TCPS 2 (2014) Consultation Comments

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Our feedback is based on our observations and experiences as a team currently working on a research partnership with a diverse group of Indigenous communities and organizations in Canada and Australia. Some of our comments are based on a paper (currently under review) in which we detail the challenges and tensions we have encountered in bringing different ethical guidelines and frameworks to life—alongside the TCPS 2 guidelines—through co-created research in Indigenous communities/organizations.

In reviewing the proposed changes to the TCPS 2 (2014), we noticed that only one small change had been proposed for Chapter 9. We would like to propose more revisions, based on our experience with ethics review processes and engaging Indigenous communities and organizations in research.

Indigenous ethical guidelines and frameworks for research

- Indigenous communities, governance, and service organizations have created a diverse and expanding range of ethical frameworks and guidelines aimed at guiding research relationships. These ethical guidelines and principles were largely developed to address the extractive and exploitative history of research on Indigenous people and communities. Chapter 9 of the TCPS includes special considerations researchers should have when engaging Indigenous communities or organizations, but does not list—except for OCAP—any other existing frameworks.
Throughout Chapter 9, these ethical guidelines are referred to as “codes of research practice”, a vague term that can easily lead the reader to confuse these clearly set out protocols with other local customs or rules. Often, “codes of research practice” and “community customs” are used interchangeably (on pages 112 and 117, for example). We propose the wording change from “codes of research practice” to “ethical guidelines or frameworks set out by First Nations, Inuit and Métis governments, organizations, territories or communities”. This wording change will differentiate the many layers of complexity for engaging in respectful research with Indigenous communities and organizations. This change would acknowledge that there are several sets of guidelines, protocols and frameworks that must come together to guide research relationships. For example, a researcher wishing to engage an Inuit community in Nunavut must be knowledgeable of the community’s own protocols for engagement, the ethical guidelines and principles published by the Inuit Tapiriit Kanatami, the Inuit Tuttarvingat, the Nunavut Research Institute, and the Tri-Council. (TCPS 2). This is in addition to successfully applying for a research license with the Nunavut Research Institute.

- Similarly, the concept of “codes of research practice” (Article 9.8) is used interchangeably with the culturally and community-specific protocols each community observes. “First Nations, Inuit and Métis codes of research practice derive from procedures and customs of predominantly oral cultures. While some rules may be in written form, their interpretation is dependent on experiential knowledge acquired through interactions in the community” (p.122). This paragraph would benefit from a clarification that there are clear rules and frameworks for engaging ethically with communities and that these frameworks have been developed and published by Indigenous communities and organizations. Not every community will have applicable additional ethical guidelines, but separating local protocols, customs and rules from the clearly laid out principles that may be applicable will lessen confusion for researchers.

- Given that researchers are responsible for familiarizing themselves with the Indigenous ethical protocols and guidelines that may be applicable (as outlined in Article 9.8); we propose that one way of emphasizing this responsibility is for the TCPS 2 to provide a list of references and resources for further reading in Chapter 9. By nature of the continuous development and fine-tuning of research guidelines, this list cannot be exhaustive; however, it can provide a good
foundation for researchers’ own learning. In our research project, we have engaged with the following frameworks (only one of which was listed in Chapter 9):

- Ownership Control Access and Possession (OCAP) Principles
- Utility Self-Voicing Access Inter-relationality (USAI) Research Framework (developed by the Ontario Federation of Indian Friendship Centres)
- Inuit ethical principles outlined in publications by the Inuit Tapiriit Kanatami, Inuit Tuttarvingat and the Nunavut Research Institute
- Guiding ethical principles developed by the Urban Aboriginal Knowledge Network (UAKN) and the National Association of Friendship Centres.

Article 9.8 also offers a dated and misguided characterization of the OCAP principles when referring to Inuit communities and organizations by stating, “Inuit communities and organizations are considering addressing similar concerns including adoption or adaptation of OCAP” (2014, p.122). In our experience applying for a research license in Nunavut and engaging two Inuit communities in our research project, we have come to learn that the OCAP principles are not appropriate when working with most Inuit communities. The idea of ownership and control are largely irrelevant to working in an Inuit context, where the practice of sharing is of utmost importance (Pauktuutit Inuit Women Of Canada, 2006). Including a list of resources and links to websites for the Inuit Tapiriit Kanatami, Inuit Tuttarvingat and the Nunavut Research Institute would help guide researchers who wish to engage with Inuit communities in a respectful way.

**Ensuring the responsibility of engaging ethically and respectfully begins with the researcher**

We would like to emphasize the importance of researchers proactively educating themselves on how to best approach or work with an Indigenous community, organization, or group as far in advance as possible. The onus for educating researchers on what constitutes respectful or ethical research should not rest primarily with the Indigenous communities, groups or organizations researchers want to engage. We wish to specifically address the assumption present in the following sentence: “In geographic and organizational communities that have local governments or formal leadership, engagement prior to the recruitment of participants would normally take the form of review and approval of a research proposal.

