Social Media and Ethics

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Aims

- Context: social media “public” data.
- Ethics issues.
- Building an ethical defence: principles and practice.
- Some points of interest.

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Limits

- Cannot guarantee ethics approval.
  - Oversight varies in risk appetite, policy, procedure, and philosophy.
- Cannot prevent participant complaints.
  - Ethics is ever-changing and reflects issues in society, changing terms of use and so forth.
- Cannot provide legal advice.
  - I am not a lawyer/your lawyer/this is not legal advice!
- Cannot speak to all aspects of every study.
  - Case-specificity and reflexivity needed (see *Markham, 2006*).
- I don’t speak on behalf of UCL here – these are my views!

Markham, A. (2006). **Method as ethic, ethic as method.** Journal of Information Ethics, 15(2), 37-55

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The Coffee Shop

- A place to meet.
- A place to chat.
- Community hub.

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Surprise?

- YouTube (*Hu, 2019*):
  - Surprise from YouTube users to be included in training data.
  - Human subject research?
  - Poor understanding of “publicly available” and implications.
  - Consider types of data and risks to participants.
  - Under-18s.

Hu, J. C. (2019). **Should Researchers Be Allowed to Use YouTube Videos and Tweets?** Slate: Future Tense. 3 June. https://slate.com/technology/2019/06/youtube-twitter-irb-human-subjects-research-social-media-mining.html

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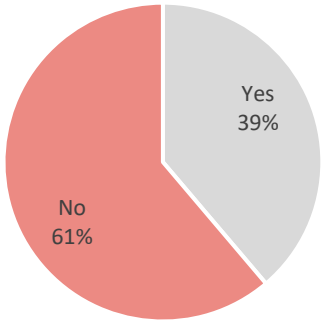
Twitter Users

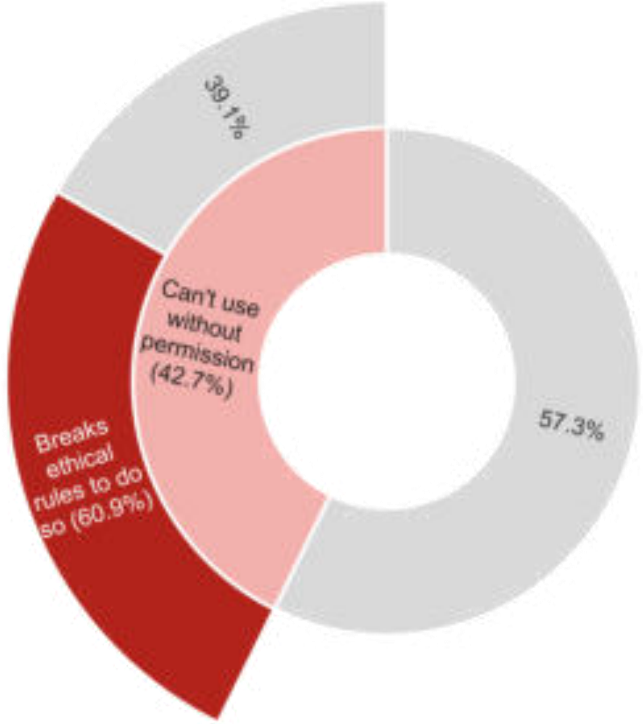
(*Fiesler and Proferes, 2018*)

Survey of active users (n=368).

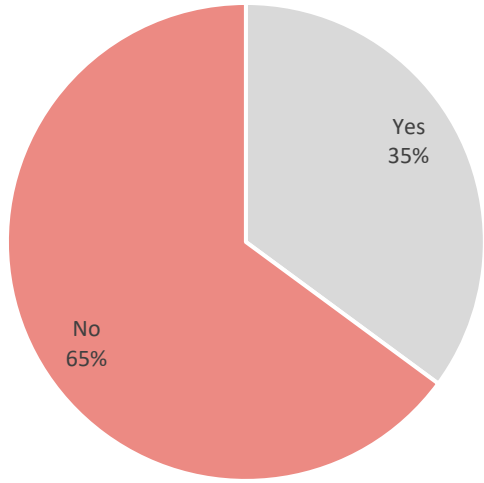
Aware of Research Use?



Can Researchers Use Tweets Without Permission?



Should Researchers Use Tweets Without Permission?



Fiesler, C., & Proferes, N. (2018). **"Participant" Perceptions of Twitter Research Ethics**. Social Media + Society, 4(1). https://doi.org/10/gf6585

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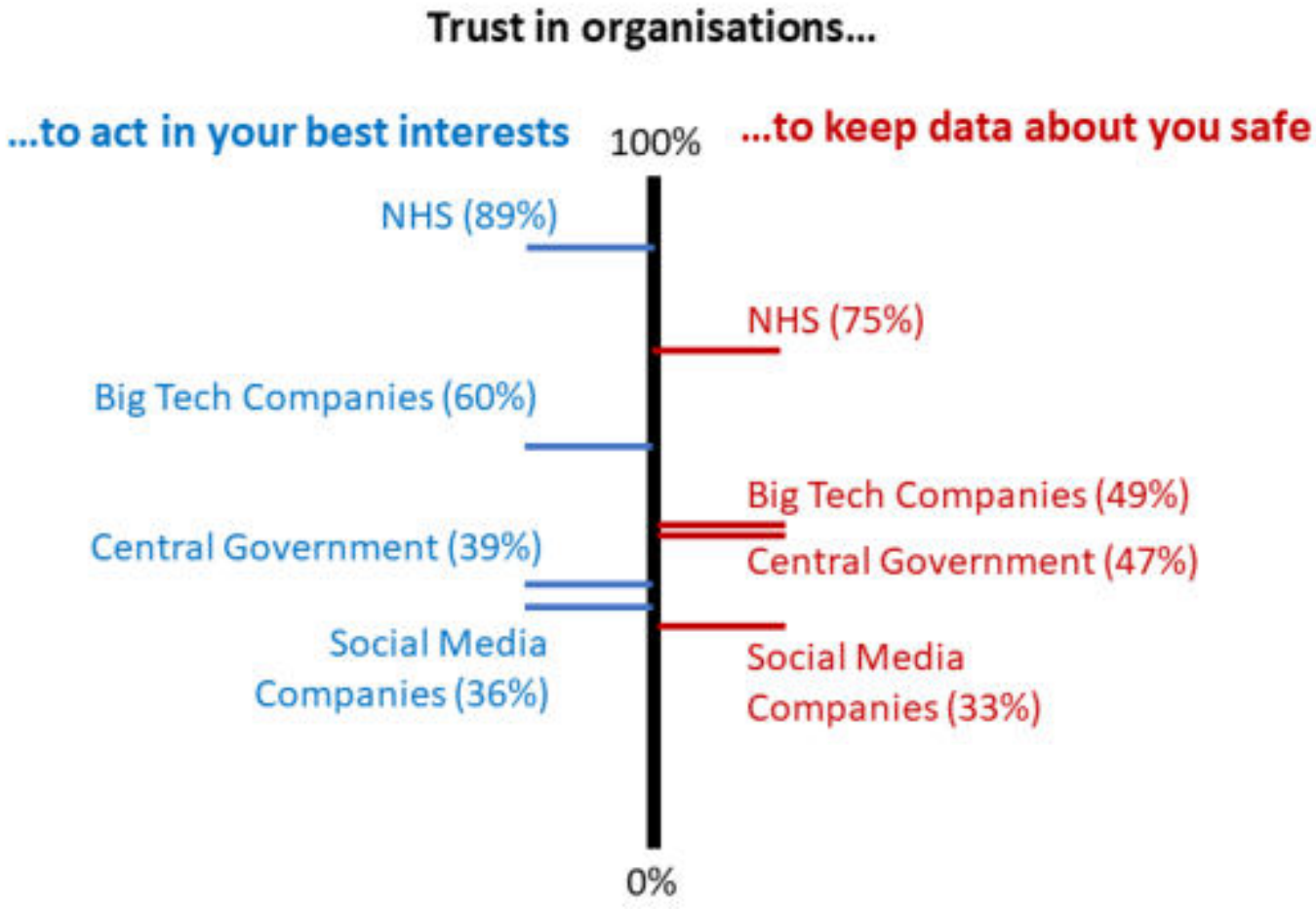
Public Attitudes

- Uncertainty about current data practices, limited knowledge about use and collection.
- Importance of meaningful transparency about data use.
- Concerns strongly impacted by trust in data-holding/using organisations, degree of governance.
- Media plays a big role in shaping views.



