Australia's National Statement on ethical conduct in human research.

[To begin] I think it is really important to establish that 'ethical issues' include both BIG E institutional ethics (as in the ethics review committee) and small e everyday ethical and moral concerns. Ethical issues are also deeply intertwined with methodological and aesthetic issues. It is very difficult in some cases to extricate one strand from another.

Susan Cox, Qualitative health researcher and research ethics committee member

SIX CATEGORIES FOR ETHICAL RESEARCH USING VISUAL RESEARCH METHODS

We present six categories that are grounded in the values of research and provide a guide for the practice of visual research. These six categories are: (1) confidentiality; (2) minimising harm; (3) consent; (4) fuzzy boundaries; (5) authorship and ownership; and (6) representation and audience/s. The first three categories refer to concepts that will be familiar to researchers. The other three categories may be less familiar, but are particularly relevant for visual research methods. The issues within these categories are inter-related and interlinked (See Figure 1). For each of these categories, we briefly define the ethical concept, highlight key ethical issues and identify a series of guiding questions that are designed to alert visual researchers to potential issues that need to be considered for ethical visual research practice. These questions are not meant to be exhaustive nor to work as a checklist, but rather to act as sensitising triggers for reflection.

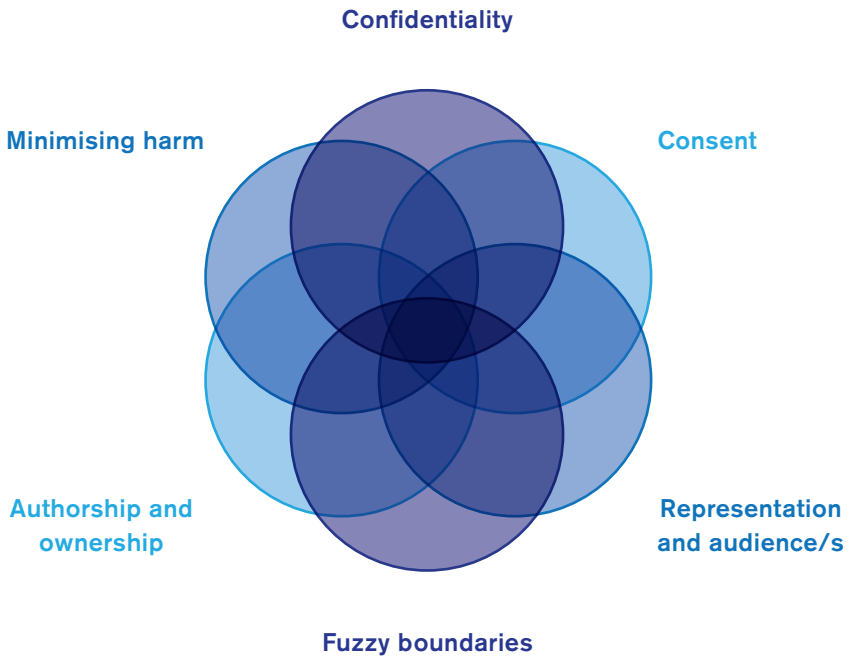


Figure 1. Six categories of ethical issues for visual research.

CONFIDENTIALITY

Confidentiality can be defined as a commitment to protecting an individual's privacy when that individual has disclosed information in the context of a relationship of trust in research. Confidentiality therefore relates to the researcher's intent to protect participants, but also to protect the relationship that is created between researchers and participants throughout the research process. Breaching confidentiality may limit participants' willingness to continue with research and may result in withdrawal of consent. This can diminish the reputation of research among participants and discourage participation in future research. It is important here to differentiate between the ethical value of confidentiality and the legal concept of privacy; privacy legislation focuses on data protection and controlling the uses that government and private sector organisations can make of personal information, rather than on protecting the privacy of individuals in a broader sense.

In Australia, the concept of privacy exists in state and federal law (including under the Privacy Act 1988), although it has no strict legal definition. Privacy in Australia is generally interpreted in terms of the ability to prevent intrusion into private life and to control information about oneself. Similarly, in Canada, two federal laws address privacy: the Privacy Act 1983 and the Personal Information Protection and Electronic Documents Act 2000. Additional privacy legislation exists at province and territory level. In particular, some provincial laws limit commercialisation of identifiable images without the consent of those whose person or property is identified. It is the responsibility of the researcher to understand the applicable laws within the jurisdiction of research.

The specific goals, processes, and outcomes of visual research projects require that researchers give careful consideration as to whether confidentiality is an appropriate means to achieve participants' aims and protect their privacy. This is particularly relevant to participatory research approaches that take place in community settings. Camera-based methods are noteworthy here, as they are both common, and arguably carry the most pressing ethical implications for researchers and participants.

Photography, video, and film are capable of creating highly detailed and intimate portraits of individuals. The information captured in digital camera-based images can often be used, directly or indirectly, to identify research participants, researchers, and third parties. Moreover, digital camera-based methods are able to generate large numbers of still and moving images, rapidly and inexpensively, which can be shared instantaneously and globally via the internet, often beyond the control of the researcher. Due to technological advances, including automated facial recognition and GIS/GPS (and other media still under development), choosing to omit or amend contextual information that could otherwise be used to identify a digital image file and its contents, for example, a descriptive image title, is no longer a

guarantee of anonymity. The difficulty of assuring absolute anonymity may create particular issues where third parties, such as family members, are represented in the context of studies on topics that could be considered particularly sensitive, such as genetic-related conditions or stigmatised illnesses like AIDS.

