



E-ISSN: 2789-8830
P-ISSN: 2789-8822
IJCLLR 2023; 3(2): 28-39
Received: 25-04-2023
Accepted: 29-05-2023

Osas George Izevbuwa
Professor and Dean, College of
Law, Igbinedion University
Okada, Edo State, Nigeria

Rita Abhavan Ngwoke
Ph.D., Reader, College of Law,
Igbinedion University Okada,
Edo State, Nigeria
okpeahior.rita@iuokada.edu.ng

Donald Ailen Atogbo
Ph.D. Student, Igbinedion
University Okada, Edo State,
Nigeria
atogbo.donald@iuokada.edu.ng

Correspondence
Osas George Izevbuwa
Professor and Dean, College of
Law, Igbinedion University
Okada, Edo State, Nigeria

International Journal of Civil Law and Legal Research

A critical appraisal of ethical issues in legal research

Osas George Izevbuwa, Rita Abhavan Ngwoke and Donald Ailen Atogbo

Abstract

Legal research poses a slew of ethical concerns that must be properly handled in order to preserve researchers and participants' rights and well-being while still maintaining research quality. Every profession has ethics imbued in its practice. It is what espouses integrity and credibility in the legal research process including the issue of legal research methodology, which is a tool employed in law research. This branch of legal research involving ethical considerations is frequently overlooked and consequently resulting in duplication of research work. One key challenge that researchers encounter in the course of their research is ethical issues, which occur when previous work and efforts of other researchers are not credibly used. Ethics protects the use of legal research methodology from being misused by writers who may wish to take credit for other peoples' work. This is because a critical evaluation of ethical issues in legal research technique is imperative to assure the research process's integrity, credibility, and impartiality including ensuring that due acknowledgment to given to scholars for their industry. The importance of ethics cannot be overlooked in the legal research process. This paper looks at the role ethics play in legal research and will make recommendations on various approaches that could be adopted by writers in a bid to properly carry out researches without having to infract or violate the ethics of legal research.

Keywords: Informed consent, confidentiality, legal research, ethical issues, doctrinal

1. Introduction

Research is one element that cannot be eliminated due to the world's and the legal system's ongoing evolution because it forms the cornerstone of new advancements. Conflict is an inevitable component of human existence, and as a result, the need to continually resolve it is essential to human survival hence the need for research.

Legal research is the process of locating and retrieving information required for legal decision-making. The term "research" comes from the Middle French word "recherche," which means "to seek," and the Old French phrase "recherchier," which is a compound word made up of the prefix "re-" and the suffix "cerchier," which means "search" ^[1].

It entails investigating an issue, assessing the facts, and then applying and disseminating the findings. Finding sources of law in a jurisdiction, looking through secondary authorities such as decided cases, practice books, legal journals, dictionaries, encyclopedias, and articles, and accessing non-legal sources for investigative or supporting material are all traditional aspects of legal research. The purpose is to discover answers or solutions to specific legal difficulties or challenges for which the researcher is responsible ^[2].

Legal research can also be said to be the process of understanding the law through the search for and discovery of legal answers to legal issues. Legal research has alternatively been defined as the analysis of the principles and rules of law applicable to a specific problem and the discovery of the legal solution ^[3].

Methodology is a branch of philosophy that examines concepts and methods in a discipline

¹ Anju KAKkar, '7 motivations that drive faculty to research' Humber Research & innovation (2021) < [² Uwakwe Abugu, Ph.D., 'Legal Research methodology and Applicable Procedures to Legal research in Nigeria' being a paper presentation at the National Workshop for legal Research assistants of the National Judicial Institute. \(2021\) < <https://nji.gov.ng/wp-content/uploads/2021/12/Legal-Research-Methodology-and-Applicable-Procedures-to-Legal-Research-in-Nigeria-by-Prof.-Abugu.pdf> > Accessed 8th October 2023](https://humber.ca/research/news/7-motivations-drive-faculty-research#:~:text=As%20per%20the%20Merriam%2DWebster,%E2%80%9D%2C%20meaning%20'search'.> Accessed 8 October 2023</p></div><div data-bbox=)

³ *ibid*

to attain desired results. It entails a professional and scientific analysis of the facts of the subjects. Methodology assists readers in understanding research methodologies, discovering truth, and assessing the validity of outcomes. Legal Research Methodology is a methodical investigation that directs legal research and provides useful information for comprehending and assessing results^[4].

The growth of the internet, such as Google and Yahoo!, has made learning and information finding more complex and diversified. To investigate and expand legal knowledge, comparative law necessitates flexible legal learning and research techniques^[5].

Legal Research methodology makes use of doctrinal and non-doctrinal legal research methodology systems, allowing for better approaches to addressing legal issues and improving society. Recognizing the significance of comparative legal study is critical for generating meaningful results^[6].

Several fundamental principles underpin ethical legal research, including obtaining participants' informed consent, preserving confidentiality and anonymity, guaranteeing objectivity and impartiality, abiding by data protection laws and ethical guidelines, disclosing potential conflicts of interest, employing covert or deceptive tactics, addressing access to justice, and fostering community engagement^[7].

For judicial proceedings and matters involving vulnerable groups, informed consent is needed, whereas confidentiality and anonymity are necessary for sensitive information.

For research to be done impartially and objectively and to produce findings that appropriately reflect the data, these qualities are essential. To maintain the integrity of their research, researchers must disclose any potential conflicts of interest and handle personal data by ethical standards and data protection legislation.

Ethics, as a philosophical idea, has long been a focus of philosophical inquiry. The concept of ethics is subjective and linked to emotions and views about what is right and wrong. The subjectivity of ethics is frequently group-based, relying significantly on culture or norms of conduct relating to professions or groups of people. When discussing ethical considerations in research, the phrases "moral" and "ethical" are frequently used interchangeably, but they are not always synonymous. In philosophy, ethics is concerned with what we ought to do, think, feel, or be, whereas morality is concerned with our obligations and what is proper. Every stage of academic activity, including data collection, thesis writing, and technical presentations, raises ethical concerns^[8]. Ethical difficulties in empirical or socio-legal research

are typically focused on data gathering involving human participants, whereas legal research targets academic dishonesty. These ethical considerations are critical for confirming study results, safeguarding the safety of human participants, supporting social policy development, and preserving academic colleagues', authors', or writers' intellectual property^[9].

Ethical guidelines are critical in legal research because they protect participants' rights and dignity, improve the reliability and validity of research findings, increase public faith in the legal profession, and contribute to legal reform. These rules ensure that data is collected and analyzed accurately and without prejudice, contributing to the overall quality of the research.

Transparency and the peer review process are also supported by ethical research methods, allowing other researchers to evaluate and improve on the work, which is critical for developing legal knowledge.

For several reasons, ethical standards in research are important. They first support the goals of the study, which include knowledge, accuracy, and error avoidance. Rules against creating, manipulating, or misrepresenting research data, for instance, reduce error^[10]. Second, ethical norms encourage traits necessary for teamwork, including fairness, accountability, mutual respect, and trust. Authorship guidelines, copyright and patenting policies, data sharing rules, and peer review confidentiality regulations all serve to safeguard intellectual property rights while fostering cooperation. Thirdly, ethical standards include government regulations on research misconduct, conflicts of interest, the protection of human subjects, and the treatment and usage of animals to ensure that researchers may be held accountable to the public^[11]. Fourth, ethical standards increase public support for research because they make people more eager to provide money for a study^[12]. Last but not least, ethical standards support other moral and social ideals like civic duty, respect for others, human rights, animal welfare, legal observance, and public health and safety. Researchers, students, and the general public can all suffer serious consequences as a result of unethical study practices. For instance, falsifying data in a clinical trial could cause harm or even death to patients, while failing to follow radiation or biological safety laws could endanger the health and safety of employees and students^[13].