Public attitudes to data and AI: Tracker survey © Centre for Data Ethics and Innovation, 30 March 2022.
https://www.gov.uk/government/publications/public-attitudes-to-data-and-ai-tracker-survey
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Gatekeepers

- Employers for employees.
- Headteachers for schools.
- Charities for service users.
- Social media companies for their users.

Image: Kissing gate at entrance to the National Trust's Swan Barn Farm by Dave Spicer, CC BY-SA 2.0 <https://creativecommons.org/licenses/by-sa/2.0>, via Wikimedia Commons

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Private Data on Public Display

- The world has a lot of accessible data:
  - Genuinely public (published and/or in the public domain).
  - Available under contractual terms of access.
  - Provided under different understandings and expectations (see *Sugiura et al., 2017*).
  - Provided under contractual terms of collection.
- Legitimate availability vs technical availability.
- Raises issues of expectation, consent, contract, regulation, and access.
- Consequence ≠ Consent.

Sugiura, L., Wiles, R., & Pope, C. (2017). **Ethical challenges in online research: Public/private perceptions**. Research Ethics, 13(3–4), 184–199. https://doi.org/10/gf2rb2

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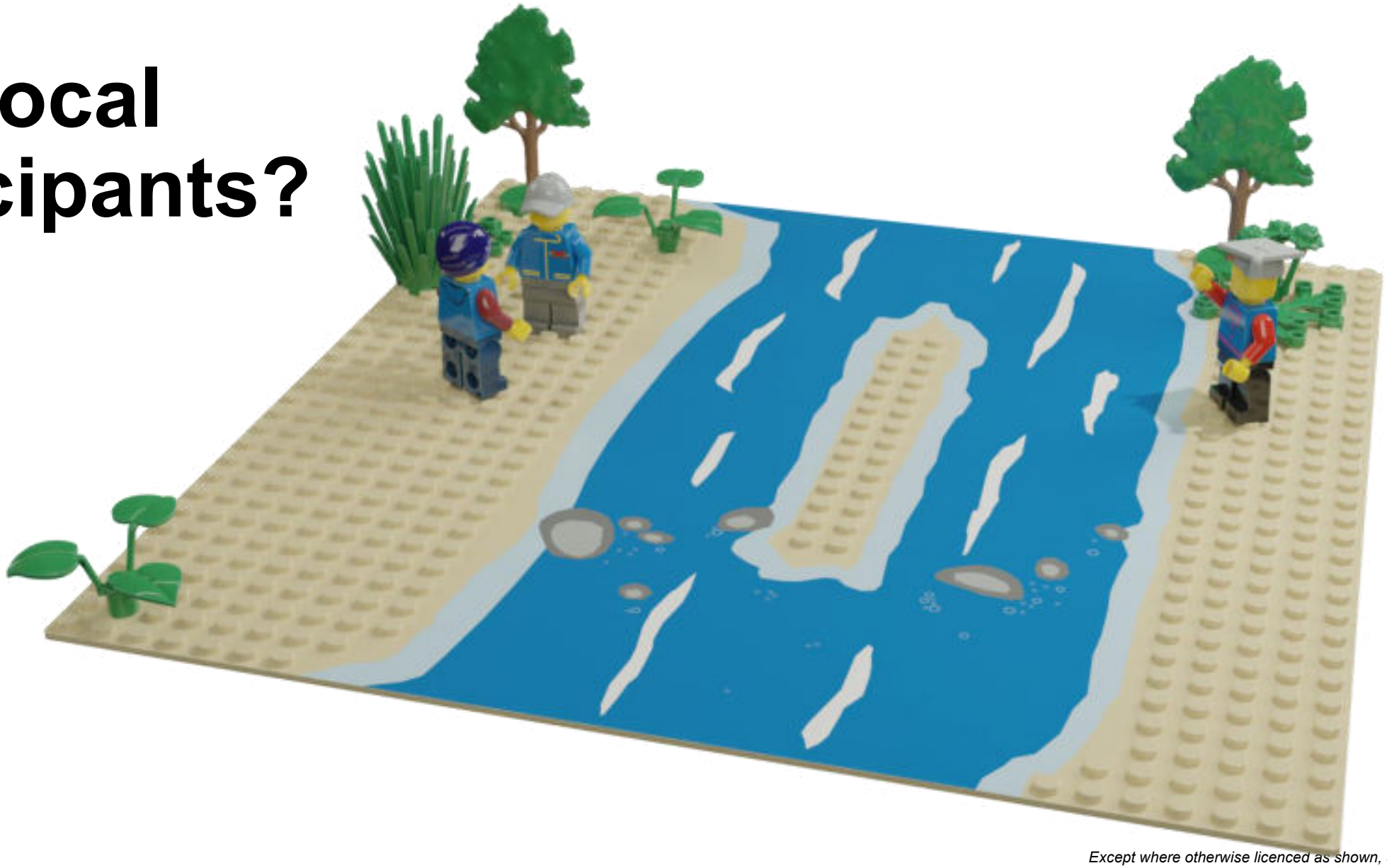
Non-local Participants?



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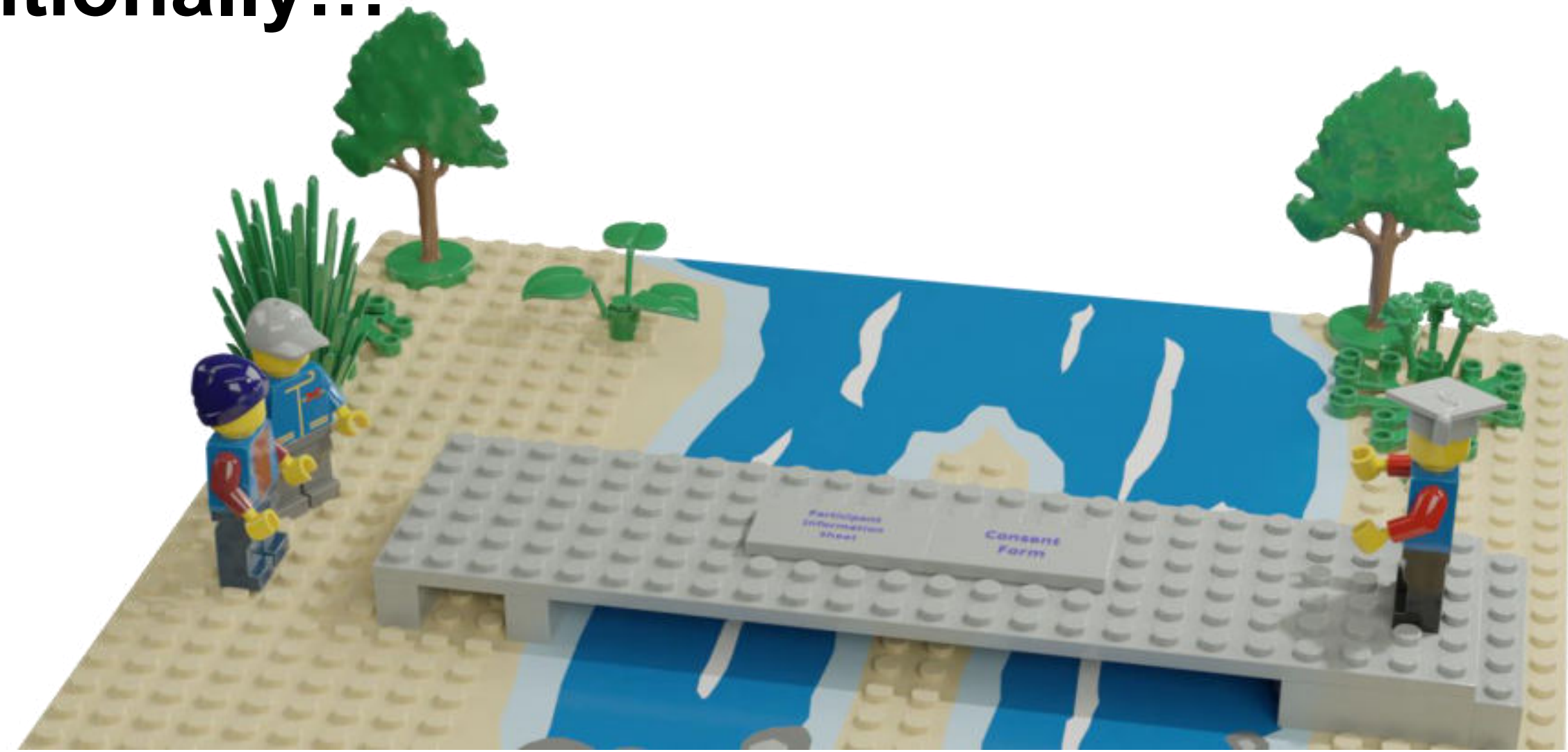
Traditionally…



