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## D2.3: Ethical Guidelines & Procedures

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## Executive Summary

This deliverable is an ethical manual describing how all partners have to treat users, their communication and data within the research project. Throughout this manual, requirements and legislations have been identified to prevent interaction that is flawed or deficient regarding ethical or legal matters. Since LAW-TRAIN is a multinational project, such clear guidelines are provided to minimize errors, avoid critical situations, and improve the overall communication among partners.

This deliverable discusses ethical and legal aspects concerning:

- Communication among LAW-TRAIN partners,
- General working procedures of users, including confidentiality requirements
- Ethical conduct of implementation of the platform
- Treatment of user data within the project.

Special emphasis is placed on the management of ethical issues – those related to ethical and legal compliance in interviewing, namely requirements for questioning of the suspect, as well as for the design of the virtual interrogation room are detailed. The ethics related to the trainee are also elaborated.

This manual's guidelines and the Golden Rules to Ethical Research Conduct should serve the partners throughout the execution of LAW-TRAIN.

# 1 Introduction

This document is a practical tool that provides guidance concerning ethical issues for all partners of the LAW-TRAIN project. The deliverable focuses on offering strategies and guidelines on how to deal with communication among partners, end-users and participants of workshops, interviews and experiments on the one hand, and on risk management regarding the three groups, on the other hand. These guidelines, for treating the above mentioned issues were developed so that risky and ethically difficult situations are handled adequately.

The LAW-TRAIN project will follow and fulfil all national legal and ethical requirements of the Member and Associated States in which research is performed and developed. Also, recommendations and regulations regarding ethics in science and new technologies from the European group and the European commission will be met. The consortium and its members have also agreed to observe any national and international regulations that concern the research in LAW-TRAIN.

The project aims to establish a training system simulation, which offers the opportunity to train joint-investigations within a virtual environment and with virtual characters. Yet, these characters, environment and the training system simulations need proper study and clarification before being developed, and this will be done in the eight work packages of the project:

1. Project Management (WP1)
2. User Requirements and Specifications/Structures and API (WP2)
3. Methodology for joint investigative interrogations and its implementation (WP3)
4. Design and Implementation of Collaborative International Virtual Interrogation Game (WP4)
5. Design and implementation of Virtual Suspects (WP5)
6. Development of training tools (WP6)
7. Integration, Testing and Evaluation (WP7)
8. Dissemination and Exploitation (WP8)

All partners are involved (to a certain degree) in each of the work packages. The end-users are consulted in WP2, WP3, WP4, WP5, WP6 and WP7 for insights and feedback.

The goal of this project is to train police force members from different countries with the same system over the same platform in order to increase the performance in joint-investigations. Since the project focuses on suspect interrogation and prosecution, vulnerable insights will be gained throughout the project. Hence, all partners need to pay particular attention to the maintenance of security, privacy and confidentiality of data regarding all participants.

LAW-TRAIN will deal with data that must be considered through the following ethical principles:

- The autonomy of research subjects
- The avoidance of individual or social harm
- The protection of privacy and security of data
- The quality of research throughout the project.

In the following parts of this document, the partners, as well as end-users will be able to train on applying ethical standards when working on topics that are potentially risky.

## 1.1 Aim of this Manual

The aim of this manual is to function as a practical tool to provide guidance for the LAW-TRAIN project regarding ethical standards. It provides guidelines to all partners on how to react and behave on certain issues which present ethical difficulties.

Discussed topics in this manual are:

- Legal issues:
  - For all partners
- Users: How to handle
  - Consent documents
  - Data protection
  - Freedom of information
  - User complaints
  - Participation in interviews and workshops
  - Adhering to European legal and ethical guidelines of interviewing suspects
- Data
- Risk management
- Ethical management and supervision.

The guidelines in this manual focus on providing answers to the tasks and the work packages by discussing the main potential ethical issues that might occur during LAW-TRAIN and retroactively.

This ethical manual is a tool kit which is to be used for the:

- Partner to partner communication
- Partner to end-user communication
- In preparation of this deliverable, we researched similar projects regarding ethical standards and manuals from the European Commission. We used ethical manuals of the following projects: the UTRUSIT (Fuglerud, Solheim, Ellensohn, Pürzel, & Schulz, 2011), the Hermes (González, et al., 2009) and the Maseltov (Cibea, Hollomey, Jones, Bobeth, & Paletta, 2012) as a basis for this deliverable.

## 1.2 Scope of this Deliverable

This deliverable is part of WP2 – User Requirements and Specifications/Structure and API. While the WP2 will come to its end in May 2016, this manual (D.2.3) will still be valid. In total this deliverable will be valid and actively in use until the end of the LAW-TRAIN project in May 2018. The deadline for creating and developing this deliverable with guidelines for ethical issues is the end of July 2015.

The task of this manual is to provide ethical guidelines for partners during the progress of the project. This manual is not to be used to develop or evaluate the final products of LAW-TRAIN. It is simply a reference tool which should be used when critical situations in the progress of the project turn up or have turned up, support partners at preventing these critical situations due to ethical standards.

This ethical toolkit has several main functions:

- Support partners at question with ethical concern as a source of reference
- Create and raise the required “ethical awareness” among the consortium members
- Establish guidelines on how to properly monitor and handle emerging ethical issues

The deliverable **D2.3** is organized as follows:

Section 1 introduces the project, the aim of this manual as well as the scope of this deliverable. Further it introduces the partners and the institutions which function as end-users in this project.

Section 2 approaches legal issues by starting with a set of regulations and laws that all partners have to follow to participate in LAW-TRAIN. Following are legislations by the countries of the partners. The manual states here laws and regulations which have not been mentioned in the legal issues that concern all partners. Since the legislation for universities is somewhat different from those of companies, these are also mentioned. The conclusion of Section 2 includes the understanding reached on the legislation that each partner of LAW-TRAIN has to follow.

Section 3 states the ethical issues. This section presents the ethical standards for the project, in introduction in risk assessment, ethical documents and the proper storage and usage of confidential data.

Section 4 focusses on the management of ethical issues and on the management of risk assessment in areas which possess over the biggest potential for incidents. The last section is the conclusion on the ethical manual.

Note that this document is partially duplicated in D9.1, the ethical deliverable requested during the project.



### 1.3 Project Partners

As mentioned in previous chapters, LAW-TRAIN is a multinational project which is funded and supported by the European Commission. In total 10 partners will work on the project in a timeframe of three years in order to provide the LAW-TRAIN-platform. Four of these ten partners are considered end-user-partners that will be involved as research and testing subjects, while the other six partners are focused on conducting the research, development and establishment of LAW-TRAIN.

The project is carried out by the following partners:

List of Partners		Country	Role
<b>BIU</b>	Bar-Ilan University	Israel	Developer
<b>KU</b>	Katholieke Universiteit Leuven	Belgium	Developer
<b>INESC ID</b>	Instituto de Engenharia de Sistemas e Computadores, Investigação e Desenvolvimento em Lisboa	Portugal	Developer
<b>IDENER</b>	Optimización orientada a la sostenibilidad S.L.	Spain	Developer
<b>USECON</b>	USECON: the Usability Consultants	Austria	Developer
<b>COMPEDIA</b>	Compedia	Israel	Developer
<b>MINTERIOR</b>	Guardia Civil	Spain	End-User
<b>MINPUBSEC</b>	Ministry of Public Security / Israel National Police	Israel	End-User
<b>SPFJ</b>	Le Service Public Federal Justice	Belgium	End-User
<b>MJ-PJ</b>	Ministério da Justiça - Polícia Judiciária	Portugal	End-User

## 2 Legal Issues

The LAW-TRAIN project focuses on legal aspects in D2.3 and D3.1. While D3.1 will focus on the legislation for interrogation and distribution of data within a case, D2.3 focuses on the legislation the partners have to follow while interacting with other partners and with participants in order to keep personal data private and secure. Hence, the section on legislation in D2.3 will only outline the legislation while the D3.1 will go into detail.