Given the importance of ethics in legal research, there is a need for them to be strictly adhered to for avoidance of issues that may arise as a result of non-adherence to these issues such as plagiarism, fabrication and falsification, non-

⁴ Ibid

⁵ Nor Razinah Mohd Zain, 'Critical Appraisal on Comparative legal Research in Development of Laws' IOSR Journal of Humanities and Social sciences (IOSR-JHSS) Volume 20, issue 3, ver. VII (2015) PP 17-25 < https://www.researchgate.net/publication/299619461_Critical_Appraisal_on_Comparative_Legal_Research_in_Development_of_Laws > Accessed 8 October 2023

⁶ Uwakwe Abugu, Ph.D, ' Legal Research methodology and Applicable Procedures to Legal research in Nigeria' being a paper presentation at the National Workshop for legal Research assistants of the National Judicial Institute. (2021) < <https://nji.gov.ng/wp-content/uploads/2021/12/Legal-Research-Methodology-and-Applicable-Procedures-to-Legal-Research-in-Nigeria-by-Prof.-Abugu.pdf> >

Accessed 10 October 2023

⁷ Ibid

⁸ ibid

⁹ ibid

¹⁰ David B. Resnik, J.D., Ph.D., 'what is Ethics in Research & Why is it Important?' National Institute of Environmental health Sciences.(2020) < <https://www.niehs.nih.gov/research/resources/bioethics/whatis/index.cfm> > Accessed 10 October 2023

¹¹ Ibid

¹² Ibid

¹³ Uwakwe Abugu, Ph.D, ' Legal Research methodology and Applicable Procedures to Legal research in Nigeria' being a paper presentation at the National Workshop for legal Research assistants of the National Judicial Institute. (2021) < <https://nji.gov.ng/wp-content/uploads/2021/12/Legal-Research-Methodology-and-Applicable-Procedures-to-Legal-Research-in-Nigeria-by-Prof.-Abugu.pdf> >

Accessed 10 October 2023

publication of data, etc.

This paper will dive deep into the different issues associated with not following ethical guidelines and establish the different ways or things that can be done to avoid such issues.

Legal research is the process of locating and retrieving information to assist in making legal decisions. It entails examining facts and putting the findings of an investigation to use. Constitutions, case law, statutes, and regulations are primary sources of law. Law reviews, legal dictionaries, and encyclopedias are examples of secondary sources. Non-legal sources supply investigative data. Lawyers, law librarians, and paralegals conduct legal research, which can be found in printed books, free websites, and paid databases. Law libraries around the world provide research services as well as free access to legal material. Legal research is the process of locating the applicable law and materials that explain or analyse that legislation. Legal research entails a variety of activities, from acquiring information to analysing a problem's facts and communicating the investigation's findings^[14].

1.1 Ethical issues in Legal research

Critical appraisal of ethical issues in legal research methodology is an important topic that requires careful consideration. Legal research is a complex process that involves a range of ethical issues, from ensuring the privacy and confidentiality of research participants to obtaining informed consent and avoiding conflicts of interest. In this introduction, we will explore the key ethical issues that arise in legal research methodology and discuss the importance of addressing these issues in order to ensure the integrity and validity of research findings. We will also examine some of the challenges that researchers face when dealing with ethical issues and consider strategies for addressing these challenges. By the end of this critical appraisal, you will have a deeper understanding of the ethical considerations that are essential to conducting rigorous and responsible legal research.

Research ethics are moral criteria that guide researchers in performing and reporting research without purposefully or accidentally harming study participants or society.^[15] Ethics, as a philosophical idea, has long been a focus of philosophical inquiry. However, there are several controversies regarding its definition, with specialists being unable to reach an agreement. Some definitions include moral philosophy, which involves systematizing, defending, and endorsing conceptions of good and wrong action, and ethics, which involves making principle-based decisions between competing options. The concept of ethics is subjective and linked to emotions and views about what is right and wrong. The subjectivity of ethics is frequently group-based, relying significantly on culture or norms of conduct relating to professions or groups of people. Marshall in his dictionary of sociology defines research ethics as "applying moral rules and professional codes of

¹⁴ iEduNote, 'Legal Research: meaning, Definitions, and Example' (2023) < <https://www.iedunote.com/legal-research> > Accessed 11 October 2023

¹⁵ Peter Singer, 'Ethics' Britannica (2023) < <https://www.editage.com/insights/importance-of-research-ethics#:~:text=Research%20ethics%20are%20moral%20principles,whole%2C%20whether%20knowingly%20or%20unknowingly.> > Accessed 11 October 2023

conduct to the collection, analysis, reporting, and publication of information.

The researcher and the subject of modern research are both impacted by legal and ethical issues.^[16] Ethical issues in legal research are one aspect of research that cannot be over-emphasized. This looks at the moral and professional conduct of researchers in the process of research. The moral standards that guide researchers in conducting and reporting research without deceit or harm to participants or society are known as research ethics. Following ethical criteria is critical for establishing study validity, assuring safety, authenticity, and credibility, and ensuring research legitimacy. It also aids with the presentation of findings in articles, eliminating plagiarism and the use of unconfirmed data^[17]. In addition, research ethics develops responsibility among researchers and facilitates accountability in the event of misbehaviour. Below are some of the ethical issues faced in socio-legal research, doctrinal and non-doctrinal research respectively^[18].

2. Ethical issues in doctrinal (socio-legal research) Legal research

The history of ethical issues in legal research can be traced to the medical research where human subjects were used necessitating the need for informed consent. Policymakers, attorneys, scientists, and doctors have long been concerned about clinical research involving human subjects. Ethics for this type of research were set by the Helsinki Declaration. Clinical research is done to better clinical practice and help patients by gathering and analysing data to make generalizable findings^[19]. Following World War II, the Nuremberg war crimes trials exposed how German doctors had subjected prisoner human beings to frequently brutal experiments. Additionally, the Tuskegee syphilis research in the 1950s and 1960s excluded affected African Americans from receiving the proven effective syphilis therapy. Due to these incidents, ethical norms had to be re-examined, and a consensus that potential human subjects needed to be shielded from being exploited as "guinea pigs" in scientific and social study gradually emerged.^[20] For assurance of ethical and legal research, it is crucial to follow Good Clinical Practice (GCP), a global quality standard established by the International Conference on Harmonization of Technical Requirements for Registration of Pharmaceuticals for Human Use (ICH).

GCP principles are said to cover defining roles for sponsors

¹⁶ Camille Yip, Nian-Lin Reena Han, and Ban Leong Sng, 'Legal and ethical issues in research' National Library of Medicine, PMID: PMC5037952 (2016) < <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5037952/> > accessed 14 October 2023

¹⁷ Baljinder Singh, 'What is the importance of research ethics?' Editage insights. (2019) < <https://www.editage.com/insights/importance-of-research-ethics#answer-14576> > accessed 14 October 2023

¹⁸ Baljinder Singh, 'What is the importance of research ethics?' Editage insights. (2019) < <https://www.editage.com/insights/importance-of-research-ethics#answer-14576> > accessed 14 October 2023

¹⁹ Camille Yip, Nian-Lin Reena Han, and Ban Leong Sng, 'Legal and ethical issues in research' National Library of Medicine, PMID: PMC5037952 (2016) < <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5037952/> > accessed 11 October 2023

²⁰ Ibid

and investigators, keeping an eye on consent processes, conducting audits, and safeguarding human subjects. ^[21] Some of these principles include:

2.1 Informed consent: Informed consent is a process in which a healthcare provider educates a patient about the risks, benefits, and alternatives of a given procedure or intervention. It is both an ethical and legal obligation of medical practitioners, and it originates from the patient's right to direct what happens to their body ^[22]. The patient must be competent to make a voluntary decision about whether to undergo the procedure or intervention ^[23]. Informed consent is mandatory for all clinical trials involving human beings, and the consent process must respect the patient's ability to make decisions ^[24]. The process of obtaining informed consent should include describing the proposed intervention, emphasizing the patient's role in decision-making, discussing alternatives to the proposed intervention, discussing the risks of the proposed intervention, and eliciting the patient's preference ^[25]. Consent can be challenged on the ground that adequate information has not been revealed to enable the patient to take a proper and knowledgeable decision ^[26]. Obtaining consent is not only an ethical obligation but also a legal compulsion. The level of disclosure has to be case-specific, and accurate, adequate, and relevant information must be provided truthfully in a form and language that the patient can understand. Consent forms should be written at a level understandable to the average prospective participant ^[27]. Examples of informed consent in healthcare Informed consent is a process that is required for most medical procedures, and it is both an ethical and legal obligation of medical practitioners. Informed consent allows patients to participate in their own medical care and make decisions with their healthcare provider. The process of obtaining informed consent should include describing the proposed intervention, emphasizing the patient's role in decision-making, discussing alternatives to the proposed intervention, discussing the risks of the proposed intervention, and eliciting the patient's preference. Consent forms should be written at a level understandable to the average prospective participant. Here are some examples of informed consent in healthcare:

2.1.1 Consent to Treat Form: This form gives permission for a healthcare provider to give medical treatment to a patient. It includes information about

²¹ Ibid

²² Informed Consent: An Ethical Obligation or Legal Compulsion? - PMC - NCBI <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2840885/>

²³ Informed Consent - StatPearls - NCBI Bookshelf <https://www.ncbi.nlm.nih.gov/books/NBK430827/>

²⁴ Informed consent - Research Services - University of Oxford <https://researchsupport.admin.ox.ac.uk/governance/ethics/resource/s/consent>

²⁵ Ethical Considerations in Informed Consent - IntechOpen <https://www.intechopen.com/chapters/1123544>

²⁶ Ethical Issues in Informed Consent - ScienceDirect.com <https://www.sciencedirect.com/science/article/pii/S155679310800508>

²⁷ Informed Consent—We Can and Should Do Better | Ethics | JAMA Network Open <https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2779253>

insurance benefits, medical record information, costs, and the patient's right to refuse any procedure or treatment ^[28].

2.1.2 Informed Consent Form for Research: This form includes the title of the research, potential risks and benefits, confidentiality, compensation, and authorization for the use and disclosure of health information ^[29].

2.1.3 Informed Consent Sample Forms: These forms address common patient safety and risk scenarios and include authorization for use or disclosure of health information, photographs/images/films/videos, and psychotherapy notes ^[30].

2.1.4 Informed Consent Template: This template includes the title of the procedure, risks and benefits, alternatives, confidentiality, and signature of the patient or legal representative ^[31].

Informed consent is a collaborative process that allows patients and healthcare providers to make decisions together ^[32] when more than one reasonable alternative exists, accounting for the patient's autonomy ^[33].

Furthermore, informed consent is a critical component of ethical research with human subjects. It is a process in which potential research participants are informed about the key elements of a research study and what their participation will involve ^[34]. The informed consent process involves three key features: disclosing to potential research subject's information needed to make an informed decision; facilitating the understanding of what has been disclosed; and promoting the voluntariness of the decision about whether or not to participate in the research. Informed consent must be legally effective and prospectively obtained ^[35]. The informed consent form is required in cases where the research involves patients, children, incompetent/incapacitated persons, healthy volunteers, immigrants, or others (e.g. prisoners). The form must be written in language easily understood by the subjects, minimize the possibility of coercion or undue influence, and the subject must be given sufficient time to consider

²⁸ Consent to Treat Form | Agency for Healthcare Research and Quality <https://www.ahrq.gov/health-literacy/improve/precautions/tool11d.html>

²⁹ Informed Consent - StatPearls - NCBI Bookshelf <https://www.ncbi.nlm.nih.gov/books/NBK430827/>

³⁰[PDF] Below is an example of an Informed Consent form. Informed consents should include the information listed below. Informed Consen - Hofstra University <https://medicine.hofstra.edu/pdf/research/sample-informed-consent-form-for-hofstra-irb-proposal.pdf>

³¹ Informed Consent Sample Forms - The Doctors Company <https://www.thedoctors.com/patient-safety/informed-consent-sample-forms/>

³² Informed Consent in Healthcare: What It Is and Why It's Needed - Healthline <https://www.healthline.com/health/informed-consent>

³³ Informed Consent: Types, Examples & Free Template – Formpluz

³⁴ How to obtain informed consent for research - PMC - NCBI <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5980471/>

³⁵ Informed Consent Guidelines & Templates - Research Ethics & Compliance <https://research-compliance.umich.edu/informed-consent-guidelines>

participation^[36]. The consent form is intended to provide information for the potential subject's decision to volunteer for a research study.

The consent process typically includes providing a written consent document containing the required information (i.e., elements of informed consent) and the presentation of that information to prospective participants. The consent document must begin with a "concise and focused" presentation of key information that will help potential participants understand why they might or might not participate^[37].

Valid informed consent for research must include three major elements: (1) disclosure of information, (2) competency of the patient (or surrogate) to make a decision, and (3) voluntary nature of the decision. Physicians must ensure that the participant (or legally authorized representative) has given voluntary, informed consent before enrolling a prospective participant in a research protocol. Informed consent is documented by means of a written, signed, and dated informed consent form. A written process is used when reading and signing forms is not problematic, the research is complex or has multiple stages, or first access to the research participants is by providing written information.^[38] The written consent templates can be adapted to suit the study. In certain circumstances, informed consent can be waived if it is impracticable to obtain consent or if the research involves minimal risk to the subjects. However, the voluntary expression of consent and adequate information disclosure about the research are critical and essential elements of the informed consent process^[39].

2.2.1 Importance of informed consent in Research

Informed consent is crucial in research as it ensures individuals have an informed choice about whether to participate in a research study. The informed consent process involves three key features: (1) disclosing to potential research subjects information needed to make an informed decision; (2) facilitating the understanding of what has been disclosed; and (3) promoting the voluntariness of the decision about whether or not to participate in the research^[40]. Informed consent is one of the founding principles of research ethics. The consent process clarifies to participants that research is distinct from clinical care, as the purpose is to benefit society rather than solely the individual.

Here are some reasons why informed consent is important in research

1. It demonstrates respect for personal autonomy and is an

important ethical requirement in research^[41].

2. It ensures individuals have an informed choice about whether to participate in a research study.
3. It clarifies to participants that research is distinct from clinical care, as the purpose is to benefit society rather than solely the individual^[42].
4. It is an essential safeguard in research.
5. It is a legal and ethical imperative for clinical trial researchers.
6. It is required by several regulations and policies to protect the human subjects^[43].
7. It helps to establish a relationship between researcher and participant based on communication and trust that continues throughout the trial^[44].
8. It is a good way to ensure participant knowledge and start a relationship between researcher and participant based on communication and trust that continues throughout the trial^[45].

In summary, informed consent is important in research because it protects the human subjects, ensures individuals have an informed choice, and establishes a relationship between researcher and participant based on communication and trust that continues throughout the trial.

2.3 Principle of Voluntary Involvement in Ethical Issues in Legal Research:

The principle of voluntary participation is an important ethical consideration in legal research. This principle requires that individuals are not coerced into participating in research and that their participation is voluntary.^[46] Participants must be aware that their participation in the study is voluntary, and they have the freedom to withdraw from the study at any time without any unfavorable consequences^[47]. Researchers must ensure that participants are fully informed about the procedures and risks involved in research and must give their consent to participate^[48]. The Belmont Report provides an analytical framework for evaluating research using three ethical principles: respect for persons, beneficence, and justice^[49]. Researchers have a duty to protect the life, health, dignity, integrity, right to self-determination, privacy, and

⁴¹ Why is informed consent required? - National Human Genome Research Institute <https://www.genome.gov/about-genomics/educational-resources/fact-sheets/why-is-informed-consent-required>

⁴² Informed consent - Research Services - University of Oxford <https://researchsupport.admin.ox.ac.uk/governance/ethics/resource/s/consent>

⁴³ Informed consent process: A step further towards making it meaningful! - PMC - NCBI <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5543760/>

⁴⁴ Informed Consent in Research - AMA Code of Medical Ethics <https://code-medical-ethics.ama-assn.org/ethics-opinions/informed-consent-research>

⁴⁵ Informed Consent: When, Why, and How It's Obtained - Advarra <https://www.advarra.com/blog/informed-consent-when-why-and-how-its-obtained/>

⁴⁶ Ethical Considerations in Research | Types & Examples - Scribbr <https://www.scribbr.com/methodology/research-ethics/>

⁴⁷ Legal and ethical issues in research - PMC - NCBI <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5037952/>

⁴⁸ Five principles for research ethics - American Psychological Association <https://www.apa.org/monitor/jan03/principles>

⁴⁹ Ethics in Research - Research Methods Knowledge Base - Conjointly <https://conjointly.com/kb/ethics-in-research/>

³⁶ Informed Consent FAQs - HHS.gov <https://www.hhs.gov/ohrp/regulations-and-policy/guidance/faq/informed-consent/index.html>

³⁷ Informed Consent - StatPearls - NCBI Bookshelf <https://www.ncbi.nlm.nih.gov/books/NBK430827/>

³⁸ Informed Consent in Research - AMA Code of Medical Ethics <https://code-medical-ethics.ama-assn.org/ethics-opinions/informed-consent-research>

³⁹ Informed consent - Research Services - University of Oxford <https://rese>

⁴⁰ Informed consent in clinical research: Revisiting few concepts and areas - PMC - NCBI <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3601699/>

confidentiality of personal information of research subjects^[50]. Researchers should note the major international guidelines and regional differences in legislation and seek specific ethical advice at local Ethics Review Committees^[51].