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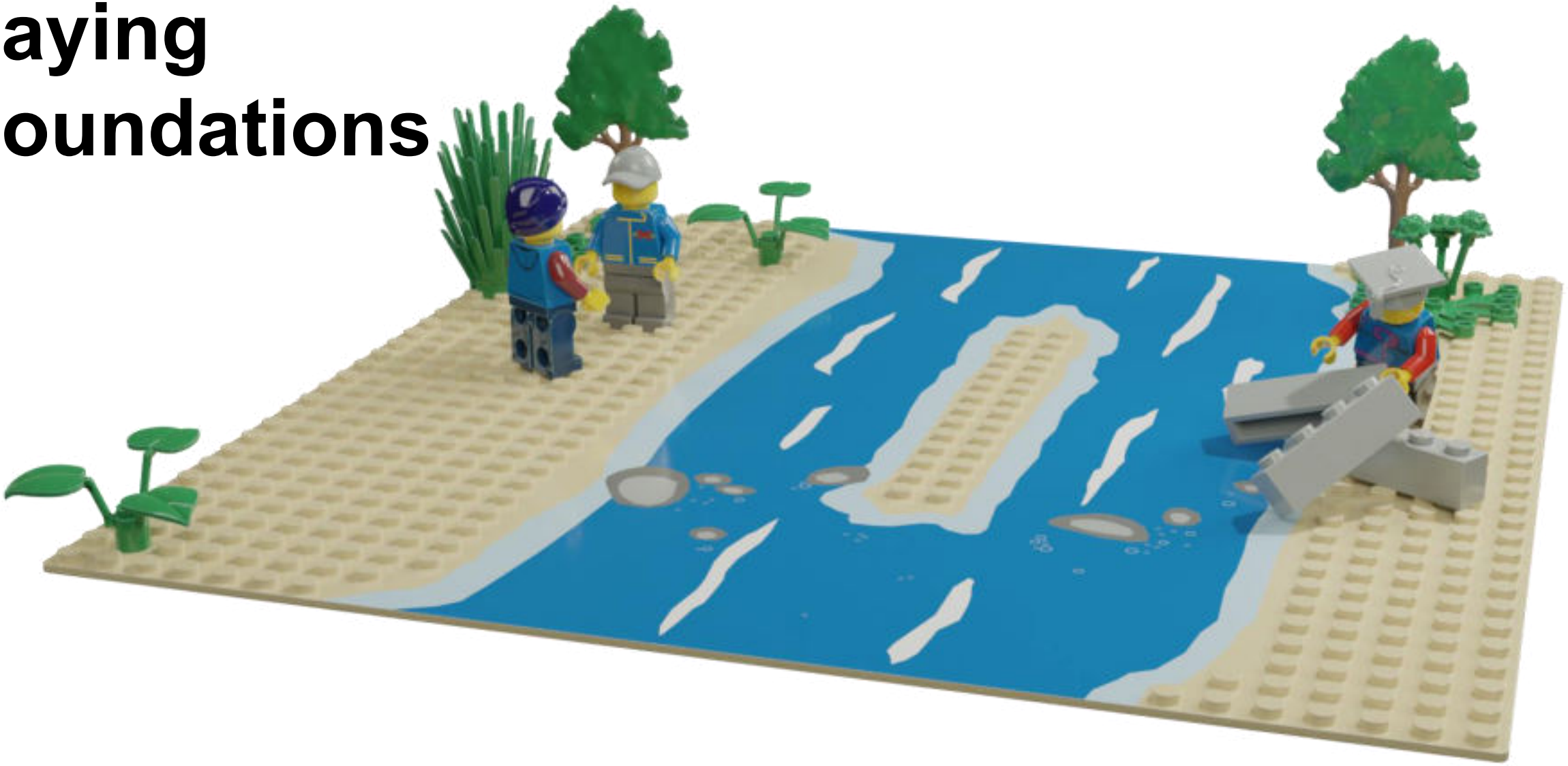
Laying Foundations



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Building Support

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Completed Support

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Making the Case

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An “Implied Consent” Argument

- If…
  1. the contract (terms and conditions) offered to those posting data clearly explains the public disposition of that data and the available controls that the poster has, and if
  2. the gatekeeper permits the proposed use of the data, then the visibility of the data in public *could* be argued as an implied consent through agreement to the contract.

- But…if the data ceases to be visible in public, this implied consent argument fails to hold.
  - Once public does not mean always public in this context (because of user controls).

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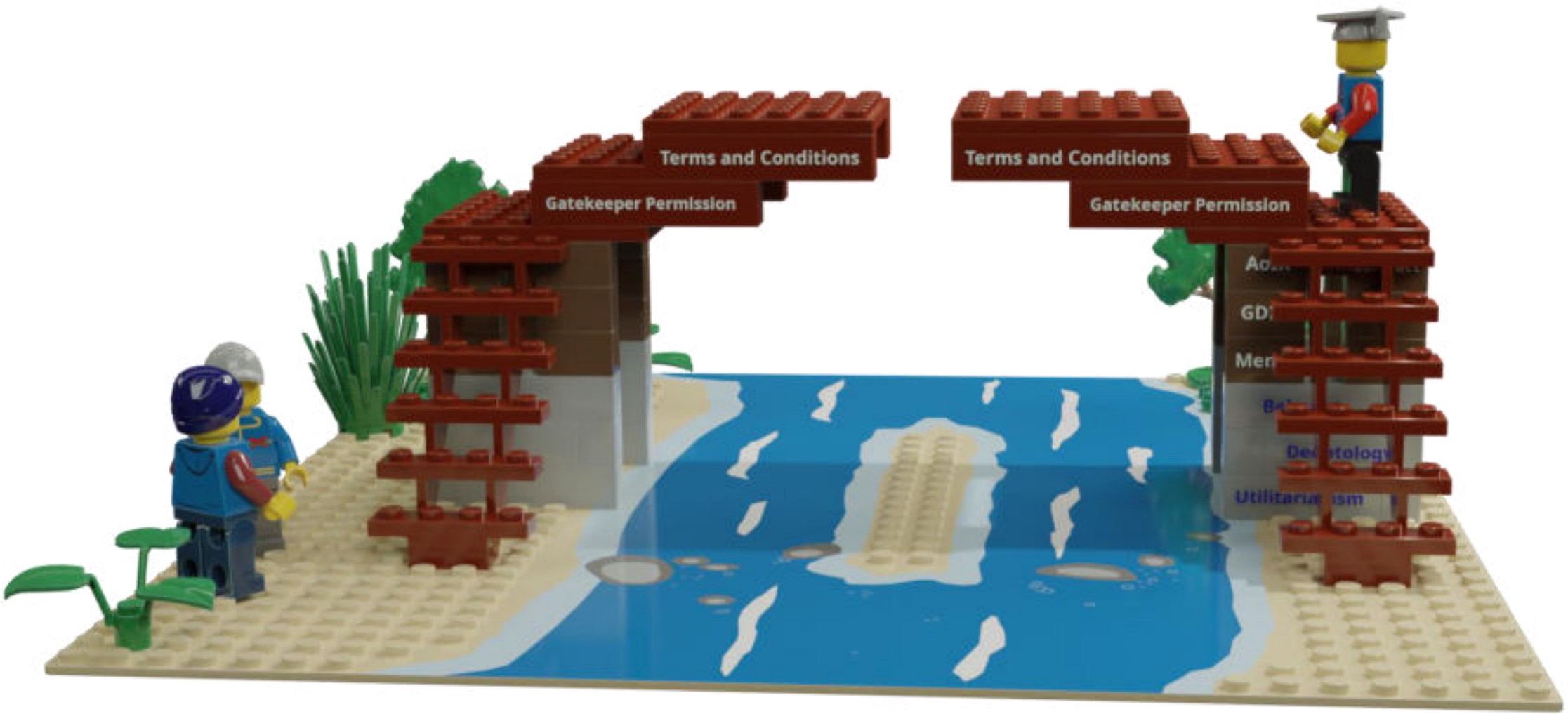