### 2.1 For all Partners Contributing to LAW-TRAIN

Provided below is an overview of guidelines and regulations which are relevant for ethical and privacy matters of the LAW-TRAIN-project.

Data protection on personal data (EEAS, 2015)

- EU Charter on Fundamental Rights  
The entire charter contains civil, political, economic and social rights of European citizens and all persons resident in the EU. Especially the articles 3, 7, 8, 13 are of relevance, since these articles focus on how to handle personal data.
- EU Regulation 45/2001  
This regulation focuses on the protection of individuals/personal data by the community institutions and bodies in regards to processing and free movement of such data.
- EU Directive 95/46/EC  
This directive of the European Parliament and Council concerns the protection, processing and movement of personal data.

### 2.2 For the Individual Participating Countries

The legislation set by the European-Commission tends to collide with laws and regulation from individual countries inside or outside the EU. Therefore each partner stated the differences of their countries, if they exist and to which laws they will stick.

#### 2.2.1 Austria

USECON, the Austrian partner, is responsible for researching and developing user requirements as well as for the exploitation and dissemination of LAW-TRAIN. Since USECON is not questioning Austrian citizens but those from partner countries, the company and its employees will act according to the data protection laws of the EU and the laws all partners of the project agreed on (

#### 2.2.2 Belgium

In Belgium, the Privacy Law of 8 December 1992 for the protection of private life and personal data wants to protect citizens against abuse of personal data. Together with this Privacy Law, an independent control organ was created: the Privacy Committee. This Committee sees to it that personal data is carefully used and secured in order to guarantee the privacy of citizens.

For scientific research, the Privacy Law states that personal data can only be used when the goals of the research are clearly predefined. Only the data necessary to achieve these goals can be processed. Specifically for scientific research, the rules concerning the storage of data are more lenient. Normally, data cannot be kept longer than needed to achieve the goals. However, for scientific purposes, personal data can be kept longer on the condition that they are only used for scientific purposes (e.g., for scientific publication). The analysis afterwards of personal data for historical, scientific and statistical research goals is always deemed compatible to the original goals, under the condition that the researcher follows the specific rules from chapter 2 of the K.B. of 13 February 2001.

When personal data is received via a secondary source (e.g. from the Federal Prosecutor's office to the KU Leuven), there are usually two requirements. The first requirement is that permission needs to be granted by the people from whom personal data is received (art. 19 of the K.B. of 13 February 2001; art. 9 Privacy Law). However, some exceptions are granted to this requirement. Article 9 of the Privacy Law states that the person responsible for the processing of the personal data is exempt from this obligation when, especially when intended for scientific research, informing the people involved would take a disproportionate amount of effort. Furthermore, article 20 of the K.B. of 13 February 2001 states that when the processing of personal data is limited to data that have been made public by the person involved or when the person involved or the facts in which he is involved have a public character (e.g. closed criminal cases), the Privacy Committee can decide that no permission from the original people involved is needed.

A second requirement is that the personal data should be anonymized or coded by the source (e.g. Federal Prosecutor) prior to the processing of information by the recipient (e.g. KU Leuven) (art. 3 and 4 of the K.B. 13 February 2001). However, when the loss of information caused by anonymization or coding of the personal data by the source is too great to achieve the scientific goals set out by the recipient, non-coded personal data can be processed, when this is requested to the Privacy Committee (art. 5 K.B. 13 February 2001).

The following elements need to be comprised in the request to the Privacy Committee: (a) a precise description of the scientific goals of the processing, (b) the reasons that make the processing of non-coded data necessary, (c) the reasons why no permission can be asked to the people involved or why it takes a disproportionate amount of effort, (d) the categories of persons about whom non-coded personal data are being processed, (e) the persons or categories of persons that can consult these non-coded personal data, and (f) the source of the data (art. 20 and 21 of the K.B. 13 February 2001).

When reporting on the results of the scientific research and analysis, the results cannot be presented in a way that makes identification of the persons involved possible, unless: (a) they have given their permission, or (b) when the publication of non-coded personal data is limited to data that have been made public by the person involved, or when the person involved or the facts in which he is involved have a public character (art. 23 of the K.B. 13 February 2001).

Of specific importance to the Belgian partners in the consortium (i.e., the Federal Prosecutor's Office and the KU Leuven) is article 8 in the Privacy Law. This article states that the processing of personal data concerning suspicions, prosecutions or convictions is forbidden, except when, among others, the data is needed for scientific research and only after advice of the Privacy Committee.

Furthermore, related to the exchange of information and data between the two Belgian partners, is the Circular 5/2013 of the College of Prosecutors-General with the Courts of Appeal (Brussel, 13 March 2013). This Circular states that the Federal Prosecutor has the authority to grant access to a specific criminal investigation file (B2.g of the COL 5/2013), not only to the different parties involved, but also to others, for example for the use in scientific research and publications (Art. 21bis Sv; COL 5/2013). The information can come from closed cases, but also from cases that are still under investigation (COL 5/2013), although the latter is advised to be an exception rather than the rule. To

be granted access to criminal investigation files, the researcher must send a request to the Prosecutor-General (e.g. the Federal Prosecutor) (Art. 1380 Legal Code).

### 2.2.3 Israel

The Israeli legislation on protection of privacy is based on the following laws:

1992 - Basic law: Human Dignity and Liberty, Paragraph 7

The Protection of Privacy Act of 1981

- Chapter A – Privacy Torts and offenses
- Chapter B – Regulation of “databases” – collection and processing of PII - Reducing risks of misuse of collection and processing of PII.

These are available in English translation (Ministry of Justice, 2015)

The Data Protection regime of the Israeli law was termed “adequate” according to the EU parliament (January 2011).

### 2.2.4 Portugal

Portuguese legislation that might be of concern for the project: Portugal adopted the European legislation concerning the protection of Personal Data;

- A – Data Protection Act (Comissão Nacional de Protecção de Dados)  
Act 67/98 of 26 October  
Act on the Protection of Personal Data (transposing into the Portuguese legal system Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data).

The CNPD (Comissão Nacional de Protecção de Dados, 2015) proposes the following:

*The CNPD – Comissão Nacional de Protecção de Dados – is the Portuguese Data Protection Authority. The CNPD is an independent body, with powers of authority throughout national territory. It is endowed with the power to supervise and monitor compliance with the laws and regulations in the area of personal data protection, with strict respect for human rights and the fundamental freedoms and guarantees enshrined in the Constitution and the law.*

The use of computerized data is also referred to in the Portuguese Fundamental Law.

Constitution of the Portuguese Republic

Article 35 (*Use of computerized data*)

### 2.2.5 Spain

Spanish legislation that are of concern for the project:

- Spanish Constitution. Article 18.3: Secrecy of communications, particularly regarding postal, telegraphic, and telephone communication, is guaranteed, except for infractions by judicial order.

- Spanish Constitution. Article 18.4: The law shall limit the use of information, to guarantee personal and family honour, the privacy of citizens, and the full exercise of their rights.
- General Law of telecommunications: Law 11/1998. Including among others, dispositions regarding personal data and ciphering, aimed to technically guarantee the fundamental rights of citizens covered by the Constitution and several EC directives.
- Organic Law on Protection of Personal Data. Law 15/1999. Regulates the recovery, treatment and use of personal data.

## 2.3 For Universities

Universities often are subject to a different legislation than companies, since universities' objectives vary. Consequently the legislations these institutions have to follow might differ from legislations concerning companies. When such differences exist they will be taken into account and clearly stated in the ethical conduct of the researchers.

## 2.4 Understanding about the Different Legislations due to the Partners within LAW-TRAIN

Due the multi-national nature of the consortium, certain laws and regulations of the participating countries and the European Commission might be conflicting. Therefore, the consortium realizes the necessity to abide by the following understanding regarding the different national legislations.

