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**SURVEILLE**

**Surveillance: Ethical issues, legal limitations, and efficiency**

Collaborative Project

**SURVEILLE Deliverable 5.2**

**Report of first three interactions with law enforcement professionals in a training context**

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<b>PP</b>	Restricted to other programme participants (including the Commission Services)	
<b>RE</b>	Restricted to a group specified by the consortium (including the Commission services)	
<b>CO</b>	Confidential, only members of the consortium (including the Commission Services)	



**Table of contents**

- Table of contents ..... 3
- Executive summary ..... 5
- 1. Introduction ..... 7
  - 1.1 Purpose of interactions with law enforcement officials ..... 7
  - 1.2 Methodology of interactions ..... 7
  - 1.3 Target audiences and organizations; Justice Academies and Police Academies ..... 8
  - 1.4 Target countries; Sweden, Turkey and Kenya ..... 8
  - 1.5 Forms of and places for interactions..... 8
    - 1.5.1 Forms of interactions ..... 9
- 2. Status report on on-going and finished work ..... 9
  - 2.1 Interactions accomplished by country ..... 9
  - 2.2 Sweden..... 9
    - 1. Survey distributed among police officers ..... 9
    - 2. Seminar with representatives from the justice Academy of Turkey..... 10
  - 2.3 Turkey ..... 10
    - 3. Survey distributed among police officers and academics at the Police Academy in Ankara. 10
    - 4. Seminar at the Turkish Police Academy with police officers and academics in Ankara ..... 11
  - 2.4 Kenya ..... 12
    - 6. Seminar with the Milimani Court Users Committee ..... 12
- 3. Lessons learned ..... 14
- Appendix ..... 16
  - Ethics Expertise in the Development and Use of Surveillance Technology ..... 18



## Executive summary

The bulk of the work in the present deliverable is focused on arranging SURVEILLE interactions with law enforcement officials. The interactions are based on the cooperation between The Raoul Wallenberg Institute of Human Rights and Humanitarian Law (RWI), which is an independent academic institution, and its partners. During the reporting period the partners have been the Turkish police and judiciary, Swedish police, Kenyan judiciary and other Kenyan officials that are court users.

The purpose of the interactions have mainly been to get information for the preparation of the final deliverable of the RWI, a course curricula using the results of SURVEILLE and the previous project DETECTER that can be used in educating those concerned on the relevant topics. In order to do that successfully an assessment of the general level of knowledge among practitioners is needed. The interactions have been tailored with this in mind as an overarching objective. In order to create a curriculum it is vital to access the levels of knowledge among the target groups when it comes to technical, legal and ethical aspects of surveillance.

Meetings between the above mentioned practitioners and representatives of the SURVEILLE team have taken place and two interactions have also been done through surveys. At a meeting in Lund, Sweden, on the 16 of November 2012 with representatives from the National Police Academy of Turkey in which, inter alia, SURVEILLE was discussed, an agreement for further cooperation was reached.

Arrangements for other meetings and seminars/lectures have been done through the RWI field offices in Nairobi and in Istanbul and through contacts with the Swedish police academy in Växjö. Interactions have been through lectures, with an opportunity of asking questions and making comments, through seminars and through surveys. The lectures have been at the Turkish police academy in Ankara. The audiences were police cadets studying to become high-ranking police officers.

The seminars were held with Turkish senior police officers, academics and judges. There was also a seminar held in Kenya for court users and among those were judges, prosecutors and police officers.

The Questionnaires were distributed among Swedish police officers who are using technology in their daily work in surveillance operations and staff in the Turkish police academy in Ankara amongst senior staff and police officers working at the academy.

All in all there were during this reporting period a total of five interactions with law enforcement officials in a training context: four seminars, two in Turkey, one in Sweden and one in Kenya, one lecture in Turkey, and two questionnaires distributed in Sweden and in Turkey, one in each country.



## **1. Introduction**

The bulk of the work for this deliverable is focused on interactions with law enforcement officials. The interactions are based on the cooperation between The Raoul Wallenberg Institute of Human Rights and Humanitarian Law (RWI) which is an independent academic institution and its partners. During the reporting period the partners have been the Turkish police and judiciary, Swedish police, the Kenyan judiciary and other Kenyan officials that are court users.

