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The development of the framework for research ethics in terrorism studies (FRETS)Title: The Development of the Framework for Research Ethics in Terrorism Studies (FRETS)

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Abstract

This article introduces readers to the Framework for Research Ethics in Terrorism Studies (FRETS). FRETS has been developed to assist IRB/HREC chairs and reviewers in completing reviews of terrorism studies ethics proposals, in as objective a manner as possible. The framework consists of a series of yes/no questions for chairs and reviewers to answer before completing their reviews. These questions are divided into six different sections: participant's right's, safety and vulnerability; informed consent; confidentiality and anonymity; researcher's right's, safety and vulnerability; data storage and security-sensitive materials; and the ethical review process. This framework was developed as a result of critical analysis of the literature in terrorism research and analogous fields.

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Introduction

Researching terrorism brings with it a series of ethical challenges. For researchers, these challenges can be difficult to navigate. For the members of human research ethics committees (HRECs) and institutional review boards (IRBs), with no background in terrorism research, the challenges can be significantly amplified. The very presence of words such as 'terrorism', 'extremism' or 'radicalisation' can raise or heighten concerns in research proposals where they need not necessarily exist. To help address these issues, this paper presents a new framework for assessing ethics and risk in terrorism-related research. The framework has been informed and developed in light of the ethical and legal challenges which have faced terrorism research in recent decades, and which remain relevant for future research. The framework aims to provide guidance on how to review terrorism research ethics proposals. This guidance is designed to be used by researchers, educators, students, editors, and ethics review boards alike. It will help to support each group in making informed ethical decisions in relation to their specific role(s) in the research process. Similar to Baele et al. (2018), the proposed framework takes into consideration *research-related, subject-related,* and *results-related* ethical issues.[1] The central aim of this article is not to call for the complete overhaul of existing ethical review procedures. Instead, the paper and corresponding framework is designed to enhance the existing procedures in a way that will make them work more efficiently for reviewers and researchers alike. If applied sensibly, this will also enhance the quality of the resultant research.

Recent years have seen the proliferation of primary source terrorism research.[2] Such work is welcome but brings with it the responsibility to ensure that studies adhere to a strict set of research ethics with an emphasis on a central tenet of doing no undue harm. Having comprehensive ethical considerations as a cornerstone of modern-terrorism research protects the research subjects and the researcher, and in-turn safeguards the autonomy of the research areas, emphasising the integrity of knowledge.[3] The development of ethically sound research designs can streamline the data collection process, as advanced ethical and risk planning is much easier than resolving ethical dilemmas in the midst of the data collection process.[4] The inherent benefits of ethical planning are enhanced, not hindered, by active engagement in a constructive ethical review process. It compels research teams to develop and present appropriate risk identification and mitigation plans, where needed.[5]

Terrorism research, to external actors, may be perceived inherently high risk.[6] However, high risk and/or unethical research is not an inevitable facet of terrorism research.[7] Importantly, we do not believe that unethical research is widespread, as has been recently stated,[8] in contemporary terrorism studies. Rigorous, ethical, and low risk data collection is a possibility,[9] and is in actual fact the norm. In spite of this, primary research in terrorism studies will rarely be institutionally deemed to be low risk.[10] It must resultantly go through, at times elongated, ethical reviews.

Some may deem the Institutional Review Board (IRB)/Human Research Ethics Committee (HREC) process to be 'dreadful.' [11] But it does not have to be so. When properly conceived this process can in fact enhance the research experience for researchers and participants alike. It has been noted that at the advent of the contemporary ethical review processes, academic literature on the processes was dominated by 'horror stories' of interference and unconstructive recommendations.[12] While there still remain some horror stories,[13] these have to some extent been replaced by illustrations of ethics committees evolving to create alternatives and to improve the situation by becoming more knowledgeable of the challenges faced within this area of research.[14]

In the development of research methodologies, we must constantly strive to do no undue harm. We must consider any possible harms or risks alongside potential benefits to participants and the wider local, national, and international communities. Unfortunately, as with security studies, there have to this point been no objective criteria to assist reviewers in their judgement of the risks or benefits of

terrorism research.[15] Despite the lack of such objective criteria, it has nevertheless still been evident that research in this area is highly valuable. Therefore, it is imperative that the ethics review processes in their design and application do not unnecessarily discourage or curtail research which may unfairly be deemed to be on the edge of what is normally allowed. As Jeffrey Sluka has argued, there are also risks involved in unnecessarily deterring research on important issues where the benefits for doing the research outweigh the costs. As he comments:

> … does anyone believe that it is ethical to not do such fieldwork in dangerous locales or with people involved in socio-political violence, which is so patently needed, because it may be dangerous to do so? The potential benefit of such research far outweighs the costs, and *the ethics of not doing fieldwork* on violence is a greater issue than the ethics of researcher risk. … We cannot address issues of poverty, conflict, structural violence, political oppression and resistance, injustice, or 'terrorism' in a neoliberal, risk-averse environment.[16]

Such concerns must be taken into consideration during the ethical review process and must include sensitivity to the context and culture in which, and about which, the research is taking place.[17]

A serious and long-term challenge when considering ethical issues in terrorism research is how researchers themselves perceive their role. Terrorism research has consistently included applied research focused on real-world problems and issues. One consequence of this has been that much research has had a direct or indirect function of helping to produce solutions to such problems. Yet, as Schmid and Jongman pointed out many years ago, the researcher's 'role is not to "fight" the terrorist fire; rather than a "firefighter," [the researcher] should be a "student of combustion".'[18]