To avoid coercion and humiliation of captive audiences, the notion of voluntary involvement in research is essential. Participants must provide their agreement to engage in the research after receiving complete information about the processes and dangers^[52].

2.4 Risk of harm in Legal Issues in Legal Research

Legal research can involve risks of harm to subjects, which can be broadly categorized into physical, psychological, legal, social, and economic harm^[53]. Mistreatment of research subjects is considered research misconduct and can include exposure of subjects to physical or psychological harm, exposure of subjects to harm due to unacceptable research practices, or failure to maintain confidentiality^[54]. Legal risks can arise if the research methods are such that they could expose participants to potential litigation or the possibility for documents to be subpoenaed^[55]. Researchers are expected to take steps to minimize potential risks and must seek to reduce and justify risks of harm arising from their research^[56]. To ensure ethical and legal compliance, various guidelines have been formulated by organizations and authorities, which serve as a guide to promote integrity,^[57] compliance, and ethical standards in the conduct of research^[58].

Additionally, researchers must refrain from putting subjects in any situations where they could suffer psychological or physical injury^[59].

2.4.1 Minimizing the Risk of Harm in Research

Minimizing the risk of harm in research is crucial to ensure

⁵⁰ Principles of research ethics - City, University of London <https://www.city.ac.uk/research/support/integrity-and-ethics/ethics/principles>

⁵¹ Chapter 16 Research Ethics | Research Methods for the Social Sciences - Lumen Learning <https://courses.lumenlearning.com/suny-hccc-research-methods/chapter/chapter-16-research->

⁵² Pritha Bhandari, 'Ethical Considerations in Research | Types & Examples' Scribbr (2019) revised 2023. < <https://www.scribbr.com/methodology/research-ethics/#:~:text=Voluntary%20participation%20means%20that%20all,reason%20for%20leaving%20the%20study.> > Accessed 12 October 2023

⁵³ Legal and ethical issues in research - PMC - NCBI <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5037952/>

⁵⁴ Research governance: regulating risk and reducing harm? - PMC - NCBI <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1325075/>

⁵⁵ Examples of Potential Risks to Subjects | Research and Innovation - University of Oregon <https://research.uoregon.edu/manage/research-integrity-compliance/human-subjects-research/examples-potential-risks-subjects>

⁵⁶ Types of Harm - UVA Researchers - The University of Virginia <https://research.virginia.edu/types-harm>

⁵⁷ Risks of Research: Physical Harm, Psychological Abuse & Legal Jeopardy - Study.com <https://study.com/academy/lesson/risks-of-research-physical-harm-psychological-abuse-legal-jeopardy.html>

⁵⁸ Minimising risks of harm - Staff Services - ANU <https://services.anu.edu.au/research-support/>

⁵⁹ Ibid

ethical and legal compliance. Researchers must seek to reduce and justify risks of harm arising from their research^[60]. Here are some steps that researchers can take to minimize the risk of harm in research:

1. Using procedures that are consistent with sound research design^[61]
2. Not exposing subjects to unnecessary risk.
3. Using procedures already being performed on the subjects for diagnostic or treatment purposes.
4. Prescreening to identify and eliminate high-risk participants^[62].
5. Providing participants with as much information as possible during informed consent and debriefing.
6. Assessing research aims and their importance and identifying the safest methods of achieving them^[63].
7. Ensuring that any risks are outweighed by the potential benefits.
8. Distinguishing between harms that may be caused by the research.

Researchers must demonstrate thoughtful consideration of the risks of harm and how they will be managed in the ethics application^[64]. The risks of harm can be physical, psychological, legal, social, and economic. The researcher must avoid, prevent, or minimize harm to others^[65].

2.5 Confidentiality and Anonymity in Ethical Issue in Legal Research

Confidentiality and anonymity are ethical practices designed to protect the privacy of human subjects while collecting, analyzing, and reporting data^[66]. Confidentiality refers to separating or modifying any personal, identifying information provided by participants from the data, while anonymity refers to collecting data without obtaining any personal, identifying information^[67]. In legal research, confidentiality and anonymity are critical to ensure the protection of private information^[68]. Researchers employ a number of methods to keep their subjects' identity confidential, such as keeping their records secure through

⁶⁰ Research governance: regulating risk and reducing harm? - PMC - NCBI <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1325075/>

⁶¹ Minimising risks of harm - Staff Services - ANU <https://services.anu.edu.au/research-support/ethics-integrity/key-ethical-concerns/minimising-risks-of-harm>

⁶² [PDF] Guidance on Assessing and Minimizing Risk in Human Research - Office of the Institutional Review Board <https://irb.unm.edu/library/documents/guidance/assessing-and-minimizing-risk-in-human-research.pdf>

⁶³ Minimizing Risk - Solutions IRB <https://www.solutionsirb.com/minimizing-risk/>

⁶⁴ [PDF] Research Ethics Human Research Ethics Committee (HREC) Guideline: Harm and Risk in Research <https://www.ucd.ie/researchethics/t4media/HRECG3%20Harm%20and%20Risk%20in%20Research%20-%2020140921.pdf>

⁶⁵ Research benefits and harms - National Ethics Advisory Committee - Ministry of Health <https://neac.health.govt.nz/national-ethical-standards/part-two/8-research-benefits-and-harms/>

⁶⁶ Understanding Confidentiality and Anonymity | The Evergreen State College <https://www.evergreen.edu/offices-services/institutional-review-board/confidentiality>

⁶⁷ Legal and ethical issues in research - PMC - NCBI <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5037952/>

⁶⁸ Ethical Considerations in Research | Types & Examples - Scribbr <https://www.scribbr.com/methodology/research-ethics/>

the use of password-protected files, encryption when sending information over the internet, and even old-fashioned locked doors and drawers [69]. They frequently do not record information in a way that links subject responses with identifying information (usually by use of a code known only to them). Researchers must take reasonable precautions to protect confidential information obtained through or during research [70]. Confidentiality is a researcher's primary obligation, and they must take steps to protect confidential information [71]. The concepts of confidentiality and anonymity guard the privacy of study participants. Anonymity is the tighter requirement [72], and other principles include:

Risk assessment, scientific requirements, research methods, the operation of an ethics committee, the use of placebos, post-trial provisions, and the dissemination of research findings.

These moral requirements for socio-legal research have their origins in fundamental human rights that are subject to legal enforcement. It is apt to state that the majority of ethical problems are associated with medical research, however, they have also been seriously felt in social science research involving human subjects, necessitating the adoption of similar standards and guidelines in all such research.

2.6 Anonymity in Research Ethics

Anonymity in research refers to a condition in which the identity of individual subjects is not known to researchers [73]. Researchers do not collect any identifying information that links responses to a specific individual. Anonymity cannot be guaranteed if any personally identifiable information will be collected [74]. Researchers frequently do not record information in a way that links subject responses with identifying information. Anonymity is one form of confidentiality – that of keeping participants' identities secret [75]. Researchers employ a number of methods to keep their subjects' identity confidential, such as keeping their records secure through the use of password-protected files, encryption when sending information over the internet, and

even old-fashioned locked doors and drawers. They frequently do not record information in a way that links subject responses with identifying information (usually by use of a code known only to them) [76]. Researchers must take reasonable precautions to protect confidential information obtained through or during research [77]. If a combination of indirect identifiers associated with the study could identify or reidentify a specific individual, particularly with small samples, researchers should not call their study data anonymous [78].