Moreover, in participant-centred visual research projects, a key research aim is often to empower individuals and communities to tell meaningful stories about their lives. In the context of such projects, disseminating research products in communities in which they were created may be planned as a core output of the research. Similar to other research methods such as focus groups, visual researchers must be aware that it may be impossible to guarantee complete anonymity to research participants who take part in such activities. Indeed, for participants who create such work, anonymity may be contrary to their needs and intentions.

QUESTIONS FOR CONSIDERATION:

- How will participants' confidentiality be protected in the visual research process? Is anonymity an appropriate strategy to maintain privacy and protect confidentiality (for example, blurring faces in photographs), or will alternatives need to be identified and agreed on?
- How will participants' autonomy and right to (self-)disclosure and identification be considered against the needs and wishes of others with respect to confidentiality, including the researcher(s)?
- Who needs to be consulted about privacy and confidentiality in the course of visual research, for example, research participants, research team members, and community gatekeepers?
- Are there cultural differences between researchers and participants that could affect their understanding of privacy, or their need for privacy?
- Is it possible that the research process may result in the creation of visual images that could infringe any laws regarding privacy, for example, photographing acts deemed 'private' or revealing images of children? What strategies will be adopted by researchers in order to reduce and/or manage this risk?
- Does research dissemination need to take different forms for different audiences in order to give due consideration to privacy? For example, images created in one context may not be able to be shared freely in another.
- How will privacy be addressed in the course of visual data management and project archiving?

MINIMISING HARM

A key ethical consideration for all research is to minimise harm to participants while maximising the benefits of the research. In addition, should anything unexpected happen, it is the responsibility of the researcher to mitigate the harm experienced by participants and others involved in the research. It is important to consider the various ways in which the research can potentially benefit or harm individuals and communities that are part of the research, including economic costs of participating in the research. Visual research methods can create types of harm that may be unforeseen, or are beyond the harmful experiences normally considered by ethics committees. This is especially the case when visual methods are used to research sensitive topics or to engage marginalised communities in telling stories about their lives. Photo elicitation methods, for instance, can be used to share rich and personal imagery, allowing the researcher access to intimate spaces that would not normally be shared in other forms of research. Reconstructing stories on sensitive topics, particularly

through the use of evocative imagery, holds the danger that participants might suffer emotional harm from reliving upsetting events. There is potential for personal disclosures to create discomfort for participants when faced with the images they have produced; having a visual record of one's feelings could prove unexpectedly confronting for some participants. Participants may also later regret sharing such personal information. When participants engage in a creative activity, such as visual storytelling, they may feel exposed and vulnerable to criticism, particularly when the products of their creativity are shared with an external and unknown audience.

It is also important to minimise the harm that may be experienced by researchers and by audience members who are exposed to the stories told through visual methods, which may be confronting and highly personal. While it can be important and empowering for participants to share their stories, it could be distressing to researchers and audience members who are confronted with evocative imagery on sensitive topics. This can often be unexpected and unforeseen, highlighting the need for a reflexive and iterative approach to minimising harm that goes beyond the planning stages of the research.

First, in making use of the material provided by young people in the spirit of the authorisations they have given for reproducing images, I wonder what their older selves will make of what they have authorised, several years later, and whether at that later time they will regret the level of openness and identifiableness that they previously felt comfortable with; particularly anyone who has requested that their real name be used rather than a pseudonym. For these reasons I have not gone as far with disseminating some material as I am actually authorised to do.

Sarah Drew, Qualitative health researcher

QUESTIONS FOR CONSIDERATION:

- What harm might participants potentially encounter as a result of telling their stories through visual methods?
- If the research involves using imagery to tell stories about a sensitive topic, what strategies are in place to ensure that this is respectful and supported, and not intrusive for participants?
- Could participants be made vulnerable through personal creativity? If participants create visual products during the research, how will these products be shared? Will they expose participants to criticism/ridicule? Does the benefit of creating visual products outweigh the harm participants might be exposed to?
- Has the dignity of those who appear in the images or visual products been considered?
- How do researchers identify and respond to their own experiences of potential vulnerability?
- How should audience members be warned or protected when sharing imagery from visual methods that are potentially confronting?

CONSENT

A fundamental application of respect is to ensure that participants are enabled to make decisions about their research participation. Consent to participate in research must be voluntary and based on sufficient information and adequate understanding of the purpose and aims of the research, what is required from participants, and any risks that are posed to them. The conditions for consent are well established in research practice, including the different forms of obtaining consent, and procedures in situations where participants may lack the capacity to consent. However, there are issues regarding consent that are specific to visual research.

In visual research methods it is important to consider consent as pertaining not just to the collection of images but also to analysis, presentation and dissemination of images. It may be difficult for participants to fully understand the effects of producing images. The creation of images has the potential to tap into powerful emotions, memories, or beliefs that may result in discomfort or potential emotional harm for participants. Furthermore, if participants are to take part in the analytic process, the terms or conditions of their input should be raised directly with them, even if the researcher is to retain final control of interpretation. The same principle applies to setting expectations for how data will be reported and disseminated, particularly if there is an intention to publicly exhibit images from the research. It may be especially difficult for some research participants, for example, children or people with cognitive disabilities, to fully understand the potential future consequences of disseminating certain images in research contexts or circulating them publicly. The onus is on the researcher to explain any potential consequences to the best of his or her ability.

