Ethical issues in the use of video:
Is it time to establish guidelines?

SIGCHI Discussion Forum

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Abstract

Video is a powerful medium: it can make a point or convince people in ways that other media cannot. Somehow, video seems "real". Yet, perhaps it is too powerful. Just as statements taken out of context can be very damaging, so can video clips misconstrue events or violate the privacy of the subjects involved. As researchers and designers increasingly use video to obtain information about how people interact with technology, it becomes important to examine the ethical issues involved in the creation and presentation of video. Should there be constraints on recording information? How do we obtain "informed consent"? Under what conditions should video be presented, and to which audiences?

This session provides a forum for discussion: the goal is to identify ethical issues in the use of video, learn from invited guests about existing practice in other fields and learn from audience members about the issues that have arisen in their own work. After the discussion, the members of the audience will attempt to determine whether or not the human-computer interaction community needs to develop its own set of guidelines for the ethical use of video.

Introduction

Video is a powerful medium for capturing and conveying information about how people interact with computers. It provides a record of sequential streams of natural observations, some of which are subtle, such as body language and eye movements, and are difficult to capture in any other form. Video also preserves context information in addition to the content of a session and provides multi-faceted, qualitative data that can be analyzed at a number of different levels. As the price of video equipment continues to drop, with corresponding increases in image quality, portability, and ease of use, video will become an indispensable tool for researchers and designers who study human-computer interaction and build software products. The purpose of the video and the way in which it is understood by its users deeply affect the kinds of ethical issues involved. The following are some the applications for which video is used, which present different ethical issues:

Product testing: Human factors consultants and software designers can use video pinpoint when misunderstandings arise, diagnose breakdowns, and identify the positive and negative aspects of new products. People involved in usability testing have discovered that judicious use of "highlights" from a user's interaction with a new software product can either concisely summarize the session or completely misrepresent it.

Video may be used convince developers to change features of products and improve the user interface, or to convince managers to make major changes in product design or strategy. When is this appropriate and when does video provide too powerful a voice? Designers can illustrate how users will interact with yet-to-be-built software and discover potential problems early in the development cycle.

Yet designers must be careful not to imply that such software is actually built and in use. A related concern arises from the fact that videotapes are often made for one purpose and subsequently used for another. Research videos may be "borrowed" by management or other groups, such as advertising. What are the ethical issues involved in using video for different purposes, particularly if the tapes are edited but presented as "real" data? Note that we must consider how to protect the researcher or designer, who can be seriously hurt by unexpected changes in the permitted conditions of the use of video.

Remote advice and communication: Consultants can observe remote users's problems and provide appropriate advice. Researchers can monitor and analyze ongoing events, such as video broadcast from the space station or pilots in a helicopter. Managers can record and analyze meetings with participants from remote sites. How do we protect people so that their actions are only videotaped when they are aware of it and give permission? Are there situations in which on-going recording and broadcast of video in public places is acceptable? Under what conditions does it become unacceptable?

Education: Teachers may use video to illustrate or teach. An effective teaching technique is to create video that simulates past events or illustrates possible events that have not been created yet. If such video is used in other contexts, it may be misleading and lead to misuse.

Video editing: Almost everyone who uses video edits it, including video data collected in the course of an experiment or in a field and video of prototypes of early or proposed software designs. Video data can be compressed in a variety of ways. Video clips can provide a shortened version of what occurred in the session or can be used to "tell a story". If clips are presented in random order, they can be combined to show "typical" interactions, highlight unusual or important events, or present collections of interesting observations. How can viewers tell which are representative summaries of events and which are misconstructions? Video editing tools created for other purposes have built-in assumptions about use, which may be inappropriate for these new applications and have ethical consequences. Thus, tools to help a documentary film-maker represent a particular point of view may be used to bias research data.

Research: Researchers may play different roles when videotaping. Researchers who choose to act as passive observers can ask individual subjects to "think out loud" or ask two subjects to talk to each other as they solve problems. Or, they may be active participants in the session and work with the subject to develop a shared understanding of what has occurred. The decision about the role of the researcher affects not only the kind of data recorded and the kinds of appropriate analysis, but also the ways in which it can be ethically presented. Researchers must decide what constitutes a finding and how best to use video to convince others of their research results. This also has the potential for misrepresentation. For example, providing numerical summaries of video events may provide a false sense of "objectivity" about what has occurred.