2.7 How to Ensure Anonymity in Research: To ensure anonymity in research, researchers should follow these guidelines:

1. Do not collect any identifying information that links responses to a specific individual unless it is essential to the study protocol [79].
2. Use study codes on data documents instead of recording identifying information and keep a separate document that links the study code to participants' identifying information locked in a secure location.
3. Do not report individual-level data to the public [80].
4. Collect data in a way that does not allow researchers to know the identity of the participants.
5. Use pseudonyms or codes to replace the names of participants, organizations, or locations.
6. Use generalizations or aggregations to describe the characteristics or demographics of participants [81].
7. Ensure that no members of the research team collect any personal identifiers, direct or indirect, that would link responses to a specific individual.
8. Do not collect any personally identifiable information (PII) in an anonymous study.
9. Do not collect any personally identifiable information (PII) in a study conducted face-to-face or over the phone [82].
10. Do not collect any personally identifiable information (PII) in a study conducted online if the researcher knows the e-mail addresses or IP addresses of the individuals who participated in the survey.

⁶⁹ [PDF] Guidelines on Anonymity and Confidentiality in Research <https://www.torontomu.ca/content/dam/research/documents/ethics/guidelines-on-anonymity-and-confidentiality-in-research.pdf>

⁷⁰ [PDF] CONFIDENTIALITY AND ANONYMITY OF PARTICIPANTS <https://dr.lib.iastate.edu/bitstreams/c01c71f9-1b9e-4ecd-ae9e-f02e5bc66f8d/download>

⁷¹ Ethical Research: Maintaining Privacy, Anonymity & Confidentiality - Video & Lesson Transcript | Study.com <https://study.com/academy/lesson/ethical-research-maintaining-privacy-anonymity-confidentiality.html>

⁷² Pritha Bhandari, 'Ethical Considerations in Research | Types & Examples' Scibbr (2019) revised 2023. < <https://www.scribbr.com/methodology/research-ethics/#:~:text=Voluntary%20participation%20means%20that%20all,reason%20for%20leaving%20the%20study.> > Accessed 12 October 2023

⁷³ What is the Difference between Anonymity and Confidentiality? - Endicott College <https://www.endicott.edu/about/research-at-endicott/institutional-review-board-irb/what-is-the-difference-between-anonymity-and-confidentiality>

⁷⁴ Understanding Confidentiality and Anonymity | The Evergreen State College <https://www.evergreen.edu/offices-services/institutional-review-board/confidentiality>

⁷⁵ Anonymising interview data: challenges and compromise in practice - PMC - NCBI <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4582834/>

⁷⁶ [PDF] Guidelines on Anonymity and Confidentiality in Research <https://www.torontomu.ca/content/dam/research/documents/ethics/guidelines-on-anonymity-and-confidentiality-in-research.pdf>

⁷⁷ How do you protect the confidentiality and anonymity of your qualitative research participants? - LinkedIn <https://www.linkedin.com/advice/0/how-do-you-protect-confidentiality-anonymity-1e>

⁷⁸ Anonymity, Privacy, & Confidentiality | Guidance & FAQ - Seattle University <https://www.seu.edu>

⁷⁹ What is the Difference between Anonymity and Confidentiality? - Endicott College <https://www.endicott.edu/about/research-at-endicott/institutional-review-board-irb/what-is-the-difference-between-anonymity-and-confidentiality>

⁸⁰ [PDF] Confidentiality vs. Anonymity Examples of how to ensure confidentiality Researchers employ a number of methods to keep their s - Pepperdine Community <https://community.pepperdine.edu/irb/content/irbanonymity-vs-confidentiality.pdf>

⁸¹ Understanding Confidentiality and Anonymity | The Evergreen State College <https://www.evergreen.edu/offices-services/institutional-review-board/confidentiality>

⁸² IMPORTANT CONSIDERATIONS FOR PROTECTING HUMAN RESEARCH PARTICIPANTS <https://www.purdue.edu/research/dimensions/important-considerations-for-protecting-human-research-participants/>

11. If collecting a personal identifier such as an e-mail address is unavoidable, researchers should take reasonable precautions to protect confidential information obtained through or during research ^[83].
12. Researchers must take reasonable precautions to protect confidential information obtained through or during research ^[84].

By following these guidelines, researchers can ensure that their study is anonymous and that the identity of individual subjects is not known to researchers.

3. Ethical issues in doctrinal legal research

To preserve the integrity and credibility of their work, researchers in legal research methodology, like those in all other research fields, must abide by ethical and methodological guidelines. However, there are several violations or offenses against these criteria that researchers may either unintentionally or knowingly conduct, departing from customary study procedures. These transgressions include, among others:

3.1 Plagiarism ^[85]

Plagiarism is defined as the act of presenting work or ideas from another source without the approval of the original author, including published and unpublished material, as well as the use of artificial intelligence (save for evaluation purposes) with prior authorization.

Under examination standards, intentional or irresponsible plagiarism is a disciplinary infraction that might involve reusing material without citation. This contains both published and unpublished content, as well as AI-generated content ^[86].

Plagiarism is the unintentional or intentional submission of someone else work as your own without due acknowledgment. It is an ethical concern in research communication since it can cause harm to other researchers, breach ethical rules, and waste time and resources. One could also be guilty of self-plagiarism.

Self-plagiarism occurs when you reprint or resubmit portions of your work without properly citing your original work ^[87]. This can result in ideas being presented as new and creative, infringing on the copyright of prior publishers,

⁸³ How do you protect the confidentiality and anonymity of your qualitative research participants? - LinkedIn <https://www.linkedin.com/advice/0/how-do-you-protect-confidentiality-anonymity-1e>

⁸⁴ [PDF] Guidelines on Anonymity and Confidentiality in Research <https://www.torontomu.ca/content/dam/research/documents/ethi>

⁸⁵ Jerry R. Thomas, Philip E. Martin, Jennifer L. Etnier & Stephen J. Silverman, 'Seven areas of research misconduct' Human Kinetics: an Employee - Owned Company <

<https://us.humankinetics.com/blogs/excerpt/seven-areas-of-research-misconduct> > accessed 14 October 2023

⁸⁶ Oxford Students, 'Plagiarism' University of Oxford (2023) < <https://www.ox.ac.uk/students/academic/guidance/skills/plagiarism#:~:text=%E2%80%9CPresenting%20work%20or%20ideas%20from,your%20work%20without%20full%20acknowledgement.> > Accessed 11 October 2023

⁸⁷ Tegan George and Jack Caulfield, 'What Is Self-Plagiarism? | Definition & How to Avoid It' Scribbr (2022) < <https://www.scribbr.com/plagiarism/self-plagiarism/#:~:text=Yes%2C%20reusing%20your%20own%20work,as%20other%20types%20of%20plagiarism.> > Accessed 11 October 2023

breaking an ethical code, and squandering time and resources. In extreme circumstances, entire datasets or publications may be replicated, skewing research conclusions if used as original data.

Self-plagiarism is a serious academic dishonesty that jeopardizes academic integrity and can violate copyrights or misrepresent research. Reusing prior work is acceptable, but it needs to be acknowledged and cited ^[88].

Plagiarism can lead to criminal charges such as theft, breaking & entering, forgery, impersonation, and conspiracy. In Nigeria, universities have the authority to submit cases to police authorities to punish offenders. Plagiarism, on the other hand, might be considered a criminal violation under some circumstances, such as when it violates the Nigerian Copyright Act ^[89]. Section 6 of the Copyright Act protects literary works such as novels, textbooks, articles, and lectures.

The Second Schedule of the Copyright Act ^[90] permits the fair use of literary works for educational purposes, providing adequate acknowledgment of the work's title and creator. However, determining whether a copyright violation occurs for educational purposes is based on four conditions:

- the purpose of the work,
- the nature of the work,
- the amount or percentage of the work used, and
- The effect of the use on the original work.

