ECU HREC Position Statement on the Ethical Review of Clinical Trials:

Definition and scope: *what is a clinical trial and is this relevant to my research?*

For the purposes of ethics review at ECU and this position statement, a clinical trial is — *regardless of whether drugs, devices, or any therapeutic product are involved* — is ***any research study that prospectively assigns human participants (or groups of humans) to one or more health-related interventions to evaluate the effects on health outcomes.***

Clinical trials are often described as interventional trials — a label that reflects the study design rather than their content. Whilst an assigned intervention is a key determining factor in the definition of a clinical trial design, the intervention need not involve any therapeutic product: behavioural treatments, educational programs, exercise protocols, process-of-care changes, and preventive strategies all qualify, as do medical/surgical procedures and products.

Accordingly, a study may be a "clinical trial" even when it involves healthy volunteers (not patients), and/or evaluates exercise/physical activity, dietary, behavioural, educational, preventive, service-delivery, or digital interventions (not medicines).

It is acknowledged that some *projects may utilise a similar methodology to that of a clinical trial but not have a specific health outcome*, for example an educational strategy. If there is any doubt whether the research should be deemed a clinical trial, researchers can ask the following questions.

- Does the study involve *human research participants*?
- Is there *prospective assignment* (i.e., deliberate and active allocation before the study begins) of participants to an intervention?
- Is the study designed to *evaluate the effect of the intervention on the participant*?
- Is the effect being evaluated *health related, biomedical or a behavioural outcome*?

If the answer is YES to ALL of the above, then the study will be classified as a clinical trial and *this position statement is relevant to the research.*

If the answer is NO to ANY of the above (e.g., purely observational cohorts, audits, retrospective record reviews, or cross-sectional surveys without an assigned intervention), then the study will not usually be classified as clinical trials (though it may still require review by the HREC) and *this position statement is not relevant to the research.*

Context and purpose

This position statement is *issued to provide clear, consistent guidance to researchers, sponsors and reviewers* on the appropriate ethics review pathway for studies that meet the definition of a clinical trial – regardless of the nature of the clinical trial design.

Whilst this statement is relevant to all research that has a clinical trial study design, *it is particularly pertinent where the study design involves therapeutic goods* and may engage the ***Therapeutic Goods Administration (TGA)*** clinical trial schemes and associated legislative requirements. It reflects the need to ensure that, where TGA pathways apply, the approving Human Research Ethics Committee (HREC) has assured access to appropriate scientific and technical expertise for assessment of investigational product safety, consistent with TGA expectations.

Pending an ECU-endorsed, formalised Clinical Trial (CT) approach (including defined governance, resourcing, and systematic access to specialist expertise), this statement establishes *an interim, risk-appropriate approach that supports participant protection and regulatory compliance and provides assurances to researchers on the continued review of applications and predictable pathways for review.*

Clinical trials involving 'unapproved' therapeutic goods

In the absence of an ECU-endorsed, formalised CT approach that clearly outlines governance, resourcing, and assured access to appropriate scientific and technical expertise to support assessment of investigational product safety, the ECU HREC will ***not act as the approving HREC*** for clinical trials involving ***'unapproved' therapeutic goods*** that require a TGA ***Clinical Trial Notification (CTN)*** or ***Clinical Trial Approval (CTA)*** pathway under the mandatory requirements of the therapeutic goods legislation.

This position is consistent with ***TGA guidance*** that: (i) the choice of CTN or CTA lies first with the sponsor and then with the HREC that approves the protocol; (ii) the scheme selected must be based on whether the trial falls under mandatory legislative requirements; and (iii) where either scheme may apply, a key consideration is whether the approving HREC has access to appropriate scientific and technical expertise to assess the safety of the product.

For the purposes of the TGA clinical trial schemes, ***'unapproved' therapeutic goods*** include goods ***not included in the Australian Register of Therapeutic Goods (ARTG)***, and may also include therapeutic goods included in the ARTG where the proposed use in the trial is ***not covered by the existing ARTG entry*** (e.g., use outside the registered indication or other ARTG conditions relevant to the trial context).

For trials in this category, ECU researchers/sponsors are expected to obtain ethics approval from an ***appropriately constituted external HREC*** with the requisite expertise to approve the protocol under the relevant TGA scheme.

Where a CT requiring a CTN/CTA pathway has already received external HREC approval, ECU will support conduct of the project at ECU via the ***Executive Review pathway for externally approved applications***, enabling ***reciprocal ethics recognition*** by the ECU HREC Executive in accordance with ECU's Executive Review Procedures. In these circumstances, the ***external HREC remains the approving HREC for CTN/CTA purposes***, and ECU's Executive Review pathway functions as ECU's internal recognition/governance mechanism for relying on that external approval.

Clinical trials using therapeutic goods included in the ARTG

The ECU HREC will consider applications for clinical trials using therapeutic goods that are ***included in the ARTG and used in a manner covered by the existing ARTG entry*** (i.e., trials that do ***not*** involve 'unapproved' therapeutic goods and therefore do ***not*** require the CTN/CTA pathway). However, the ECU HREC ***reserves the right to require referral to an external HREC*** where the risk profile, complexity, or specialist product/technical considerations indicate that the committee does not have (or cannot readily access) appropriate scientific and technical expertise to undertake the review to the required standard.

All other clinical trial designs (examples)

The ECU HREC will continue to review, through standard HREC processes, all other research that meets the definition of a clinical trial and is within ECU HREC remit—particularly trials that ***do not involve the supply or investigational use of an 'unapproved' therapeutic good*** (and therefore do not require CTN/CTA)—including, *but not limited to*, for example:

- **Physical activity / exercise intervention trials** (e.g., supervised vs home-based programs; resistance training protocols; falls-prevention exercise; rehabilitation exercise intensity/timing comparisons).
- **Behavioural and lifestyle intervention trials** (e.g., diet/nutrition programs*, sleep hygiene interventions, stress-reduction/mindfulness, smoking cessation support).
  Note: where a supplement/nutraceutical is a therapeutic good, its ARTG status and proposed use determine whether it is 'unapproved' for CTN/CTA purposes.
- **Education, coaching, and service-delivery model trials** (e.g., patient education modules, clinician training interventions, decision aids, telehealth vs in-person follow-up, stepped-care pathways).

- **Psychological and cognitive intervention trials** (e.g., structured Cognitive Behavioural Therapy (CBT) programs, cognitive training interventions, group support models).
- **Digital health and app-based intervention trials** (e.g., activity coaching apps, CBT digital programs, remote monitoring workflows), where the technology is ***not being supplied/used as an unapproved therapeutic good.***
- **Pragmatic trials comparing standard-of-care variations** within accepted practice (e.g., alternative physiotherapy regimens, scheduling or intensity variations of routine rehab).

Further Information:

ECU – Clinical Trials
World Health Organisation (WHO) – Clinical Trials
TGA: Australian Clinical Trials Handbook
TGA: Regulating Unapproved Therapeutic Goods
TGA: Australian Register of Therapeutic Goods (ARTG)
TGA: Clinical Trial Notification (CTN)
TGA: Clinical Trial Approval (CTA)
National Clinical Trials Governance Framework

Abbreviations

ARTG, Australian Register of Therapeutic Goods
CT, Clinical Trial
CTA, Clinical Trial Approval
CTN, Clinical Trial Notification
TGA, Therapeutic Goods Administration
HREC, Human Research Ethics Committee

Accountabilities and responsibilities

This document was developed by the ECU HREC and will be updated in accordance with the approved review cycle for position statements, or as otherwise appropriate. The HREC Position Statement Owner has overall responsibility for the content of this position statement and its operation.

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