Many researchers, however, do seem to believe they are fulfilling - or are meant to fulfil - a firefighting role. The result is that research can often be largely driven by strong policy or practitioner concerns. The area has often fallen into a trap where it is largely limited to government agendas. Adding pressure to the firefighting argument is the growing focus in many regions on the "impact" of research. In the UK, for example, the Research Excellence Framework (REF) currently determines government research funding for university researchers. In the REF, "impact" is the second most important element assessed, and the weighting given to it is currently 25 percent (up from 20 percent in the previous iteration). Impact is defined "as an effect on, change or benefit to the economy, society, culture, public policy or services, health, the environment or quality of life, *beyond academia* [italics added] …Impact includes the reduction or prevention of harm, risk, cost or other negative effects."[19]

One concern in the context of terrorism research is that achieving such impact can increase the pressure on researchers to engage ever more closely with policymakers and counterterrorism practitioners. Importantly, this is not automatically a negative link. But such a trend has been raised as a concern by Critical Terrorism Studies scholars and others, stating that this may have a range of unhealthy implications for research and researchers.[20] It has been argued that the state-focused aspect of terrorism research can lead to the compromising of ethical standards of terrorism research through interference with the evidence base, collaboration on research supporting deception by the state, and collaboration on research legitimising human rights abuses and/or coercive state practices.[21]

Recent years have seen the proliferation of state and security agency funded research projects, centres, and initiatives. This has taken place in parallel with increased research funding from social media companies and other private organisations to analyse, for example, extremist content on their platforms and the development of counter-narratives. The nature of the research resulting from these funding calls is not inherently unethical, and research ethics proposals should not be

rejected just on the basis of the nature of the funder. However, researchers must be able to ensure their academic independence at all stages of the research process and must not be used as a proxy to support the continuation and/or development of unethical practice.

The Role and Importance of External Expertise in the IRB/HREC process

Schrag[22] summarised the major published complaints of IRBs/HRECs in the social sciences and humanities, one of which being their lack of expertise. This comes with the warning that the lack of expertise risks review boards overestimating dangers in proposed research. For instance, fears of retraumatizing participants are especially common in ethical review boards, despite research suggesting that trauma victims may actuality benefit from having a chance to share their experiences.[23] The lack of expertise, and the lack of consultation of existent research, is suggested to be due to ethical committees not "necessarily being representative of the disciplines they govern",[24] given that they oversee a wide range of research. For example, terrorism research proposed by Scott Atran was blocked by a board chaired by an expert in the effects of hydrophobic and hydrophilic glass coatings, window tinting, and defrosters/defoggers on visual performance and driving behaviour.[25] The ethical review process of Dawson and Amarasingam's[26] research on homegrown terrorism in Canada was similarly affected by a lack of expertise and a diversity in disciplinary backgrounds of board members. They discovered that ethical review boards, as a result, can come to differing or "even diametrically opposed" interpretations of ethical guidelines, with inconsistent advice being provided.[27]

Relatedly, IRBs/HRECs have been critiqued for being "dominated by research models from the natural sciences"[28] and for their tendency to "apply standard ethical frameworks derived from the hard sciences without adapting them to the specific considerations of social science research or the increasingly complex environments in which it takes place".[29] For example, whilst IRBs/HRECs may bear the primary responsibility for evaluating the ethics of fieldwork in conflict environments, their guidelines "are rarely adapted for the particular challenges" faced by researchers in such environments.[30] Terrorism research may especially be at risk of being inadequately reviewed in such ways due to its strong interdisciplinarity, with contributions from the fields of psychology, political sciences, religious studies, criminology, sociology, economics, history, anthropology, etc.[31]

When required, IRBs/HRECs have been set up to allow for this external advice and consultation. This is apparent in guidance and policy documents for ethical research committees in the US[32], UK,[33] and Canada,[34] for example. IRBs were codified in US regulation over three decades ago.[35] Regarding outside expertise and consultation specifically, US federal regulations (e.g. 21 CFR 56/107(f), 32 CFR 219.107(e), and 45 CFR 46.107(e)) allow and encourage IRBs to "invite individuals with competence in special areas to assist in the review of issues that require expertise beyond or in addition to that available on the IRB".[36] Such experts may be consulted when an IRB receives a proposed study, or if unique or unanticipated situations arise in the course of the study.[37] Policy documents from the UK government, such as from the Ministry of Defence and UK Health Departments, suggest that research ethics committees "may seek advice from specialist referees on any aspects of a research proposal that falls beyond the members' expertise".[38] Lastly, Canadian national guidelines state that a research ethics board "should have provisions for consulting ad hoc advisors in the event that it lacks the specific expertise or knowledge to review the ethical acceptability of a research proposal competently".[39] Advisors may "complement the REB through their experience, knowledge or expertise".[40]

Tailored guidelines for ethical committees from other disciplines are already available and have reinforced the quality of research. One example is a security studies specific ethics framework which has been designed to raise awareness of the ethical problems associated with security research.[41]

The creators suggest it has the potential, if incorporated into formal ethics evaluations by IRBs/HRECs, to prevent "incongruous situations produced by the blind application of generic ethics rules" to security research projects in which such rules "appear impossible or even dangerous to implement".[42] Therefore, this framework encourages IRB/HREC functioning and criteria to better correspond to, and strengthen, practices in security research. Even more relevant to the development of FRETS is a guidance document developed by Universities UK on the safe storage and dissemination of security-sensitive data in research (including in terrorism studies).[43] It advises universities to incorporate their recommendations into an ethical approval process and training for university ethics officers. These examples of existent tailored guidance illustrate the utility of, and need for, developing guidance for ethical review of terrorism research specifically.

The Framework for Research Ethics in Terrorism Studies (FRETS)

The present article therefore presents the Framework for Research Ethics in Terrorism Studies (FRETS). Within this initial framework is a consideration of the following core aspects of research ethics relating to terrorism studies:

1. Participant's Right's, Safety and Vulnerability
2. Informed Consent
3. Confidentiality and Anonymity
4. Researcher's Rights, Safety and Vulnerability
5. Data Storage and Security-Sensitive Materials
6. The Ethical Review Process

The framework is designed specifically to assist IRB/HREC chairs and membership in their review processes. For the remainder of the article, we present a series of key issues relating to each theme. These are subsequently operationalised in the development of the corresponding section of the framework. The corresponding questions are presented at the end of section, and brought together to form the completed framework in Appendix A.

