

Centre for Law & Genetics

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BREAKING THE CODE

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Symposium

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SELF-REGULATION TO REGULATION: WHAT IS THE NEXT STEP IN GENETIC RESEARCH INVOLVING HUMANS?

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Introduction

The importance of medical research in Australia is undeniable. High quality research informs the quality of the teaching of medicine and health sciences. Equally, high quality research maintains and improves the delivery of high quality medical and health services. In addition, the quality of research is a determinant of how far Australia must rely on overseas research rather than collaborating and participating in the creation of original research. At the time of the *Wills Report*¹ it was estimated that Australia spent around \$700,000,000 on medical research. This is a modest amount in comparison to the total world investment in medical research.² On the other hand, the impact of Australian research results significantly exceeds the Australian financial investment in research.³

Australian medical research was originally conducted with minimum regulation. After the ratification of the *Declaration of Helsinki* in 1967, the National Health and Medical Research Council (NHMRC) introduced a *Statement on Human Experimentation* based on the *Declaration* and made ethical approval a condition of funding by the NHMRC. In 1982 a formal system of ethical review was introduced. In 1991 the *Statement on Human Experimentation* was revised to require monitoring of research by institutions. More significantly, in 1992 the Commonwealth Parliament passed the *National Health and Medical Research Council Act 1992* (Cth) (the *NHMRC Act*). The Australian Health Ethics Committee (AHEC) was established as a peak body

¹ *The Virtuous Cycle - Working Together for Health and Medical Research*, AGPS Canberra 1999.

² It is estimated that Australia contributes between 1-2% of total funding of medical research internationally.

³ Using the measure of publication in leading Australian journals, the research commission for the *Wills Report* found that Australian researchers average approximately 2.6% of lead articles in major journals.