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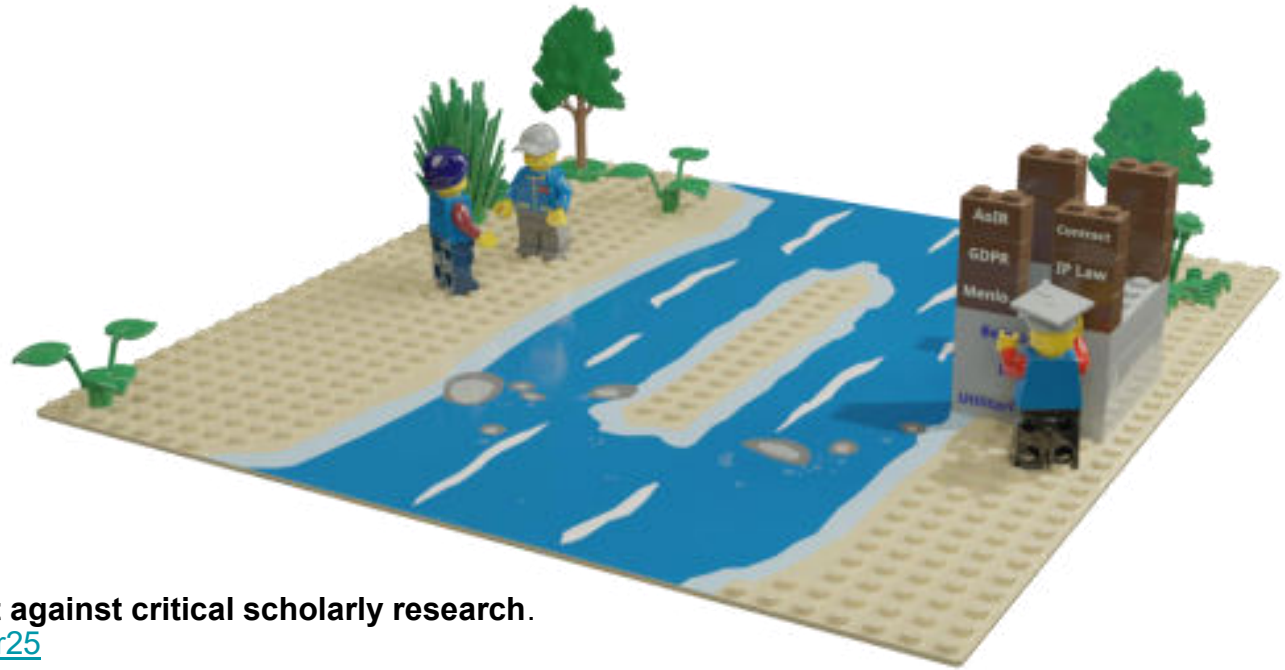
Responses

- Researcher responses (see *Bruns, 2019*):
  - “Walk away”.
  - “Lobby for change”.
  - “Accommodate and acquiesce”.
  - “Break the rules.”
- Possible platform responses (see *Edelson and McCoy, 2021*):
  - Legal action.
  - Denial of service.
  - Could affect institutions and researchers.



Bruns, A. (2019). After the ‘APIcalypse’: **Social media platforms and their fight against critical scholarly research**. Information, Communication & Society, 22(11), 1544–1566. https://doi.org/10/gf8r25

Edelson, L., McCoy, D. (2021). **Facebook is obstructing our work on disinformation. Other researchers could be next.** The Guardian. Aug 14. https://www.theguardian.com/technology/2021/aug/14/facebook-research-disinformation-politics

Mahoney, J., Le Louvier, K., Lawson, S., Bertel, D., & Ambrosetti, E. (2022). **Ethical considerations in social media analytics in the context of migration: Lessons learned from a Horizon 2020 project.** Research Ethics. https://doi.org/10.1177/17470161221087542

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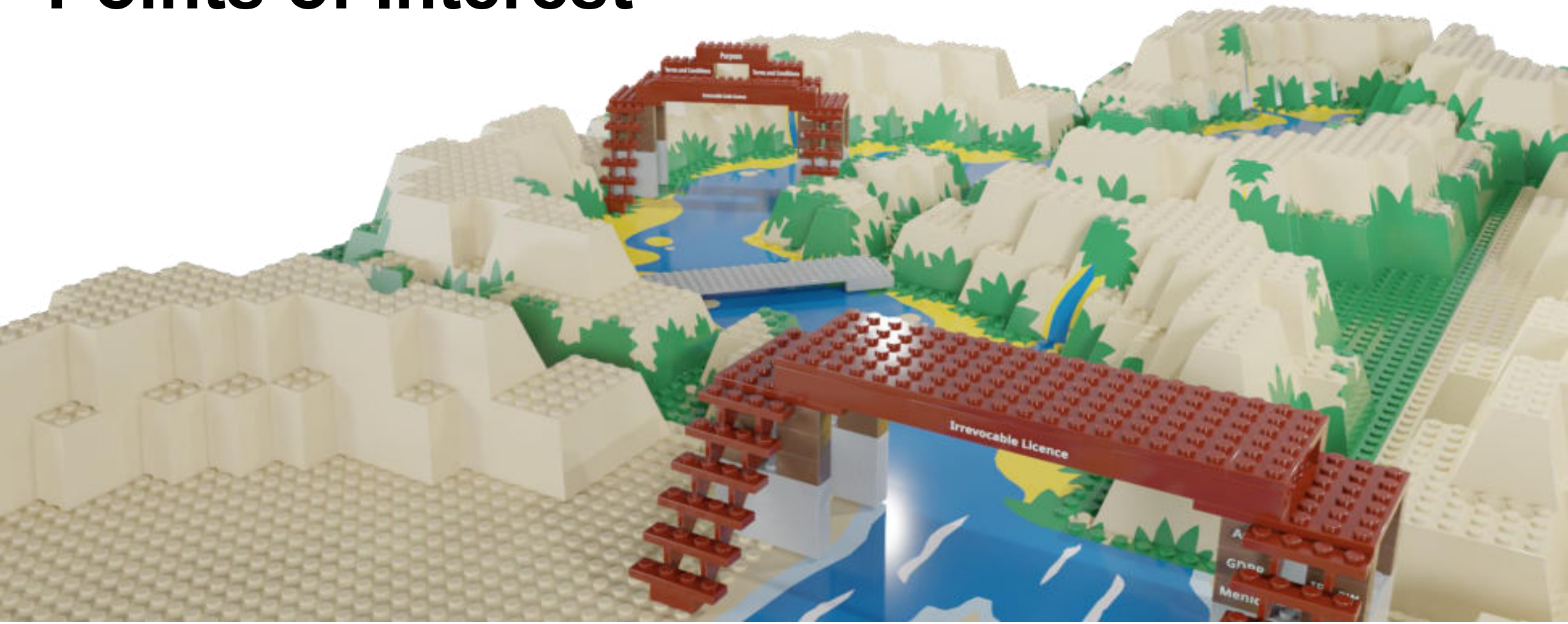
Points of Interest