For some visual research projects it may be appropriate to consider the process of obtaining consent not as a 'one-off', but as a series of decisions that take place at pre-identified points as a project unfolds. For instance, it may be appropriate to seek consent from participants once they have created the visual products, or once they have had an opportunity to see how images are going to be used, such as a draft of a report, or a proposed selection of images for exhibition. When working in cross-cultural contexts, it may be especially appropriate to view consent in terms of a process of consultation and negotiation that requires time and relationship-building. Potentially, the process of establishing or negotiating consent could be framed in terms of various levels or stages; for

example, by separating out consent to participate in research, from consent to release still and moving images. Establishing consent to use images could itself have various stages, such as consent to use images for research purposes, and a separate release for publication or dissemination.

The issue of ethical consent and dissemination can vary significantly in different cultural contexts; and the ownership, use, and impact of visual images is particularly critical here. Issues of consent may relate to which individual members of a specific community or cultural context have permission to approve images for release. Ethics processes in Western cultural institutions are often based around the notions of individual rights and individual ownership of intellectual property, with the individual seen as the agent of consent; the idea of collective or community ownership and consent may be more applicable in some contexts. Equally, it is important to be aware that intellectual property issues can arise in cross-cultural research conducted from a participatory standpoint.

Some visual methods, by their nature, pose significant barriers to obtaining informed consent from the owners and/or subjects of images used as a research source; for example, working with historical photographs, pre-existing still or moving images, or contemporary "found" images published on the internet. Despite these barriers, researchers are ethically bound to treat such images with due care and to consider carefully whether they should attempt to establish consent.

Other issues that may arise in relation to consent include: if a research participant dies during the research process or subsequently, can (or should) images of, or by, that person still be shown? Cultural protocols may apply to the dissemination of photographs of people who have died, as in some Indigenous communities; the feelings of families and communities may also need to be considered. Visual images often have an immediacy and an affective power that can evoke strong emotions; if it is likely that the research will produce distressing images, or could evoke strong emotions, then participants should be informed of this when giving consent to participate.

I seek to make my work participatory and consultative. This means having a staged or layered process of consent, which is individual to each participant depending on what they agree to and which stages they wish to be consulted at. Therefore I might, depending on what has been agreed, send participants copies of images to approve before they are archived, published, or shown, should they wish me to do so. Sometimes consent is revisited after a period of time. I believe that creating processes of ongoing consent offers a useful way of doing this, even though it can create a lot more administration for the researcher. It ensures that if participants want it, lines of contact can be maintained.

Sarah Pink, Digital visual ethnographer

As a collaborative researcher working with the (Australian) Aboriginal community, using visual research methods involves incorporating broad consultative processes with the Aboriginal community to ensure that the use of images in research is acknowledged and the appropriate community(ies) and individuals concerned have granted permissions for their use, particularly those that include culturally sensitive images; for example, the use of images of deceased people, secret/sacred material culture etc. may be restricted.

Fran Edmonds, Collaborative social researcher

With respect to third parties who may appear in visual data generated in the course of the research process, there are both ethical and legal considerations. Ethically, it is always appropriate to seek the permission of third parties who may appear in photographs, videos, or films. From a Western urban cultural perspective, it is also polite to do so, preferably before taking a photograph or making a recording. Although it is not illegal to film or take photographs in public places, collecting images in public places for the purposes of research may raise ethical issues depending on the topic and context. Visual research practices that capture images of third parties in which people can be identified do raise sensitive legal issues, and laws will vary in different jurisdictions; researchers need to be aware of these in their own settings. Regardless of the legal status of third parties with respect to visual data, researchers are ethically obliged to consider 'what counts' as ethical behaviour, in terms of requesting permission from others, particularly in relation to reporting or disseminating research data.

QUESTIONS FOR CONSIDERATION:

- What steps will be taken by researchers to establish informed consent at relevant stages of the visual research process?
- What are the relevant laws, local policies and cultural traditions that may apply to this work?
- What will happen if an individual or community chooses to participate in research and then subsequently withdraws their consent? How will any research data relating to that individual or community be treated? Is there a point where withdrawal of consent is not possible or appropriate?
- Are procedures around consent culturally appropriate, in relation to visual research methods?
- Are there any implications for research participants of being identified in the future from data generated in the course of research? (This question is especially relevant if the research addresses sensitive topics, and/or if it involves camera-based recording or photography).
- Have the researchers been open with participants about potential

future implications of the research, including the possibility that they could be identified by third parties not involved in the research process? What specific efforts have been made by researchers to help participants understand and address such implications?

- How will consent to participate or permission to use images be established in relation to third parties who are not participating directly in the research but who may appear in research data?
- If the research involves working with "found" images, how will consent be addressed?

FUZZY BOUNDARIES

In visual research methods, boundaries between the roles of researchers, participants, artists, and others involved in the project can become blurred. In addition, visual research methods may be used to serve multiple purposes, such as research, advocacy, and community engagement. This blurring of roles and purposes has been referred to as 'fuzzy boundaries' (Gubrium et al, 2013). Ethics committee procedures typically assume that the research is being conducted for a single purpose and that there are clearly defined roles between researchers and participants. We acknowledge that there is the potential for the researcher role to become blurred in all qualitative research that involves building rapport between researchers and participants. However, this potential is intensified in projects using visual research methods because researchers may spend significant periods of time engaged in fieldwork, researchers and participants may co-create products, participants may be peer researchers, or participants may share or create images in a process that requires great personal investment beyond the normal role of a research participant. This blurring of boundaries creates ethical challenges, such as how to best exit from the project when participants have invested deeply in building relationships and contributing to the research.

