

# Our surveillance society needs a dose of integrity to be reliable

January 12 2015, by Joshua Gans And Steve Mann

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Credit: AI-generated image ([disclaimer](#))

At this moment, there are likely many eyes on you. If you are reading this article in a public place, a surveillance camera might be capturing your actions and even watching you enter your login information and password. Suffice it to say, being watched is part of life today.

Our governments and industry leaders hide their cameras inside domes of wine-dark opacity so we can't see which way the camera is looking, or even if there is a camera in the dome at all. They're shrouded in secrecy. But who is watching them and ensuring the data they collect as evidence against us is reliable?

## You are being watched

We all have varying opinions on how we feel about this pervasive [surveillance](#). Being watched feels creepy, but if surveillance is in a [public place](#), others are being watched too, with potential safety benefits for all of us. We are often watched by lifeguards at a beach or pool, and the benefits are often comforting. So, while it may be easy to claim you don't like being watched, it is sometimes the case that you actually want someone watching over you.

Permission plays an important role in our attitudes about being watched. We don't mind being watched if we have given our consent to do so. But many public surveillance cameras are being used without our consent. And other individuals might just start recording us without our permission. Moreover, [individual police](#) as well as police forces in North America are being equipped with body worn cameras. Police and citizens alike have often spoke out in favor of this practice.

But who will it really protect? Will the video only be available in situations where it supports the officer's side of the story? Will the camera be said to have mysteriously malfunctioned when the video would have supported a suspect's side of the story? Is there not a [conflict-of-interest inherent in one party being the curators of the recordings](#) they make of highly contested disputes with other parties?

Surveillance has become a "one-way mirror." We're being watched but can't watch back.

## **A loss of integrity**

Our contention is that the key word missing from most discussions of surveillance is "integrity." To [understand this contention](#), it is useful to think of its opposite: hypocrisy. In many establishments there is often a [surveillance camera](#) pointed at you, while, at the same time, you are prohibited from using your own camera. We see this, for example, at shopping malls, stores, and even in allegedly public spaces.

Store owners are recording your actions so they have evidence if they accuse you of doing something wrong, such as shoplifting. But if you catch them doing something wrong, like having their fire exits illegally chained shut, or if you simply want to prove your innocence from their allegations of wrongdoing, you might want to record them. If there is a dispute, the two recordings might make it more difficult for either party to falsify their recording.

A plausible reason that a surveillant – be it a shopkeeper, corporation or government – might try to impose a one-sided approach on their surveillance, is the issue of control. If they do something wrong, they can choose to not use or retain their recordings. This one-sided preservation of memory is a serious blow to the surveillance's integrity.

## **Who controls the camera**

Consider the case in July 2005 at the Stockwell subway station in London. The London Metropolitan police shot Jean Charles de Menezes seven times in the head with hollow-point bullets, rendering his body "unrecognizable." Hollow-point bullets are used by law enforcement but illegal in war. It turned out the police [shot the wrong person](#) (he looked similar to a suspect they were looking for). It was a case of mistaken identity. After the shooting, the police seized the four recordings of the

event and reported that all were blank, even though transit officials [had already viewed the shooting](#).

The same issue is at play in any form of surveillance: the surveillants have control over their recordings, and if these are the only ones, the one-sided curation of the evidence undermines their integrity.

How can we resolve this problem of integrity in surveillance? Some solutions are taking effect as we speak, while others will require a gradual change in laws or public attitudes. And some will even create new economic and business opportunities in new markets for integrity-based solutions.

## **The recorded becoming the recorder**

The increase in so-called cyborg technologies – in which a person's sight or memory disability is augmented with a wearable computer vision system – may help resolve the problem of one-sided surveillants falsifying their recordings. A storeowner may not legally deny entry to a person with such a device, and that recording or a logfile of it could become evidence that the store's own recording of an incident was tampered with. Failing eyesight and memory among our aging population, along with technological breakthroughs, mean that we're going to see more and more instances of people with wearable or implantable cameras to help them see and remember better.

Similarly, the growing prevalence of smartphones and wearable computers with cameras means we're entering an era of inverse surveillance in which, by sheer number, people are likely to record events even if there is a rule against recording. For example, police brutality is often captured by a large number of individuals from different recording angles. Even when police try and prohibit or destroy the recordings, it is difficult for them to guarantee that all the recordings

have been destroyed, especially in the age wireless communications and live transmission.

## **A better surveillance bureau**

Beyond that, we propose a whole new model or alliance (which we call the "Priveillance Institute") to resolve the lack of integrity in our surveillance society. That is, to force the surveillants (such as shopkeepers or corporations) to bear a cost if they forbid the rest of us from recording them in return.

A "[Veillance Contract](#)," for example, would deny the surveillant the right to use its recordings as evidence if it doesn't allow others the right to make their own recordings. Or if the surveillant destroys anyone's tapes or files of an incident. By prohibiting others from recording, the surveillant increases the economic cost for a court to determine what actually happened, thus making justice more expensive to administer.

Another way to promote surveillance integrity would be to do something analogous to the way media businesses use crowdsourcing to rate everything from doctors to taxi drivers. Along these lines we propose creating a third-party validation of surveillance recordings.

In a way that is analogous to the Better Business Bureau, participating organizations could have their surveillance streamed in real time to a trusted, third-party group for verification, which we dub "Videscrow" or Video Escrow – thus reducing their ability to falsify or deny the existence of the recordings. Confidentiality could be built into the system as needed, and these organizations – be they shopkeepers or police departments – would be allowed to display a logo certifying their participation in Videscrow. Establishments with potentially corrupt surveillance would be listed in a database as such until they retracted their no recording policies or submitted to third-party verification such

as Videscrow.

These suggestions serve as a good starting place to ensure integrity becomes an integral part of surveillance so that [recordings](#) can be trusted as evidence and not be under the exclusive control of one party. There are many paths to doing this, all of which lead to other options and issues that need to be considered. But unless we start establishing principles on these matters, we will be perpetuating a lack of integrity regarding surveillance technologies and their uses.

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