

Users: Ethics

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I214

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UPA Ethical Principles

http://www.usabilityprofessionals.org/about_upa/leadership/code_of_conduct.html

- Act in the best interest of everyone
- Be honest with everyone
- Do no harm and if possible provide benefits
- Act with integrity
- Avoid conflicts of interest
- Respect privacy, confidentiality, and anonymity
- Provide all resultant data

User experience research ethical concerns

- Informed consent
- Discomfort of participants
- Potential harm to participants
- Confidentiality and anonymity

One study's guidelines

- The performance of any test participant must not be individually attributable.
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- Individual participant's name should not be used in reference outside the testing session.
- A description of the participant's performance should not be reported to his or her manager.

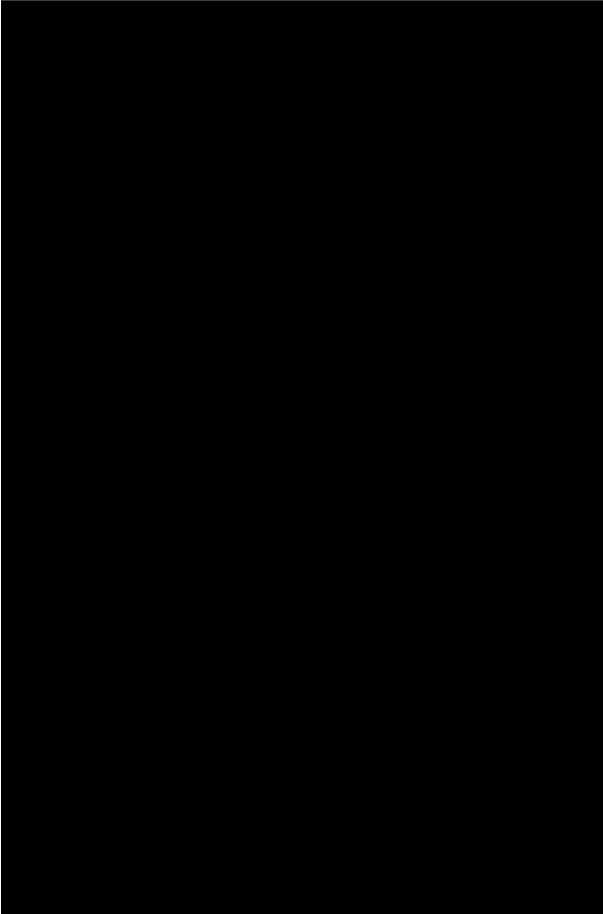
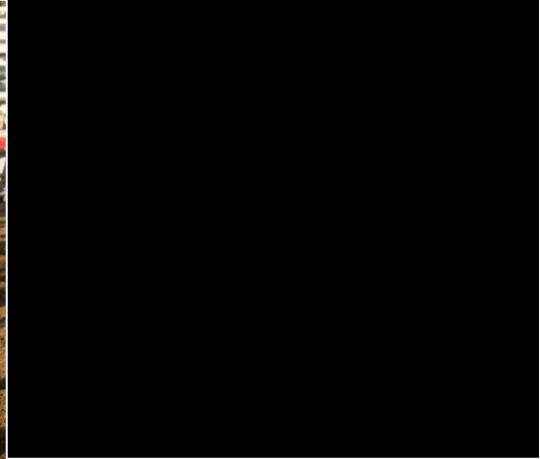
CPHS

Private information includes information about behavior that occurs in a context in which **an individual can reasonably expect that no observation or recording is taking place**, and information which has been provided for specific purposes by an individual and **which the individual can reasonably expect will not be made public** (e.g., a medical or school record). In order to meet the above definition, **private information must be individually identifiable** (i.e., the identity of the subject is known or may readily be ascertained by the investigator or associated with the information) in order for the investigation to constitute research involving human subjects. In general, private information is considered to be to be **individually identifiable when it can be linked to specific individuals by the investigator(s)** either directly or indirectly through coding systems, or when **characteristics of the information obtained are such that by their nature a reasonably knowledgeable person could ascertain the identities of individuals.**

Photography and Video in Public Places

- The general rule in the United States is that **anyone may take photographs of whatever they want when they are in a public place or places where they have permission to take photographs.**
 - Examples of places that are traditionally considered public **are streets, sidewalks, and public parks.**
 - **Members of the public have a very limited scope of privacy rights when they are in public places.** Basically, anyone can be photographed without their consent except when they have secluded themselves in places where they have a reasonable expectation of privacy such as dressing rooms, rest- rooms, medical facilities, and inside their homes.
- Exceptions
 - commanders of military installations can prohibit photographs of specific areas when they deem it necessary to protect national security.
 - The U.S. Department of Energy can also prohibit photography of designated nuclear facilities.





Informed Consent - CPHS

- <http://cphs.berkeley.edu/consent.pdf>

Added issues with video and photos:
Participants are recognizable!

From IVSA Code of Ethics: Use of Recording Technology

- Researchers obtain **informed consent** from research participants, students, employees, clients, or others **prior** to photographing, videotaping, filming, or recording them in any form, **unless these activities involve simply naturalistic observations in public places and it is not anticipated that the recording will be used in a manner that could cause harm.**
- Efforts to respond ethically to unintended circumstances and consequences are necessary in a multi-mediated environment.
- Reasonable efforts may include **the visible use of technology** (e.g. the led light on video cameras).
- Informal as well as subsequent formal permissions to record and make public these recordings may be in addition to formal informed consent procedures for research subjects.

Photo Releases (not CPHS/IRB)

- **Does the person or thing in the photo imply he or it is an advocate or sponsor for an underlying idea or product.** ...You may have heard that model releases are necessary for all commercial uses. But you need to think beyond that kind of advocacy.
- [If] the use of the photo is merely repeating something someone's said in public, or to a reporter...we enter into the realm of "**editorial use,**" where a release is **not necessary. Magazine and newspaper stories about people (famous or not) do not require releases for the photos because the article is merely an expression of free speech.**...You would only get into trouble if you lied about them. That would be a case of libel.
- **The general rule is whether the use of a photo would imply that the subject "agrees with" or is a "sponsor of" the user of the photo.**
 - For example, a photo of a large crowd of people on a billboard ad for a cellular company may have some recognizable faces, but unless it appears that such people were "advocates or sponsors" for the company, a release from them wouldn't be necessary.