### **1.1 Purpose of interactions with law enforcement officials**

The SURVEILLE project provides for interactions with law enforcement officials in order to promote the results of the research done in SURVEILLE and to seek feedback to further project research. The interactions serve as dissemination as well as opportunities to further the research in order to make it e.g. commercially viable and adapted to meet ethical standards and legal requirements under international human rights law

### **1.2 Methodology of interactions**

When creating a method for the interactions it is important to keep in mind the diversity of the target audiences and the very diverse knowledge that SURVEILLE offers. The SURVEILLE consortium provides expertise on technical and engineering issues, on global and European legal issues and on ethical and societal issues.

The consortium is an eclectic mix of legal and ethical scholars, engineers and practitioners, which is perhaps it's greatest strength but also makes great demands on consistency and coherency in order for it to work effectively. The same can to some degree also be said, when it comes to diversity, about the target audiences as they too are quite varied in that everyone from police officers in the field to engineers working on surveillance solutions might benefit from the results of SURVEILLE.

The practitioners targeted in this deliverable are usually lawyers or police officers. They can be expected to have a good, or at least basic, knowledge of national laws but in many cases limited knowledge of technical and engineering issues, of global and European legal issues and on ethical and societal issues. This becomes even truer when European technology is used outside of Europe and consequently outside of the European legal framework, by those who lack the training that they can be expected to have had, were they practicing in Europe.

The above-mentioned factors make it a challenge to create a course that will suit every need, but it is not impossible. Clearly, what is needed is an assessment of the general level of knowledge among practitioners when it comes to the issues discussed. The interactions have been tailored with this in mind as an overarching objective. In addition to this the methodology chosen for the interactions is governed by mainly two other factors. The first are the needs of the project partners. The information asked for have been provided thru the interactions and mainly thru discussions and surveys. The second factor is the upcoming deliverable of creating a course curricula based on the findings in SURVEILLE. In order to create a curriculum in an efficient way it is vital to access the levels of knowledge among the target groups when it comes to technical, legal and ethical aspects of surveillance.

### **1.3 Target audiences and organizations; Justice Academies and Police Academies**

Law enforcement officials are targeted for the interactions, which include the following categories of staff; police cadets/students, police officers, senior lecturers/academicians at police academies and judges. All of the target audiences have either an indirect or direct link to how the technologies discussed in SURVEILLE are applied in practice and are well placed to provide feedback on how the technologies can be used, the skills of the operators, the situations in which they will be used and what is needed to make them more effective and compatible with human rights standards.

Contacts have been established with the Institute for Police Education at Linnaeus University in Växjö, Sweden, with the National Police Academy of Turkey as well as with Justice Academy of Turkey, both located in Ankara. Furthermore, cooperation with the Milimani Court Users Committee in Kenya has also been established.

During the interactions a clear need has been identified to learn more about the research being done by SURVEILLE. The SURVEILLE team has also benefited from feedback provided by practitioners on their research. The hope is that the interactions delivered will lead to a better understanding of what is at stake and that the contacts initiated will prove fruitful throughout the project and beyond, please see “Lessons learned” for more information on this.

### **1.4 Target countries; Sweden, Turkey and Kenya**

The target countries are chosen with regard to where the training programs of the Raoul Wallenberg Institute of Human Rights and Humanitarian Law are held but also with the help of the partners of the RWI and also benefit from their networks. This has made it possible to get access to practitioners that otherwise would have been difficult or impossible to get access to.

We have been focusing on three countries. Sweden has been an obvious choice since the RWI is based in Sweden and has a long standing cooperation with the police academy at Linnaeus University, in Växjö. Through the academy we have got access not only to students and faculty but also to police officers working in the field with issues that are being dealt with by SURVEILLE.

Turkey was chosen because of ongoing programs but also because of the possibility of interactions with high ranking and influential officials in the judiciary at the Justice Academy of Turkey and the police at Turkish police academy in Ankara as well as with academic staff at the police academy.

Kenya was a rare opportunity that couldn't go unexplored since the seminar took place only days after the Westgate shopping mall attack. There are also longstanding problems such as border controls and false identity cards that are now being addressed more forcefully than before with the use of new technology and with the help of the international community. To be able to interact with African practitioners brought a new dimension to the interactions and provided further useful information for the project.

### **1.5 Forms of and places for interactions**

There are several options for where, when, and with whom interactions take place. SURVEILLE partners can travel to the various target audiences and/or target audiences could be asked to come to already scheduled meetings at the RWI in Sweden, or special meetings for interactions could be



scheduled in Lund. In practice we have both gone to the countries where partners work but also taken advantage of their visits to Sweden and the RWI.