How can researcher-generated images remain respectful of participants' voices? How do participants' voices and stories remain their own if they are 'filtered' through the analysis of the researcher? Does the use of researcher-generated images necessarily subvert the agendas and narratives of the participants?

Alexandra Korotchenko, Researcher in human kinetics

Consideration also needs to be given to the multiple purposes the visual products can hold for the different people involved in the project; this also has implications for disseminating the visual products in an ethical way. If participants create photographs, artworks, or other creative products during the research process, these products may hold personal meaning for the participants that may not be shared or recognised by the research team. When visual methods are used for advocacy or community engagement projects, the artefacts that are created or analysed can serve different purposes for the multiple stakeholders involved. There are overlaps here with the issue of ownership and intellectual property: who owns the visual products created during the project, and who decides how they are to be used and represented? It is important to clearly articulate and plan for these fuzzy boundaries, and to recognise that such plans will be project and context specific.

I was also intrigued thinking about the different interpretations of a particular visual work. With my artist hat on, I would probably feel more comfortable with that, given it is something I'm used to, but if it was a visual product I had created as part of a process versus an outcome, I don't know if I would be okay with different people assigning different meanings to it. It is almost like feeling misunderstood or even not heard. Then I think that what might help mitigate that feeling of being misunderstood would be to at least have the opportunity to comment on the work and be part of the analysis.

Nicki Kahnamoui, Artist and Executive Director, Arts Health British Columbia

QUESTIONS FOR CONSIDERATION:

- Who is involved in the visual project, and what role/s do the different participants play?
- How are the different roles and perspectives defined and articulated? Do all participants understand their roles in relation to the overall project?
- What perspectives do different stakeholders have in terms of the purpose of the research and how the visual data are to be analysed and disseminated? Should these different perspectives be catered for? What impact does this have on participants and researchers? In peer-based research, with participants as investigators, how are conflicting perspectives managed?
- If the roles that participants/ researchers/others play become blurred, how do researchers recognise and respond to this?
- If the research involves partner organisations or advocacy groups, should a partnership agreement be created? How will the agreement be modified as the research progresses?
- What impacts do blurred roles have on the ethical conduct of the research, particularly with regard to concluding the project in an ethical manner?
- Can researchers, participants, or others become over-invested in the project? What steps will be taken to manage the expectations of the relevant stakeholders, in particular with co-created works?

AUTHORSHIP AND OWNERSHIP

The products of visual research methods may be generated via a number of means, including: i) efforts of individual participants, ii) group efforts of participants, or iii) individual, group or organisational efforts that also incorporate contributions from, or collaborations with researchers or artists/practitioners who are not strictly speaking research participants, but who are nevertheless contributing to the research process and the generation of visual material. Consequently visual researchers often face complicated questions relating to authorship and ownership of visual products generated during the research process.

Appropriate acknowledgement of authorship of visual artefacts and agreements about ownership of those artefacts are important for:

i) ensuring the integrity of research processes and maximising the benefits of participation for individuals who agree to be involved in research;
ii) supporting the development and maintenance of strong research relationships between participants and researchers;
iii) maximising the richness of insights and contributions that participants might be willing to share as part of the research process; and
iv) pre-empting possible future resentment or disappointment if participants or contributing artists/practitioners later feel their contributions have been inadequately acknowledged within reporting and dissemination activities, or that their visual materials have been inappropriately publically displayed.

Authorship and ownership are also important considerations in relation to the storage and long-term display of visual products created as part of a research process. For example, if a community group generates a large painting or multiple smaller sculptures during the research process, who owns these? Where will they be stored or displayed during the project? Where will they be stored or displayed after the project completion date? Who decides? These questions are also important to consider in terms of any potential unforeseen and unwanted burden on participants.

In relation to participant-generated photographs or video footage, these are much more easily duplicated so that participants and researchers might have identical copies where this is deemed to be an appropriate practice for establishing shared ownership. Each party could then use the visual product in different ways. Researchers would obviously be governed by ethics committee approvals relating to publication and display of this material, but guidance or agreements may be necessary to put in place with participants if they are to have a copy of the visual material produced within a research project.

Questions of authorship and ownership also relate to intended or unintended representations and interpretations of visual products. Although copyright is not an ethical issue per se, it is important to consider it in relation to visual products generated as part of a research project.