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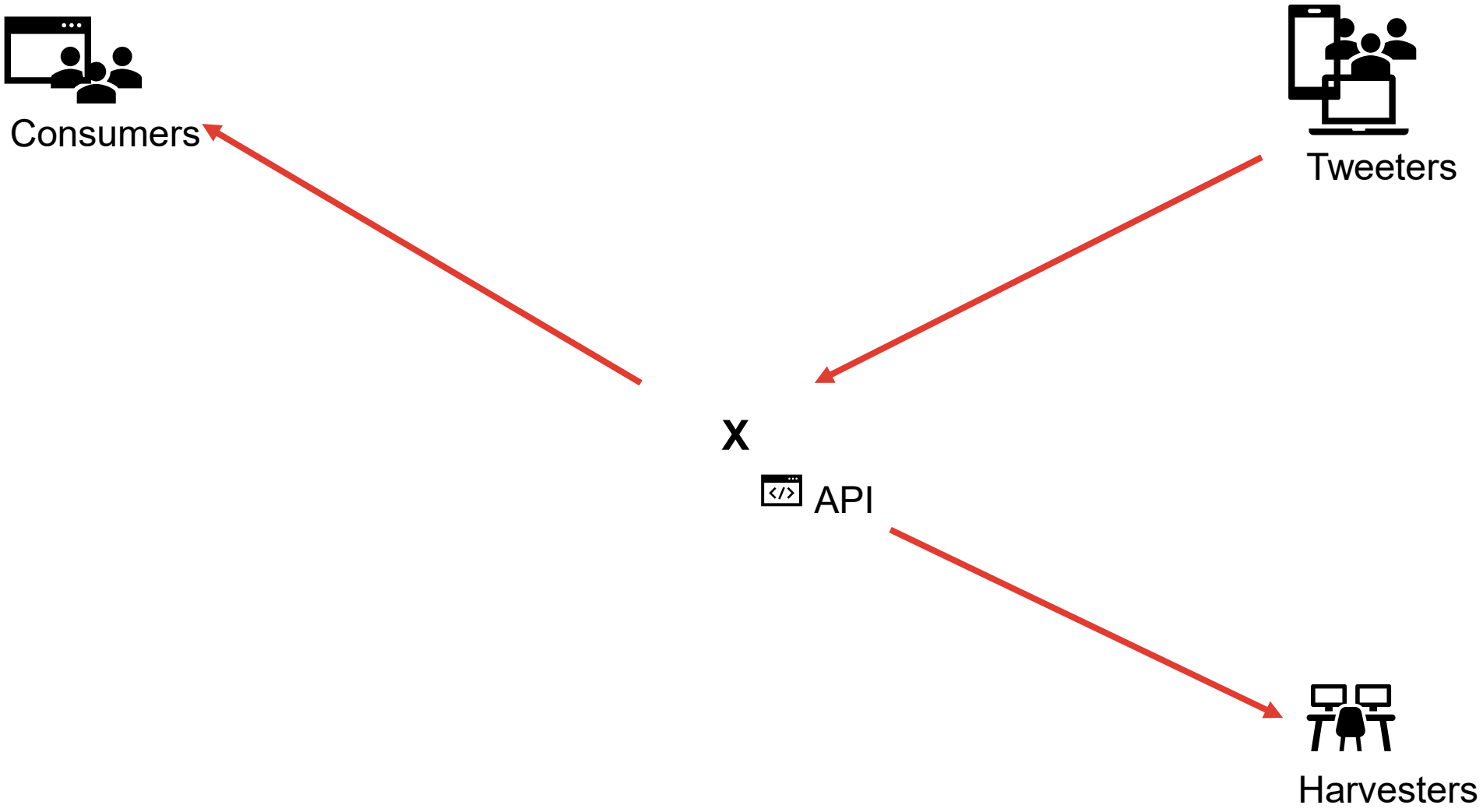

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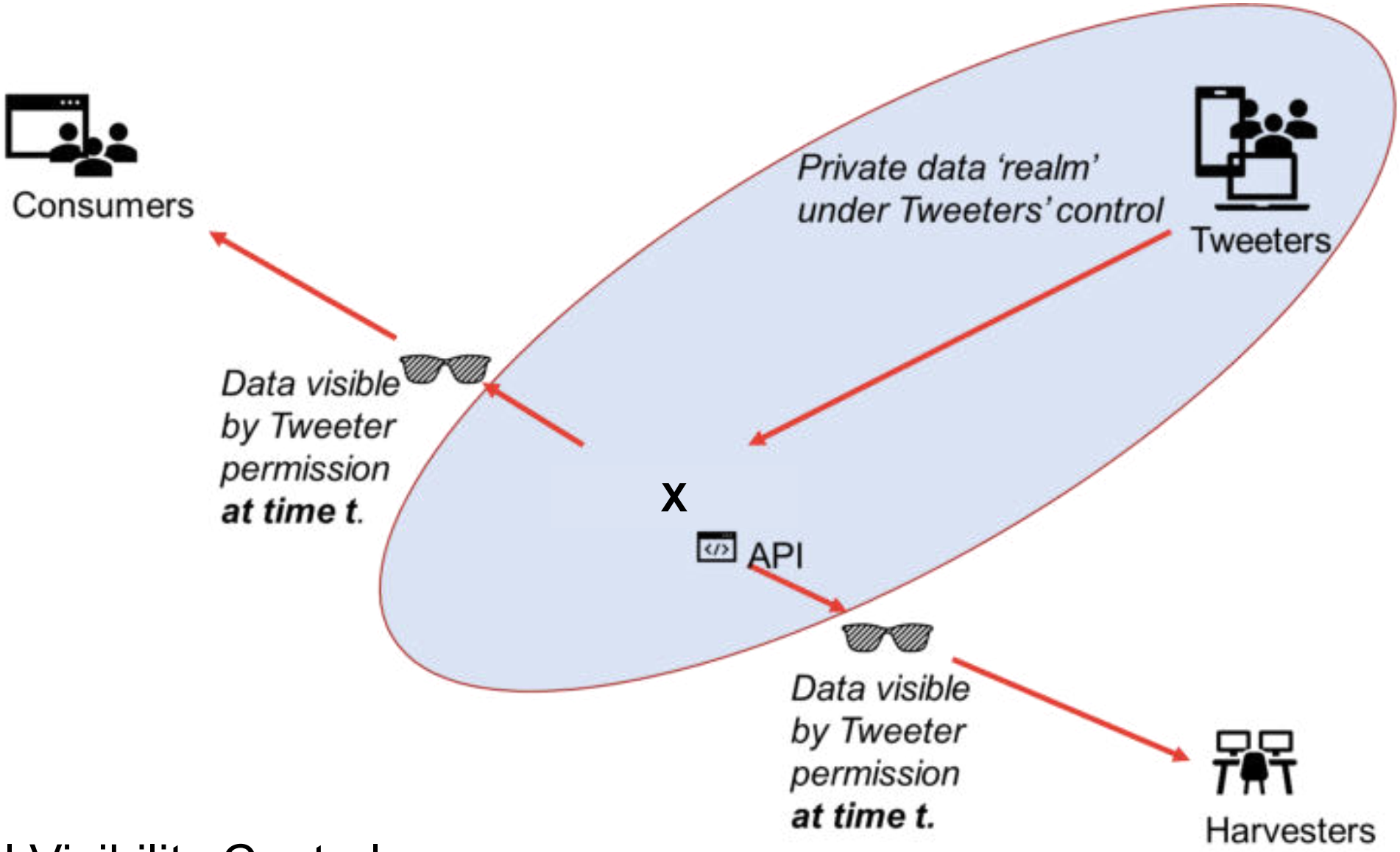

Temporal Visibility Control

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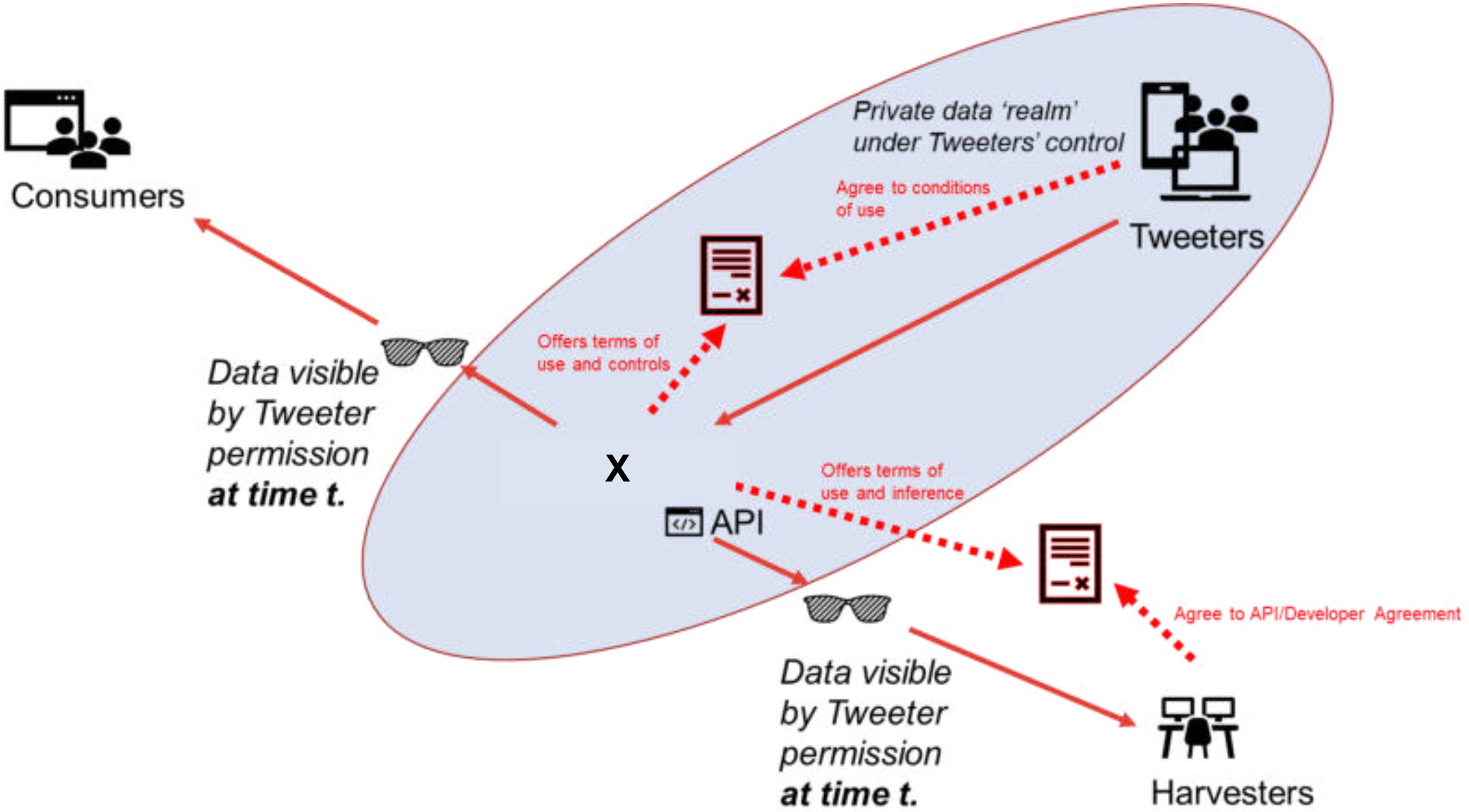

