Surveillance, privacy and the ethics of librarianship

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Focus

- Forms of surveillance in higher education
- Chilling effect on freedom of expression
- Potential professional responses

Surveillance in education

Prevent strategy

- Set up in 2006 by Labour government as part of wider counter-terrorism strategy called CONTEST
- Aim: to stop people becoming terrorists or supporting terrorism
- Integration element removed in 2011 by Coalition government

Three objectives:

- Challenging the ideology that supports terrorism and those who promote it
- Protecting vulnerable people
- Supporting sectors and institutions where there are risks of radicalisation

(FullFact 2017)

2015 Counter-Terrorism and Security Act

Imposes legal duty on public bodies, and the people who work for them, to spot early warning signs of terrorist sympathy, and report individuals to police

"Staff are to surveil their students in order to report changes in behaviour and outlook" (McGovern 2017)

Many academics consider legislation unnecessary, ill-conceived, and in conflict with academic freedom

Impact of Prevent

Committees of MPs have heard criticisms of the strategy including that it alienates Muslim communities, restricts freedom of expression and impacts human rights. This has been echoed by a number of NGOs. A UN representative also suggested that the Prevent programme was having the opposite of its intended effect by "dividing, stigmatising and alienating segments of the population".

Full Fact 2017

"The managers of the neoliberal university can silence by deploying a subverted discourse of protection. The language of reputation can become the mask of compliance and censorship."

(McGovern 2017)

"Requires university staff to act as agents of the state...threatens to damage trust between staff and students, restrict critical enquiry and limit discussion..."
(Haynes and Passy 2017)

- 16-year-old from Hampshire referred to Prevent after borrowing a book on terrorism <u>from the school library</u>

- After student accused of being a terrorist for reading book on terrorism in <u>Staffordshire University library</u>, feels he is always "looking over his shoulder"

- "The implications if I did not challenge this could be serious for me. I could go on a police list, I could be investigated without my knowledge. This could happen to any young Muslim lad."

Muslim children and teachers across the United Kingdom are self-censoring for fear of being reported under Prevent

Rights Watch UK 2016

If you tolerate this

- Prevent strategy
- Internet filtering
- Monitoring online behaviour
- Third party services
- Learning analytics

Internet filtering

"Real-time surveillance is mostly limited to visual monitoring of screens, but the almost ubiquitous use of automated booking systems and user identification ensures that there is the option of checking online activity histories. This enables staff to identify individuals who breach the AUP, but it may also result in self-censorship on the part of users."

(Muir et al. 2016)

Monitoring behaviour

- <u>UDiligence</u>: social media monitoring programs
- Requests for students to <u>remove blog posts</u> critical of NSA
- Surveillance cameras and <u>video analytics</u>
- ID cards

Third party services

- Adobe Digital Editions launched new version
- Company collected user data:
  - What books they read
  - When they were read
  - Where they were read
  - Which pages were looked at
- All linked to specific user IDs
- Adobe transmitted this information over the Internet in plain text

(Fister 2015)

Learning analytics

- Correlations between library use and student success
- Tracking library use
- Tracking student (and staff) location and movement
- Predict student success or failure

Advantages and disadvantages

- Insight into student behaviour
- Lots of data, relatively little effort
- Demonstrate return on investment
- Predict problems
- Plan for interventions
- Student safety
- Emergency response
- Crime detterance

- Limited insight into behaviour
- Lack of critique of quantitative methods and their application
- Potential for coercion - another weapon against the already stigmatised social group (Robertson and Traviglia 2017)
- Outliers ignored
- Correlation not causation
- Limited evidence of impact

Impact of surveillance on freedom of inquiry and freedom of expression

Panopticon (Foucault)

Potential of being observed exerts disciplinary force

"The knowledge of always being watched changes our behaviour and stifles dissent" (Riseup 2013)