### **1.5.1 Forms of interactions**

Three forms of interactions have been used;

1. Seminars in small groups, 10-25 people and/or,
2. Presentations/lectures with a comparatively larger audience of 25-40 persons that is given the opportunity to ask questions and provide feedback.
3. Surveys

The preference has been for seminars since they provide a context in which it is easier to exchange ideas on an equal footing and to get useful input/output in a relatively informal setting. The advantage of lectures, on the other hand, is that they make it possible to reach a greater audience. The drawback, however, has been that it is a little bit more difficult to get feedback and that the audience is not usually as experienced as in the seminars. The surveys were done on the behest of one of the SURVEILLE consortium partners and the results will be communicated to them.

## **2. Status report on on-going and finished work**

Under this heading the work done so far is described as are plans for fulfilling the final contractual obligations when it comes to interactions of the project. The bulk of the work has been concentrated on setting up the interactions around criteria, such as availability and interest of practitioners, time and venue for interactions and the likelihood of being able to have a productive form of interaction. This work will continue during the spring of 2014 with, as it looks at the moment, a focus on the Swedish police academy and the Turkish Justice academy.

We are planning meetings with senior police officers in Sweden as well as with students at the Institute for Police Education at the Linnaeus University. In Turkey we have been invited to a session in Ankara at the Justice academy although, at the time of writing in November 2013, no plans have been finalized.

### **2.1 Interactions accomplished by country**

#### **2.2 Sweden**

##### **1. Survey distributed among police officers**

The survey, (see appendix) is part of a project exploring the access of surveillance technology developers and users to ethics expertise, including their own perceptions and knowledge of the ethics and fundamental rights concerns raised by surveillance technology. The survey is administered by Professor Heather Draper, Dr. Greg Moorelock and Dr. Jonathan Herington at the University of Birmingham. This research forms part of the SURVEILLE project.

The survey questions explore the kind of contact that police officers have had with surveillance technology, the ethical and/or human rights issues that the officers think are important in their work, and their usual sources of information on these issues.

The Survey was distributed during the fall of 2013 with the help of senior police officers/academicians at the Institute for Police Education at Linnaeus University in Växjö. Without the knowledge and help from Växjö it would have been impossible to reach the officers as no centralized information exists on who is working in the field with these issues other than that provided through contacts at the academy. The survey was distributed among police officers working in the western (Västra Götaland) and southern (Skåne) police districts in Sweden that are using technologies that are relevant for SURVEILLE when fighting serious and organized crime. The respondents were a mix of staff doing desk- and field work and from all levels up to chief superintendents. Approximately forty questionnaires were sent out and fourteen were returned.

## **2. Seminar with representatives from the justice Academy of Turkey**

On the 22 of November 2013 there was a visit to the RWI by representatives of the Justice Academy of Turkey. This was an excellent opportunity to arrange an interaction in the form of a seminar on the topic of "Control of the judiciary over electronically gathered evidence". The idea was to tell participants about SURVEILLE, to highlight some of the problems when dealing with oversight of electronically gathered evidence and to get the Turkish view on the issues. The meeting resulted in an agreement on further cooperation with a visit to Ankara by Dr. Nowak as the next step.

The material findings of the seminar were, inter alia, that, since 2005, Turkish evidence law can be used to exclude evidence if it is illegally obtained and that the provision has been used on several occasions when it comes to electronically obtained evidence. However, the importance of presenting all facts before the court when applying for permission to use electronic surveillance was discussed.. Although electronic surveillance has been used and proven effective to curb terrorism the main debate now in Turkey is on the use of electronic surveillance devices as a threat to privacy. It seems that the Turkish courts are being made aware of the problem to an increasing degree and that projects such as SURVEILLE add to that increased awareness, which in turn helps to increase human rights protection in the area.

## **2.3 Turkey**

### **3. Survey distributed among police officers and academics at the Police Academy in Ankara**

The survey mentioned under heading 2.2 above was also distributed among police officers and academics at the Turkish Police Academy in Ankara during a seminar, see below, on the 8 of October 2013.

