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Information ethics and archival practice



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Introduction



Overview

- Social and technological disruptions for records & archives
- The ethical implications & codes of ethics for ARM professionals
- InterPARES Trust
- Case study - Legacy of Residential Schools in Canada and changing social epistemology
- Distributional changes in power - Cloud Service Providers

Disruptions

Digital communications technologies and the role of records

- Distributional shifts of power
- Changes in social epistemology

- *Ronald Deibert, 2000*

The power of records



Legal Memorandum Privileged and Confidential

DATE: June 15, 2017
TO: All Presidential Transition Team Personnel
FROM: General Counsel's Office
RE: Document Preservation

As you know, there are several pending investigations into potential attempts by Russian interests to influence the 2016 election and related issues. In order to assist these investigations, the Presidential Transition Team and its current and former personnel have a responsibility to ensure that, to the extent potentially relevant documents exist, they are properly preserved.



The power of records

- Arsenals of history
- Arsenals of administration
- Arsenals of law
- Arsenals of human rights

Every aspect of archival work has an ethical component

- Duty to protect the integrity of records
 - Archival functions
 - Impartiality and transparency of work
- Commitment to the professional community
 - Professional competencies
 - Continuing education and research
- Commitment to social justice
 - Protection of privacy, confidentiality
 - Respect for intellectual rights, human rights
 - Recognition of pluralism

Codes of ethics - a brief history

- 1955 - Society of American Archivists
 - 1980; 1992; 2005
- 1991 - AAQ
- 1992 - ACA
 - 1999; 2017 (in process)
- 1993 - Association of Australian Archivists; Association of New Zealand Archivists, South African Society of Archivists
- 1994 - Society of Archivists (UK & Ireland)]
- 1996 - International Council on Archives
- 1997 - Quintana Report (UNESCO with ICA)

Digital technologies: Archival disruptions



Current challenges, prominent changes

Digital environment

- Qualitative & Quantitative
 - 3 Vs: Volume, Volatility, Versatility
 - Cloud computing
 - Social media
 - Big data
- Social environment
 - Authorship
 - Intellectual, privacy rights
 - Human rights
 - Plurality

Juridical environment

- New or uncertain legislation
- Accountability & effectiveness
- Responsiveness of public services
- Open government



Int

InterPARES Trust Research partnership

Trust

- Confidence of one party in another, based on alignment of value systems with respect to specific actions or benefits, and involving a relationship of voluntary vulnerability, dependence, and reliance, based on risk assessment.

Changing social epistemology: Pluralism, trust, and records

- InterPARES Trust research study, North American Team NA17: Plurality & Policy (Lisa Nathan, UBC; Richard Arias-Hernandez, UBC)
- “Investigating the ways policy is being used to address conceptions of trust in the context of evolving socio-technical change... and the relationship between plurality and policy in facilitating trust assertions in online environments.”

Case study: NTRC & Calls to Action



The General Synod Archives, Anglican Church of Canada:
P1538 (136)

Intersection of policy and plurality

- Who should own and maintain records in the NCTR database
- How to negotiate privacy and accuracy to sensitive records
- What is the balance between competing information needs of researchers, survivors, affected communities, and the general public
- What are the affective impacts on archivists and archival work
- How to promote plural cultural understanding

Distributional change - *caveat emptor* or *caveat veditor*?

- Data-centric thinking
- Record-centric thinking
- Records in the cloud - Who is responsible?

CSP contracts as instruments of trust: Purpose & Research question

- To explore the contract - specifically the contract between a client and a cloud service provider - as a tool for building trust
- How effectively do cloud service contracts meet the needs of records managers, archivists, and information governance professionals?
- What are the ethical considerations for archivists/records managers?

Contracts review

- Findings:
 - Several legal documents exist
 - Terms of Service
 - Service Level Agreements
 - Privacy Policies
 - Acceptable Use Policies
 - Little standardization of terms
 - “Often incomprehensible to majority of users”
 - Wide-ranging exclusions of liability favor the providers
 - Terms may change

Comparative Analysis

- Regardless of jurisdiction, sector, or industry, common risks to records exist:
 - Unauthorized access
 - Privacy breach
 - Loss of access, control
 - Lack of transparency of service
 - Lack of ability to negotiate service
 - Location ambiguity
 - Contract ambiguity

Specific Considerations

- Data ownership
- Availability, retrieval and use
- Data storage and preservation
- Data retention and disposition
- Security, confidentiality, privacy
- Data location and cross-border data flow
- End of service; contract termination

Resources

- Selected tools to help, InterPARES Trust, 2017
 - Checklist for ensuring trust in SaaS (EN, SP)
 - Checklist for comparative analysis of governmental e-services
 - Checklist for single sign-on systems
 - Economic models for cloud storage decision-making
 - Archival standard of practice
 - Functional requirements for retention & disposition in cloud
 - Managing records of citizen engagement initiatives: a primer
 - Checklist for evaluating cloud contracts (EN, AP, FR, NL)

Thank you!

Dankie

Ngiyathokoza

Enkosi

Ngiyabonga

Ke a leboha

Ke a leboga

Ndi a livhuha

Ndza Khensa

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