QUESTIONS FOR CONSIDERATION:

- What protocols are in place to generate, and sustain, a common understanding between researchers and participants around who owns images produced in the course of visual research, who can access them, and who is entitled to disseminate them?
- When are items generated as part of a visual research process best understood as 'data', 'visual products', 'art' or 'artefacts'? Are these terms interchangeable or mutually exclusive? Are there implications of naming visual objects 'data', 'visual products', 'art' or 'artefacts' for questions of authorship and ownership?
- Who 'owns' products of the research process, whether visual products or other data relating to those visual products?
- Have appropriate commitments been negotiated with ethics committees, participants and other collaborators about issues of authorship and ownership in relation to visual products and other data generated as part of the research process? Are or should these be documented as part of written consent processes with participants or Memoranda of Understanding with contributing professionals?
- Does the research involve commercial partners who require the use of non-disclosure agreements and/or public reporting? Do any institutional templates exist for generating a Memorandum of Understanding or partnership agreements between project partners in such contexts, and could these be adapted for use?
- What processes are in place for responding to withdrawal from the project of a participant or contributing professional? What agreements have been made or documented about the use of visual products, and their authorship and ownership following participant withdrawal?
- How will authorship and ownership of visual products be acknowledged in project reporting and dissemination?
- Does acknowledgement of authorship/ownership have implications for the privacy, anonymity or confidentiality assurances given to research participants?
- Would participants or researchers be willing to accept photographs of artistic products, such as paintings or sculpture, as their 'version' of research products to keep, while the other party retains responsibility for storage and display of the primary item?
- Where the visual product can be easily duplicated, for example copies of participant generated photographs or colour photocopies of drawings, would participants or researchers see duplication as an appropriate way to ensure all parties have a copy of the visual product/s?
- Are there issues to consider in relation to storage and display of visual items that have implications for the privacy of researchers and participants?
- Are there copyright issues relating to the visual materials generated as part of any particular visual research project?

REPRESENTATION AND AUDIENCES

Central to visual research projects are decisions about which visual research products will be displayed, how, when, where, and in what contexts. Visual research is often displayed in exhibitions which participants and stakeholders are likely to attend, and may also be displayed in a range of printed, film or web-based formats. Some formats can be novel approaches for communicating research findings. Issues of representation and audience/s are central to all types of dissemination activities in visual research. Each

format or genre requires careful consideration and planning with respect to implications that relate to research participants or audience/s.

Participants who generate visual materials as part of a research project will likely be invested in shaping the representation/s that they provide; they may also generate their visual research products in ways that are shaped by particular artistic or aesthetic commitments. As part of the analytic process, researchers may be required to engage critically with these representations. Researchers then face the challenging task of representing participants and their visual products as part of a broader reporting of the research findings and outcomes. Researchers need to be mindful that reproducing images, through scanning or cropping, may disrupt or alter the original meaning intended by the producer of the image.

Researchers themselves may also feature in visual research products. Care must be taken in displaying visual representations that may be problematic in the ways they are interpreted by audiences. Visual products themselves may be required to have some artistic or aesthetic merit. All these issues highlight the need to think carefully about how participants represent themselves visually (or anyone or anything else), and how researchers will represent visual research products and participants or researchers within those products.

Related to this is the issue of using blurring techniques to obscure faces or identifying information prior to public display of visual research products. This can serve as an important and functional tool facilitating ethical display of visual products. However, some scholars find the practice highly problematic, suggesting it reduces the 'authenticity' of the visual and/or risks dehumanising participants, or denies participants the ability or right to make an informed choice about revealing their identity.

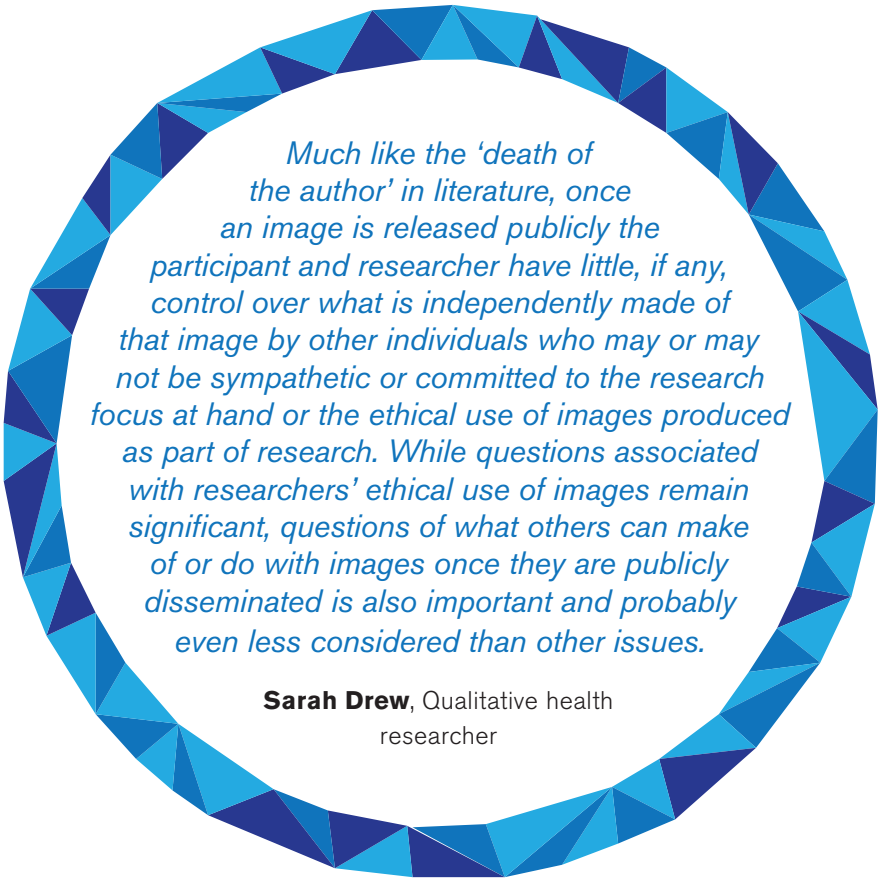
Both anticipated and unanticipated audience/s are also significant contributors to how things are interpreted during dissemination and display, and how visual research products can take on 'a life of their own' once they are shared publicly. Audience members may be able to take visual research products and use them in unintended and unapproved ways.

