

Caitlin McDonald:

Welcome to this Digital Ethics Podcast. Today, I'm joined by Anne Currie. Anne recently designed an ethics module for the Computer Science Department at the University of Hertfordshire. She is the tech ethicist for Container Solutions and she is author of the four book Panopticon series, a near-future science fiction exploration of issues that we're currently facing, like climate change, AI, surveillance, and the individual versus the state. Welcome Anne, we're so glad we could get you on the podcast today.

Anne Currie:

No, thank you very much for inviting me.

Caitlin McDonald:

My pleasure. So today we're going to talk a little bit about applied ethics in a changing world and looking at the way that different aspects of digital ethics are evolving and how they might evolve in the future. So one of the things I really wanted to ask you about was, you recently designed that Hertfordshire Responsible Technology Ethics for their Master of Science. And I'm wondering, when you're thinking about designing an ethics module, how do you design that for students who might be facing a very different world when they leave the course than when they first started the course?

Anne Currie:

Well, when I was drafting up that course, oddly enough, the first thing that came to mind was subjects that is very close to your own heart, Caitlin, and it was your own work and the talk that you had given on this subject at my Tech Ethics Conference in 2018, about really how the law is utterly key to what is ethical and what is not. There's a phrase on tech ethics, which I particularly like, just, the laws is the floor. Whatever you do, you have to comply with the law.

So it has to start with, what is legally required in different countries, in different sexes, in different types of way that you can be using technology. The minimum is, what are you legally required to do? And actually there's quite a lot there to study even before you get into more esoteric or more future-looking applications of ethics. What do governments now feel that is their considered view of what is ethical and what isn't? And that's all enshrined in the law.

So the first thing you do is make sure that students know that. And the interesting thing about technology is it's quite often the case that individual technologists don't think about the law. They don't think about what they're actually allowed to or not allowed to do. And it's very important that they do, so we start there. Accessibility, what is required for different kind of applications and different use cases.

And then building on top of that, you've got, then what is going to be a law or likely to be a law in future? So, what's the direction that society is heading in? Things that might not be legally required now, but probably will be or may be in a year's time, five years' time, 10 years' time, so that you're not designing products that are instantly going to get you... Well, are going to get you bad press now and begin to get you into a bad legal situation a few years down the line. And of course, that changes all the time. The law changes all the time.

Caitlin McDonald:

And that's such a great point, I think, which is that the law absolutely is the floor, but it's also a following indicator based on what's happening in technology. And so we have to think not only about the law

now, but also what's coming down the pike in terms of regulation that we might have to face in the future?

Anne Currie:

Yes. Because I mean, if you get it wrong now, you are going to get bad press and bad press costs money. And sometimes I find it easier to make that argument, rather than say, "Well, we're not arguing here about what's right and wrong, we're arguing about what is professional." Because if you do it, you're going to get in trouble for it later.

Caitlin McDonald:

Yeah. That's a really great point. I sometimes like to think of that as being three levers. So you have the regulatory lever, you have the reputation lever, and you have the revenue or the profit lever. And so what is going to impact the decisions that you make in either of those arenas and how is that going to play out for the future of your company or your organization, depending on what kind of org you're running?

Anne Currie:

Yeah, indeed, because you do need to think about it, especially for larger companies. A decision you make now might be very difficult to change in five years or 10 years once it's really entrenched. So it's useful to know what you are likely to be allowed to do in five or 10 years' time.

I mean, in many ways, one of the other things that I do an awful lot of talking about is renewability, sustainability in software engineering. And if you look at some of the decisions that even the big oil companies are making now, they're not doing it because the law requires them to do it now, but they're anticipating, I think utterly correctly, that the law will require them to do it in 10 years' time. And it's very difficult to turn the tanker around, isn't it? You've got to make those choices now.

Caitlin McDonald:

Yeah, completely. And that's something that we're looking at some forthcoming, or perhaps by the time this podcast airs, recently launched research through the LEF. So remains to be seen, we'll have some advice on that. And I really like to delve a little bit more into that point. What do you think is most important for technology leaders to grasp when they're thinking about how to set up ethical governance models in their organizations, when they're grappling with all these questions about when the law is coming or what they need to do themselves within their organizations?