The framework consists of a series of yes/no questions which have been designed to assist in checking that the ethical review process was completed appropriately. This has been developed through critical analysis of the terrorist research literature, alongside analogous fields (e.g., security studies), and two of the authors' prior membership of departmental and university research ethics committees. This has been designed to supplement, not to replace, existing ethics processes. It is proposed that this is completed by the chair of the IRB/HREC when assessing the review of any terrorism-studies related proposals.

The Ethical Review Process and Board Membership

Throughout the literature there is the continuous complaint that IRBs/HRECs are not designed to assess the ethical nature of the social scientific research that has traditionally been the mainstay of terrorism studies.[44] Some have proposed that they impose 'silly' restrictions, are in constant search of a problem, lack expertise, and apply inappropriate principles to the research.[45] To this day these boards are dominated by research models drawn from the traditional fields of biomedicine, the natural sciences, and psychology. They have been accused of being preoccupied with protecting their institutions from any legal liability that may result from the proposed research.[46] For many of these boards there is often, at best, a limited understanding of what terrorism research consists of. Due to the politically charged nature of terrorism, counterterrorism, and countering violent extremism (CVE), this can inevitably result in any research in the area raising alarm,[47] or personal/political opposition from the committee membership. The traditional lack of organisational understanding of the research areas can lead to the mechanical application of ethical processes deemed by some to be unfit for the subject area.[48] These topics may be perceived *in principle* too

sensitive or contentious to ethically research. In situations where the review boards are not appropriately developed to assess the ethical nature of the research, this can leave the processes more vulnerable to being influenced by the political beliefs and biases of individual members.[49] A central purpose of designing this subject specific framework is to dissipate the possibility of these biases influencing the boards' decision-making processes.

Central to any evolution of IRBs/HREC's assessment of terrorism research must be the acknowledgment that the majority of the identified ethical concerns and risks are *not* fundamentally different to most of the challenges faced by criminologists, sociologists, and psychologists in their non-terrorism related research.[50] Ethics committees should therefore be able to come to an objective judgement on the ethical nature of the research, irrespective of their own personal and political views in relation to terrorism, counter-terrorism, or CVE. Research into these topics does not imply sympathy for any set of actors or their actions, just as criminological research, for example, does not carry any implication of sympathy or support for the criminal actors or police policies.[51] The biases of the researcher and/or the inappropriate nature of the research must only be called into question when there are indications of this from the submitted proposals. In order to demonstrate the ethical nature of the research, researchers would be advised to demonstrate if and when similar methodological approaches were used outside of terrorism studies. This can assist in dissolving the distracting effect of the concept of 'terrorism' from the proposal.

The reviewing committee must ensure that they are set-up to adequately and appropriately review the ethical nature of research in this area. For those individual institutional IRBs/HRECs that do not have the adequate institutional knowledge, or training, to appropriately review terrorism research proposals, the establishment of cross-institutional advisory mechanisms[52] and national IRBs[53] have been mooted to assist in the review processes. It has been proposed that such mechanisms can greatly assist in the development and application of appropriate expertise. However, we believe that the establishment of such bodies, while potentially useful, are not necessary. We propose that it would be more productive to develop the appropriate levels of expertise within the existing institutional review processes. In order for them to work most effectively, ethics reviews should not be passive processes. The research teams should be allowed to be active participants, beyond the traditionally non-interactive submission of their proposal to the board. For institutions actively involved in terrorism research, researchers from this field should embrace the opportunity to be members of the board.[54] Alongside this they should be invited to be active participants in any necessary re-design and reconstitution of the boards in order to make them more suitable to consider the nature of terrorism research.[55] Parallel to this process can be the implementation of FRETS.

Traditionally, the IRBs and HRECs only engage with the research process at the proposal stage. For those committees and individuals whose predominant engagement with this form of research is at this stage there is limited opportunity to assuage any ingrained perceptions about the nature and risk of this research. In order to facilitate the on-going subject-specific education of the committee membership, terrorism researchers should be invited to present on their research to the chairs and/or membership of the committees. This can include presentation on previous research, but perhaps more importantly on their research which had previously gone through the review processes at that institution or others. This can assist in the eradication of any inherent biases and preconceived ideas about what terrorism research entails, by detailing to board members what ethical challenges and risks were met, and not met, during the research processes. It will allow previous reviewers of the proposals to contrast any proposal stage beliefs they had about the research with the reality of the research post-completion. These sessions should not be designed as an opportunity for the committees to 'check up on' the researchers. Rather, they should be designed as a way for the researchers to educate the board members on the reality of terrorism research.

Corresponding FRETS Questions:

1. Is there clear evidence that the reviewers' decisions have been based on the specific research proposal submitted? ***If no, this proposal requires a new independent review***
2. Is there any evidence of external biases influencing the reviewers' decisions? ***If yes, this proposal requires a new independent review***
3. [If the proposal was rejected] Would this research have been approved if the research subject was not related to 'terrorism'? ***If yes, answer question 4.***
4. Has there been clear, and appropriate, rationalisation as to why the terrorism studies nature of the research has led to the proposal's rejection? ***If no, this proposal requires a new independent review***
5. Would any adjustments proposed be deemed appropriate for non-terrorism research utilising the same methodologies? ***If no, answer question 6.***
6. Has there been clear, and appropriate, rationalisation as to why the terrorism studies nature of the research has led to these adjustments? ***If no, these adjustments need to be reconsidered, changed or rationalised.***

Participant's Right's, Safety and Vulnerability

The central tenet of research ethics is that the research process must provide a value that outweighs any potentials risks or harm for either the participants or researchers. Following on from this, any and all potential risks and harms are mitigated by a series of precautions. The risks and harms can be conceived in a variety of ways; physical, psychological, reputational, etc. For each individual project, and the requisite sample(s) of human participants, the risks vary and are both subject and context specific. When considering terrorism research, the perception of risk and harm can be conceivably different to the traditional university student samples that ethics review committees are regularly considering.[56] Any review of risk and harm to participants must consider the specific populations participating in the research and avoid any generic consideration of risk or harm. When researchers, and reviewers, are considering levels of risk and harm to the participants there needs to be a consideration of context and of the fact that many of the participants in terrorism research may as a key inclusion criterion have, or will have had, a significant degree of risk in their lives. This is true for those who had previously been terrorist actors, victims of terrorism, or members of the security services.