QUESTIONS FOR CONSIDERATION:

- What are the implications and possible consequences (intended and unintended) of displaying or reproducing visual research products in particular ways and in particular places?
- How can visual findings be represented to avoid stigmatising or distressing participants?
- How might audience/s make alternative interpretations to those intended by research participants or researchers? How might alternative interpretations by audience/s be important, both in beneficial or problematic ways?
- What are the trajectories of visual research products in terms of dissemination and future use? Have these been planned and documented?
- Have the appropriation and future use of visual products by those outside the research project been considered? For example, images disseminated via the internet or in print could be easily duplicated and reused by others.
- Have appropriate consent and permission been sought from participants for representation and dissemination of visual research products?

- Is it necessary to revisit participants to gain consent and permission if plans for use and dissemination of visual research products change over time?

Our goal in this section has been to identify key ethical challenges that relate to visual research methods. We have provided a range of sensitising and generative questions to aid researchers in the development of robust and ethical visual research projects. While Part B was aimed at researchers, the following section is targeted to ethics committee members when considering and approving visual research projects.



Much like the 'death of the author' in literature, once an image is released publicly the participant and researcher have little, if any, control over what is independently made of that image by other individuals who may or may not be sympathetic or committed to the research focus at hand or the ethical use of images produced as part of research. While questions associated with researchers' ethical use of images remain significant, questions of what others can make of or do with images once they are publicly disseminated is also important and probably even less considered than other issues.

Sarah Drew, Qualitative health researcher

PART C: PRACTICAL APPROACHES FOR RESEARCH ETHICS COMMITTEES

Research ethics committee members may be unfamiliar with visual research methods and the key ethical issues arising from their use. This section of the guidelines distils six ways of proceeding that may be of assistance during ethics review and approval. These six areas are arranged in chronological order so that ethics committee members can incorporate them into the review process and identify areas where further input from the researcher and/or dialogue may be needed.

We also recommend that ethics committees collaborate with researchers to identify new ethical challenges and solutions as they arise and to consider, on an ongoing basis, the need to obtain appropriate background information on relevant theories and methodologies informing the use and development of visual methods of research. It may also be helpful for research ethics committees to draw upon content experts to assist reviewers in determining the ethically appropriate use of visual methods. This sharing of methodological and ethical expertise between researchers and research ethics committees would ideally take the form of an on-going dialogue where all parties feel able to participate in a collaborative and non-adversarial manner.

The six areas addressed below are:

- acquiring necessary information about the proposed research
- asking appropriate questions of the researcher
- incorporating participant perspectives
- identifying strategies for handling ethical challenges
- learning from experience
- providing resources

ACQUIRING NECESSARY INFORMATION ABOUT THE PROPOSED RESEARCH

The most relevant information about a proposed project may be buried in a lengthy protocol so it may be helpful to have a checklist of key information to look for when reviewing projects that employ visual methods.

Some examples of necessary information about the project include:

1) Does the project involve:
    - Researcher selected or generated visual materials?
    - Participant selected or generated visual materials?
    - Co-selected or co-generated visual materials?

It will be important to consider the implications for ownership, authorship, and control of visual materials both during the research process, the dissemination of findings and archiving of materials.

2) Will the visual materials used or generated in the project:
    - Include images that could identify specific individuals or communities?
    - Include images that might be considered distressing or offensive?

It may be necessary to describe specific risks or possible impacts of participation in the research that are related to the immediate or long term effects of images for participants and for potential audiences of the resulting work.

ASKING APPROPRIATE QUESTIONS OF THE RESEARCHER

It is important in many types of qualitative research to think about how the researcher is the research instrument. This is also the case with visual research.

Some examples of appropriate questions to ask about the researcher include:

1) What level of expertise and/or experience does the researcher have with the visual methods being employed?

2) Is there a plan for the researcher to acquire necessary expertise if it is lacking, or to collaborate with others who have the necessary expertise?

3) Has the researcher demonstrated that they understand and can address the specific ethical issues that arise with the use of visual research methods?

Now that technology has made it so much simpler to create visual images in daily life, the use of visual methods may appear to require only a minimal level of technical skill. However, there are many issues to consider beyond technical expertise. Researchers and participants must consider if and when it is required or appropriate to obtain permission, how to ensure that only those who have agreed to participate are involved in visual representations and, in some cases, how to remove identifying information to mask the identity of those depicted.

INCORPORATING PARTICIPANT PERSPECTIVES

Participants' feelings about what they are being asked to contribute is an important but often-overlooked aspect of research. It is perhaps especially important to inquire about this with the use of visual and other relatively novel methodological approaches, both to ensure that participants' preferences are respected and that they understand what is being asked of them.

Some examples of ways to incorporate participant perspectives include:

1) Ensuring that researchers ask participants whether they agree to the researcher taking photos or videos at different stages of the research process.

Participants' level of understanding and agreement will have clear implications for consent. Checking in with participants should occur regularly throughout a project since it may be that it is only in hindsight that participants can give truly informed consent for use of visual images. Likewise, it should not be assumed that just because the participant has agreed to be the subject of one visual medium, such as photos, they will also agree to being the subject of another, for example, video. There might be a reason that video would be uncomfortable for participants; for example, persons with Huntington disease are often unaware of their involuntary movements and it may come as a difficult surprise to see themselves moving in unexpected ways in video images.