Chilling effect

- 1 in 6 writers avoided "writing or speaking on a topic they thought would subject them to surveillance"
- Use of social media, web searches and online correspondence similarly impacted

(PEN America 2013)

34% of those aware of surveillance programs (30% of all adults) have taken at least one step to hide or shield their information from the government:

- 17% changed their privacy settings on social media
- 15% use social media less often
- 15% have avoided certain apps
- 13% have uninstalled apps
- 14% say they speak more in person instead of communicating online or on the phone
- 13% have avoided using certain terms in online communications

(Pew Internet 2015)

Impact of IP Act

- 22% had avoided writing or speaking on a particular topic with 17% seriously considering doing so (39% total)
- 28% had curtailed or avoided activities on social media with 13% seriously considering doing so (41% total)
- Majority of respondents said that collection of metadata (39%), collection of content data (62%), hacking platforms, networks or devices (60%), and installing backdoors into encrypted platforms (59%) would make them use the internet differently

(Smith et al. 2017)

Wikipedia traffic

Before and after Snowden revelations:

- Traffic to issues that raise privacy concerns dropped following National Security Agency (NSA) leak
- Wikipedia articles containing 48 terrorism-related terms DHS identified — including "al-Qaeda," "car bomb" and "Taliban" — saw traffic drop by 20 per cent
- Further study: young people and women most likely to self-censor

(Penney 2016)

Spiral of silence

- "Knowledge of government surveillance causes people to self-censor their dissenting opinions online"
- Concerns around homogenisation of online discourse
- Only majority viewpoints reflected on online fora
- Surveillance "can contribute to the silencing of minority views that provide the bedrock of democratic discourse"

(Stoycheff 2016)

Self-censorship

- Writers are worried about surveillance and engage in self-censorship
- Widespread concern about government and corporate surveillance
- Already engaging in self-protective behaviour
- Llimiting their freedom to research and write freely
- Majority of participants reported that they are not adequately informed or skilled to protect themselves online
- Self-censorship of research, writing and speech has implications for creativity, free expression, civic discourse and strength of democracy

(Smith et al. 2017)

What should librarians do?

- Reflect on professional values
- Support students
- Engage with research
- Consume and provide responsibly

Reflect on professional values

- Intellectual Freedom
- Privacy
- Democracy

(Gorman 2000)

Protecting user privacy is "necessary for intellectual freedom and fundamental to the ethics and practice of librarianship". (ALA 2008)

CILIP Ethical Principles

- Concern for the public good in all professional matters, including respect for diversity within society, and the promoting of equal opportunities and human rights
- Equitable treatment of all information users
- Respect for confidentiality and privacy in dealing with information users

(CILIP 2017)

"Academic librarians need to consider how important privacy is to them when the tools they use in everyday practice – search tools, licensed content, Facebook and the other social media platforms they use for outreach, their own websites – gather and mine data about people and their connections."

Need to consider "how new uses of data might benefit the library's mission and how (or if) those new uses can be reconciled with privacy"

(Fister 2015)

"If we are to credibly claim to be defenders of intellectual freedom and responsive to our communities, we need to use data more cleverly - and protect member privacy while we do so."

(Fister 2015)

Professional discussion

"This house believes that protecting users' privacy in libraries should take precedence over any other demands on users' data."