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1 From Riddell, J., Salamanca, A., Pepler, D., Cardinal, S., & McIvor, O. (n.d) Laying the groundwork: A practical guide for ethical research with Indigenous communities (Manuscript under review)
by a designated body” (2014, p. 116). We agree that when communities have their own review and approval process, this should of course be followed. In our experience, however, most of the communities with local government organizations or formal leadership did not have ethic reviews processes in place. We sought a working relationship with governance organizations and Indigenous communities and they did not always have the capacity or resources to educate the research team on ethical protocols, approaches or to review the research project. We propose that Chapter 9 makes it clear that the duty to educate researchers on ethical approaches and applicable additional protocols rests with researchers themselves, REBs, and institutions as part of the grant-writing stage and ethics review process. There are numerous Indigenous scholars who have done extensive work on Indigenous approaches to research and methodologies, (Absolon, 2011; Kovach, 2009; Smith, 2012; Wilson, 2008). Including their work as suggested readings in the TCPS would be a helpful starting point for researchers.

- While Article 9.14 does address the need for research to build and/or enhance capacity in Indigenous communities and organizations that may be lacking in infrastructure; this article does not definitively state that the researcher and the REB are responsible for offering frameworks for ethical engagement—including being knowledgeable of any applicable protocols—during research planning and pre-research engagement for communities that are not able to review or advise on research. We suggest adding a statement that reflects the need for researchers to share their knowledge of ethical principles and frameworks with the community and see how/whether these fit with the norms, values and processes of the community they are engaging with.

**Make explicit the need for institutional support and guidance to address challenges**

- One of the challenges we have encountered in our research project is the lack of guidance available on bringing converging ethical guidelines and frameworks to life in our relationships with research partners. In Article 9.8, the interplay between TCPS-2 principles and applicable Indigenous ethical frameworks for research is dismissed through the statement, “where divergences exist, they should be addressed and resolved prior to the commencement of the research, or as they arise over the course of the research” (p.123). This directive oversimplifies the delicate work that is engaging an Indigenous community or organization in a respectful way, while juggling two sometimes competing sets of ethical principles, and research timelines that often do not allow for a relationship of trust to flourish. Article 9.9 does acknowledge the complexity in bringing together official policies and community protocols, but it advocates for a
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piece-meal approach to solutions to a problem that we attribute to a systemic lack of available resources and supports. In our paper, we recommend two major components for addressing this problem:

- Active and consistent participation of Indigenous community members and researchers on research ethics boards and grant review committees. Indigenous ethics board and review committee members could assist with necessary overhauls of institutional ethics applications and review processes to better serve Indigenous communities.
- The creation of a series of workshops for individuals conducting joint university-Indigenous community projects. These would be designed for researchers and research teams, university research ethics boards, grant review panels, and Indigenous community members themselves. We have created a list of six possible topics that could be included in these workshops informed by our experiences in applying the relevant ethical principles and engaging with our partner communities. These include:
  - The exploitative and violent history of research with Indigenous communities, as well as a discussion of the respective values of the research team and partner communities at the beginning of a project.
  - How to form initial research agreements for the collaborative research project.
  - The nature of co-creation or collaborative research relationships, the tools available to engage in this process, and the role co-creation plays in Canada’s reconciliation process with Indigenous communities.
  - How to co-create consent forms.
  - Meaning making that is based in the community’s interpretation of the findings.
  - Establishing agreement on how to share the findings.

We would like to assist in making these workshops available online to interested students, researchers and staff.

We feel strongly that the only way to ensure that TCSP 2 Chapter 9 can reflect the best practices in working in partnership with Indigenous communities is through meaningful consultation with Indigenous governance organizations, communities, and urban Indigenous organizations to update and enhance the content of this chapter. We suggest sending a formal invitation to all national and local Indigenous organizations to initiate this process. Moreover, we would encourage a more in-depth revision process for this chapter specifically. A large portion of the content in this chapter implies an assumption that researchers will mostly be non-Indigenous. The chapter would benefit from including more nuanced information about how concepts such as property, ethical relations and inter-relationality differ among different Inuit, First Nations and Métis communities. We suggest embedding in this

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2 The following section was adapted from Riddell, J., Salamanca, A., Pepler, D., Cardinal, S., & McIvor, O. (n.d) Laying the groundwork: A practical guide for ethical research with Indigenous communities (Manuscript under review)
chapter cultural competency as a necessary approach for non-Indigenous researchers, involving the need for self-location and being knowledgeable on Indigenous history as a starting point.

Works Cited