The Turkish police academy trains students who will become high ranking police officers and police chiefs. Regular officers are trained elsewhere. The Police Academy is a police university with faculties of Security Sciences, an Institute of Security Sciences and a Police Vocational School of Higher Education. The Institute of Security has nine departments: Forensic Sciences, Criminal Justice, Security Strategies and Administration, Intelligence Studies, Crime Studies, Transportation Security and Management, International Security, International Security and International Terrorism and

Transnational Crimes. There are nine master's degrees and two doctoral degree programs at Institute of Security Sciences.

The respondents were all senior police officers and/or academicians ranging from doctoral candidates to full professors. Approximately twenty copies were distributed, eleven were answered. Although the answers are all in the English version of the survey there was also a Turkish translation provided by RWI field staff in order to prevent language being a barrier.

#### **4. Seminar at the Turkish Police Academy with police officers and academics in Ankara**

On the 8 October 2013 during a visit to the Turkish Police Academy a seminar was held by SURVEILLE team member Dr. Nowak on the topic of electronic surveillance together with a presentation of SURVEILLE. The audience consisted mainly of staff from the police academy, academicians and senior police officers but also of one or two students and a handful of doctoral candidates. The seminar was an excellent opportunity to learn about Turkish police policy when dealing with surveillance and to exchange information about the current research being done in Turkey and in SURVEILLE on the topics. The Constitutional framework, crowd control and electronic surveillance in the context of the fight against terrorism were discussed.

There seems to be a need to get the knowledge amassed in SURVEILLE out to the rank and file officers in the field. As it seems at the moment most of the knowledge is limited to the bigger cities and the higher echelons of the police.

A final issue that was discussed was the trust that the police enjoys among the populace. The benefits of surveillance technology was discussed and some examples were brought forward by academy staff pointing to high profile cases in which convictions were made possible through the use of such technology. The drawbacks with such technologies were discussed as well but not perceived as really serious or pressing on a national level.

#### **5. Lectures at the Turkish Police Academy with Turkish police officers and academics in Ankara**

On 4-5 November 2013 the consortium leader, Professor Martin Scheinin paid a visit to Ankara, Turkey where he met with the Faculty of the Turkish Police Academy and gave two sets of lectures. These lectures were organized as part of the training provided to Turkish law enforcement officials and the students of the Turkish Police Academy.

The lectures of 4 November were given to a group of more than 100 masters and PhD level students of the Police Academy and they dealt with the international framework of human rights protection, monitoring and enforcement. Issues related to countering terrorism and examples related to Turkey were relied upon throughout the lectures. The lectures were given in English, with simultaneous interpretation in Turkish. There was a Questions & Answers session at the end, providing for direct interaction.

On 5 November lectures were given to a group of 40 full-time students (wearing police uniforms) at another campus of the Police Academy. The lectures were given in English without interpretation, to a selected group of students whose training is partly conducted in English. The session consisted of a

lecture on the relationship between privacy and security, including a presentation of the SURVEILLE project and its ongoing work. Particular emphasis was given to the question of "balancing" between privacy and security, and the methodology applied in SURVEILLE Deliverable D2.6 towards a semi-quantitative methodology for assessing simultaneously the fundamental rights intrusion and security benefit (usability) of surveillance technologies. Towards the end of the session there was an interactive phase where the participants were invited to comment on the evolving SURVEILLE assessment methodology. By and large the feedback was positive. The participants understood the main idea of D2.6 and thought it was a feasible framework for assessing in concrete situations the choice of surveillance technologies, based on a structured assessment of the security benefit expected and the resulting fundamental rights intrusion. The interaction was encouraging for further work along the lines of D2.6., see "Lessons learned" in this report for more info.

## 2.4 Kenya

### 6. Seminar with the Milimani Court Users Committee

On the 28 September 2013 Dr. Karol Nowak held a seminar for the Milimani Court Users Committee. The workshop in which the seminar was included was the first activity in the RWI 2013 cooperation programme with the Kenyan Judiciary. The workshop aimed to strengthen the human rights capacity of 25 members of the Milimani Court Users Committee (CUC) including but not limited to representatives of the courts, police, probation, prisons and civil society actors, from an international human rights perspective and on a topic identified by the CUC as being of pressing concern.

In addition to the provision of lectures and discussions on the selected topics, participants were invited to share their experiences and challenges experienced in this area. They also developed proposals for future action, identifying both issues that the CUC could tackle directly and also recommendations to the National Council for the Administration of Justice (NCAJ).