This understanding is based on the legislations cited in this ethical manual, and it implies that all participants act according to the guidelines of this D2.3 deliverable with the objective that every partner respect the laws and regulations of other participating partners' countries while protecting personal data of the research participants. Hence, partners might need to adapt their interviews, workshops, experiments, tests according to the partners that they are collaborating with in specific tasks.

This understanding is fundamental for the conduct of LAW-TRAIN.

### 3 Ethical Issues

The LAW-TRAIN project is not yet considered a confidential project, yet some of its deliverables are confidential and the project's security level may change over time. Thus, activities in this project require to invite participants for tests, interviews, experiments, workshops – in short, for participating in the research and development. This integration of human participants in the project – possible end-users – makes LAW-TRAIN complex, legally and socially. Hence, ethical standards are established in this deliverable (D2.3), to provide the partners of the project with guidelines on how to handle personal data and treat participants properly. The following chapters explain the overall ethical strategic, ethical standards that need to be met and measurements that need to be taken in order to meet the agreement, set throughout 2 Legal Issues.

#### 3.1 Ethics for Researchers Facilitating Research Excellence in FP7

- A document of the European Commission, provides guidelines on how to develop an ethical manual, as well as legislation for ethical principles. The topics of the 7<sup>th</sup> Framework Program provide general ethical principles for LAW-TRAIN as well as ethical issues to seek during the project. The ethical principles listed therein (European Commission, 2013, p. 6) are: All research activities shall be carried out in compliance with fundamental ethical principles
- The following fields of research should not be financed under the FP7:
  - Research activities which have the reproductive purpose of cloning humans
  - Research activities which aim to modify the genetic heritage of human beings (and could make such changes heritable)
  - Any research on stem cells (adult and embryonic) are allowed to be financed, no matter if it is of scientific purpose or for the legal framework of the Member state(s) involved

#### 3.2 Ethical Strategy

As mentioned previously, LAW-TRAIN is a three year lasting project with several work packages and tasks. This manual is the first deliverable to be created, revised and handed in, of the WP2-series, so all upcoming deliverables and work packages can draw from its expertise.

Every deliverable will be reviewed by different partners, which also possess expertise knowledge in the deliverables area in order to assure the content fidelity, while Dr. Galit Nahari from the BIU serves as supervisor on ethics. Dr. Nahari has been serving on the Ethical Committee in the Department of Criminology at the Bar-Ilan University, and therefore fits best supervising the adherence to the ethical standards.

The Ethical Director, Dr. Nahari will review all deliverables and will help resolve any ethical issues, consulting with the External Ethics Advisor when deemed necessary.

The external ethical advisor that has been nominated is Dr. Claire Nee, from the Department of Psychology and the Director of the International Centre for Research in Forensic Psychology of the University of Portsmouth, UK.

An ethical section will be added to all relevant deliverables ensuring that the ethical scrutiny has taken place.

### 3.3 Ethical and legal compliance in interviewing

It is essential that the project is fully compliant with the ethical and legal framework for the interviewing of suspects by authorities.

The elements of the interrogation process and its legal and ethical boundaries are detailed in D3.2-Best practices in interrogation, particularly in chapter 2-Best practices for interviewing. Also, Chapter 3 in D3.3 discusses innocence and false confessions, topics which are very relevant to ethical conduct of the interviewing.

In LAW-TRAIN we chose to apply procedures and interrogation methods that meet the higher European standards. First, for international cooperation in criminal investigation, we chose to apply the Joint Investigation Team (JIT). A JIT is a team of representatives of law enforcement and judicial authorities from several Member States, and sometimes from other organisations such as Europol and Eurojust, who investigate cases of transnational crime (Block, 2008). A measure that was taken in order to stimulate the use of Joint Investigation Teams, was the EU Council Recommendation on a Model Agreement for setting up a JIT<sup>1</sup> in 2003 (Kapplinghaus, n.d.). In 2005, the Council again explicitly encouraged the use of JITs and urged each Member State to designate a national expert, which led to the designation of national expert contact points (Kapplinghaus, n.d.). The use of a JIT is elaborated in D3.1.

Second, regarding the interrogation session, in most continental countries in Western Europe (including the UK since the PACE act<sup>2</sup>), the pre-trial investigation has an inquisitorial quality where the public prosecutor, and by extension the police, looks for both incriminating and exculpatory evidence. In such a system, the goal of the interrogation is to gather as much truthful information as possible. Information-gathering methods are more commonly used and trained in Western Europe, New Zealand and Australia (Meissner et al., 2014). In countries where the pre-trial investigation is embedded in an adversarial system, the prosecution service may restrict itself to gathering only incriminating evidence. Adversarial methods are often used and trained in the United States, Canada, and a substantial number of Asian nations (e.g., China). The suspect then has to organize his<sup>3</sup> own defence. In these countries, the interrogation may be confession-oriented (Baldwin, 1993; Norfolk & Stark, 2011; Ponsaers, Mulkers, & Stoop, 2001; Vanderhallen, 2007). Characteristic of the information-gathering method, compared to the adversarial method, is (a) the explicit attention to the establishment of rapport between the interrogator and the suspect<sup>4</sup> and less focus on establishing control; (b) the greater use of open-ended, explanatory questions compared to closed-ended, confirmatory questions; (c) the focus on eliciting information rather than on obtaining a confession; (d) the direct and positive style of confrontation rather than using psychological manipulation; and (e) the focus on cognitive cues for deception rather than a focus on anxiety cues. In LAW-TRAIN we will apply the information-gathering method, in order to reduce the likelihood of false confessions and wrong convictions. This point is elaborated in D3.2

Third, regarding the suspect rights, the 2012/13/EU Directive<sup>5</sup> on the right of information is mandatory for all EU member states when a person is suspected or accused of a criminal act. Knowing the suspect's rights by heart and explaining them clearly to the suspect is a key, and we will carefully

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<sup>1</sup> O.J. C 121 of 23.5.2003.

<sup>2</sup> Home office, *Police and Criminal Evidence Act 1984 (PACE) codes of practice*, 1984, <https://www.gov.uk/police-and-criminal-evidence-act-1984-pace-codes-of-practice>.

<sup>3</sup> Here and elsewhere in the text, "him", "he", etc. refers to both men and women.

<sup>4</sup> Here and elsewhere in the text, the term "suspect" will be used as an umbrella term for any person who is suspected of a (mock) crime.

<sup>5</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:142:0001:0010:en:PDF>



keep this key in LAW-TRAIN. Specifically, according to Article 3 of this Directive (p.5), the suspect should be informed about at least five rights: the right of access to a lawyer, the entitlement to free legal advice and the conditions for obtaining such advice, the right to be informed of the accusation, the right to interpretation and translation, and the right to remain silent. This information “shall be given orally or in writing, in simple and accessible language, taking into account any particular needs of vulnerable suspects or vulnerable accused persons” (Art. 3, par. 2). This point is elaborated in D3.2

### **3.4 Ethical standards & Guidelines in Socio-Economic Research**

The upcoming principles/ responsibilities were formed within the RESPECT-project (Dench, Iphofen, & Huws, 2004). This project was funded by the European Commission and focused on uncovering principles for ethical research, intellectual property, confidentiality, professional qualifications, professional standards and for user research. These are widely accepted ethical standards for conducting user research and therefore used as the basis of LAW-TRAIN’s ethical guidelines.

#### **3.4.1 Responsibilities to Society (Dench, Iphofen, & Huws, 2004, p. 17)**

The principles, which focus on the society, include respect for differences within society, as well as to treat different groups appropriately and without discrimination. Researchers have the following responsibilities when it comes to investigating society:

- To minimize social harm, yet to benefit society
- To balance their professional integrity while still considering and respecting national and international law
- To conduct research with respect for gender difference
- To conduct research with respect for under-represented social groups and ensuring their inclusion
- To address concerns by relevant stakeholders and user groups

#### **3.4.2 Responsibilities to Scientific Standards (Dench, Iphofen, & Huws, 2004, p. 28)**

These standards refer to ethical considerations researchers should make when considering their profession as well as themselves as professionals. Researchers need to ensure that:

- An appropriate research method was selected, based on professional expertise
- A team possesses the necessary professional expertise and support
- All unwarranted material gain, or loss of a participant, is dismissed from the research process
- Factual accuracy and fidelity is given at all times
- The reporting and dissemination is carried out properly and adequately
- Results, conclusions and methodology are accessible and discussable
- All previous researches, as well as other sources of knowledge are fully acknowledge in all outputs.