Plagiarism is a violation of academic integrity, an intellectual honesty value that demands all academics to acknowledge their obligation to the originators of their ideas, words, and data. It not only results in bad scholarship, but it also prevents the learning process from being completed. It is immoral and can have serious ramifications for one's future career as well as the institution's standards and degrees ^[91].

3.1.1 Why Plagiarism an Ethical Issue

Plagiarism is an ethical issue in essay writing because it is a form of theft that involves taking someone else's work or ideas without giving them proper credit. Plagiarism is considered unethical for three reasons: it is a form of theft, the plagiarizer subsequently benefits from this theft, and a degree is evidence of its holder's abilities and knowledge. ^[92] Plagiarism is also against the rules of any educational institution, and if caught plagiarizing, it can have serious consequences, such as expulsion, loss of scholarship, fines,

⁸⁸ Ibid.

⁸⁹ Copyright Act of Nigeria 2022 < <https://placng.org/i/wp-content/uploads/2023/04/Copyright-Act-2022.pdf> > accessed 13 October 2023

⁹⁰ Copyright Act of Nigeria 2022 < <https://placng.org/i/wp-content/uploads/2023/04/Copyright-Act-2022.pdf> > accessed 13 October 2023

⁹¹ Oxford Students, 'Plagiarism' University of Oxford (2023) < <https://www.ox.ac.uk/students/academic/guidance/skills/plagiarism#:~:text=%E2%80%9CPresenting%20work%20or%20ideas%20from,your%20work%20without%20full%20acknowledgement.> > accessed 14 October 2023

⁹² What is Plagiarism? - UNSW Current Students <https://www.student.unsw.edu.au/what-plagiarism>

and more ^[93]. Plagiarism is a violation of ethical principles, regardless of whether it is done intentionally or unintentionally ^[94]. In legal research, plagiarism can jeopardize the whole career of a scholar, and a quality research paper should be original and non-plagiarized ^[95]. To avoid plagiarism, researchers should properly attribute any ideas or work that are not their own, and use in-text citations or footnotes to acknowledge sources ^[96]. In summary, plagiarism is an ethical issue in essay writing because it is a form of theft that can have serious consequences and violates ethical principles. Researchers should take steps to avoid plagiarism and properly attribute any ideas or work that are not their own ^[97].

3.2 Fabrication and falsification

Falsification is the manipulation of research materials or methods to change or omit data, resulting in false representation in the study record while Fabrication is the creation of data or outcomes ^[98]. Falsification, fabrication, and plagiarism (FFP) differ from error or carelessness due to malice. Researchers deceive their colleagues on purpose by misrepresenting information, inventing results, or stealing others' ideas without giving credit, which violates fundamental research norms and societal values. These actions erode public trust in science ^[99].

3.2.1 Non- publication of data

Non-publication of data, sometimes known as "cooking" data, is the omission of a specific subset of data from a study that does not fit with the desired outcome. This technique is frequently employed when a test number appears to be excessively large or little, although it is not considered "cooking" data. It is critical to detect incorrect data during data collecting, such as when a test value appears to be out of calibration. However, changing a value during analysis is called "cooking" data ^[100].

⁹³ Ethical and Moral Issues of Plagiarism and the Ways to Avoid It | Kibin <https://www.kibin.com/essay-examples/ethical-and-moral-issues-of-plagiarism-and-the-ways-to-avoid-it-089zQ3PY>

⁹⁴ Why is Plagiarism a Violation of Ethics? | Quetext Blog <https://www.quetext.com/blog/plagiarism-violation-of-ethics>

⁹⁵ Ethics of plagiarism - PLAG <https://blog.plag.ai/ethics-of-plagiarism>

⁹⁶ Plagiarism and Ethical Issues - IEEE Computational Intelligence Society <https://cis.ieee.org/publications/ieee-transactions-on-artificial-intelligence/plagiarism-and-ethical-issues>

⁹⁷ [PDF] Plagiarism as Literacy Practice: Recognizing and Rethinking Ethical Binaries - Oakland University <https://oakland.edu/Assets/upload/docs/OUWC/Valentine-Article.pdf>

⁹⁸ National Academy of Sciences, National Academy of Engineering (US) and Institute of Medicine (US) Committee on Science, Engineering, and Public Policy, 'On Being a Scientist: A Guide to Responsible Conduct in Research: Third Edition' Washington (DC): National Academies Press (US); 2009. Available from: <https://www.ncbi.nlm.nih.gov/books/NBK214568/> doi: 10.17226/12192

⁹⁹ Ibid <https://www.ncbi.nlm.nih.gov/books/NBK214564/#:~:text=Fabrication%20is%20%E2%80%9Cmaking%20up%20data,represented%20in%20the%20research%20record.%E2%80%9D> > Accessed 13 October 13, 2023

⁹⁹ Ibid

¹⁰⁰ Jerry R. Thomas, Philip E. Martin, Jennifer L. Etnier & Stephen J. Silverman, 'Seven areas of research misconduct' Human Kinetics: an Employee - Owned Company <

3.3 Poor data storage and retention

Data storage, retention, and disposal are critical ethical challenges in research, with incidents of misconduct involving researchers who do not limit access to private health information or who lose sensitive data. One typical error is retaining data for an inordinately extended period, which can result in security breaches and an increased load on research groups. Before beginning research, a responsible, ethical, and appropriate data storage policy should be created to address these challenges. The primary investigator should determine if extended storage is necessary, taking into account the benefits and hazards of retaining project-related data. Implementing such a strategy before the start of research can help lower the risk of data breaches while also increasing the organization's responsibility for data security and access ^[101].

3.4 Misleading authorship

Academic dishonesty is a type of wrongdoing that has an impact on the quality of learning in an academic setting. It involves deceptive authorship, in which a researcher takes full credit for their work even though they were supported by another individual. This is considered academic dishonesty. Tampering with examination scripts, class work, grades, and records, failing to follow instructions regarding the individuality of work, acquiring or distributing examination materials or information not authorized by the faculty, impersonating another student, falsifying reports, and writing exams outside the confines of the examination room without permission are all examples of misconduct. It's critical not to take credit for something you didn't do.

3.5 Selective reporting

Selective reporting bias is the purposeful skewing of scientific research results to downplay negative or unwanted findings. This prejudice compromises academic research's integrity and contributes considerably to the current 'reproducibility dilemma' in scientific publishing since it results in findings that are unreliable due to bias during the analytical or writing stages ^[102]. FFP (false reporting bias) is a sort of research misconduct that includes publication bias, result reporting bias, spin, and citation bias. These prejudices contribute to a distrustful culture in research and academia. Journal editors can assist in reversing this view by fostering a research integrity culture in their publications. They can keep poor clinical trial outcomes from being under-published, cherry-picked, exaggerated, or mentioned

<https://us.humankinetics.com/blogs/excerpt/seven-areas-of-research-misconduct> > accessed 14 October 2023

¹⁰¹ Elsevier Author services, 'Research Data Storage and Retention' Elsevier < <https://scientific-publishing.webshop.elsevier.com/publication-process/research-data-storage-retention/#:~:text=Poor%20Data%20Storage%20and%20Retention%20in%20Research,-The%20ethics%20and&text=For%20example%2C%20a%20principal%20investigator,to%20data%20for%20too%20long.> > Accessed 13 October 2023

¹⁰² Professor Lex Bouter, Introduction to research integrity and selective reporting bias' Editor Resources, Taylor & Francis Group (2023) < <https://editorresources.taylorandfrancis.com/publishing-ethics-afor-editors/research-integrity-and-selection-bias/#:~:text=Selective%20reporting%20bias%20is%20when,the%20analysis%20or%20writing%20stages.> > accessed 14 October 2023

more frequently than positive ones. This contributes to the improvement of scientific research quality ^[103].