A very important issue is privacy. Traditional human factors studies go to great lengths to disguise the identity of subjects. In contrast, much HCI research capitalizes on those aspects of video which make subject identity impossible to disguise. Unlike other types of data, such as records of keystrokes or answers to questionnaires, it is difficult or impossible to disguise the participants in a study. Researchers must decide how to protect the privacy of individuals and members of groups and still convey their findings. In some cases, voices may be disguised or some kind of video masking may be done, but this does not suffice if researchers are looking at qualities of speech or gaze.

Another issue is the presentation itself. Showing "funny" clips at a conference may make for more entertaining presentations, but may misrepresent the information or make subjects look foolish. Researchers must think about whether or not individuals in a videotape understand the implications of signing a consent form. This is particularly important because videotapes are often made for one purpose and subsequently used for another. Even when researchers obtain a subject's consent, it is not always clear that the subject understands the implications of that consent. Thus, how do researchers ensure that they have obtained "informed consent"? Is it sufficient to ask permission prior to a session? What about after a session, when the subject "knows" what happened? Should the subject be able to see the video tape before making a decision? Must a subject be asked prior to every showing

to a new audience? Should the subject be told the context in which the video (or video clips) will be shown? (For example, at CHI conferences, videotapes may be shown to large audiences during talks, in small videotape viewing rooms, or on the hotel cable TV. In a world that is continually growing smaller, we cannot rely on the idea that no one in any particular audience will know the people on the tape. It is very disconcerting to find oneself projected on a 40 foot screen in front of one's colleagues.) Another example is the recent trend to display videotapes submitted to conferences into conferee rooms over the hotel cable TV channel. Suddenly, the tape has a much broader and more focused audience than it had when it was merely displayed on a video monitor in a small, designated area. While this may be beneficial for the researcher, it may cause problems for colleagues who have agreed to be subjects. Note that we must also consider how to protect the researcher or designer, who can be seriously hurt by unexpected changes in the permitted conditions of the use of video.

FORMAT OF THE DISCUSSION FORUM

This session introduces a new format for CHI conferences, which provides a forum for discussion of current issues of interest to the CHI community. The key participants are the *moderator*, who is responsible for framing the discussion question, identifying relevant experts, and managing the discussion, *invited experts*, who provide background information and related experience, and the *CHI audience*, who share their own ideas and experience.

The "invited experts" will come from related fields that use video, such as documentary film, broadcast news, sociology, anthropology, Psychology, human factors testing, educational TV, and audio/video companies. They will be asked to briefly describe their use of video and the legal restrictions, professional guidelines or role of review committees in their respective fields. Handouts will be available at the session for those interested in the formal laws and guidelines.

At the end of the session, the audience will be asked whether or not SIGCHI needs to develop a set of guidelines for the ethical use of video. One possible outcome is to decide that existing guidelines are sufficient and that no further action is necessary. Another outcome would be to decide that further work is necessary and to identify individuals who are interested in pursuing the issue. Possible activities might be to propose a workshop on the topic. The session will be organized as follows:

1. **Introduction: Why do we need to worry about ethical use of video?**

The moderator will frame the discussion question and show simulated examples of problematic uses of video, based on recent actual use. For example: choosing clips that make users look foolish, using real audio from a plane crash, showing a user to an audience without permission, and modifying video for advertising purposes. *(15 minutes.)*

2. **Focused discussion: What do other professionals do?**

The moderator will lead a discussion with the invited members of the audience, who will describe how video is used in their different fields and whether or not they have developed guidelines, laws or procedures for dealing with ethical issues. The goal is to provide information for the general audience. *(30 minutes.)*

3. **General discussion: What should the CHI community do?**

The moderator will lead a discussion with the general audience, who will voice their reactions to the previous segments and offer their own views. The goal is to obtain more information from audience members and to identify which guidelines are relevant to CHI researchers and designers. *(30 minutes.)*

4. **Final question: Should CHI establish ethical guidelines for video?**

The moderator will focus the discussion on the above question and then take a straw poll. The goal is to determine whether or not there is interest in developing guidelines for ethical use of video and find out who is interested in pursuing the topic further. *(15 minutes.)*