Contractual Relationships

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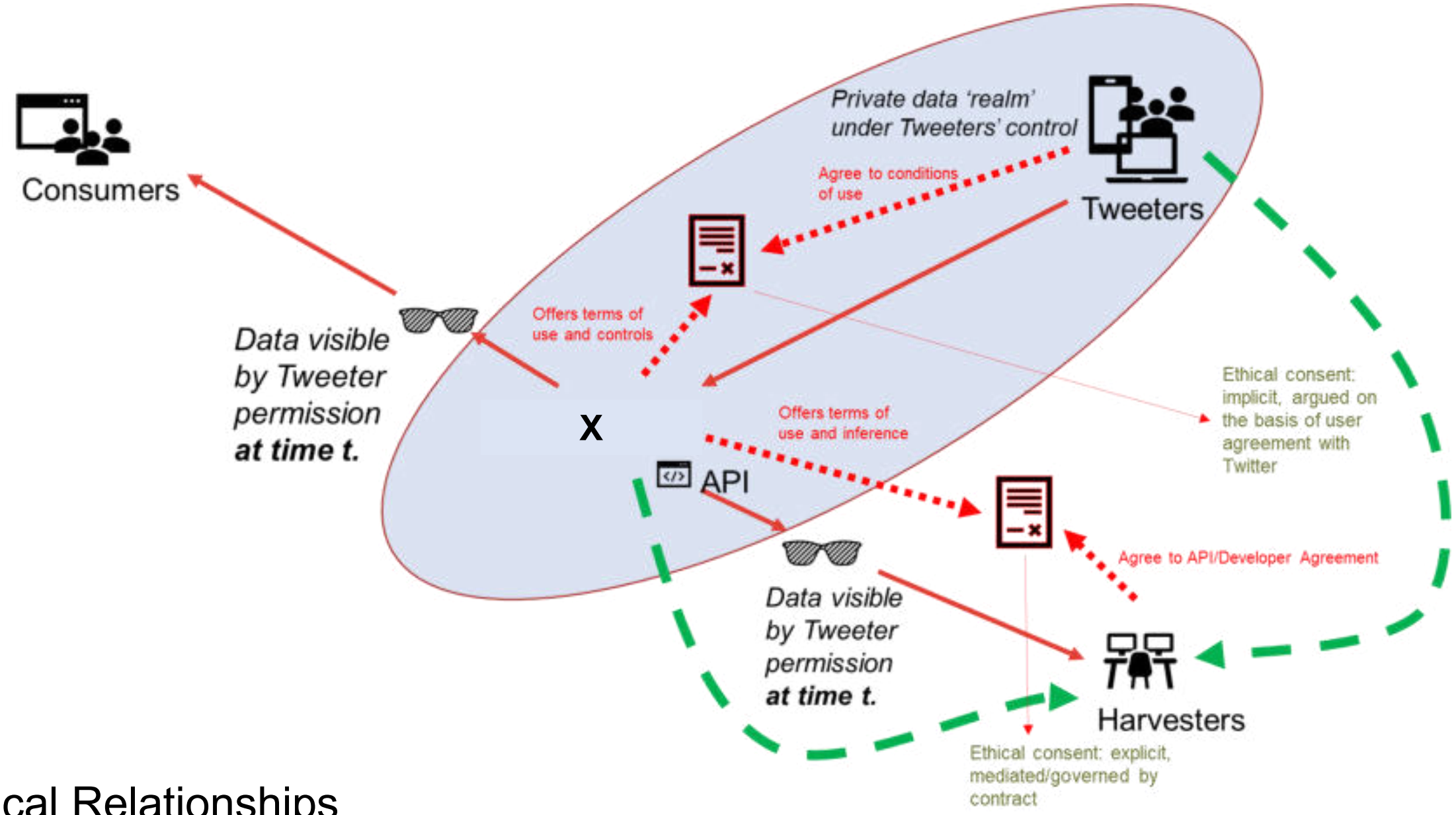

Ethical Relationships

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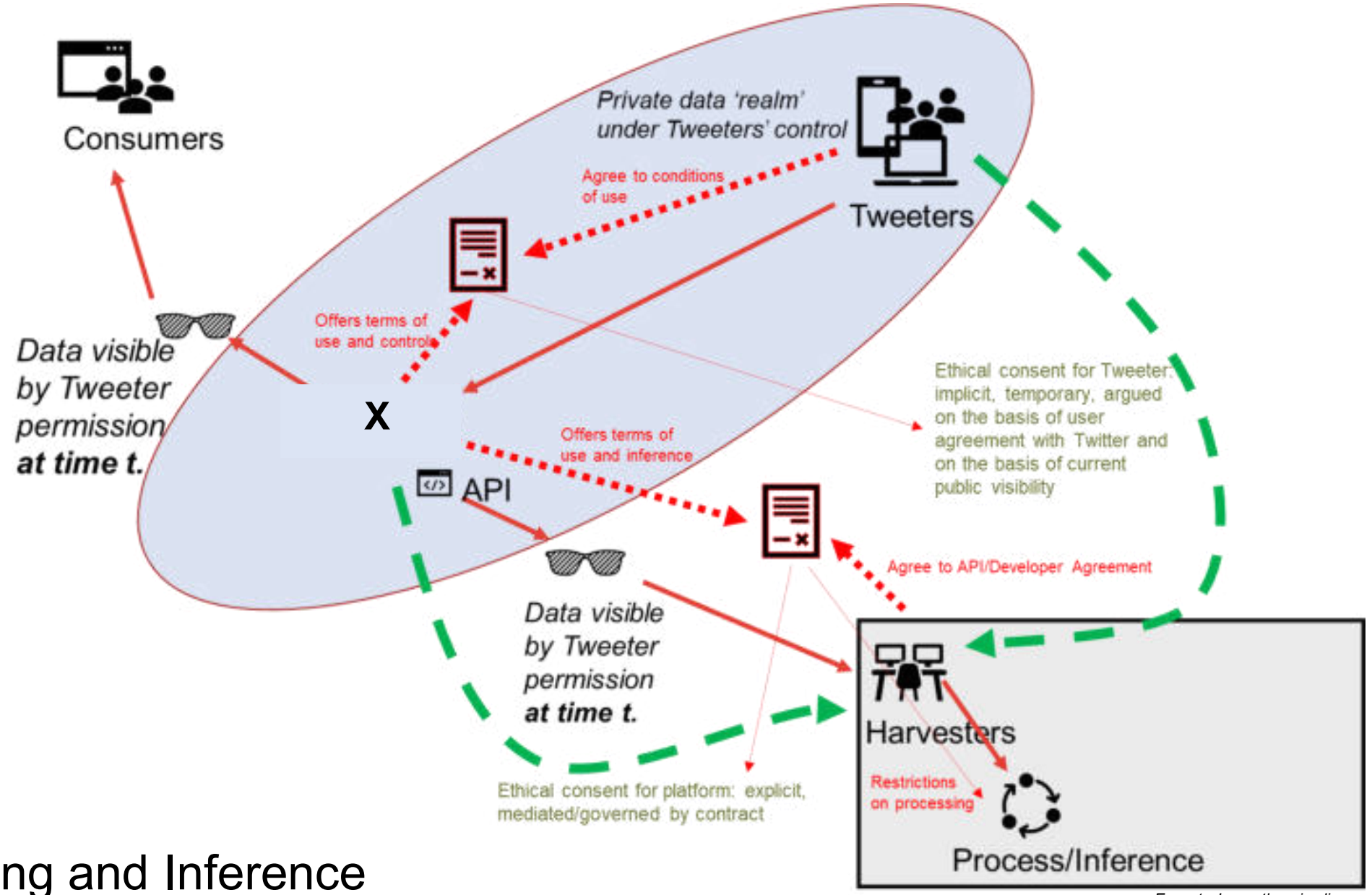