3.6 Unethical data collection procedures

This can happen during the data collection stage of a research project, especially for graduate students. These include continuing to collect data from people who do not meet study requirements, using faulty equipment, unfairly treating subjects, and wrongly documenting data. A doctorate student, for example, was collecting data on running economy in the field when a male runner performed abnormally during a run. When the experimenter questioned him, she discovered that he was hung over from the previous evening's drinking. She sensibly erased the data and arranged another run several days' later, avoiding data with skewed results as a result of the participant's failure to adhere to study criteria ^[104].

The conduct of ethical legal research is a fundamental aspect of responsible legal research. To safeguard the rights and welfare of participants, uphold the validity of the research procedure, and increase legal knowledge, researchers must adhere to these ethical norms. Researching law effectively and credibly requires ethical reflection and conformity to predetermined rules. By doing this, researchers make sure that their study advances social justice, fairness, and other loftier ideals.

5. Ways of avoiding a breach of ethics in legal research

Academics are increasingly discussing ethical quandaries in their research and academic jobs, with psychologists asking for guidance from colleagues on matters ranging from supervising graduate students to handling sensitive research data. Meeting professional, institutional, and federal guidelines for doing research with human subjects, typically overseeing students they also teach, and dealing with authorship difficulties are all part of the job for researchers. To assist researchers in avoiding moral conundrums, the APA Science Directorate offers five suggestions ^[105].

5.1 Talk openly about intellectual property ^[106]: The competitive "publish-or-perish" mentality can give rise to disputes over who should be given authorship credit. Talking about these topics at the start of a professional relationship is the best way to prevent conflicts. As soon as it is practical, faculty advisors should bring up publication credit with students and, as necessary, throughout the research and publication processes.

5.2 Don't play multiple roles: Professionals are advised to stay away from relationships that can compromise their ability to do their jobs or the work of others by the American Psychological Association's (APA) code of

ethics. Many other kinds of relationships, nevertheless, are permissible so long as they don't have any negative consequences. For instance, it's crucial to make it clear that participation is voluntary and has educational value when enlisting students or clients for research investigations. Students must have appropriate options for engaging in research, according to the 2002 Ethics Code. Researchers frequently play many roles, including mentoring and supervising students, but they should avoid abusing their authority and draft a written contract detailing duties and levels of monitoring. Psychologists must address any unfavorable connections ethically while upholding the Ethics Code ^[107].

5.3 Comply with the guidelines for informed consent:

According to the APA Ethics Code, psychologists who conduct research must provide participants with information about the study's goals, anticipated duration, procedures, rights to decline participation, expected outcomes, predictably influencing factors, potential benefits, confidentiality restrictions, incentives for participation, and contact details. The guideline emphasizes that participation is voluntary and addresses the possibility, size, and duration of any potential damage or benefit. Participants in experimental treatment studies must be made aware of the treatment's experimental nature, any alternative treatments, and the associated compensation expenses. However, psychologists are allowed by the APA Ethics Code to waive informed consent in two circumstances: when it is allowed by law or federal rules, or when it is not foreseeable that the research may distress or harm participants. Psychologists should offer a thorough debriefing after data collection and give clients the chance to confirm their consent if they are unable to get full consent ^[108].

5.4 Confidentiality and privacy must be respected:

Psychologists must respect confidentiality and privacy in their study activities, but privacy concerns differ depending on the research population. To avoid embarrassing circumstances, researchers should provide specific interview questions to participants and use caution while selecting people. They should also talk about the boundaries of confidentiality, learn about federal and state laws, and implement actual security measures. Confidentiality records should be kept in secure locations with limited access and should be devoid of identifying information. Before beginning the study, researchers should consider data sharing, outlining how and whether data will remain anonymous. Psychologists should utilize known measures to safeguard confidentiality while communicating, such as coding data to conceal identities. Understanding the Internet's limits is critical for conducting successful online research. When exchanging confidential information electronically, be cautious. If researchers are not technologically skilled, they should seek assistance from someone who is. This ensures that their data is secure and

¹⁰³ Ibid

¹⁰⁴ Jerry R. Thomas, Philip E. Martin, Jennifer L. Etnier & Stephen J. Silverman, 'Seven areas of research misconduct' Human Kinetics: an Employee - Owned Company < <https://us.humankinetics.com/blogs/excerpt/seven-areas-of-research-misconduct> > accessed 14 October 2023

¹⁰⁵ DEBORAH SMITH, 'five principles for research ethics: Cover your bases with these ethical strategies' American Psychological Association Vol 34, No. 1 pp 56. (2003) < <https://www.apa.org/monitor/jan03/principles> > Accessed 14 October 2023

¹⁰⁶ Ibid

¹⁰⁷ Ibid

¹⁰⁸ DEBORAH SMITH, 'five principles for research ethics: Cover your bases with these ethical strategies' American Psychological Association Vol 34, No. 1 pp 56. (2003) < <https://www.apa.org/monitor/jan03/principles> > Accessed 14 October 2023

that others cannot access it ^[109].

5.5 Use ethics resources: Researchers can avoid ethical quandaries by recognizing their ethical commitments and the resources at their disposal. The Belmont Report, the APA's Ethics Code, and the National Commission for the Protection of Human Subjects in Biomedical and Behavioural Research's Ethics Code are all basic ethical concepts. Institutional review boards can assist researchers in resolving potential conflicts, but psychologists must provide detailed information about the study, such as the permission process, participant recruiting, and confidentiality protection, to better educate their members about behavioural research ^[110].

6. Conclusion and Recommendation

Research misconduct can lead to severe consequences, including preventable illness, loss of life, wasted resources, and damaging careers. Funding agencies often require reporting of misconduct cases, which can be costly and damaging to the careers of those involved. Retraction of papers and reputational risks can further damage the careers of those who commit misconduct ^[111].

Academic users frequently struggle to balance the expectation of originality with the requirement to use other people's works in their work. The academic community encourages people to create themes based on existing knowledge, but also to consult specialists and acknowledge earlier researchers. However, as people attempt to combine earlier works into their own independent and critical viewpoints, this might lead to plagiarism.

Recognizing the uniqueness of academic work is critical since it leads to the creation of unique, independent, and creative work. Receiving credit for their work, demonstrating intellectual integrity, contextualizing their work, demonstrating academic maturity, and referring readers to sources for verification or further usage are all advantages of good citing.

To avoid plagiarism, researchers must learn to incorporate ideas from others, properly document sources, and credit their contributions. Faculty and academic staff must adhere to clear norms and procedures, teach students proper citation and reference techniques, prevent reusing assignments, and include a guideline for using sources in research courses.

Citation is critical in academic writing. To avoid plagiarism, unambiguous recognition of quotes is required, as is cutting and pasting from the source. Proper citation not only gives credit to the original author but also helps readers locate the source for further reference. It is important to use a consistent citation style, such as APA or MLA, and to

include all necessary information, such as the author's name, publication date, and page numbers. Additionally, paraphrasing and summarizing information from sources should also be properly cited to avoid any unintentional plagiarism. Internet, paraphrasing, collusion, accurate reference, failure to acknowledge help, use of information created by professional agencies or other persons, and avoidance of self-plagiarism ^[112].

Quotations must be recognized with quotation marks or indentation, and sources must be fully referenced. Internet information must be properly cited and incorporated in the bibliography. Plagiarism occurs when someone paraphrases the work of another without giving proper credit. It is preferable to write a succinct overview of the author's point rather than paraphrase chunks of their work ^[113].

Collaboration is forbidden, including unauthorized collaboration, the inability to attribute received assistance, and failing to adhere to specified regulations on group work projects. Plagiarism was also considered. It is critical to cite correctly, and references should be recorded in a bibliography. It is also necessary to acknowledge help from other students, laboratory personnel, and other sources.

Self-plagiarism is prohibited, and concurrent submissions of work will count as auto-plagiarism as well ^[114].

Also, Universities should publicize ethical research policies and expectations, encourage faculty and student debates about academic honesty, research ethics, and plagiarism, and enhance working circumstances. Students can learn how to correctly paraphrase, quote, and summarize scholarly literature.

In conclusion, it is trite that Ethical issues in legal research are critical for conducting responsible research, preserving participant rights, maintaining integrity, and advancing knowledge. When referring to legal texts, consistency, and persuasiveness are vital. Guidelines must also be followed to conduct meaningful and legitimate research that serves justice, fairness, and societal improvement.