The event was organized by the RWI Kenya Office and had a certain focus on electronic surveillance. It was held over the course of two days at a retreat in Naivasha, Kenya. Dr. Karol Nowak of the SURVEILLE team served as lecturer and facilitator.

Decisions on planning and content were made with the amount of time provided for the work shop and maximum impact in mind in that this was a first seminar that, if successful, would pave the way for others following it. We made sure that the workshop would function as a starting point for future workshops dealing with the many human rights issues that arise in any legal system. As it turned out this has been the case and several follow-up seminars have either been held or are in the planning stages.

When Dr. Nowak was consulted the main work of getting all the stakeholders together was done by the RWI field office in Nairobi. Assembling such a diverse group of people, who are usually quite territorial and used to working autonomously without anybody interfering, is an accomplishment in itself. SURVEILLE material constituted the bulk of the work preparing the ground for future interactions e.g. concerning the upcoming deliverable course curricula.

The workshop was held during a two day seminar that was characterized by high spirits. Despite some very different viewpoints and strong arguments the tone was always cordial and friendly. Dr.

Nowak's input was mainly providing an overview of the international regime concerning bail and putting the Kenyan interpretation of those requirements into perspective. In this very concrete context alternatives to bail such as those found in, e.g., Sweden and the use of surveillance technology in making the system more efficient were discussed. The information was provided through a seminar in which all of the stakeholders contributed and by doing so also provided their own and their department's views on the issues.

In the seminar, which went on for a full afternoon, issues directly relevant to SURVEILLE were highlighted. The background to the discussions was of course the West gate mall shootings, which had occurred only days before the workshop. Challenges relating to border controls and fake IDs were recognized. Against this backdrop the discussion revolved around the use of biometric data as a way of providing fairly tamper-proof identity cards and to have the need for more robust border controls.

Controversial issues that have given rise to debate in Europe, such as ethnic and religious profiling, were also discussed. The participants stressed the African context and underlined that the concerns in Europe are less relevant in Kenya where families and tribes have much greater importance than in Europe, and that this requires different ethical standards when using electronic surveillance. It became clear that more research is needed if European methods and standards are to be used in Kenya and perhaps in Africa as a whole. The legal system in Kenya is modelled after the British system that has safeguards that do not exist in Kenya. There are in all probability other local systems that could be put in their place but it is difficult to create a coherent system out of two quite different ones. One way forward in this instance would be to highlight the ethical aspects rather than the legal ones in order to create a fertile soil for discussion and finding common ground.

### 3. Lessons learned

For the RWI the main purpose of the interactions have been to enable the institute to assess the level of knowledge about technological, ethical and legal issues discussed in SURVEILLE among those that are actually participating in trainings. The final deliverable of the RWI in SURVEILLE Work Package 5 is to develop a course curricula on the topics researched in SURVEILLE. The knowledge amassed through the interactions has been vital for creating a curriculum that will be relevant for the various stakeholders.

Thanks to the interactions some conclusions have been possible to make. It is in the nature of clandestine surveillance that those conclusions to some extent are assumptions but they have been confirmed as valid among those the RWI have interacted with. From the interactions and from the experiences of the previous project, DETECTER, on which SURVEILLE is partially based, it has become clear that there is a need for further knowledge when it comes to information about surveillance in general, e.g. information on state of the art technology, and the legal and ethical aspect in particular. However, the level of knowledge and the demand for knowledge varies quite strongly among different target groups depending i.e. on profession and geographical environments.

Countries in Africa and in Europe are not really comparable in their use of surveillance technology, the need for it or in the laws surrounding surveillance technology. Even in Europe itself the levels of knowledge are quite varying depending on the local situation and depending on the need for different surveillance technologies in different circumstances. Another factor is the level of knowledge of the individual end user that also can vary quite a bit between local and national police, senior and junior police, private or public contractors etc.

There are also unforeseen consequences from the use of surveillance such as e.g. information sharing between countries and agencies. Such sharing might make for “cracks” in the legal protective framework that can be exploited or misused if the proper knowledge is not there. The lacunas depend on several factors. Depending on the context there might be a problem or not. Technology is a tool that can be used to great advantage when fighting crime but also abused. Naturally the political contexts of a country are decisive factors in dealing with these issues and ethical considerations play an important part in order to highlight legal lacunas.