Processing and Inference

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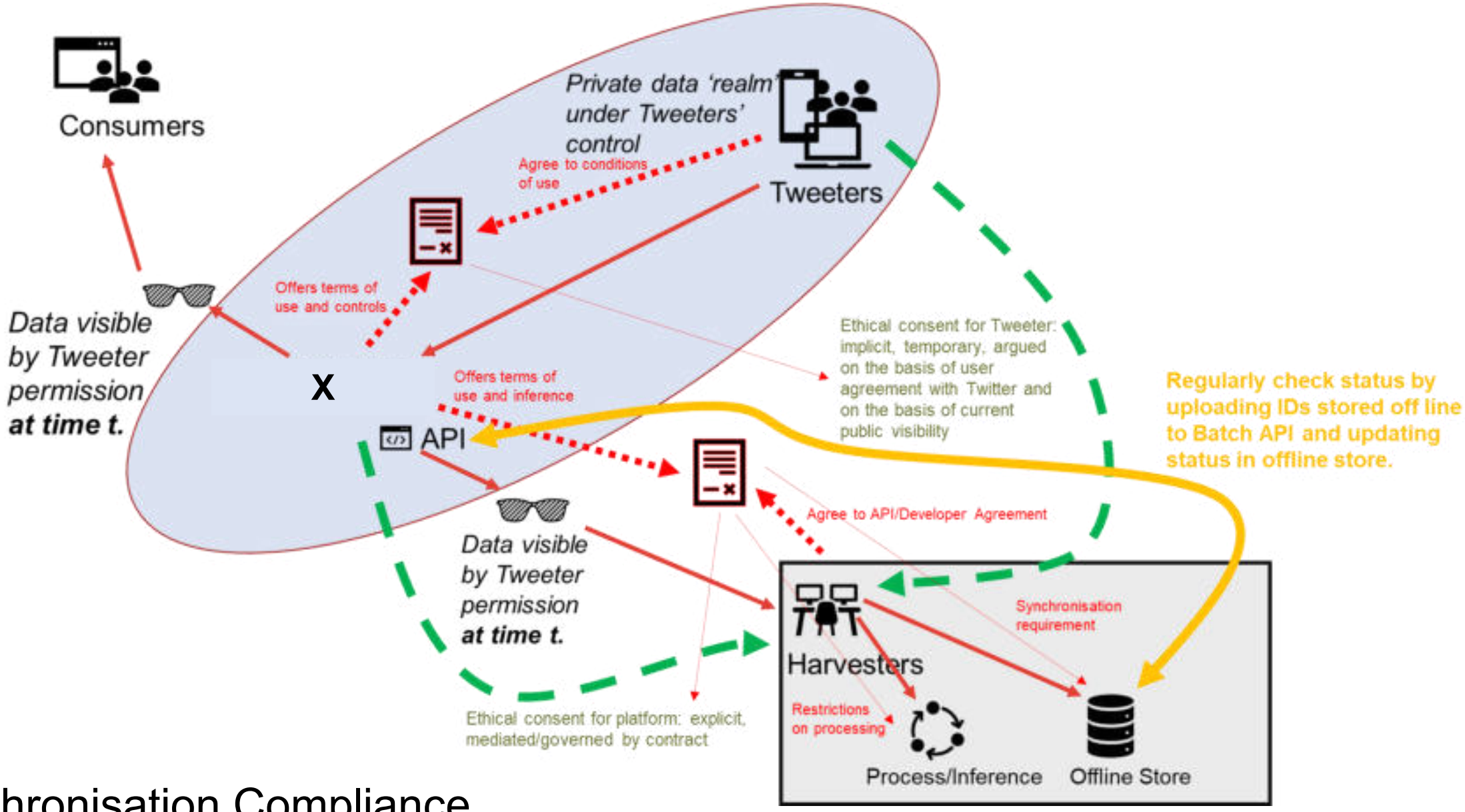

Synchronisation Compliance

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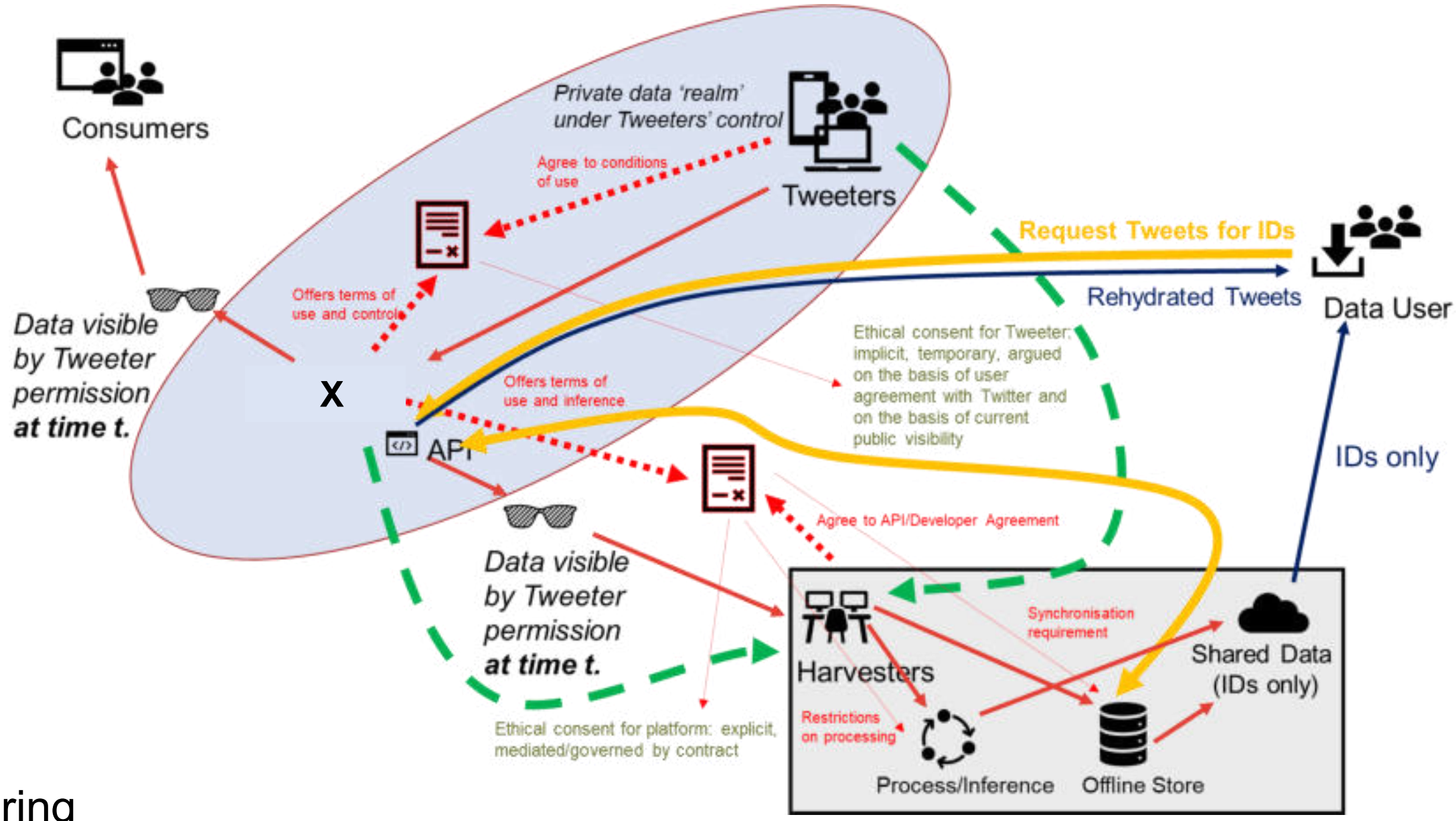