7. References

1. Kakkar A. '7 motivations that drive faculty to research' Humber Research & Innovation; c2021. < [https://nji.gov.ng/wp-content/uploads/2021/12/Legal-Research-Methodology-and-Applicable-Procedures-to-Legal-Research-in-](https://humber.ca/research/news/7-motivations-drive-faculty-research#:~:text=As%20per%20the%20Merriam%20Webster,%E2%80%9D%2C%20meaning%20' search'.> Accessed 8 October 2023
2. Abugu U. Legal Research Methodology and Applicable Procedures to Legal Research in Nigeria' being a paper presentation at the National Workshop for Legal Research Assistants of the National Judicial Institute; c2021. < <a href=)

¹⁰⁹ DEBORAH SMITH, 'five principles for research ethics: Cover your bases with these ethical strategies' American Psychological Association Vol 34, No. 1 pp 56. (2003) < <https://www.apa.org/monitor/jan03/principles> > Accessed 14 October 2023

¹¹⁰ Ibid

¹¹¹ Imperial London College, 'What is research misconduct?' (2023) < [¹¹² Oxford Students, 'Plagiarism' University of Oxford \(2023\) < \[¹¹³ Oxford Students, 'Plagiarism' University of Oxford \\(2023\\) < \\[¹¹⁴ Ibid\\]\\(https://www.ox.ac.uk/students/academic/guidance/skills/plagiarism#:~:text=%E2%80%9CPresenting%20work%20or%20ideas%20from,your%20work%20without%20full%20acknowledgement.> accessed 14 October 2023</p>
</div>
<div data-bbox=\\)\]\(https://www.ox.ac.uk/students/academic/guidance/skills/plagiarism#:~:text=%E2%80%9CPresenting%20work%20or%20ideas%20from,your%20work%20without%20full%20acknowledgement.> accessed 14 October 2023</p>
</div>
<div data-bbox=\)](https://www.imperial.ac.uk/research-and-innovation/research-office/research-governance-and-integrity/research-integrity/what-is-research-integrity/what-is-research-misconduct/#:~:text=It%20is%20often%20defined%20by,%2C%20graphs%2C%20images%20or%20results.> Accessed 14 October 2023</p>
</div>
<div data-bbox=)

- Nigeria-by-Prof.-Abugu.pdf > Accessed 8th October 2023
3. Zain NRM. Critical Appraisal on Comparative Legal Research in Development of Laws' IOSR Journal of Humanities and Social Sciences (IOSR-JHSS). 2015;20(3):17-25. < https://www.researchgate.net/publication/299619461_Critical_Appraisal_on_Comparative_Legal_Research_in_Development_of_Laws > Accessed 8 October 2023
 4. David B, Resnik JD. What is Ethics in Research & Why is it Important?' National Institute of Environmental Health Sciences; c2020. < <https://www.niehs.nih.gov/research/resources/bioethics/whatis/index.cfm> > Accessed 10 October 2023
 5. Wood DF. What is Research: Definition, Methods, types & Examples Question Pro, <https://www.questionpro.com/blog/what-is-research/> Accessed 11 October 2023
 6. Iedu Note. 'Legal Research: meaning, Definitions, and Example; c2023. < <https://www.iedunote.com/legal-research> > Accessed 11 October 2023
 7. Peters I, Promise AA. 'Legal Research Methods and Methodology' Newspaper; c2022. < <https://dnllegalandstyle.com/2022/legal-research-methods-and-methodology/> > Accessed 11 October 2023
 8. Soren C. Legal Research Methodology: An Overview Journal of Emerging Technologies and Innovative Research (JETR); c2021. < https://www.researchgate.net/publication/355523510_Legal_Research_Methodology_an_Overview > Accessed 11 October 2023
 9. Singer P. Ethics Britannica; c2023. < <https://www.editage.com/insights/importance-of-research-ethics#:~:text=Research%20ethics%20are%20moral%20principles,whole%2C%20whether%20knowingly%20or%20unknowingly.> > Accessed 11 October 2023
 10. Yip C, Han LNR, Sng BL. Legal and ethical issues in research National Library of Medicine, PMID: PMC5037952; c2016. < <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5037952/> > accessed 14 October 2023
 11. Singh B. What is the importance of research ethics? Editage insights. c2019. < <https://www.editage.com/insights/importance-of-research-ethics#answer-14576> > accessed 14 October 2023
 12. Bhandari P. Ethical Considerations in Research | Types & Examples' Scibbbr revised; c2019. < <https://www.scribbr.com/methodology/research-ethics/#:~:text=Voluntary%20participation%20means%20that%20all,reason%20for%20leaving%20the%20study.> > Accessed 12 October 2023
 13. Jerry R, Thomas, Philip E, Martin, Jennifer L, Etnier, *et al.* Silverman, 'Seven areas of research misconduct' Human Kinetics: an Employee - Owned Company < <https://us.humankinetics.com/blogs/excerpt/seven-areas-of-research-misconduct> > accessed 14 October 2023
 15. Oxford Students, 'Plagiarism' University of Oxford; c2023. < <https://www.ox.ac.uk/students/academic/guidance/skills/plagiarism#:~:text=%E2%80%9CPresenting%20work%20or%20ideas%20from,your%20work%20without%20full%20acknowledgement.> > Accessed 11 October 2023
 16. George T, Caulfield J. What Is Self-Plagiarism? | Definition & How to Avoid It' Scribbr; c2022. < <https://www.scribbr.com/plagiarism/self-plagiarism/#:~:text=Yes%2C%20reusing%20your%20own%20work,as%20other%20types%20of%20plagiarism.> > Accessed 11 October 2023
 17. Copyright Act of Nigeria; c2022. < <https://placng.org/i/wp-content/uploads/2023/04/Copyright-Act-2022.pdf> > accessed 13 October 2023
 18. National Academy of Sciences, National Academy of Engineering (US) and Institute of Medicine (US) Committee on Science, Engineering, and Public Policy, 'On Being a Scientist: A Guide to Responsible Conduct in Research: Third Edition' Washington (DC): National Academies Press (US); c2009. Available from: <https://www.ncbi.nlm.nih.gov/books/NBK214568/> DOI:10.17226/12192 < <https://www.ncbi.nlm.nih.gov/books/NBK214564/#:~:text=Fabrication%20is%20%E2%80%9Cmaking%20up%20data,represented%20in%20the%20research%20record.%E2%80%9D> > Accessed 13 October 13, 2023
 19. Elsevier Author services, 'Research Data Storage and Retention' Elsevier < <https://scientific-publishing.webshop.elsevier.com/publication-process/research-data-storage-retention/#:~:text=Poor%20Data%20Storage%20and%20Retention%20in%20Research,-The%20ethics%20and&text=For%20example%2C%20a%20principal%20investigator,to%20data%20for%20too%20long.> > Accessed 13 October 2023
 20. Professor Lex Bouter. Introduction to research integrity and selective reporting bias' Editor Resources, Taylor & Francis Group. c2023. < <https://editorresources.taylorandfrancis.com/publishing-ethics-afor-editors/research-integrity-and-selection-bias/#:~:text=Selective%20reporting%20bias%20is%20when,the%20analysis%20or%20writing%20stages.> > accessed 14 October 2023
 21. Max Planck LAW, 'COVID-19: Legal Research in a Time of Crisis' Max Planck LAW Impacts; c2022. < <https://law.mpg.de/impact/covid-19-legal-research-in-a-time-of-crisis/> > Accessed 14 October 2023
 22. Smith D. 'five principles for research ethics: Cover your bases with these ethical strategies' American Psychological Association. 2003;34(1):56. < <https://www.apa.org/monitor/jan03/principles> > Accessed 14 October 2023
 23. Imperial London College, 'what is research misconduct: c2023. < <https://www.imperial.ac.uk/research-and-innovation/research-office/research-governance-and-integrity/research-integrity/what-is-research-integrity/what-is-research-misconduct/#:~:text=It%20is%20often%20defined%20by,%2C%20graphs%2C%20images%20or%20results.> > Accessed 14 October 2023