

Raising Awareness of Challenges of Conflict of Interest in the Caribbean

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What is 'Conflict of Interest'?

Conflict of Interest (COI) occurs when, for example:

... a clinician, researcher, public health official, research ethics committee/IRB member, university official, medical author, medical reviewer, journal editor, or a public health institution/organization, civil society organization, or government interacting with the private sector:

... follows a **secondary interest**

E.g. Financial gain, career advancement, outside employment, publication opportunity, personal considerations, personal relationships, personal investments, or gifts

... interfere with a **primary interest**

E.g. Patient welfare, research validity, the publication of research, or an obligation to act in the best interest of another person, group of persons, or an entity.

Apparent Conflict of Interest:

An **‘apparent conflict of interest’** exists when the existence of another interest could result in the person’s objectivity being questioned by others!

This questioning is a real if not foreseeable possibility, especially in situations where transparency and impartiality are desirable.

Consequently, these situations of possible conflicts occurring in the public arena would best be avoided.



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Examples of Interests:

- **Tangible** – that is, quantifiable/ measurable:
 - E.g. Financial: conflicting salaries; speaker's fees; honoraria
- **Intangible** – is not easily measured – such as scholarly, academic, professional or social concerns:
 - E.g. Interest in one's reputation; working on a project that can directly benefit a friend or relative



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Ethical concerns raised by Conflicts of Interest:

- **Potential bias**
- **Perceived deception**
- **Loss of trust**

The 'Anatomy' of a Conflict of Interest – 3 Stages:

- Stage 1 – The Antecedent Acts:
- Stage 2 – The State of Mind:
- Stage 3 – The 'Outcome' behaviour or *Behaviour of Partiality*:



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Conflicts of interest – Across our Caribbean:

Warning by the Contractor General of Jamaica:

Get familiar with policies and legislation that govern contracts and acts of procurement

Ensure the principles of accountability and transparency

Direct and indirect ways for personal relationships to create problems

Must involve disclosure in writing

Recusing oneself if possible conflict of interest might occur

Perception of a conflict of interest as much cause for concern as an ‘actual’ conflict of interest!

Public health and Conflicts of Interest across the Caribbean:

- Obesity and NCDs:
- Scientific studies:
- Medical practitioners:
- Clinical researchers:
- Medical journals:
- Scientists with stewardship functions:
- Expert testimony:



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'Ethics' vs. 'law'

Some of our Caribbean countries do not have legislation regarding **'conflicts of interest'**

Law is 'minimalistic'

Ethics functions within the parameter or perimeter that is set by the law, and has 2 aims

- It tells us what we **'ought'** to do, and
- It provides us with **strong reasons** for doing so (ethical justification or rationale)!



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Why should we avoid COI?

Regardless of its source, the bias that is associated with conflict of interest situations may permanently damage both the public's trust – and well as a person's reputation!

That is why – where possible, conflicts of interest situations should always be avoided!

The 'reasonable person's standard':

If a 'reasonable person' who knew the circumstances – could:

- Legitimately question the degree of fairness in the issue, or
- Imply bias or favouritism



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Managing conflicts of interest:

Three options exist:

- There must be a **public disclosure** of the conflict of interest
- There must a **limitation** of the conflicted person's involvement in the particular decision, or
- There must be an **exclusion** of the conflicted person from the work altogether!

Disclosure of Interests (Transparency)

the disclosure of one's financial interests (e.g. patents, equity holdings, or honorariums),
is considered a '**responsibility**'

Disclosure also provides a social value

Disclosures therefore should include whether the person:

is a stockholder in a company that might benefit from research, or a review or editorial;

is a paid expert witness in litigation;

receives honorariums from companies;

is a patent holder;

is a principal in a company that funds his or her research;

serves as a paid member of a scientific advisory board or board of directors of a company.



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Conflict of Interest Policies:

- Written policies should exist to manage conflicts of interest
- Written policies should be implemented to reduce perceived bias
- Written policies should be made public
- The promotion of transparency will facilitate easier recognition of conflicts of interest



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Summary...



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Summary:

- Written policies and procedures to help identify and eliminate conflicts of interests should exist within all institutions and organizations
- Conflicts of interest must at all times be:
 - Identified
 - Managed
 - Minimized, or eliminated!



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Summary:

Conflict of Interest Management Plan:

- A public disclosure of the conflict of interest
- A modification of the work plan, where pertinent
- Monitoring of the work by independent reviewers
- Divestiture of the interest by the conflicted person, or
- Replacement of the conflicted person, and appointment of a non-conflicted person



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