#### **3.4.3 Responsibilities to Research Participants (Dench, Iphofen, & Huws, 2004, p. 56)**

These responsibilities refer to participants and to avoidance of dilemmas of ethical nature. Therefore researchers need to ensure that:



- All participators are involved voluntarily
- Informed positions are responsible for deciding on participation in the research study
- Confidentiality and anonymity is ensured
- Participants are protected from all sorts of harm and discomfort (physical or mental)

### 3.5 Golden Rules to Ethical Research Conduct

The 7<sup>th</sup> Framework Program also provides a list of twelve golden rules for ethical research conduct (European Commission, 2013), which project with human or animal participation should follow in order to stay ethical. Not all rules do apply to the LAW-TRAIN project, and therefore only relevant golden rules were considered in this D2.3.

#### **Golden rules the research of LAW-TRAIN has to ensure (European Commission, 2013, p. 24)**

1. To respect the integrity and dignity of persons
2. To follow the “Do no harm” principle. In order to do so, all possible risks must be clearly communicated to the involved subjects.
3. To recognize the rights of individuals for personal privacy, personal data protection and freedom of movement
4. That the informed consents and the continuous dialogue with the involved research subjects are honoured
5. To respect the principle of proportionality – do not impose more than necessary on your subjects, as well as not going beyond stated objectives
6. To take social concerns seriously – a researcher has to listen and engage in constructive dialogues with the public with transparency, honesty and integrity
7. To prevent being openly available for misuse or malignant dual use by terrorists or military organizations
8. To consider the concerns your research raises and build understanding that all benefits of this research are for the good of society (by accepting that eventually certain research practices have to be abandoned)

### 3.6 User Involvement and Collection of Information

LAW-TRAIN is a project with reference to social and human sciences research. Hence, humans will be involved throughout the project as information-deliverers in form of participators for interviews, questionnaires, workshops, experiments and tests. Participation will be on a voluntary basis in order to avoid ethical reprehensible situations between the management of an institution and their staff (officer) when it comes to rejecting invitations for LAW-TRAIN. The consortium will only let people participate who do so voluntarily and after a full briefing. No interview, questionnaire, workshop, experiment or testing will start until the participator has not fully understood the project and the consequences in participating. Also, researchers need to make the participators aware that if they don't want to participate (from the beginning or during the session), they can stop their participation immediately. In such case, the researcher has to restate that none of the collected data from this participator will be used for LAW-TRAIN. The data of this participant will be deleted and will not remain on the records, in order to not distort the overall data.

### 3.6.1 Risk Assessment

LAW-TRAIN offers a variety of ethical risks. Due to the given context of training officers to fight crime, on one hand, and on the other hand due to the involvement of participants. The consortium is constantly striving to minimize the risks and enhance the potential benefits, by balancing the risks with the potential benefits of an individual and the knowledge gained for society. We see it as our ethical obligation, and still everyone perceives a risk differently. Therefore the consortium provides the participants with all relevant information on the project beforehand so the participants themselves can weigh the risks of getting involved. Yet, the conductors of the interviews, questionnaires, experiments and testing must make the prospective participating individuals aware such risks. Hence, potential participants will be provided with an informed consent form, and if necessary, an information letter.

#### Categories of Risks:

- Evaluation of any equipment, used in a session with a participator, for personal safety and inconvenience
- Minimizing social inconveniences
- Informing participants adequately about:
  - LAW-TRAIN
  - Data-recording
  - Data-processing
  - Data-anonymization
- Apply European data protection law for “Personal data”
- Minimize security issues in IT infrastructure
- Minimize unforeseen psychological consequences through debriefing sessions after each experiment, interview, testing, workshop
- Supervise participants to minimize unexpected incidents

### 3.6.2 Insurance

An insurance is needed to cover participants during interviews, workshops, experiments and testing. If such an insurance can't be granted, then the consortium should consider an indemnity.

### 3.6.3 Confidentiality

Participants have the right to not reveal personal data and identities about them. They need to be informed about what happens to their data and to which extend it is used and stored, as well as to who has access to their data. Privacy aspects have to be made clear already in the informed consent form. Still conductors and researchers have to be precautionous to keep up the ethical standard set by the national, European law and the laws of the European Commission.

### 3.6.4 Anonymity

The aim of the consortium is to maintain the user privacy and therefore also his or her anonymity. LAW-TRAIN will stick to the European data protection law which demand to adopt anonymization techniques to protect personal data of test users without comprising the dissemination and exploitation of project results.

### **3.6.5 Accuracy**

Participants have to be regularly (and at request) informed about their performance. Therefore transcripts or minutes should be distributed not only to the partners of LAW-TRAIN, but also to the participants themselves to provide them with the opportunity to examine the accuracy of the gained insights.

### **3.6.6 Transparency**

Participants have the right to be informed about who has access to their data and how it is being processed. As mentioned in 3.6.5 Accuracy, people will be informed through transcripts or minutes about the processed data. In addition, recruits will receive more information about their personal data on request.

### **3.6.7 Recruiting**

Different law-institutions from Belgium, Israel, Spain and Portugal participate in the LAW-TRAIN project as potential end-users. These institutions will be responsible for providing recruits for research and testing. The consortium has to make the end-user institutions aware that only people who have chosen to participate voluntarily can participate. Furthermore, the institution will be informed on the language skill level these participants will need to have, to avoid setting up another research session or deleting the gained information (because the contributor's data lacked more than 30% of information).

### **3.6.8 Incentives**

Since the participants belong to end-user-partners of LAW-TRAIN, the consortium agreed to recruit them in their regular work time. Incentives will only be given if:

- People from non-end-user-partners participate (amount is to be considered by the researching partner)
- People that only can participate outside of their worktime (amount is to be considered by the researching partner).

## **3.7 Ethical Documents**

The research concerns social and human sciences. Therefore information about the project and the rights of the potential participants has to be available for contributors in a comprehensive and easily accessible way while addressing ethical standards.

### **3.7.1 Informed Consent**

The informed consent is a process in which the participant will receive all information needed to fully comprehend the extent of the research that they will be involved in. Accordingly, the informed consent has to imply the legal rights that every participant has. These legal issues concern the participants' rights:

- For self-determination:
- To be free from interference, physically or psychologically
- To protect the individual's personal data

In either case it is up to the participant of what shall happen or what shall not happen to them. The individual needs to be treated with respect and honesty to ensure satisfying ethical standards for informed consents, for all parties involved. Additional to satisfaction, respect and ethical standards also general requirements, not relating to the previous topics, exist and need to be taken into consideration when formulating an informed consent.

### **General Requirements:**

- Information has to be presented in precise and adequate form which is easily comprehensible and accessible
- Only people who have the capability of grasping the scope of the project and consequences of participating, are allowed to become part of the project.
- Only people who are capable of assessing their situation are allowed to participate in LAW-TRAIN
- Only people who choose to participate out of their own free will and based on the given information, including the information's values, are allowed to participate.

### **Language**

As mentioned in previous chapters, LAW-TRAIN is a multi-national as well as multi-cultural project. The project language is English. The informed consents can be presented in two languages (national-language of participant and English), all interviews, questionnaires, experiments and tests will be held in English. However, the option of participants expressing themselves in their native language in interviews and questionnaires should be allowed, but the experimenter will have to provide a translator. This way the consortium can guarantee the credibility and fidelity of the data.

