



## Navigating ethical challenges in prison medical research

Dear Editor,

I recently had the opportunity to peruse the article entitled «Medical experimentation on prisoners (Part 5): Ethical considerations» published in your esteemed journal, “La Tunisie Médicale”, on 1 November 2022 (1). The thought-provoking content of the article has inspired me to share my insights.

The authors delve into intricate ethical issues surrounding medical research in prisons, particularly concerning prisoners. I concur with their apprehension regarding historical and contemporary practices that subjected vulnerable individuals, including prisoners, to unethical medical experimentation.

The historical narrative, spotlighting Dr. Kurt Heimeyer's experiments in 1964 and other instances outlined in Jessica Mitford's book «Kind and Usual Punishment» in 1973, underscores the imperative need to reaffirm the ethical principles guiding the medical profession. These historical precedents underscore the importance of respecting human rights and integrity, especially within research (2).

Furthermore, the article raises a pertinent question about publishing the results of unethical experiments. This query prompts contemplation on the responsibility of researchers and institutions in deciding whether to disseminate such data. Adhering to stringent ethical standards in medical research is imperative to preserve professional integrity and safeguard human rights (3).

I pose a question to the authors and, perhaps, to other experts: In a context where regulations and ethical practices of medical research in prisons are still evolving, what specific actions or reforms would they recommend to protect prisoners' rights while facilitating necessary medical research?

Finally, the article sheds light on the impunity and silence shrouding numerous unethical medical research practices. Society must persist in addressing these issues, learning from history to prevent the recurrence of such practices.

I extend my gratitude to the authors and “La Tunisie Médicale” for undertaking this vital discussion, and I look forward to the continuation of the discourse on these ethical considerations. We all play a pivotal role in upholding human rights and ethical standards in medical research.

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## AUTHOR'S ANSWER

### Addressing ethical challenges in prison research: Proposals for action and reform

Dear Editor,

We received with great interest the comments from Dr. Partaina (1) regarding our article, previously published in your journal under the title 'Medical experimentation on prisoners: Ethical considerations' (2). First, the mentioned article is part of a series of six interconnected historical notes dedicated to the issue of medical experimentation on prisoners (2-7). We appreciate Partaina's interest, and with this letter, we aim to respond to his inquiry regarding possible preventive actions to ensure the sustainability of medical research while safeguarding the rights of prisoners (1). In reality, the answer to this crucial question is of great complexity because it would be simplistic to suggest referring to pre-existing international treaties (5). However, from the outset, we can allow ourselves to draw a bleak conclusion on this issue because the question itself is still unresolved (6). The final conclusion of our six historical note was that 'The fundamental ethics of medical research are timeless and universal. However, in the specific case of prisoners, these fundamentals are currently in conflict with the realities of the field, where upholding the supremacy of morality appears challenging in the face of numerous considerations, both individual and institutional'. Indeed, on a practical level, there are recurring abuses (3) and failures in the applicability mechanisms of international law, resulting in impunity for those responsible (4). Until November 2023, it is undeniable that there are numerous obstacles compelling states to comply with the requirements of respecting human rights (8). It should be emphasized that adherence to these treaties is voluntary, limiting their applicability to only those countries that have ratified them (8). Additionally, there is a slowness and complexity in the judicial machinery, along with a deliberate lack of international cohesion on several sensitive issues (9, 10). Nevertheless, even in the face of futile or incomplete outcomes, the pivotal role of physicians in denouncing such abuses persists. Heightened awareness and the liberation of discussions surrounding these practices would undoubtedly contribute to enhancing the conditions of medical experimentation in prisons. The subsequent table delineates eight recommended actions and reforms for safeguarding prisoners' rights in the realm of medical research. These recommendations are designed to strike a delicate balance between advancing medical research and safeguarding the rights of prisoners.

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**Table.** Recommended actions and reforms for safeguarding prisoners' rights in the context of essential medical research

N°	Area	Recommendation
1.	<b>Informed consent</b>	
	Clear guidelines	Establish clear and comprehensive guidelines for obtaining informed consent from prisoners. Ensure that the information provided is easily understandable, and consider employing visual aids or educational sessions to enhance comprehension.
	Independent review	Facilitate an independent review of the informed consent process to ensure its validity and voluntariness.
2.	<b>Ethics review board</b>	
	Prison-specific review boards	Consider establishing ethics review boards that specialize in evaluating research involving prisoners. These boards should include members familiar with the unique challenges and ethical considerations of prison research.
	External oversight	Engage external experts to participate in the review process to bring an additional layer of impartiality and expertise.
3.	<b>Community involvement</b>	
	Community representation	Include representatives from the incarcerated population or their advocates on ethics review boards to incorporate the perspectives of those directly affected by the research.
	Community consultation	Prioritize ongoing consultation with the prison community to understand their concerns and gather feedback on research proposals.
4.	<b>Benefit and risk assessment</b>	
	Balanced approach	Evaluate the potential benefits and risks of the research, ensuring that the benefits are significant and that risks are minimized. Consider the direct benefits to the prisoners and society.
	Risk mitigation	Implement measures to mitigate potential harms, both physical and psychological, and regularly assess and adapt these measures based on ongoing evaluations.
5.	<b>Transparency and accountability</b>	
	Public reporting	Promote transparency by requiring researchers to publish their findings, including any unexpected outcomes or adverse effects, in accessible formats.
	Accountability mechanisms	Establish mechanisms to hold researchers accountable for their conduct and ensure adherence to ethical guidelines. This may involve regular audits and reviews.
6.	<b>Education and training</b>	
	Training programs	Develop training programs for researchers, prison staff, and ethics review board members to enhance their understanding of the unique ethical considerations in prison research.
	Communication skills	Emphasize effective communication with the incarcerated population to ensure they are well-informed about the research process and their rights.
7.	<b>Alternative research models</b>	
	Non-Invasive research	Encourage the exploration of non-invasive research methods that minimize the physical and psychological impact on participants.
	Community-based research	Explore community-based participatory research models that involve the incarcerated community in the research process from inception to dissemination.
8.	<b>Legal safeguards</b>	
	Legal protections	Advocate for and ensure legal protections for prisoners participating in research. This includes ensuring that participation is voluntary and that prisoners are free from coercion or undue influence.

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