For those involved in terrorism research the risks of participation do not only come from the data collection stages of the research. They may also arise in the establishment of initial contact with the researcher(s), the setting up of the interview, or during other data collection procedures. For example, Dawson and Amarasingam detailed how they established a system whereby, whenever possible, all communications with potential or actual participants and the researchers were done face-to-face through trusted intermediaries.[57] This illustrates the need for IRBs/HRECs to consider in detail the sampling procedures alongside the data collection processes.

Participants in terrorism research have the same rights as participants in any other form of research. This includes, as will be detailed later in the article, the right to confidentiality and anonymity, and to have a chance to give their informed consent before participating in the research. They also have the right to withdraw their participation at any time or to refuse to answer any specific question without having to give a reason for this. No matter the nature of the participant, be they terrorist, practitioner, or victim, they must be given these rights during the research process. Regardless of the individual researcher's own personal beliefs about the role(s) or actions of the individual participant, these basic rights of the participant must be constant. This may be most difficult when

interviewing or observing those who have been involved in violent actions or the threat of violence. Booth talks about the need to recognise 'the human behind the 'terrorist label'.[58] One should also consider the need to recognise the human behind the victim, police, soldier, CVE practitioner, and other such labels.

We must also always recognise the vulnerabilities of those we research.[59] In terrorism research there are multiple groups of potential participants who could be considered vulnerable by their very nature. The most vulnerable of these are the victims of terrorism. Their involvement in research about their victimisation could potentially reignite trauma. This is why we must always consider whether conducting interviews in which trauma is likely to reappear is necessary for the research and our wider scientific knowledge.[60] If it is deemed that these interviews are necessary and valuable, then the research must be designed with appropriate follow-up structures in place to provide adequate support for the participants. It is important to note that just because an individual participant will be going through emotional pain, this does not mean that they are unwilling to participate in the research. In their analysis of the histories of 'the disappeared' in Northern Ireland, Lundy and McGovern[61] observed that participants *wanted* to engage in the research process so as to tell their story and to raise awareness. For them the benefits were deemed to outweigh the emotional costs. This does not mean that structures of support should not be in place for these participants. However, it does demonstrate that the possibility of negative emotional effects should not in itself be a reason to reject an ethics proposal. Added to this, when we are considering the emotional effects of participation in the research process, we must not solely focus on the victims of terrorism. Security officials, and 'terrorists' can also be retraumatised by involvement in some form of research.

Corresponding FRETS Questions

1. Is there evidence that human participants, or those indirectly influenced by the research, are being put in significantly greater physical or psychological risk than if the research was not conducted? ***If yes, answer question 2***
2. Has the researcher provided an adequate mitigation plan to assuage any research-based risks for the participant(s)? ***If no, the ethics application cannot be approved until the researchers have developed an appropriate mitigation plan. If an appropriate mitigation plan is deemed not to be achievable the proposal cannot be approved.***
3. Have the researchers provided adequate information on how they will recruit and contact participants, demonstrating where necessary how the participant's safety has been taken into consideration? ***If no, clarification should be sought from the researcher.***
4. Could participation in the research potentially negatively emotionally effect/retraumatise participants? ***If yes, answer question 5***
5. Are adequate support structures in place? ***If no, the ethics application cannot be approved***

Informed Consent

As mentioned in the previous section, researchers must endeavour to receive informed consent from the participants prior to engaging in the data collection process. Researchers have an obligation to all their participants to provide appropriate information for them to make as close to fully informed decisions about their research participation as possible.[62] Traditionally, informed consent has been obtained in written form. However, when considering the need to maintain participant safety this may not always be possible or suitable for terrorism research.[63] For those who

are being interviewed due to their involvement in terrorism or counterterrorism, or as a victim of terrorism, signing a consent form may be deemed to be an unjustifiable risk.[64] Researchers and reviewers must therefore consider whether the proposed method of achieving informed consent can in itself pose a risk to the participants. If the answer is yes, then a safer and more innovative approach must be established.

The 'informed' aspect of consent is vital. Prior to participating in the research potential participants must be aware not only of the potential risks of involvement, but also of what realistic impact the research could potentially have. Baele and colleagues proposed that as research rarely alters policymaking, it is important for researchers to supress any enthusiastic expectations by clearly outlining the full scope and ambition of the research project.[65] For those research proposals where there is potential of re-traumatisation, Fleischman and Wood propose that potential participants are given the opportunity to consult with family members and others before providing consent.[66] Where there is a significant difference in the researcher's and participant's languages, cultures, educational background, power, or other aspects which may obstruct clear communication and truly informed decisions to be made, there will be the necessity to facilitate informed consent procedures using the assistance of external and trusted actors or approaches.[67]

Corresponding FRETS Questions

1. Is there a process in place to gain informed consent? ***If no, answer question 2***
2. Has an appropriate reason (e.g. participant's or researcher's safety) been given for not seeking informed consent? ***If no, researchers need to be recommended to develop a procedure for securing informed consent***
3. Does the informed consent process pose any potential risks to the researcher, participant, or anyone else? ***If yes, researchers need to develop new approach to gaining informed consent***

Confidentiality and Anonymity

When individuals are participating in terrorism research based on their experience as a terrorist, a security official, and/or a victim of terrorism they must be assured of their rights to anonymity and confidentiality. This anonymity is likely to be necessary at various points from the beginning of the research process, and not just at the dissemination stage.[68] The anonymisation of data must go beyond the exclusion of the participants' names. All identifiable aspects of the research must be removed or anonymised. This can at times include not disclosing the location of the research,[69] or any irrelevant mention of identifiable individuals, events, or locations. This is all connected with the need to protect the safety and rights of the research participants, as well as any others who may be indirectly affected by the research.