It might occur that some interviews, questionnaires, experiments or testing lack important information due to a language barrier (language skill level didn't meet the needed level for participating in the project). In such cases the experimenters have the option of gathering information on the lacks by questioning the participator again. Yet, if the lack of information is bigger than 30% of the entire session, the data should not be used, since the risk of falsifying the overall data is high. The conductor has to delete all data on the participator and inform the consortium about the loss of a participator.

### **Guidelines for Informed Consent Process**

An informed consent is a process in which an institute/agency/conductor slowly educates the potential participator on the scope of the project and what is asked of the individual. The researchers take the individuals on a journey and test if the potential contributors are truly here voluntarily and have the needed language skill and comprehension level for contributing.

The guidelines revolve around four main facts (Fuglerud, Solheim, Ellensohn, Pürzel, & Schulz, 2011, p. 15):

- Educate the prospective participant
- Give information in an appropriate form
- Underscore that the participation is voluntary
- Include only people able to give a valid informed consent
- Keep the information safe and in accordance with the informed consent

- Documentation of consent form and received compensation

### **Checklist for Informed Consent Process**

LAW-TRAIN is a three-year project with 8 work packages and numerous deliverables. Every WP has its needs and therefore requires a large set of methods to gain insights and test those. It is not possible for the consortium to hand out one informed consent that fits for all interviews, workshops, tests and experiments. Therefore the ethical manual provides a checklist for all partners on needed elements in an informed consent to reach the ethical standards that have been set.

- Title of the study
- Who is funding the study
- Name of individual performing the interview/workshop/experiment/testing
- Methodology of the study
- Study description
  - Purpose of study
  - Duration of the interview/workshop/experiment/test
- Ask if people are capable of understanding the topic and procedure
- Ask if the potential contributors are here voluntarily
- Ask if they understand the terms of data protection
- Ask them if they understand that by signing this informed consent they allow us to use their data for dissemination and exploitation (Sales, Marketing & PR)
- Ask them if they understand that their overall data will be treated anonymously.
- Ask them whether they understand that they can leave the study at any time without giving a reason, and this will not be considered against them in any way
- Finally ask them if they understood all of the above and that you gave them enough time to make a decision without pressuring them.
- Ask if they agree to take part in the above study
- Signature of participant
- Date
- Print name version of participant
- Mention names & contact details of officials the participants can turn too after taking part in the study in case they have questions

Examples of the informed consents forms that are used by KU, BIU and USECON are provided in ANNEX I (p. 37).

### **3.7.2 Information Letter**

In various cases an information letter has to be distributed first, for people to grasp the scope of the project before people even consider becoming participants. This information letter is a more detailed study description which should be of informative nature (González, et al., 2009, p. 14). Though LAW-TRAIN does not subject an immensely strict confidentiality, the information letter should not contain too detailed information.

### **Language**

The same rules should be applied for the language of the information letter as for the informed consent (see 3.7.1 Informed Consent).

### **Guidelines for Information Letter**

An information letter is handed to people in order to inform them about the project they are willing to get involved in. It is handed out prior to an informed consent. Already at this stage of “participating” people have to be made aware of data-protection to maintain the level of ethical standards the consortium established for the informed consent.

To develop an adequate information letter, the following guidelines have to be taken into consideration:

- Educate the prospective participant extensively about
  - LAW-TRAIN
  - What they are participating for (interview/workshop/experiment/test)?
  - What is expected of them?
  - Possible benefits
- Give information in an appropriate form

### **Checklist for Information Letter**

An information letter is not always needed, but if so, the creator has to make sure to reveal all relevant and adequate facts to the potential contributor in a comprehensive way. This letter is not so much about understanding, but just to inform. The experimenters have to make sure to answer questions when they arise.

- Title of the study
- Who is funding the study
- Extended study description
- Aims of the project
- What is the target group?
- What are they participating for?
- What is expected of the target group in the sense of confidentiality about the project, fidelity of answers, voluntary participation?
- The benefits for the participants (if such exists)
- Depending on the degree of confidentiality of the interview/workshop/experience/test, state the degree and the consequence of reading this information letter, including:
  - Signature of participant
  - Date
  - Print name version of participant
- Mention names & contact details of officials the participants can turn too after taking part in the study in case they have questions

### **3.7.3 Approval for Audio and/or Video-Recording**

Given the complexity and amount of involved parties in the LAW-TRAIN project, it is occasionally not possible for researchers to simply record only the data project participants provide in interviews, workshops, experiments and testing by seeing and hearing and still grant the data’s accuracy. In such

cases it is best to record (audio or video) the sessions with the participants, to review their answers and impressions on certain matters. However, participants have to be asked permission before the interview, workshop, experiment or testing takes place. The participant has the right to withdraw from the research method at any moment. Again, when a withdrawal takes place, the recorded data will not be used in the research. The partners of LAW-TRAIN (if needed) can either include the approval for audio and/or video-recording in the informed consent or in a separate letter. For an example see Section 7.1 Informed Consents .

### **3.7.4 Ethics Committee Approval**

#### **Katholieke Universiteit Leuven**

The KU Leuven has two ethical committees that are relevant for this project: the ‘Social and Societal Ethics Committee’, which is the ethical committee responsible for all projects that are conducted in the social sciences, and the ‘Committee for Ethics’ on “Dual Use of Research”, which is the committee that assesses the dangers that research involving or generating materials, methods or knowledge could be used for unethical purposes.

The Social and Societal Ethics Committee evaluates research on human subjects. It includes a multidisciplinary panel of experts for ethical review of research in the humanities and the behavioural or social science research traditions. KU Leuven applied for an ethical advice with this committee for the interviews that KU Leuven is planning to do with the end-users of the consortium and, if needed, relevant other actors that operate within the field of joint investigative interrogation, or that have expert knowledge on the procedure of videoconferencing. For this application we provided, among others, information on the research techniques that will be used (i.e., interviews), the compensation that will be given to the participants (i.e., invitation to the final conference), the informed consent procedure (see letter below) and the issue of debriefing and feedback. On February 25, 2015, we received a favorable decision from the committee (file number: G-2015 02 183).

KU Leuven also applied for advice from the Committee for Ethics on “Dual Use of Research”. For this application we provided a detailed description of the project and of our tasks within the project. They scrutinized the project and gave a positive advice on February 13, 2015, which means that they do not have any objection to accept funding from the European Commission for this project.

KU Leuven also has a data protection officer who confirmed on February 11, 2015, that the project is in compliance with all European and Belgian legislation and the internal regulations of the KU Leuven concerning the protection of data.

## **Bar-Ilan University**

BIU has obtained the required two IRB approvals from the Ethics Committee of the Department of Criminology, chaired by Prof. Joseph Glicksohn. One approves the experiments that will be conducted and the other is for the collection of anonymized data. These IRB approvals cover the scope of the activity in LAW-TRAIN.

The University's Computer and Information Security Officer, Mr. Naparstek has declared that no personal data will be stored in the project in the computer system and that any personal data in the LAW-TRAIN project will be kept in a locked cabinet in a locked room. As for the computers used for this project they will be protected by the organizational firewall and access will be restricted to authorized users.

### **3.8 Storage and Usage of Confidential Data**

The European laws regarding retrieval, treatment, storage and disposal of confidential data are well defined and apply to the LAW-TRAIN project. Some of the deliverables of this project have been additionally marked as confidential by the EC as stated in the Grant Agreement of this project. Therefore it is mandatory to strictly meet the legal and technical requirements that will assure compliance with such legislation by all the partners.

