



A Case For Treating Clinical Trial Participation As Labour

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Session Objectives

1. Review the background to the problem of exploitation of participants in clinical drug trials.
2. Discuss a series of possible objections to treating clinical trial participation as a form of labour.
3. Discuss a series of possible reasons to prohibit or minimize monetary offers as a means of compensating participants in clinical drug trials.



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Outline

- 1. Background
 - Situation of clinical trial participants in the current system
 - Exploitation concerns
- 2. Participation as Labour
 - *Prima facie* case
 - Potential objections
 - Implications
- 3. Competing Concerns
 - Reasons to prohibit, limit or minimize monetary compensation

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1. Background

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Clinical Trials



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Dual Purpose of Clinical Trials

1. Scientific: provide evidence of efficacy and safety of the investigational intervention
2. Pragmatic: satisfy prerequisite for regulatory approval to bring the new intervention to market



An Uncomfortable Situation

Participants in clinical trials are generally supposed to be acting altruistically...

...but this "altruism" feeds the extremely lucrative global pharmaceutical industry.



Exploitation Concerns





Exploitation - Definition

To exploit someone is to take unfair advantage of them. Exploitation can be consensual, and even a mutually-beneficial interaction can be exploitative.



How to Determine "Fairness"?





2. Participation as Labour



What is Labour?





What is Labour?

Labour is the use of human resources as a factor in the production (or attempted production) of something of value.



Prima Facie Case



Objections



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Objection: Direct Health Benefit



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Objection: Motivation



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Objection: Passivity





Objection: No Free (Un-Coerced) Labour





Objection: Medical Research is Unique!





Implications

- It may be appropriate to use existing standards of fairness in labour exchange to judge the fairness of clinical trials towards participants
- It does not (yet) follow that clinical trial participants should be paid



An Important Distinction

Commercial v. Non-Commercial





Exploitation & Compensation

"Healthy Subjects" v. "Patient Subjects"



Commercial v. Non-Commercial Research

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3. Competing Concerns

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Exploitation & Compensation



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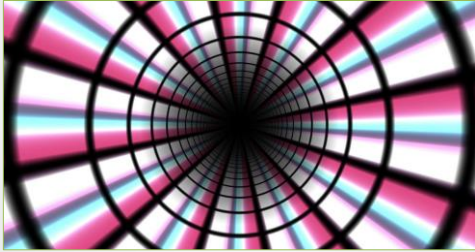
Money, Labour and Exploitation



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Undue Inducement





Undue Inducement (continued)





Bad Incentive





“Crowding Out”





Compensation Model Desiderata





Thank you for listening!

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Questions?

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