2) Providing an opportunity for participants to reflect on the experience of participating in the research:

   - Did the researcher follow through on the agreed process?
   - Were there any surprises or unexpected consequences (either positive or negative) of participating in the research?
   - Is there anything participants hoped that the study would contribute?

Allowing for participant feedback on the experience of research participation is important for researchers, for research ethics committees and for the broader research community. This is especially so with methods that may be largely unfamiliar to participants. It is often the only way to develop and share appropriate responses to ethical challenges. Further, researchers may find that they glean valuable insights into their work when participants are routinely asked about their experiences. However, this may be a research focus that is more appropriate to some projects than others, and may be able to be incorporated in subtle, minimal ways rather than always seeking extensive and time-consuming feedback as part of formal processes of enquiry.

IDENTIFYING STRATEGIES FOR HANDLING ETHICAL CHALLENGES

It is not always enough to point out that certain aspects of research pose an unacceptable risk to participants or others. Research ethics committee members also need to be able to offer helpful advice on how to mitigate possible harms.

Some examples of strategies for handling ethical challenges include:

1) Techniques used by researchers to anonymise images include:
   - Blurring faces
   - Cropping to remove identifying features
   - Asking participants to take metaphoric photos versus realistic photos to depict experiences.

Such strategies could be compiled into user-friendly handouts for researchers and ethics committee members dealing with specific topics that frequently arise in visual methods. Publications describing such strategies could be listed in a resource directory available to researchers who are completing ethics review applications. However, it needs to be acknowledged that these strategies may not always be appropriate for researchers or participants.

2) Sharing of platforms that enable secure creation and storage of data within the country of origin.

For example, Fluidsurveys is a Canadian platform for survey research that enables researchers to create surveys and securely store the data in Canada so as to avoid concerns about privacy (as per the U.S. Patriot Act).

LEARNING FROM EXPERIENCE

Currently there is very little feedback given to research ethics committee members about what happens with the studies they approve. It would be very helpful if research outcomes were documented and all parties could learn from the challenges encountered with visual research methods.

For example, on completion of a study using visual methods:

- A short participant feedback form could be distributed by researchers so that participants can submit input on their experiences of participating in the study.
- Researchers could write a study completion report documenting any ethically relevant challenges and outcomes.
- Research ethics committee members could identify what had been learned in terms of how to assess visual methods applications.

Such information could significantly improve the understanding of visual methods amongst researchers and research ethics committee members so that new applications can be assessed more knowledgeably and with greater awareness of participant perspectives.

Most research ethics committees require researchers to prepare and submit an annual report either as part of the annual renewal of ethics approval or once the study is completed. Although the content of these reports is at the discretion of the research ethics committee (as per the Canadian Tri Council Policy Statement 2nd Edition, or Australia's National Statement on ethical conduct in human research), it would seem to offer an ideal opportunity to gather helpful data on the ethical issues arising with use of visual methods. In addition to reporting modifications to research protocols and ethical breaches, this process could be used to obtain reflective feedback on the effectiveness of strategies to promote the ethical conduct of research using visual methods. Researchers could be asked to comment on any impacts of involvement for participants and the ways in which participants have impacted on research processes, especially where these have not been anticipated by researchers and/or research ethics committees.

PROVIDING RESOURCES

Research ethics committees need to have access to resources on visual research methods and need to be able to provide these to others concerned with the ethical review of research.

Examples of necessary resources include:

- Key publications or guides to the use of visual research methods
- Articles about visual methods that demonstrate rigour and validity of approach in relation to data collection and analysis
- Discussions of ethical issues that illuminate both procedural ethics and ethics in practice
- Codes of ethics or practical guidelines being used by others

The aim of this section has been to provide guidance for research ethics committees who consider and approve visual research projects. Our overall aim in these guidelines is to inform both researchers and research ethics committees about ethics in visual research methods, and to encourage dialogue between both groups. It is only through this that we can ensure both methodologically and ethically rich and rigorous visual research.

PART D: RESOURCES

This final section lists resources that we have used and trust that others may find useful. We emphasise that this is not meant to be a comprehensive list but is a starting point for those interested or new to this area. There are additional resources on the Visual Research Collaboratory website (http://vrc.org.au/).

WEB-BASED MATERIALS

The Research Ethics Guidebook: a resource for social scientists
http://www.ethicsguidebook.ac.uk/Visual-methods-101

Ethical considerations in using and archiving audiovisual data
http://www.surrey.ac.uk/sociology/research/researchcentres/caqdas/support/analysingvisual/ethical_considerations_in_using_and_archiving_audiovisual_data.htm

Creative Commons is a nonprofit organization that enables the sharing and use of creativity and knowledge through free legal tools.
http://creativecommons.org/

National Centre for Research Ethics

Visual Ethics: Ethical Issues in Visual Research
http://eprints.ncrm.ac.uk/421/

Visual Research Ethics at the Crossroads
http://eprints.ncrm.ac.uk/535/

Visual Ethics: Developing Good Practice (project report NCRM)
http://eprints.ncrm.ac.uk/1673/

Networks and Associations

Association of Internet Researchers
http://aoir.org/

International Visual Sociology Association
http://visualsociology.org/

IVSA Code of Research Ethics and Guidelines
http://visualsociology.org/about/ethics-and-guidelines.html