To ensure the fulfilment of EC and national requirements as for the storage, use and transmission of research data, the following ciphering and encryption processes will be followed:

- Obtaining research data and using it for scientific purposes: Each one of the partners involved in the project has agreed with the signature of the Grant Agreement to meet the required levels of confidentiality and security as required by its national and international agencies. Each partner should keep track of the researchers accessing the research data and should provide strict security measures to ensure the privacy of this data.
- Data storage: The research data generated within the project will be stored in a secure way ensuring that the specific requirements regarding its privacy and confidential aspects are met. The non-electronic data obtained (signed forms, questionnaires, etc.) will be kept by the partners who recover such information in a secure environment: stored in a secured area (i.e. locked room – locked cabinet). The electronic data generated among the project will be hosted in a secured server in a private cloud set up by IDENER. This information will be properly secured by ensuring data access policies to the files containing the confidential data. Every document stored on the server will be encrypted using AES 256 bit or more secure protocols. Each access to the research data will be properly logged storing the authorized user that request access to the file. For storing new data on the server a strict policy will be followed ensuring that all the uploaded data is already encrypted thus guaranteeing that the transmission of the file is secure even if the network communication could have been compromised.
- Data transfer among project partners: The transmission of unencrypted confidential data among project researchers is strictly prohibited. Moreover direct transmission of this information (even if it is encrypted) is not allowed. For sending data sets among researchers the secured systems that will be provided by IDENER should be followed. The file will not be decrypted for the transmission to authorized users and will have to be decrypted on the user computer using the provided (through secure channels) encryption keys.



### 3.8.1 Participants

Respect for confidentiality is essential to maintain trust between the public and researchers. There is a strong public interest in maintaining confidentiality so that individuals will be encouraged, for example, to seek appropriate treatment and share information relevant to it. If members of the public become suspicious of researchers, they may choose not to take part in research in the future.

Wherever possible, research should use unlinked, truly anonymized data. If this is not possible, the amount of personal data stored by researchers should be kept to the minimum necessary to achieve the purpose of the study. The law states that data kept should be ‘adequate, relevant and not excessive’ in relation to the project involved. Personal data should be modified as early as possible in the processing of data so that some or all of those who might see it cannot identify individuals. While anonymization may introduce delays and risks of error, even a basic coding system can provide a safeguard against accidental or mischievous release of confidential information. Sharing of identifiable data should be limited to those who have a demonstrable need to know it as part of their role in the research project. Researchers should always consider when planning a project, when giving data to and receiving data from others and before publishing information, whether their research data may lead to the identification of individuals or very small groups. Exactly what information is potentially identifiable can only be decided on a case-by-case basis, taking into account the sample size, the way the data will be published and all the other circumstances of the study.

LAW-TRAIN partners will meet the public and law expectations regarding the treatment of the data. The research data obtained from participants will be, in general, 'Unlinked anonymised data', containing no information that could reasonably be used by anyone to identify people. The link to individuals will be irreversibly broken and thus, will not contain any of the following, or codes traceable for the following:

- Name, address, phone/fax number, email address, full postcode
- NHS number, any other identifying reference number
- Date of birth (but the year can be mentioned)
- Photograph, names of relatives

## 4 Management of Ethical Issues & Risk Assessment in LAW-TRAIN

It is not only important how every partner is supposed to treat user-data or communication with users, but also what is ethically acceptable when it comes to the collaboration of the partners.

In this part of the document, sharing of information, storage and use of data among the partners and the users are described in form of questions concerning several issues and how partners should respond ethically. Each topic discussed in this section can and is related to one or more work packages.

### 4.1 Management Issues (WP1).

#### 4.1.1 Organizational

Topic of concern	Answer
<b>Roles and responsibilities of partners</b>	Partly phrased in proposal (more like overview), further details provided by the lead of every WP. If needed contact the entire consortium or the lead of the WP.
<b>Communication strategies</b>	<ul style="list-style-type: none"><li>• Planned big meetings once in every country</li><li>• Regular update once a month through video-conference</li><li>• Distribution of news via e-mail</li><li>• Distribution of Material via OwnCloud</li><li>• If urgent contact coordinator to press the matter</li></ul>
<b>Project timeline and work plan</b>	<ul style="list-style-type: none"><li>• Identification of possible delays</li><li>• Identification of possible thematic overlaps</li><li>• Immediate communication to all members (directed to coordinator and WP-lead)</li></ul>
<b>Strategy for potential delays in work packages</b>	<ul style="list-style-type: none"><li>• Communicate delays</li><li>• Develop strategy with WP-lead</li><li>• Harmonize timelines of the relevant activities and task</li></ul>

#### 4.1.2 Ethical Management

Particular attention to ethics issues has to be constantly paid along with the project life, as failing to ensure full EU ethical compliance will have a significant negative effect on the project in terms of its impact.

1. All relevant deliverables should have a specific section showing that an ethical / legal scrutiny has taken place and the project deliverables comply with the relevant legal and ethical frameworks. It should state “We have identified specific issues with Ethical relevance {list them} and have... {specify what was done}”.
2. Thereafter, each deliverables requires one or more reviews of the Ethics Director (Dr, Nahari) to assure that ethical / legal scrutiny has taken place and the project deliverables comply with the relevant legal and ethical frameworks. This should be added to the specific ethics section described above.
3. Linked to this, the project has sought, identified and appointed an independent ethical advisor who can support the ethical reviewer, who sits within the consortium. The external ethical advisor that has been nominated is Dr. Claire Nee, from the Department of Psychology and the Director of the International Centre for Research in Forensic Psychology of University of Portsmouth, UK.
4. An ethics audit will be organised by the end of month 24.

It is essential that the project is fully compliant with the ethical and legal framework for the interviewing of suspects by authorities.

Topic of concern	Answer
<b>Consideration of ethical principles in development of relevant tasks</b>	<ul style="list-style-type: none"> <li>• First: creating tasks by experts</li> <li>• Second: distribution of tasks to other partners for iteration for feedback</li> </ul>
<b>Consideration of ethical principles in timeline and work plan</b>	<ul style="list-style-type: none"> <li>• All partners should proactively include ethical principles while working on their tasks and deliverables (self-scheduling)</li> <li>• List of iteration checks (who checks whom and how)</li> <li>• Final check of ethical principles through Dr. Galit Nahari, after consultation with the external Ethics Advisor, in iterations.</li> </ul>
<b>Strategies used so all partner apply ethical manual</b>	<ul style="list-style-type: none"> <li>• Distribution of news on ethical manual</li> <li>• Storing on OwnCloud</li> <li>• Reminder through coordinator two days before handing in</li> <li>• Dr. Galit Nahari indicates if ethical manual was applied or not</li> </ul>

## 4.2 Research Standards (WP2)

### 4.2.1 General/Specification Standards

Topic of concern	Answer
<b>Ensuring quality and transparency in data collection process</b>	<ul style="list-style-type: none"> <li>• Use of scientifically acknowledged methods</li> <li>• Specifying methodological approach</li> <li>• Ensuring ethical standards</li> <li>• Storing on OwnCloud incl. e-mail to all concerned parties</li> <li>• Several iteration on content and ethical standards (to avoid falsification and misinterpretation of the data)</li> </ul>
<b>Ensuring accuracy and representativity of data in the data collection process and during analysis</b>	<ul style="list-style-type: none"> <li>• Storage on the OwnCloud (visible for everyone)</li> <li>• Iteration checks with feedback</li> </ul>
<b>Taking into account already existing knowledge in activities</b>	<ul style="list-style-type: none"> <li>• First research on existing knowledge for creating basis</li> <li>• Second: building up on this basis with own research</li> <li>• Third: establishing criteria for comparison of existing knowledge and newly created one</li> </ul>
<b>Project's target group</b>	<ul style="list-style-type: none"> <li>• Given through proposal</li> <li>• Given through end-user-partners</li> <li>• Invited by management of the end-user-partner</li> <li>• Participation voluntarily</li> </ul>
<b>Selection of main areas in LAW-TRAIN</b>	Through relevance of topics
<b>Ethical standards in interviews</b>	<ul style="list-style-type: none"> <li>• Preparation of question catalogue</li> <li>• Iteration through end-user-partners and Dr. Nahari</li> <li>• Review by the Ethics Advisor (external)</li> <li>• Informed consent</li> </ul>
<b>Ethical standards in workshops</b>	<ul style="list-style-type: none"> <li>• Preparation of workshop agenda and presentation</li> <li>• Iteration through end-user-partners and Dr. Nahari</li> <li>• Review by the Ethics Advisor (external)</li> <li>• Informed consent</li> </ul>
<b>Ethical standards in experiments</b>	<ul style="list-style-type: none"> <li>• Preparation of agenda, methods and experiment</li> <li>• Iteration through end-user-partners and Dr. Nahari</li> <li>• Review by the Ethics Advisor (external)</li> </ul>