In addition to this the level of knowledge about what kind of technologies that is available varies to a large degree among end users and policy makers alike. It must be pointed out in this context that the development in surveillance technologies is very rapid and that current knowledge is quickly superseded by new technologies and laws. The legal development is also moving rapidly, both in national and international law but perhaps mostly when it comes to regional cooperation such as that within EU, e.g. through Europol, Eurojust, Frontex etc.

All of the mentioned factors mean that there is a clear and pressing need for information on what is going on from a technological and legal perspective as well as from an ethical one. However, the rapid pace of development also, as mentioned above, means that current knowledge quickly gets outdated and the very varying levels of knowledge and needs in the various target groups also mean that a course curriculum dealing with these issues must be highly flexible and adaptable.

We will therefore, in all probability, be creating a curriculum that is modular and can be adapted as needed for the various target audiences and circumstances. A modular concept also makes it easier to be fully updated since the preliminary plan is to assign each area, technical, legal, and ethical, an expert supervisor from the SURVEILLE team that will have in-depth knowledge of his or her area. The course director's function in the proposed course will mainly be to help to assess the needs of those who ordered the course and to coordinate it.

## Appendix

The appendix consists of the surveys distributed to Swedish and Turkish police officers as well as lists of attendance to the interactions, where such lists were kept. In the other interactions lists of attendance were not provided since attendance did not have to be announced before the events.





## Ethics Expertise in the Development and Use of Surveillance Technology

### Ethics Expertise in the Development and Use of Surveillance Technology:

#### A Survey of Technology Developers and Users

The following survey is part of a project exploring the access of surveillance technology developers and users to ethics expertise, including their own perceptions and knowledge of the ethics and fundamental rights concerns raised by surveillance technology. The survey is administered by Professor Heather Draper ([h.draper@bham.ac.uk](mailto:h.draper@bham.ac.uk)) and Dr. Jonathan Herington ([j.herington@bham.ac.uk](mailto:j.herington@bham.ac.uk)) at the University of Birmingham. This research forms part of the European-wide SURVEILLE project (An FP7 project funded under the security call).

The survey questions will explore the kind of contact that you have with surveillance technology, the ethical and/or human rights issue you think are important in your work, and your usual sources of information on these issues. There are no right or wrong answers to these questions.

#### Confidentiality

This survey is confidential. Your name is not required in the survey and, once your survey has been completed, we will endeavour to remove any information that may make you identifiable from our research data. No one but the researchers will have routine access to the surveys, or the anonymised data, which will be encrypted before being digitally stored. We may have to make our data available to the European Commission or other research auditors if we are requested to do so. If you have additional questions, please read the included Participant Information Sheet, and/or contact the research team.

Upon completion, please return this form to Jonathan Herington ([j.herington@bham.ac.uk](mailto:j.herington@bham.ac.uk)).

**\*Please note: return of this survey constitutes consent to participation in the above study\***

### I. Participant Characteristics

1. In which sector do you or your team work?

Private    Government    University    Non-governmental

Other:

2. What kind of training have you received in ethics or fundamental rights? (please tick all that apply)

	Institutional Training	University-level Courses	Undergraduate (BA, LLB)	Postgraduate (MA, JD, PhD)
Professional Ethics (IT/Police Ethics etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Moral Philosophy (general)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Law (general)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Human Rights Law	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Social Science (sociology/politics)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Other:

### II. Surveillance Technologies

3. Which of the following best describes your professional interest in surveillance technology?

Basic Research

Technology development

- User (Law Enforcement)
   
  User (Local Authority)  
 Prosecutor / Judge
   
  Policy Regulator  
 Ethics/Legal/Social Implications Researcher

Other:

4. Please indicate all those technologies which you are currently developing, using or researching:

- Unmanned Aerial Vehicle / Remotely Piloted Air System  
 CCTV (Fixed or Tilt/Pan)  
 Automatic behaviour recognition software  
 Data retention/storage systems  
 Data interception systems (narrow – i.e. targeted at specific individuals)  
 Data interception systems (wide – i.e. untargeted)  
 Data mining/analysis (e.g. for indicators of crime/terrorism)  
 Data integration and networking (i.e. integration of law enforcement databases)  
 Mobile data access (e.g. mobile database access for law enforcement/emergency management)

Other:

5. Please indicate all those types of crime which these technologies target:

- Terrorism
   
  Organized Crime (e.g. drug/person trafficking)  
 Serious crime (e.g. child exploitation/murder)
   
