**Case Study 18: Data Mining**

[Case study taken from, ‘Ethics and professional responsibility in computing’ MICHAEL C. LOUI & KEITH W. MILLER in Wiley Encyclopedia of Computer Science and Engineering, edited by Benjamin Wah.]

XYZ Corporation plans to monitor secretly the Web pages visited by its employees, using a data mining program to analyse the access records. C., an engineer at XYZ, recommends that XYZ purchase a data mining program from R., an independent contractor, without mentioning that R. is C.’s domestic partner. R. had developed this program while previously employed at UVW Corporation, without the awareness of anyone at UVW.

Question:

1. Can you catalogue the ethical concerns that are relevant here (for both C. and R.)?

**Author’s analysis:**

First, the monitoring of Web accesses intrudes on employees’ privacy; it is analogous to eavesdropping on telephone calls. Professionals should respect the privacy of individuals

(ACM Code 1.7, Respect the privacy of others, and 3.5, Articulate and support policies that protect the dignity of users and others affected by a computing system).

Second, C. has a conflict of interest because the sale would benefit C.’s domestic partner. By failing to mention this relationship, C. was disingenuous (ACM Code 1.3, Be honest and trustworthy). [EI 1.6 A Member shall not act in a professional capacity for an employer or a client in regard to any third party, or in regard to any matter involving a third party, where the Member has any personal, commercial or other professional interest in the said third party or the said matter as the case may be without first divulging the full facts in writing to their client or employer and obtaining their written agreement to so act.]

Third, because R. developed the program while working at UVW, some and perhaps all of the property rights belong to UVW. R. probably signed an agreement that software developed while employed at UVW belongs to UVW. Professionals should honour property rights and contacts (ACM Code 1.5, Honour property rights including copyrights and patent, and 2.6, honour contracts, agreements, and assigned responsibilities). [EI 1.1 Members shall behave with integrity and objectivity in their relationships with colleagues, clients, employers, employees and with society in general.]