International Network for Visual Studies in Organizations
http://in-visio.org/2010/04/23/essential-visual-ethics-resource/

Society for Visual Anthropology
http://societyforvisualanthropology.org/

Visual Anthropology net
http://www.visualanthropology.net/

VANEASA: The Visual Anthropology Network of the European Association of Social Anthropologists
http://www.easaonline.org/networks/vaneasa/index.shtml

NAFA: Nordic Anthropological Film Association
http://nafa.uib.no/pls/apex/f?p=123:1:2148586856641793

Research ethics guidelines

Canadian Tri-Council Policy Statement
http://www.pre.ethics.gc.ca/eng/policy-politique/initiatives/tcps2-eptc2/Default/

Australian National Statement on Ethical Conduct in Human Research
http://www.nhmrc.gov.au/guidelines/publications/e72

Emily Carr University of Art & Design, British Columbia, Canada research ethics page - this includes a useful section with templates for obtaining consent for creative research projects
http://www.ecuad.ca/research/reb/informed_consent

Statement of ethical practice for the British Sociological Association: Visual Sociology Group
http://www.visualsociology.org.uk/

Ethical Decision-Making and Internet Research: Recommendations from the Association of Internet Researchers Ethics Working Committee
http://www.aoir.org/reports/ethics2.pdf

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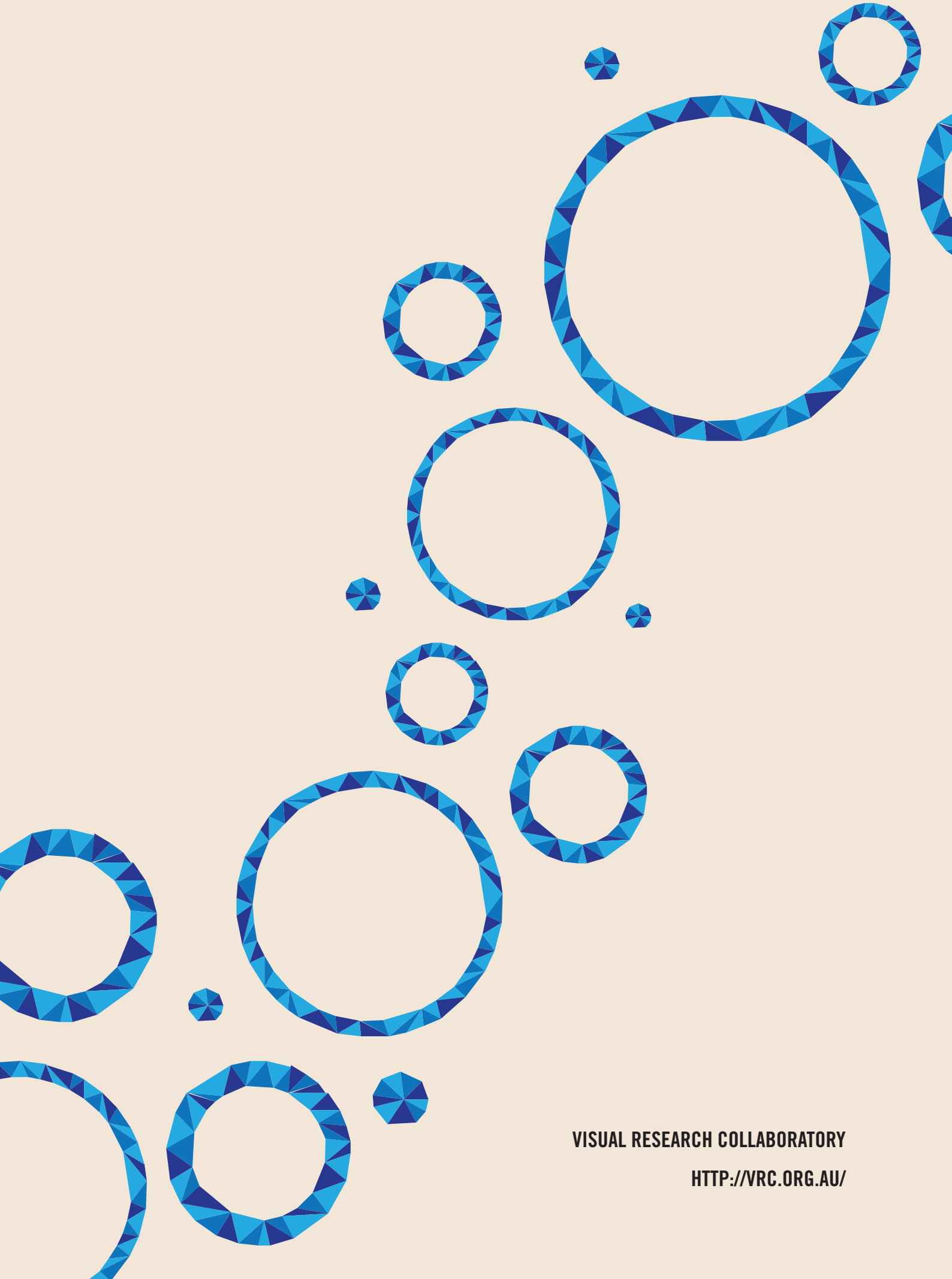

VISUAL RESEARCH COLLABORATORY

HTTP://VRC.ORG.AU/