A Commentary in Response to:
By What Authority? Conflicts of Interest in Professional Ethics

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Disclosure policies raise a red flag and should be retained, but they do nothing to eliminate the real problem of industry funding, which is not secrecy but influence-peddling” (Elliott 2005, 422, 423).

Financial interests of the type alluded to by Elliott are not the only personal (i.e., secondary) interests that may conflict with professional (i.e., primary) interests and responsibilities. Other personal interests include interests in fame and recognition, career advancement and friendship. Indeed, when health care ethics professionals are called upon to provide ethical expertise and advice as members of governing boards, advisory boards, regulatory committees, peer review committees, professional working groups and research ethics committees, it is these sorts of personal interests, more so than financial interests, that may conflict with professional obligations. And when (for legitimate reasons) the ethicist is simultaneously a member of multiple committees with overlapping mandates, the conflicts of interest may be particularly acute (Downie 2006). A personal example will serve to illustrate the point.

In 2001, several senior members of the Canadian bioethics community (myself included) were members of two or more of the following committees: the Canadian Biotechnology Advisory Committee (CBAC), the Board of Directors of Genome Canada, the Science and Industry Advisory Committee (SIAC) of Genome Canada, and the Canadian Institutes of Health Research (CIHR) ad hoc Working Group on Stem Cell Research. At the same time, we were also Principal Investigators with the newly-established Stem Cell Network (SCN), a national multi-disciplinary research team funded under the Networks of Centres of Excellence program.

CBAC’s mandate was three-fold: (i) to provide the federal government with policy advice on the ethical, legal, social, regulatory, economic, scientific, environmental and health aspects of biotechnology; (ii) to provide Canadians with accessible information on biotechnology issues; and (iii) to provide Canadians with opportunities to inform the policy advice that CBAC might offer the federal government. The SIAC of Genome Canada was mandated to advise the Board of Directors of Genome Canada with advice on genomics and proteomics research and on ethical, environmental, economic, legal and social issues relating to such research. In turn, the Board was responsible for developing and implementing a national research strategy for genomics and proteomics. The CIHR ad hoc Working Group on Stem Cell Research was established to determine the conditions under which individuals and institutions funded by Tri-Agencies (i.e., the CIHR; the Natural Sciences and Engineering Research Council (NSERC); and the Social Sciences...
and Humanities Research Council (SSHRC)) could pursue stem cell research, consistent with the existing ethical framework for research involving humans (i.e., *The Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans*). The SCN’s mandate was to research the therapeutic potential of stem cells.

From the outset, I was concerned about the overlapping roles of researcher (i.e., Principal Investigator with the SCN) and policy adviser (i.e., member of CIHR ad hoc Working Group) as these roles were in the same area of science, namely stem cell research. For my own part, I sought to manage any potential for perceived or actual conflict of interest, by ensuring that I received no research funds from the SCN while I was a member of the CIHR ad hoc Working Group. In this way I sought to ensure that, at the very least, the roles of researcher and policy adviser were temporally separated.1

In sharp contrast, initially I was not concerned about perceived or actual conflicts of interest with the overlapping membership of ethics and law experts on the various national committees. While taken together the committees were collectively responsible for advising the federal government, the Canadian public, the research funders and promoters, as well as the research regulators, there didn’t appear to be a conflict of interest as solf the different committees were providing ethical expertise and advice on different areas of science. Concerns about overlapping committee membership did surface, however, when CBAC decided to add stem cell research to its work agenda, thereby introducing an acute conflict of interest for several of us who would ultimately in a position to: (i) advise Government on national policy regarding stem cell research; (ii) educate the Canadian public about “the promise” of stem cell research; (iii) develop the research guidelines for stem cell research; and eventually (iv) stand in line to receive research funds for work on ethical and legal issues relevant to stem cell research.

I raised the issue of conflict of interest with the Chair of CBAC and with colleagues who were in the same position as me because of overlapping membership on various national committees. In my view, though our membership on the various committees was public information, this sort of ‘disclosure’ was not an adequate response to the problem of perceived or actual conflict of interest. Several of us were now officially in a position not only to influence research guidelines, but also to influence national policy as well as ‘public’ opinion, all in a direction that would favour research we were involved with. Disclosure about committee membership would not diminish our influence.

To my surprise, my concerns about conflict of interest were uniformly dismissed. In the end, I saw no way to deal with the risk of partiality or bias, but to tender my resignation from CBAC. In my view, exit was the only ethically defensible option. Interestingly, my decision to resign met with resistance and none followed my lead.

In closing, I commend the author of “Conflicts of Interest in Professional Ethics” for shining a light on an important problem for contemporary bioethics in North America. My contribution to the discussion has been to angle that light toward the remaining penumbra in an effort to show that disclosure is not always a sufficient response to a perceived or actual conflict of interest. Sometimes there is an obligation to eliminate not merely “attenuate” a conflict of interest, in which case there is an obligation to recuse oneself.

**References**


**Competing Interests:** none

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