However, it is also important to recognise that there are limitations to how far these rights can extend in practice, and for participants to be made aware of what these limitations might be. It has been demonstrated that the state may attempt to use legislation, judicial proceedings, and executive powers to undermine confidentiality.[70] The risk of information being sought by the police or courts can be real. Attempts to compel disclosure of researchers' records have been reported in many cases stretching back a considerable period of time.[71] The risk of imprisonment to researchers who attempt to frustrate such efforts when they emerge can also be real. Rik Scarce, for example, was jailed for refusing to obey a court order to release the names of confidential informants obtained through his fieldwork on environmental activism.[72] Bearing this in mind, researchers should have sensible mitigation strategies in place to reduce the likelihood of such circumstances. Part of this strategy must be to note that a blanket guarantee of confidentiality cannot be provided to participants.

The case of the Boston College Belfast Project is a further high-profile illustration of the issues involved. The Belfast Project was an oral history project to record detailed interviews with former paramilitaries in Northern Ireland.[73] The research aimed to capture historically important first-hand accounts from the conflict. The project was led by Ed Moloney, while two researchers, Wilson McArthur and Anthony McIntyre who were former paramilitaries themselves, conducted interviewees with Loyalist and Republican paramilitaries respectively. The stated intention was that the interviews or their transcripts would not be released until after the interviewee's death.

However, once wider awareness of the existence of the recorded interviews grew, the Police Service of Northern Ireland (PSNI) commenced proceedings to access the recordings in 2011. After protracted legal proceedings this was eventually conceded for a number of recordings which have since featured as evidence in criminal investigations and criminal cases in Northern Ireland. In 2014, Sinn Fein leader Gerry Adams was arrested and questioned by police partly on the basis of claims made in the recordings though he was eventually released without charge. It is likely that controversy regarding the project will continue to be felt for some time to come. The case of the Belfast Project demonstrates that anonymity and confidentiality require implementation during the research, write-ups, dissemination, final publication, and even in informal discussions with colleagues.[74] But it also reflects the limits of confidentiality and anonymity in the most extreme of situations.

There are cases where anonymity and confidentiality at the point of dissemination are not deemed necessary.[75] This may be because the interviews are with public figures whose anonymisation would dissipate the strength of the analysis. For whatever reason attribution has been agreed, it is essential that these individuals have the opportunity to validate the attributed text.[76]

Within the context of terrorism research, it is important to acknowledge that confidentiality and anonymity are not a constant guarantee. In situations where the participants reveal details relating to planned future violence, or their involvement in an unsolved crime, the researcher is obliged to inform the police of their involvement. This is linked to the ethical tenet of 'do no harm.' This not only relates to participants and researchers, but also to those who may be indirectly affected by the research. This must be emphasised when obtaining the informed consent of the participants.

Corresponding FRETS Questions

1. Will participants' data be anonymised and confidential? ***If no, answer question 2***
2. Has an adequate reason been given not to anonymise and/or treat the data confidentially? ***If no, researchers should be asked to revisit this***
3. For those projects with anonymised and confidential data, is there a comprehensive anonymisation and confidentiality process in place? ***If no, the researchers must be asked to revisit this process***
4. Has an appropriate mitigation strategy been adopted to protect participants confidentiality bearing in mind legal requirements? ***If no, the researchers must be asked to revisit this process***
5. Have participants, if relevant, been informed of the fact that they forgo their right to confidentiality is they give information relating to planned criminal activity, or their criminal involvement in a live case? ***If no, researchers need to be asked to include this in their informed consent processes, if relevant to the research and participants.***

Researcher's Right's, Safety and Vulnerability

The historical focus of ethics reviews has been about protecting research participants. In terrorism research, as with broader security studies,[77] it is crucial that this emphasis on participant safety is coupled with an equal consideration of the right's, safety, and vulnerability of the researcher(s). In their assessments IRBs/HRECs should consider physical, emotional, ethical, and professional risks.[78] Alongside participant safety, the researcher safety must be infused across the decision-making process for researchers and reviewers alike.[79] During these processes the question must be asked as to whether the knowledge gained from the researcher process warrants any potential risks involved.[80]

It may be perceived that in-person research with current or former extremist political actors is inherently risky. However, that is not necessarily the case. With careful planning, and consideration for potential risks and context, the risks can be reduced. As part of their wider risk mitigation strategy researchers need to consider a variety of factors. This includes the context in which interaction with participants will take place, the specific topic of study, identity disclosure, methodological approaches, the current activity level of proposed participants, and researcher experience and training.