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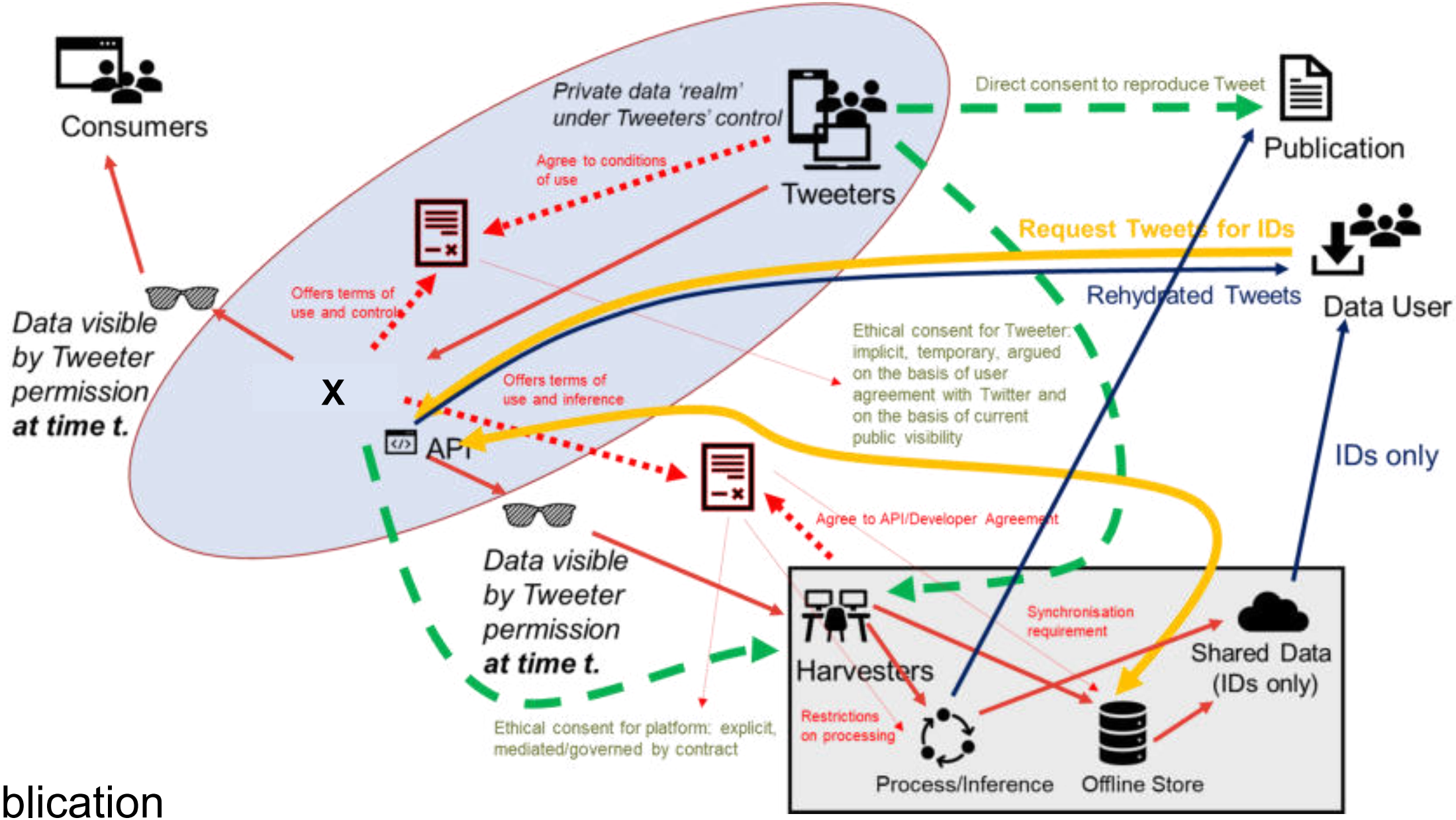

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Facebook*

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- Prohibitions on data processing:
  - Discrimination (or encouragement thereof) based on personal attributes (wrt to both law and policy).
  - Eligibility determination: housing, employment, insurance, education opportunity, credit, benefit, immigration, including terms of provision.
  - Surveillance.
  - Commercial exploitation.
  - Search engine availability (care with derived datasets).
- Additional restrictions on Restricted Platform Data.
- Sharing: only at user's direction (with consent proof), or under contract and retaining responsibility.
- Synchronisation to live status.
- Scraping prohibited (https://about.fb.com/news/2021/04/how-we-combat-scraping/).

* My reading at 11/4/2022 of https://developers.facebook.com/terms/.

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YouTube*

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  - Scraping.
  - Collecting/using information that might identify a person (face, username etc) without consent.
  - Harassment etc.
  - Harvest, track, infer, derive or store (without consent): health, gender, …
- Requirements:
  - Respect user privacy, don't harvest user data, or surveil.
  - Clear information to users of your app and provision of control.
  - Clear expectations conveyed to data subjects: no surprise.
- Disclaim of responsibility for data content.
- Maintain sync to live data.

* My reading at 11/4/2022 of https://www.youtube.com/static?gl=GB&template=terms and associated developer policies https://developers.google.com/youtube/terms/developer-policies-guide,

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Reddit*

- Requirements:
  - Synchronisation as soon as possible to live status.
  - Discretionary review of applications.
  - Compliance with requirements/restrictions placed on content usage by users e.g. rights-reserved, CC licenses etc.
- Prohibitions:
  - Using services/data to train LLMs, AI, or other algorithmic models without permission.
  - Modification of user content except for display.

* My read at 19 Feb 2024 of https://www.redditinc.com/policies/developer-terms

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Foursquare*

- Limits to offline caching of content:
  - Only IDs for pay as you go customers.
  - 24-hour device-only caching for enterprise customers (no servers).
  - No image caching.

* My read at 22 Nov 2023 of Foursquare terms (but cannot find again in Feb 2024)

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Tiktok Research API 1*

- Academic researchers in US/Europe. Individual and lab-level access (up to 9 collaborators, reviewed by TikTok), separate application for each university.
- Data on accounts, profiles, followers, content including comments.
- Requirements:
  - Demonstrable academic experience in the research area
  - Clear proposal.
  - Usage limited to the application scope.
  - Institutional REC approval
  - Prior approval by TikTok
  - Changes must be re-approved.
  - Comply with rate limits, 15 day data refresh, deletion on completion.
  - Provide TikTok with publications and supporting information at least seven days before publication, *primarily* to identify private personal data to be removed.

* My read at 19 Feb 2024 of https://www.tiktok.com/legal/page/global/terms-of-service-research-api/en

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Tiktok Research API 2*

- Prohibitions:
  - No redistribution of content except with owner's permission.
  - Publish research outputs that violate the API terms.
  - Out-of-dataset matching.
  - Must not publish outputs if they can be linked back to a specific user or other individual.
- Other Points:
  - Open access publication.
  - Tiktok gains license to the advance copy and may use it internally
  - Tiktok may use the published version for marketing, training, and presentations, include reasonable excerpts.

* My read at 19 Feb 2024 of https://www.tiktok.com/legal/page/global/terms-of-service-research-api/en

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StackOverflow*

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Practical Recommendations

- Know the basics of the underpinning philosophies.
- Select and understand one or more relevant ethics codes.
- Resolve core ethics issues like consent, dissemination, anonymity etc.
- Undertake legal compliance:
  - Check the terms of site access, understand what you can and cannot do prima facie.
  - Determine what you need to do for the research – is there tension, if so, how will you argue need to breach terms?
  - Seek advice on risks involved in any breach of terms.
  - Determine alignment with data protection and take steps to manage PID appropriately.
- Assemble the ethical argument, considering position on consent, participant protection and so forth.
- Apply for ethical approval as needed, take legal compliance steps as needed.

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Conclusion

- Researchers need to be **rigorous and explicit** in their analysis of the environment to document ethical defence with meaningful transparency.
- RECs/IRBs need to be **flexible** in accepting ethical defences that do not fit the “norm”.
- Properly considered risk should not prevent research happening.
- Ethics consideration needs to be ongoing and fine-grained, and scrutiny processes need to facilitate that.

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Thank you for your attention.

- Questions…

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