  Public order (riot control)  
 Anti-social behaviour (graffiti, loitering)
   
  Petty Crime (theft, pickpocketing)  
 Traffic Policing

Other:

6. What kind of data does this technology interact with? In what way? (Please check all that apply)

	Collects	Transmits	Stores (Selective)	Stores (Comprehensive)	Processes/Analyses
GPS/Positional Data	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Visual spectrum (low-definition)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Visual spectrum (high-definition)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Infra-red spectrum	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Audio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bio-Chemical data (e.g. explosives detection)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Communication records (e.g. call detail records/ browsing history)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Communication content (e.g. content of texts/ calls search history)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### III. Ethics and Fundamental Rights

7. How often do you think about the ethics and rights implications of surveillance technology?

- Never       Rarely       Monthly       Weekly       Daily

8. What do you think are the major ethical and fundamental rights concerns arising from the *legitimate* use of the surveillance technology you are currently developing/using/researching?

9. How might this technology be *misused* so that it enables violations of fundamental rights?

*Please indicate the degree to which you agree or disagree with the following statements*

10. Privacy safeguards inhibit the effective use of surveillance technologies.

- Strongly Disagree       Disagree       Neutral       Agree       Strongly Agree

11. A high risk of rights violations from *legitimate* (i.e. intended/legal/authorized) use of a surveillance technology is a reason not to develop or deploy that technology.

- Strongly Disagree       Disagree       Neutral       Agree       Strongly Agree

12. A high risk of rights violations from *illegitimate* (i.e. unintended/illegal/unauthorized) use of a surveillance technology is a good reason not to develop or deploy that technology.

- Strongly Disagree       Disagree       Neutral       Agree       Strongly Agree

13. It is the responsibility of developers of a surveillance technology to prevent violations of fundamental rights.

- Strongly Disagree       Disagree       Neutral       Agree       Strongly Agree

14. It is the responsibility of users of a surveillance technology to prevent violations of fundamental rights.

- Strongly Disagree       Disagree       Neutral       Agree       Strongly Agree

**IV. Advice on Ethics and Fundamental Rights**

15. If you had a concern regarding the ethics and fundamental rights implications of technology you were working with, from whom would you seek advice? (please indicate the first and second preference)

- |  |   |
|--|---|
| <input type="checkbox"/> Expert colleagues   | <input type="checkbox"/> Legal counsel  |
| <input type="checkbox"/> Outside experts<br>(e.g. ethics/law researchers)                                  | <input type="checkbox"/> Professional association<br>(e.g. IEEE Ethics Committee) |
| <input type="checkbox"/> Institutional ethics officers<br>(i.e. Research integrity officer, Police ethics) | <input type="checkbox"/> Ethics Advisory Board (FP7 Projects)                     |

Other:

16. If you were to seek advice, what would likely to be your primary goal(s)? (Select all that apply)

- |   |  |
|---|--|
| <input type="checkbox"/> Fulfilling regulatory requirements           | <input type="checkbox"/> Public perception management                                      |
| <input type="checkbox"/> Practical guidance on rights safeguards      | <input type="checkbox"/> Clarification of existing ethical and fundamental rights concerns |
| <input type="checkbox"/> Identification of new ethical considerations | <input type="checkbox"/> General interest  |

17. How important is it that ethics and fundamental rights advice exhibit the following qualities (Very High, High, Moderate, Low and Very Low).

	Importance
Technical knowledge (i.e. understanding of the context of <i>development</i> )	Choose an item.
Operational knowledge (i.e. understanding of the context of <i>use</i> )	Choose an item.
Rigorous ethical analysis	Choose an item.
Easy to understand for those without ethical training	Choose an item.
Practicably implementable advice	Choose an item.

**\*END OF SURVEY\***

Please return this form to Jonathan Herington ([j.herington@bham.ac.uk](mailto:j.herington@bham.ac.uk)).

**\*Please note: return of this survey constitutes consent to participation in the above study\***

**SURVEILLE ADVISORY SERVICE**

The SURVEILLE project provides free and confidential advice on ethics and fundamental rights issues that may arise in the development and deployment of surveillance technologies. The service, funded under the European Commission’s FP7 programme, is staffed by experts in the ethics and fundamental rights implications of surveillance technologies.

To contact the service, and register for a free and confidential advice session, please visit:

[www.surveilleadvisoryservice.eu](http://www.surveilleadvisoryservice.eu)