For researchers who are collecting data in conflict zones, the risks should not be taken lightly. Engagement with violent extremists can be unpredictable, and without care and consideration could potentially be violent.[81] The risk of this can be significantly reduced with the application of context specific security provisions. These include the refusal to meet participants in remote, non-public, areas[82] and protecting personal private information from being available online.[83] There must also be careful consideration of the data collection techniques and wording of questions. A researcher's presence may, in the most extreme of circumstances, explicitly provoke hostility and aggression from others in the setting (e.g., asking the wrong type of questions may provoke a backlash from a violent subject). This hostility and aggression need not necessarily always come from the ostensibly extremist actors. For example, Ellison reported that while he was conducting research on the police in Northern Ireland, he was physically assaulted by a police officer who believed that the PhD student had ulterior motives for carrying out the research.[84]

Part of the risk mitigation is having a detailed understanding of the country, it's political structure, and its relationship to the topic of research. Some governments can respond very harshly indeed if they do not like the tenor of research findings. A Scottish academic, Lesley McCulloch, was imprisoned in December 2002 for five months by Indonesian authorities. McCulloch was the author of a number of articles highlighting abuses and corruption within the Indonesian security forces, and she was coming close to completing a book critical of the Indonesian army. Her imprisonment for a "visa violation" was widely seen as government punishment for her research work.

In 2018, a Durham university PhD student, Matthew Hedges, was arrested and imprisoned by the authorities in the United Arab Emirates (UAE). Hedges was arrested as he was about to leave the country after a two-week research trip. His PhD was examining UAE security developments in the aftermath of the Arab Spring. The UAE authorities, however, claimed that Hedges was a spy, and he was held in prison for seven months. Before being released the UAE recorded a confession from Hedges where he said he was a member of MI6. Hedges said that the confession was coerced and that he would have said anything to end intense interrogations and what he described as psychological torture.[85] He later wrote that a key obstacle was convincing the authorities that his research activities did not have a sinister motive:

> It became clear there was a lack of understanding by the … authorities about what a legitimate academic is, and about how research is carried out. Standard actions needed to

> complete field research – such as interviewing sources, researching books, articles and maps along with taking notes – were very quickly taken out of context and distorted by the UAE security authorities. I routinely battled to explain how information cited in my thesis was referenced from publicly available academic books and not from "secret intelligence sources" as the interrogators would often claim.[86]

Cases like these should not be considered as illustrative of why this research should not be done. They are in fact the exception, rather than the rule. They could be seen to further strengthen the case of the need for these topics of research. However, when the risks to the researcher are high upon consideration of the relationship between the research topic and the context in which data collection is taking place, the research team may need to consider whether there are safer and equally legitimate approaches that could be taken to answer their research question(s).

One of the key mitigating factors for research teams and reviewers to consider is the experience of the members of the research team(s) in these high-risk contexts. It is considered by some[87] to be unethical to have researchers lacking experience in conflict zones to carry out research in these contexts. Therefore, for those inexperienced researchers carrying out such research there needs to be comprehensive training given by more experienced researchers and supervisors in the field.

In developing risk mitigating protocols, research teams need to consider the level of disclosure they are willing to give in relation to their research. There is no consensus on this, and the decisions should be context specific. For example, some propose that researchers funded by the US government (e.g., by the Minerva Research Initiative) should be careful about declaring their funder in countries such as Pakistan or Afghanistan.[88] It was proposed that, similar to the case of Hedges detailed above, there could be a misperception of the nature of work. In contrast, Gallaher argues that there is more to be lost than gained by concealing information. Baele and colleagues extend this by proposing that, context permitting, full registration of all researchers in the official documentation will ensure some level of legal and political protection.[89] Decisions relating to disclosure must therefore be made on a case-by-case basis. However, there should be significant ethical concern if it is deemed unsafe to disclose the nature of the research or the funder to research participants or others.

The main focus of the article so far has been on in-person, human research. However, assessment of researcher safety and vulnerability must also include consideration of researchers who are viewing violent terrorist content as part of the proposed research. With the proliferation of online terrorist and extremist content there has been the legitimate need for researchers to analyse the content shared by terrorist actors and their depiction of violence in their promotional videos, images, and elsewhere. The analysis of these materials assists the development of our understanding of the individual and organisational actions of these groups. The knowledge comes with a potential cost to the researcher, and the possibility of viewing related trauma must be both addressed and recognised. It is therefore incumbent on the IRBs/HRECs, principal investigators, and funders, to have necessary systems in place to ensure the wellbeing of the research team.[90] Institutions outside of the academy tasked with monitoring online violent extremist content support the welfare of their staff. Academic institutions and funders need to follow suit and guarantee appropriate support is available to all researchers.[91]

Corresponding FRETS Questions

1. When considering the research methodology, topic and research context combined, is there considered to be any level of risk to researcher(s)? ***If yes, answer question 2***
2. Have appropriate mitigation protocols been put in place? ***If no, ethical approval cannot be granted until appropriate protocols are in place***

3. Will any of the research team have to view violent or disturbing imagery? ***If yes, answer question 4***
4. Are appropriate structures in place institutionally, or external from the institution, to support researcher's welfare? ***If no, ethical approval cannot be granted until these structures are in place***
5. Is it deemed safe for the researcher(s) to disclose full information about their research to participants, and other significant individuals and bodies? ***If no, answer question 6***
6. If relevant, has the concealment of any research information from participants or other relevant actors been ethically justified? ***If no, further clarification on concealment must be sought from the research team***
7. Do researchers have the appropriate experience and/or are appropriately trained to carry out the research safely? ***If no, ethical approval cannot be granted until training has been completed***

Data Storage and Security-Sensitive Materials

Researchers who are legitimately analysing terrorist materials need to be cognisant of the legal ramifications of accessing and possessing such materials. Dependent on the jurisdiction, possession of terrorist material can be deemed to be illegal and has led to the arrest of researchers and students.

In 2008, a postgraduate student at Nottingham University, Rizwaan Sabir, was arrested and detained by police under the Terrorism Act after he had downloaded an Al-Qaeda training manual and emailed it to a member of staff at the university. Sabir was conducting research on terrorist tactics as part of his programme, and the manual had been downloaded from a publicly available US government website. Despite confirmation from his personal tutor and academic supervisor that Sabir was legitimately engaged in research on the subject, he was held for 7 days. He was eventually released without charge, though he received a warning letter from the police that he could be re-arrested if he was found in possession of the manual again.