	<ul style="list-style-type: none"> <li>• Information letter &amp; informed consent</li> </ul>
<b>Ethical standards in tests</b>	<ul style="list-style-type: none"> <li>• Preparation of agenda, material, equipment &amp; strategy</li> <li>• Iteration through end-user-partners and Dr. Nahari</li> <li>• Review by the Ethics Advisor (external)</li> <li>• Information letter &amp; informed consent</li> </ul>

#### 4.2.2 Involvement of Research Participants

Topic of concern	Answer
<b>Ensuring voluntary nature of participation</b>	<ul style="list-style-type: none"> <li>• Applying information letter</li> <li>• Applying informed consent</li> <li>• Re-check with participants in a conversation (check level of understanding to make sure)</li> </ul>
<b>Naming potential harms and benefits for research participants</b>	<ul style="list-style-type: none"> <li>• Need to be researched in advanced</li> <li>• Named in informed consent</li> <li>• Re-check with participants in a conversation (check level of understanding to make sure)</li> </ul>
<b>Reflection of collected insights from users' needs in development of WP2 – WP8</b>	<ul style="list-style-type: none"> <li>• Re-examine the methodology guidelines and analysis framework</li> <li>• Compare collected insights to guidelines and framework</li> <li>• Compare end data of WP to collected insights and guidelines &amp; framework</li> </ul>
<b>User definition on empowerment and social inclusion</b>	<ul style="list-style-type: none"> <li>• In each stage/method/step which involves users or their data, the participants needed to be granted sufficient space to express themselves or their concern with total freedom and openness</li> </ul>
<b>Corrections on user requirements from WP to WP</b>	<ul style="list-style-type: none"> <li>• Can be taken by establishing a regular communication structure with all partners</li> <li>• Communication needs to happen so corrective actions can be scheduled within the WP-schedule</li> </ul>

#### 4.2.3 Collecting Data

Topic of concern	Answer
<b>Ensuring accuracy of data</b>	<ul style="list-style-type: none"> <li>• Revising of gained information by the:</li> </ul>

	<ul style="list-style-type: none"> <li>○ Researchers</li> <li>○ Partners</li> <li>○ Participant the data belongs to</li> </ul> <ul style="list-style-type: none"> <li>• Iterations before finishing the work packages</li> </ul>
<b>Ensuring protection of data</b>	<ul style="list-style-type: none"> <li>• Ensured by following the agreed legislation and ethical standards</li> <li>• The provided data will be checked for legislation and ethical standards by Dr. Nahari</li> </ul>

For an example of a letter for data protection see 7.2 Letter for Data Protection – Example.

#### 4.2.4 Requirement of System, Simulation and Use Cases and Scenarios

Topic of concern	Answer
<b>Reflection of data collection</b>	<ul style="list-style-type: none"> <li>• Revising of gained information by the: <ul style="list-style-type: none"> <li>○ Researchers</li> <li>○ Partners</li> <li>○ Participant the data belongs to</li> </ul> </li> <li>• Iterations before finishing the work packages</li> </ul> <p>Checking legislation and ethical standards in iteration through according partners</p>

### 4.3 User Involvement & Needs (WP2-WP8)

#### 4.3.1 General

Topic of concern	Answer
<b>Ensuring informed consent, information letter and voluntary participation</b>	<ul style="list-style-type: none"> <li>• All participating partners need to respect the informed consent, information letter and voluntary participation</li> <li>• All partners need to act upon the set standards for these</li> </ul>
<b>Considering findings from research with users at all levels of the project (concerning timeline and work plan)</b>	<ul style="list-style-type: none"> <li>• Gaining user needs and wishes in the earlier stages of the project</li> <li>• Constant update of user needs and wishes in all stages of the project</li> <li>• Present user perspective in the dissemination and exploitation</li> </ul>

<b>Involvement of user requirements in final product and testing</b>	<ul style="list-style-type: none"> <li>• Through gained insights of previous WPs</li> <li>• By involving participants actively in testing and development</li> </ul>
<b>Inform users about potential harms and benefits by participating</b>	<ul style="list-style-type: none"> <li>• Need to happen before they participate through <ul style="list-style-type: none"> <li>○ Information letter</li> <li>○ Informed consent</li> </ul> </li> <li>• Ensure that all participants are contributing voluntarily</li> </ul>
<b>Incentives</b>	<ul style="list-style-type: none"> <li>• Need to be given when people, who don't belong to the institutes/organization of the end-user partners, participate in LAW-TRAIN</li> <li>• When employees of the end-user-partners institution/organization have to participate outside their regular work time</li> </ul>
<b>Accessibility &amp; availability of user data</b>	<p>For other partners:</p> <ul style="list-style-type: none"> <li>• Have to be presented on request</li> <li>• Or overall in the deliverable on the OwnCloud</li> <li>• In a short overview in the monthly conferences</li> </ul> <p>For the users:</p> <ul style="list-style-type: none"> <li>• On request</li> <li>• And through automatic updates when their data gets processed</li> <li>• Provided through OwnCloud</li> </ul>
<b>Feedback for users on their data</b>	<ul style="list-style-type: none"> <li>• Provided when the user's data gets processed</li> <li>• Or on request</li> </ul>

## 4.4 Data Protection Issues (WP1-WP8)

### 4.4.1 Data Privacy

Topic of concern	Answer
<b>Ensuring data privacy</b>	<ul style="list-style-type: none"><li>• Restricted access (only members of the LAW-TRAIN partners)</li><li>• Anonymization</li><li>•</li></ul>
<b>National laws</b>	National laws are respected and integrated in according the understating in 2.4 Understanding about the Different Legislations due to the Partners within LAW-TRAIN
<b>International laws</b>	International laws are respected and integrated in according agreement 2.4 Understanding about the Different Legislations due to the Partners within LAW-TRAIN
<b>Legislation of the European Commission</b>	Legislation of the European Commission is respected and integrated in according agreement 2.4 Understanding about the Different Legislations due to the Partners within LAW-TRAIN
<b>Ensuring accuracy and compliance towards participants through ethical obligations</b>	<ul style="list-style-type: none"><li>• Established through this manual</li><li>• And iteration cycles</li></ul>
<b>Availability of created results for upcoming WPs</b>	<ul style="list-style-type: none"><li>• Through:<ul style="list-style-type: none"><li>○ D2.3</li><li>○ Iteration cycles</li><li>○ OwnCloud</li><li>○ Communication strategy</li></ul></li></ul>
<b>Transmission of data</b>	<ul style="list-style-type: none"><li>• Only over the OwnCloud</li></ul>
<b>External expertise</b>	Only needed in case of potential end-users



## 4.5 Risk assessment of potential dual use and misuse

Topic of concern	Answer
<b>Ensuring that LAW-Train Materials and tools remain limited to approved users</b>	<ul style="list-style-type: none"><li>• Restricted access (only members of the LAW-TRAIN partners)</li><li>• Strict access policy will include secure server/folder accessible only with the correct logon credentials</li><li>• Training materials will require. Single use passwords or twofold authentication</li></ul>
<b>Exploitation of the platform</b>	<p>The platform for training, as developed, will be restricted to law enforcement organisations.</p> <p>Subsequent use for business interviews requires replacing the Virtual Suspect's dialogue database, and it will remain proprietary.</p>
<b>Misuse</b>	Misuse by criminals will not enhance their capabilities since they could expose only the virtual suspect's part.
<b>Dual use</b>	Use of the system for military purposes is unlikely since the capabilities of the VS are tailored for criminal scenarios.

