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Revisiting "Freely Given Informed Consent" in Relation to the Developing World: Role of an Ombudsman

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Abstract

Background: Establishment of Sri Lankan Twin Registry demanded development of ethical guidelines, as an effective ethical framework was not available in Sri Lanka.

Design: Objectives were to find out whether the ombudsman concept exists in current informed consent practices and to investigate opinion about ombudsmen. We searched Pub Med, conducted a postal survey, and monitored Internet discussion.

Results: The responses were categorized into current practices and existing models in informed consent process, reservations expressed about current practices, arguments supporting the concept, concerns and issues, alternatives, and how to implement the proposal. The concept of a third person is not entirely novel. How to find a truly independent person, the financial implication, confidentiality, obligations, and liabilities of ombudsmen, also emerged.

Conclusions: The concept of an ombudsman is conceptually and ethically sound and acceptable but the challenges posed by this very same solution to creating a better process of informed consent will have to be faced.

Keywords:

developing countries

informed consent

ombudsman

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The twenty panelists who commented on the proposal are Dr. Vickram Patel, Senior Lecturer, London School of Hygiene & Tropical Medicine and Sangath Centre Goa, India; Prof. Martin Prince, Head of Section of Epidemiology Institute of Psychiatry, UK; Sophia Mukasa Monico, Coordintator International HIV/AIDS Vaccine Network, ICASO Canada; Nita Mawar, Assistant Director, SBR Unit, National AIDS Research Institute Pune, India; Laura Weil, Director, Patient Representative Department, Beth Israel Medical Center, New York, USA; Okyere Boateng, Assistant Registrar and Ethical Review Board Adminstrator, Noguchi Memorial Institute for Medical Research, University of Ghana; Anthony B. Zwi, Head, Health Policy Unit, London School of Hygiene and Tropical Medicine, UK; Dr. Melanie Abas, Department of Psychiatry and Behavioural Science, Institute of Psychiatry, New Zealand; Prof. S. R. Benatar, Department of Medicine, University College of Transval, South Africa; Dr. Jaakko Kaprio, Co-Director, Finnish Twin Cohort Study, University of Helsinki, Helsinki, Finland, & Secretary-General, International Society for Twin Studies; Doug Wassenaar and Catherine Slack, HIV/AIDS vaccine ethics group, University of Natal, South Africa; Paul R. Billings, Co-Founder and Executive Vice President, Chief Scientific and Medical Officer GeneSage, Inc., USA; Dr. Tracy Rabin, Moderator of the Ethical Issues in International Health Research Discussion List, sponsored by the Harvard School of Public Health; Linda Taylor, Ombudsperson, St.

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