Additional controversy surrounding the case emerged when Sabir's supervisor, Rod Thornton, made a complaint that police officers had not recorded interviewees with him properly about the case and had fabricated statements. Elements of that complaint were subsequently upheld by a police professional standards investigation into the incident.[92] In 2011, Sabir received a £20,000 out of court settlement from the police in connection to the case and his subsequent treatment.[93] The Sabir case illustrated a range of issues starting with potential concerns around access and possessing terrorism-related literature, criticism around the support provided by the university for the student and supervisor, and potential long-term implications including being mistakenly listed on a database of terrorist offenders. At the time, the then VC of Nottingham University, Sir Colin Campbell, issued a statement to staff warning:

> There is no 'right' to access and research terrorist materials. Those who do so run the risk of being investigated and prosecuted on terrorism charges. Equally, there is no 'prohibition' on accessing terrorist materials for the purpose of research. Those who do so are likely to be able to offer a defence to charges (although they may be held in custody for some time while the matter is investigated). This is the law and applies to all universities.[94]

Even when research is based on open-source publicly available material it can still attract unwanted attention. For example, in 2015, the UK police went to court to obtain an order under the Terrorism

Act 2000 after King's College London initially declined to hand over a video which was stored in a database at the International Centre for the Study of Radicalisation (ICSR).[95] The video had been filmed by fighters in Syria and uploaded to a public online platform. The video had been collected from the website by ICSR researchers but was subsequently deleted on the original platform. The police were granted a court order under the Terrorism Act, and King's College was compelled to release the video. The case obviously risked concerns that research could be seen as an important facilitator or resource for active police or intelligence investigations.

In 2019, Universities UK published guidance on the safe storage of security-sensitive data, including terrorist material. Within the guidance the authors state that in situations where the researchers store or circulate security-sensitive data in a careless manner, this leaves their access to the data open to misinterpretation by the authorities. The risk of this is accentuated when possession of these specific materials could be subject to counter-terrorist legislation.[96] As with the case of Rizwaan Sabir, these materials may be freely available to download but possession and dissemination may be misinterpreted by the authorities. The possibility of misinterpretation has led to Dawson and Amarasingam to have the following disclaimer on all data, files, and imagery deemed potentially sensitive, even when presenting to a class:

> The information provided in this [insert format] is made available for information purposes only. It is not intended to advocate or promote any particular behavior whatsoever.[97]

In their guidance, Universities UK state that all security-sensitive research materials should be stored on specifically designated university servers, and not on personal computers. These servers can be supervised by the university ethics officers, and they can therefore be the first point of contact for any internal university or external police enquiries about the possession or dissemination of the data. This guidance states that in light of Section 58 of the UK Terrorism Act 2000, which outlines that it is an offence if a person 'collects or makes a record of information of a kind likely to be useful to a person committing or preparing an act of terrorism',[98] those in possession of such materials have a defence if the information is used for academic purposes.[99] By providing secure storage of security-sensitive material, it is proposed that this enables researchers to continue with their legitimate and important research without fear of arrest, prosecution, or the materials coming into the possession of those wishing to use it for nefarious purposes.

A public example of the secure storage and dissemination of sensitive material can be seen with the securing of the clearinghouse for jihadist primary material Jihadology.net. In 2019, the site was updated by the UN funded Tech Against Terrorism, under the sponsorship of the Global Internet Forum to Counter Terrorism (GIFCT). The securing process updated the site so that any terrorist-related content deemed particularly sensitive was only accessible to users with registered academic/research, governmental, journalistic or humanitarian email addresses. In their terms of service there is a declaration that the 'site is meant for academic research purposes only' and that access to some parts of the site 'will be determined based on your legitimate interest in conducting research on jihadist groups.'[100]

Corresponding FRETS Questions

1. Will the research involve the analysis of security-sensitive materials? ***If yes, answer questions 2, 3 and 4***
2. Will the security-sensitive materials be stored securely and legally? ***If no, the ethical approval cannot be granted***
3. If the security-sensitive material requires dissemination are there secure and legal means to do this? ***If no, the ethical approval cannot be granted***

4. Will the security-sensitive materials only be accessible to the designated researchers? ***If no, the ethical approval cannot be granted***

Conclusions and Next Steps

The current article encourages appropriate and informed ethical evaluation through the development of FRETS. This will supplement existing ethical review processes in terrorism research. It is important to caveat that researchers still have a responsibility to demonstrate in their applications how their research is ethical and how potential risks are addressed and mitigated. Rather, FRETS should be considered as a useful consultancy tool to aid and educate ethical reviewing and decision-making, and can also be used by researchers, educators, students, and editors to make informed ethical decisions.

Because of its potential relevance to the real world, terrorism research is faced with a variety of serious issues, including ethical hazards. Researchers have a responsibility to ensure that their research is conducted in an ethical manner. However, many published studies raise serious questions about the ethical appropriateness of the research methods used and it is clear that historically researchers had differing views about what is appropriate and what is not. As a general rule of thumb, if serious doubts exist about the morality of certain procedures, then those procedures are probably inappropriate. The principle of ensuring that no harm - either physically or psychologically - comes to any individual as a result of the researcher's actions or inactions, is the safest and most ethical principle to adhere to.

Because of the relevance of terrorism research, there is also a general responsibility of researchers to report their research to a wider audience, so that where applicable it can have a positive impact on policies and practices. Realistically, most research will have a relatively limited impact, but considering the serious issues involved, researchers should be thinking of possible ways the study's findings could have a real-world impact even before active research has commenced.

