

Australian Capital Territory

Children and Young People (Research) Standards 2009 (No 1)

Disallowable instrument DI2009-34

made under the

Children and Young People Act 2008, Section 887 Standard-making power

1 Name of instrument

This instrument is the *Children and Young People (Research) Standards 2009 (No 1)*.

2 Commencement

This instrument is to commence on the date after notification.

3 Declaration

Under Section 887 of the *Children and Young People Act 2008*, I declare that the attached Research Standards apply to the research provisions found at Section 808: Research standards—certain matters to be covered.

Andrew Barr

Minister for Children and Young People

19 March 2009

LEGAL AUTHORITY

The Research Standards are made pursuant to sections 887: Standard-making power, which allows the Minister to make Research Standards for the *Children and Young People Act 2008*.

PURPOSE

The *Children and Young People Act 2008* contains provisions for the Chief Executive to approve certain research projects. As outlined in this Act, research projects that require the approval of the Chief Executive involve the participation of certain children and young people in the research project (including those in the custody and care of the Chief Executive) or require the Chief Executive to give the researcher access to protected or sensitive information about children and young people. They also include projects that involve the participation of a person who exercises a function under the Act or the research being conducted at a place of care, detention place, or therapeutic protection place.

A reference to a child and young person in these standards includes a young offender as defined in the dictionary of the *Children and Young People Act 2008*, or a young detainee as defined in the section 95 *Children and Young People Act 2008*.

A researcher for an approved research project is an information holder as defined by section 843: Who is an information holder of the *Children and Young People Act 2008*. As an information holder, researchers are subject to the provisions of Chapter 25: Information secrecy and sharing of the *Children and Young People Act 2008*.

A participant is a child or young person, or their parent(s) or guardian(s) or any other person who takes part or may potentially take part in a research project.

Research standards for the ACT

STANDARDS

Standard 1: The research must have merit and be undertaken with integrity.

Standard 2: The design and conduct of the research should be fair to participants in the research.

Standard 3: The research must be designed and conducted to ensure that the safety and wellbeing of the child or young person is paramount.

Standard 4: The research must be designed and conducted to appropriately protect the child's or young person's health and personal and social development.

Standard 5: The likely benefits of the research must outweigh any risk of harm or discomfort to participants in the research.

Standard 6: Research must be respectful and have due regard for the beliefs, perceptions, customs and cultural heritage (both individual and collective) of the participants.

Standard 7: Where a participant has a special need related to their participation in the research, consideration must be given in the research to that need.

Standard 8: Consent of a child or young person and/or their parent(s) or guardian(s) or any other person to participate in research should be obtained ethically and with regard for the developing capacity of children and young people to make decisions about their involvement in research activities.

Standard 9: If a person is to take part in a research project, the research must be designed and conducted to allow the person to stop taking part in the project at any time.

Standard 10: Where research involves the collection, storage, disclosure, sharing of information or other use of the personal information about a child or young person or any other person, privacy and confidentiality must be maintained at all times.

Standard 11: Protected information given to a researcher for a research project about a child or young person or any other person must not be disclosed to another person.

Standard 12: If a child or young person is to take part in a research project, the child's or young person's identity as a participant in the project must be protected.

Standard 13: The researcher must understand and apply the Research Standards in the design and conduct of the research.