

Seminar 3: Case Study – Privacy

Case Study Outline

Ricardo works for the records department of his local government as a computer records clerk, where he has access to files of property tax records. For a scientific study, a researcher, Beth, has been granted access to the numerical portion “but not the corresponding names” of some records.

Beth finds some information that she would like to use, but she needs the names and addresses corresponding with certain properties. Beth asks Ricardo to retrieve these names and addresses, so she can contact these people for more information and for permission to do further study.

Now consider, what are the ethical issues involved in deciding which of these options to pursue?

- If Ricardo is not responsible for determining allowable access, should he release the names and addresses?

I think that given the following assumptions:

1. Ricardo is not responsible for performing authorisation checks,
AND
(
 2. Ricardo’s job specification does not *explicitly* state the need to prevent unauthorised access,
OR
 3. Ricardo’s understanding of unauthorised access problems is restricted,
OR
 4. Ricardo may be fatigued at the time of request,
)
- AND
5. Ricardo does not fully understand the reason for the request

THEN

Ricardo is **not** held responsible for granting access to the names and addresses.

WHY

Additional education and training may be required.

- Suppose Ricardo were responsible for determining allowable access to the files. What ethical issues would be involved in his deciding whether to grant access to Beth?

Ricardo must consider the following issues:

- *Existing relationships*. Does any relationship exist between the researcher and participants? In other words, is the information requested to intentionally create harm.
 - *State of the entities*. Do the data relate to living entities or deceased entities?
 - *Harm*. Does Ricardo have personal knowledge of one or more entities that might be harmed by granting access?
 - *Purpose*. What is the researcher's purpose for requesting access?
 - *Regulations*. Does there exist any regulation preventing access?
 - *Consent*. Have the participants given informed consent for their details to be used in research?
- Should Beth be allowed to contact the individuals involved? That is, should the Records department release individuals' names to a researcher? What are the ethical issues for the Records department to consider?

Beth should only contact the individuals if the information they hold is *pertinent* to her study. In other words, is it possible to obtain the information from alternate sources?

Beth should be permitted to contact the individuals if there is no privacy policy, regulations, restricted consent, or law preventing her from doing so. However, Beth **must consider** (provided she is permitted) whether it is necessary to contact the individuals or not.

Ethical issues for the records department include:

- *Data privacy*. The individuals may not grant consent for their details to be published.
 - *Age*. The individuals may be young children.
 - *Health*. The individuals may not be of sound mind or able to contribute and a request to participate may induce panic or disruption.
-
- Suppose Beth contacts the individuals to ask their permission, and one-third of them respond giving permission, one-third respond denying permission, and one-third do not respond. Beth claims that at least one-half of the individuals are needed to make a valid study. What options are available to Beth?

Beth can take the following actions:

1. Restate her research question that requires a smaller sample set.
2. Use the one-third sample and seek another group elsewhere. For example, if her research calls for 60 individuals, however one-third respond (or, 20 individuals), perhaps individuals may be sourced elsewhere, albeit in a different location, town, or country.
3. Abandon the research as the results may be skewed or biased.
4. Persuade the one-third who did not respond.
5. Consider using alternative research methods such as a questionnaire, email or reward system.