The purpose of this article has been to demonstrate that in spite of the ethical challenges facing terrorism researchers, ethical research is possible when following a core set of principles. In order for this ethical research to be developed and supported, IRBs/HRECs would benefit from a more in-depth knowledge of terrorism studies-specific ethical issues. Resultantly, this paper set about developing the first draft of the Framework for Research Ethics in Terrorism Studies (FRETS) (see Appendix A). This framework was developed to specifically assist the chairs of IRBs/HRECs to assess the objectivity of reviews of terrorism studies ethics proposals. This framework focuses on the review process itself, alongside issues relating to participants, researchers, data, and external influences. The framework was developed through critical engagement with the literature on terrorism research, and analogous fields. It has been developed to be applied internationally in academic institutions for professional and student researchers' ethical proposals. Localised versions of the framework could be viably developed in the future, as could a separate framework for non-academic research practices.

We propose that the next step for the framework is that it is piloted in a range of IRBs/HRECs, both for a sample of institutions where terrorism research is institutionally well-established, as well as in more newly developing terrorism research institutions. Based on the results of this pilot, the framework and accompanying guidance can be further adapted, if necessary. The proposed pilot should include engagement with chairs, reviewers, and researchers on the utility of the framework.

We also recognise that online terrorism studies research raises some unique challenges.[101] In its current format, FRETS does not have a specific focus on this form of research. As a result, a case can

be made that such research would benefit from the availability of a specialised framework of its own, which is tailored to the needs of the ethical review of internet and social media-based research. The development of such a specialised framework can take place in parallel to, and influenced by, the development of the current version of FRETS.

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Appendix A:

The Framework for Research Ethics in Terrorism Studies (FRETS)

Participant's Right's, Safety and Vulnerability

1. Is there evidence that human participants, or those indirectly influenced by the research, are being put in significantly greater physical or psychological risk than if the research was not conducted? ***If yes, answer question 2***
2. Has the researcher provided an adequate mitigation plan to assuage any research-based risks for the participant(s)? ***If no, the ethics application cannot be approved until the researchers have developed an appropriate mitigation plan. If an appropriate mitigation plan is deemed not to be achievable the proposal cannot be approved.***
3. Have the researchers provided adequate information on how they will recruit and contact participants, demonstrating where necessary how the participant's safety has been taken into consideration? ***If no, clarification should be sought from the researcher.***
4. Could participation in the research potentially negatively emotionally effect/retraumatise participants? ***If yes, answer question 5***
5. Are adequate support structures in place? ***If no, the ethics application cannot be approved***

Informed Consent

1. Is there a process in place to gain informed consent? ***If no, answer question 2***
2. Has an appropriate reason (e.g. participant's or researcher's safety) been given for not seeking informed consent? ***If no, researchers need to be recommended to develop a procedure for securing informed consent***
3. Does the informed consent process pose any potential risks to the researcher, participant, or anyone else? ***If yes, researchers need to develop new approach to gaining informed consent***

Confidentiality and Anonymity

1. Will participants' data be anonymised and confidential? ***If no, answer question 2***
2. Has an adequate reason been given not to anonymise and/or treat the data confidentially? ***If no, researchers should be asked to revisit this***
3. For those projects with anonymised and confidential data, is there a comprehensive anonymisation and confidentiality process in place? ***If no, the researchers must be asked to revisit this process***
4. Has an appropriate mitigation strategy been adopted to protect participants confidentiality bearing in mind legal requirements? ***If no, the researchers must be asked to revisit this process***
5. Have participants, if relevant, been informed of the fact that they forgo their right to confidentiality is they give information relating to planned criminal activity, or their criminal involvement in a live case? ***If no, researchers need to be asked to include***

this in their informed consent processes, if relevant to the research and participants.

Researcher's Right's, Safety and Vulnerability

1. When considering the research methodology, topic and research context combined, is there considered to be any level of risk to researcher(s)? ***If yes, answer question 2***
2. Have appropriate mitigation protocols been put in place? ***If no, ethical approval cannot be granted until appropriate protocols are in place***
3. Will any of the research team have to view violent or disturbing imagery? ***If yes, answer question 4***
4. Are appropriate structures in place institutionally, or external from the institution, to support researcher's welfare? ***If no, ethical approval cannot be granted until these structures are in place***
5. Is it deemed safe for the researcher(s) to disclose full information about their research to participants, and other significant individuals and bodies? ***If no, answer question 6***
6. If relevant, has the concealment of any research information from participants or other relevant actors been ethically justified? ***If no, further clarification on concealment must be sought from the research team***
7. Do researchers have the appropriate experience and/or are appropriately trained to carry out the research safely? ***If no, ethical approval cannot be granted until training has been completed***

Data Storage and Sensitive Materials

1. Will the research involve the analysis of security-sensitive materials? ***If yes, answer questions 2, 3 and 4***
2. Will the security-sensitive materials be stored securely and legally? ***If no, the ethical approval cannot be granted***
3. If the security-sensitive material requires dissemination are there secure and legal means to do this? ***If no, the ethical approval cannot be granted***
4. Will the security-sensitive materials only be accessible to the designated researchers? ***If no, the ethical approval cannot be granted***

The Ethical Review Process

1. Is there clear evidence that the reviewers' decisions have been based on the specific research proposal submitted? ***If no, this proposal requires a new independent review***
2. Is there any evidence of external biases influencing the reviewers' decisions? ***If yes, this proposal requires a new independent review***
3. [If the proposal was rejected] Would this research have been approved if the research subject was not related to 'terrorism'? ***If yes, answer question 4.***
4. Has there been clear, and appropriate, rationalisation as to why the terrorism studies nature of the research has led to the proposal's rejection? ***If no, this proposal requires a new independent review***
5. Would any adjustments proposed be deemed appropriate for non-terrorism research utilising the same methodologies? ***If no, answer question 6.***

6. Has there been clear, and appropriate, rationalisation as to why the terrorism studies nature of the research has led to these adjustments? ***If no, these adjustments need to be reconsidered, changed or rationalised.***



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The development of the framework for research ethics in terrorism studies (FRETS)

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