CILIP North East debate 23 March 2017

Support students

"A lot of the language of computing, although I've been in classes where it's discussed by experts, just kind of baffles me, to be honest, and…I think probably I need to get educated a wee bit more by someone…because I think we probably are a bit exposed and a wee bit vulnerable, more than we realise."
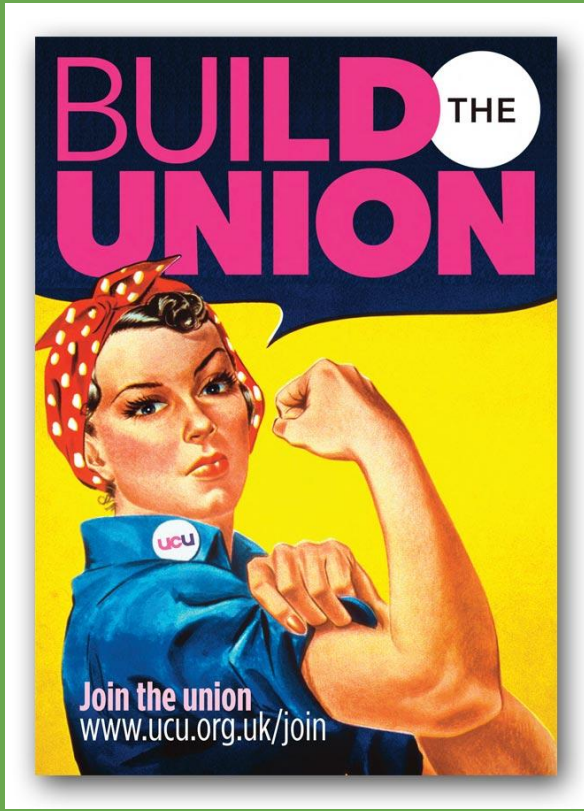
(Participant Five, Smith et al. 2017)

"I think probably what worries me, and probably people my kind of age, would be…does our ignorance of what's technologically possible and what's unethically being done, legally or illegally but either of it unethically, make us vulnerable, because we just don't really understand."

(Respondent Five, Smith et al. 2017)

Join your union

Information and digital literacy

- Discussions about student perceptions of surveillance
- Clearly articulated expectations for classroom discussion
- Include education around human rights, digital security and privacy
- Consider impact of social disadvantage on agency

Engage with research

Research and data ethics

- Think about how data could be used and abused *before* collection
- Allow students to make informed choices
- Do not disadvantage students if they decline
- Only collect the data you need
- Store data securely
- Delete data when appropriate

Call for Papers: *Library Trends*
Learning Analytics and the Academic Library

It is enticing to assume good things about library participation in learning analytics. The profession wants to provide just the right information at just the right time, and professional librarians want that information to aid students as they develop personally, academically, and professionally. Moreover, the profession seeks to further cement its position as a key player in the educational experience, and learning analytics may enable librarians to make stronger claims about their pivotal role once they gain access to new sources of data and the metrics that come from data analysis. But, like all technologies, learning analytics are not neutral; they are embedded with and driven by political agendas, which may not be congruent with—or necessarily aware of—extant values and ethical positions, such as those espoused by academic librarians and users of their libraries. Consequentially, scholars and practitioners need to take a critical approach to the growing role of learning analytics in academic libraries and the wider higher education context in order to better inform conversations concerning the intended and unintended positive and negative outcomes learning analytics can bring about.

Professional reading

- Breeding, M (2016) High security and flexible privacy for library services. Information Today (website)
- Chatman, E. A., 1996. The impoverished life-world of outsiders. *Journal of the Association for Information Science and Technology*, 47(3), pp.193–206 (pdf)
- Haynes, J and Passy (2017) Racism, Prevent and education: insisting on an open space. *Safer Communities*, 16(4), pp.155-165 (paywalled)
- Marthews, A and Tucker, C (2017) Government surveillance and internet search behavior (pdf)
- Sclater, N et al. (2016) Learning analytics in higher education: a review of UK and international practice. Full report. Jisc (pdf)

Consume and provide responsibly

If you have chosen, whether actively or by default, to trust that the technical affordances of your software match both your contracts and your values, you have chosen to let privacy burn. If you're content with that choice, have the decency to stand up and say it: to say that playing nice with your vendors matters more to you than this part or professional ethics, that protecting patron privacy is not on your list of priorities.

(Yelton 2014)

Make good choices

- How would your users feel if they were informed?
- What impact do our decisions (or lack of) have on our communities?
- What outcomes do these impacts have on society?
- How can we behave ethically and responsibly?

Thank you

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