## 4.6 Dissemination & exploitation (WP8)

### 4.6.1 General Issues

Topic of concern	Answer
<b>Ethical standards in dissemination</b>	<ul style="list-style-type: none"><li>• Assured through<ul style="list-style-type: none"><li>○ Planning with D2.3</li><li>○ Iteration cycles</li></ul></li></ul>
<b>Considering possible harm done by exploiting project results for research participants</b>	Communication about possible harms through exploitation with consortium
<b>Representing the perspectives and interests of all parties in the final product &amp; publications</b>	Assured by planning the balance of interests ahead in the overall structure of dissemination and exploitation
<b>Enhancing the usage of the product by the target group through activities</b>	Involving the target group in user centred design processes and researching user needs through activities such as workshops and focus groups

## 5 Conclusions

This manual is part of WP2 and establishes ethical guidelines and legislation background on how to interact adequately throughout the LAW-TRAIN project. It is to be used by every partner of the project, for every task, deliverable and work package. The guidelines and set standards need to be taken into consideration already when planning a task, deliverable or work package in order to minimize the amount of redoes or falsity of data. This ethical manual especially focuses on how to assure data protection of research participants in an ethical and also legal way. Hence, all partners need to include the developed guidelines in their working structure, since sensitive data is being collected and processed throughout the LAW-TRAIN project.

Though all partners are invoked to ensure and revise developed content to their ethical accuracy, Dr. Galit Nahari is assuring that all set ethical and legal standards are being fulfilled in each deliverable, and she will consult with the external Ethics Advisor (to be nominated).

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## **7 Annex I**

### **7.1 Informed Consents forms**

## Informed Consent form (BIU)

Study Title: Mixed-reality environment for training teams in joint investigative interrogation-Intelligent interrogation training simulator

Name of Researchers: Prof. Sarit Kraus, Dr. Galit Nahari, Prof. Ana Paiva, Prof. Geert Vervaeke.

### Study Description:

The purpose of the current experiment is to evaluate an interrogation training simulator. The experiment is funded by the Horizon 2020. You will be asked to serve as an interrogator/trainer in a joint interrogation of a virtual or human suspect. Upon the end of the experiment, you will be asked to complete a questionnaire about your experiences during the experiment. The experiment participation will last approximately 1.5 hours. You will be paid for your participation.

The researchers have received approval from the Ethical Committee to carry out this research study.

Please initial box

1. I understand the procedure to be used.
2. I understand that I will be paid for the participation in the study.
3. I understand that participation in this study is completely voluntary and that I have the right to withdraw from the experiment at any stage, should I need to, without having to justify why and without penalty.
4. I understand that if I withdraw from the study I will still be entitled to payment for the time served in the study prior to withdrawal.
5. I understand that in case I withdraw from the study my data will not be used.
6. I understand that participation is confidential and that my name or any other personal data will not appear in the raw data and will not be used in connection with the results in any way.
7. I have been given the opportunity to ask any further questions about the study and am satisfied with the advice and information I have been given. I understand that I am able to obtain feedback about the overall results of the study if I wish.
8. I understand that the experimenter will keep the data for a period of at least five years and use it for the purposes of research and presentations.
9. I confirm that I have read and understood the above and freely consent to participating in this study. I have been given adequate time and information to make my decision.
10. I agree to take part in the above study.

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Signature of participant..... Date.....

Print name.....

### Experimenter Declaration:

I received this consent after explaining all of the above to the participant and making sure that he/she understood everything.

Signature of experimenter..... Date.....

Print name.....

## INFORMED CONSENT KU

Title of the project:

Mixed-reality environment for training teams in joint investigative interrogation – intelligent interrogation training simulator

Name + contact details researcher:

Emma Jaspaert  
H.Hooverplein 10, bus 3418  
3000 Leuven  
Belgium

e-mail: [Emma.Jaspaert@law.kuleuven.be](mailto:Emma.Jaspaert@law.kuleuven.be)

telephone: +3216325303

Methodology of the study:

Interview

Duration of the interview:

1-2 hours

*Please check box if in agreement:*

- ☐ I understand what is expected of me during this interview.
- ☐ I take part in this interview voluntarily.
- ☐ Results of this interview can be used in this particular study and can be published.
- ☐ There will be no mention of my name in the reports and all information that I provide in the interview will be used anonymously.
- ☐ The anonymity and confidentiality of the data will be safeguarded during every phase of the study.
- ☐ I can invoke the right to withdraw my participation to this study at any time and I know I will not be put at a disadvantage because of this decision.
- ☐ For further questions or complaints, I know I can turn to:
  - ☐ Prof. dr. Geert Vervaeke: [Geert.Vervaeke@law.kuleuven.be](mailto:Geert.Vervaeke@law.kuleuven.be)
  - ☐ [smec@kuleuven.be](mailto:smec@kuleuven.be)

I have read and understood the information above and all my questions concerning this study are answered. I agree to participate.

Date:

Name and signature participant

Name and signature researcher

## Informed Consent form (USECON)

Study Title: Mixed-reality environment for training teams in joint investigative interrogation-Intelligent interrogation training simulator

Name of Workshop-/Interview-Conductor: Mag. Michael Bechinie, Danielle Zsifkovits (MA)

Methodology of the study: Workshop and Interviews

### Study Description:

The purpose of the current interviews and the workshop is to gain insights on interrogations and its participants concerning drug trafficking. The interviews and workshop are funded by the Horizon 2020. You will be asked on details due to your profession as interrogator-trainer/-trainee/attorney/etc. to help us gain insights on potential users (in the interview) and later on create user requirements for the training simulator (workshop).

The interview will last approximately 2-3 hours.

The workshop will take an entire day (á 8 hours).

### Please initial box

1. I understand the procedure used in the workshop and during the interviews.
2. I understand that participation in this study is completely voluntary and that I have the right to withdraw from the experiment at any stage, should I need to, without having to justify why and without penalty.
3. I understand that in case I withdraw from the study my data will not be used and I will not put at be put at any disadvantages because of this decision.
4. I understand that participation is confidential and that my name or any other personal data will not appear in the raw data and will not be used in connection with the results in any way.
5. I have been given the opportunity to ask any further questions about the study and am satisfied with the advice and information I have been given. I understand that I am able to obtain feedback about the overall results of the study if I wish.
6. I understand that the conductors will keep the data for the period this project lasts (3 years in total) and use it for the purposes of research and presentations on this project.
7. I understand that photos will be made during the workshops. I understand that these photos are for dissemination and exploitation (Sales, Marketing & PR) purposes only and that no connection will be made between myself and the results of the workshops/interviews.
8. I understand that I will be asked permission before the photos will be used for Marketing- or PR-purposes.

☐☐☐☐☐☐☐☐



9. I understand that video- and audio-recordings will take place during the workshop and during the interview. ☐
10. I understand that these recordings are for research and evaluation- purposes only and will not be forwarded to any other than the partners of this project. ☐
11. I understand that the overall-results of the study will also be used for dissemination and exploitation (Sales, Marketing & PR). ☐
12. I also understand that any of this overall-data will be used anonymously and there will be no connection of the data to my name or person. ☐
13. I confirm that I have read and understood the above and freely consent to participating in this study. I have been given adequate ☐
14. I agree to take part in the above study. ☐

Signature of participant.....

Date.....

Print name.....

time and information to make my decision.

For further questions or complaints, I know I can turn to:

- Mag. Michael Bechinie: [bechinie@usecon.com](mailto:bechinie@usecon.com)
- Danielle Zsifkovits (MA): [zsifkovits@usecon.com](mailto:zsifkovits@usecon.com)

## 7.2 Letter for Data Protection – Example

The Coordinator  
LAW-TRAIN Project  
Bar Ilan University

Date

### **Concerning compliance with legislation and regulations concerning privacy**

Dear Sir / Madam,

I confirm as data protection officer that <organisation> will conform to the EU / National requirements for data protection / management during the LAW-TRAIN project.

Yours sincerely,