

## IS PRIVACY DEAD?

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Published in *CILIP Update* 4, 11 (2005) p.16.

Maybe the title is a bit too strong. 'Is privacy a dead issue?' might be more accurate, but it does feel as if we are in the process of moving willy-nilly into to a new era of obligatory personal revelation. Privacy matters to IFLA's Freedom of Access to Information and Freedom of Expression (FAIFE) core activity because it provides an envelope in which the benefits of freedom of access to information can be enjoyed and ideas as yet unexpressed can be incubated. Current developments threaten this. We may be in the process of relegating privacy to the status of a luxury we can't always afford, whilst simultaneously losing sight of why it is valuable.

Views on the freedom of expression in Britain at the middle of 2005 are overwhelmingly influenced and formed by the London bombings of the 7<sup>th</sup> July. There is a national debate about whether it is acceptable to hold and express views that could be interpreted as supporting and encouraging terrorism. Government has announced changes in the law in an attempt to make these forms of expression illegal and seeks greater powers to deport and exclude those responsible. This seems quite counter to the previous tendency of British law and practice. Marx, Engels and other revolutionaries lived, worked, wrote and made public statements in nineteenth century Britain. This may have disturbed some of those in power, but generally society stumbled along a path of almost contemptuous neglect. To many this no longer seems sustainable. In a Guardian ICM poll reported on August 22<sup>nd</sup>, 73% of respondents said that they would trade civil liberties for security against terrorist attacks. This does not only threaten to set new limits to free expression, it calls into question the domain of privacy.

In the usual course of things police crime investigations progress slowly for at least two reasons: an inability to devote sufficient resources to a single case, and the restraints on the techniques of investigation that the law imposes. The London bombings blew away these hindrances and limitations. Enormous police, security and military resources were suddenly devoted to the investigation of the bombings, pursuit of those associated with these crimes, prevention of further incidents and the identification and detention of those involved in the failed bombings on 21<sup>st</sup> July. The UK Anti-Terrorism Crime and Security Act of 2001 was undoubtedly used, but in time it will emerge how far legal protections against official interception of communications and access to personal data were sidelined, if not actually abandoned. The death of Jean Charles de Menezes illustrates how this suspension of normal restraints on policing can go tragically wrong. It is in this context that we need to ask if privacy has become a dead issue.

Much has changed in recent years. In Britain we already have the highest concentration of closed circuit television cameras in the world, government is poised to introduce an identity card scheme that could create a data-matching nightmare for the individual, and the development and use of bio-metric identification of individuals

is expanding. It seems reasonable to ask if we actually care. Not so long ago a high level of concern for personal privacy would probably have been identified as one of the defining characteristics of British society. This would still hold true of the attitudes of older people, but there is much to suggest that recent generations have abandoned some of this preference.

Television programmes and other media coverage only provide clues as to real popular feeling, but their evidence definitely points to a lack of concern with privacy. People wanting to appear on confessional talk shows of the Jerry Springer and Tricia type aren't hard to find and the people who appear seem to hold little back. On the Big Brother type of 'reality' TV the participants continually push aside the limits to personal revelation, although whether they are saying that they don't care about privacy at all, or are merely happy to abandon privacy temporarily in the interests of fame is less obvious. TV may tell us little, but the popularity of mobile phones tells us more. People's constant semi-public conversations seem mainly to be about themselves, exploring in detail what they have done, what they intend to do, and how they feel about it. Certainly on the face of it, privacy is no longer the strong popular concern that it was, and if it is not, it becomes easier for government to reduce its scope and protection.

All of this is of more than academic interest to library and information professionals. At the IFLA World Library and Information Congress in Oslo in August FAIFE organised a highly successful pre-conference and open sessions in the conference proper that were very well attended. The conference participants still obviously regarded FAIFE issues as an important component of professional life. What they heard included Judith Krug describing the ALA's fight against provisions of the USA PATRIOT Act that are likely to affect libraries, and Marion Koren outlining the similar measure in Netherlands that also threatens to subject library records to official scrutiny. In addition, FAIFE's World Report 2005 (orders to faife@ifla.org), which was launched at the WLIC, contains freshly collected material about anti-terror legislation that has been passed or proposed in a number of countries. The trend is for governments to want to know more about us. This includes what we look at or read, and the library and providers of electronic information sources handle data on that as part of their normal activities.

If we look for precedents on how to deal with approaches for detail of people's reading, we find that the library has generally been a zone in which the privacy of readers is respected. This is reflected in numerous codes of professional ethics from all over the world, which affirm the importance of respect for the autonomy of the reader. It is worth reminding ourselves of why this matters. It isn't just an abstract principle. For instance someone might totally fail to understand paedophilia: it might not merely horrify them, but mystify them too. They might well want to read about it and even look at the sort of materials paedophiles create, so as to come to terms with this inexplicable phenomenon. It certainly would not be appropriate for them to be scooped up in an investigation of paedophiles because of what their library or Internet use records might show that they'd read. Finding a way to preserve privacy for personal study, however unorthodox, whilst allowing the legitimate pursuit of crime is one of the next big tasks for library and information professionals. FAIFE will be involved in the debate and you need to be too. The desire for privacy may be less strong than it was, and people may be prepared to surrender some protections so that

crime can be successfully investigated. Yet this doesn't remove the core need for privacy. Privacy itself is not dead, even if it is wounded, and privacy is certainly not a dead issue