Anne Currie:

Well, I think a lot of it is culture, is getting developers to accept and to understand the digital parts of their job, to think about what's legally required and what's socially, morally, ethically required? They're all kind of... They're interchangeable to a certain extent. A lot of developers, I love developers, I am a developer, I was a developer, don't think of themselves as being part of society really, but they are. And in the past, maybe we could have got away with that. I know that I didn't think about what was required when I was a young developer 25 years ago. But as we become a more mature industry, that's not so acceptable anymore.

And they have to accept that it's part of their job to say something. If someone puts forward an idea or they come up with some kind of clever wheeze, as we often do in technology, but it's actually either against the law or it's likely to be against the law in future. It is part of your job to mention that,

to say, "Well, hang on a minute. Do we really want to do this? Actually, we probably shouldn't do it." But they don't even have to do that, they just have to say something like, "Do you know, you might not have noticed, but this thing you've just specified is possibly against the law?"

Caitlin McDonald:

Yeah. Yeah. And I think that's a really interesting point that that sense of in an organization, especially that clarity about who is responsible for the kinds of decisions that an organization takes, can feel really diffused across the organization. And so it's that sense of responsibility, but also governance-wise, the mechanisms that you put in place. And I wonder if you have any special thoughts or insights around how organizations can imbue that sense of responsibility, not only at the highest levels, but also as you move down through the chain of where people are contributing.

Anne Currie:

Well, it's quite interesting because this is not something that's new to the technology industry. It's very similar to the dilemma that faced the finance industry with similar kinds of people involvement, similar kind of business structures often that faced the finance industry after 2009. We had an awful lot of unethical or illegal behavior going on within the finance industry. And they realized they really needed to change things.

So they did an awful lot of work trying to build up ethical cultures. And they were very successful in finding out what didn't work. So we can learn from that. And two things they found that really didn't work, the most obvious one you'd really think that this would work, is to have the CEO say, "Yes, we're going to be ethical. From now on, everyone will be ethical." Made almost no difference to the ethical culture of the company, because most people then think, well, they're probably lying. If they haven't modeled that behavior for their entire [inaudible 00:09:03], they just think they're making it up so they don't think anything has really change.

The other thing that doesn't work, and you'd rather hope that it would, but it doesn't quite, is a lot of youthfully enthusiastic, ethical people coming into the business. They're enthusiastic, they will say something, you'll quite often get a lot of young people who will kick up a fuss and make a noise, but they don't really have enough clout, possibly they kick up too much of a fuss all the time, so they're not necessarily focusing their message well enough.

If you really want cultural change, it's middle out. It's middle managers who set the culture for a business in terms of ethics, is what was found in the finance industry. So it's probably, it's convincing them, if you're a CEO, it's convincing your middle managers that you actually mean it. So that might be a process, it's probably not an ethical manifesto because everybody thinks you've just written that, put it in a drawer, and never look at it again. It's, how are you going to get your middle managers to believe and to enforce and to push it up and to push it down? Without that, you aren't going to get anywhere at all.

Caitlin McDonald:

Oh, that's such a really great and really actionable piece of advice. It's CEO statements worthless, young people with enthusiasm or junior people with enthusiasm, great that they have the enthusiasm, but not influential enough to get anywhere, but it's your middle management layer, I think often overlooked actually, middle-management layer, that's really supporting both up and down in the company that really needs to buy in and to be the ones to really provide the structure for creating that ethical operating framework that people need to work with.

Anne Currie:

Now, that's not all good news.

Caitlin McDonald:

Lay it on us, Anne. What's the bad news?

Anne Currie:

There's a phrase that's often applied to business change or business culture change, which is the frozen middle. It's very difficult to get the middle managers to adopt new behavior, to change where things go. And having been a middle manager for many years, I can see why that would be, but I can also see why middle managers are quite averse to change, because often they're asked to do things that are actually quite destructive to the ongoing sustainability of the business they have.

If you have a business that's successful, as a middle manager, you often want to resist crazy ideas coming from either above or below. So you develop a frozen middle approach where you're reluctant to change, because you're a successful company. Change is often bad. It's very difficult to move companies, unless they're facing an existential threat that is recognized by the middle managers.

In this case, you really are going to need to work very hard to get your middle managers to see some of the things that they might be doing as an actual existential threat to the business, which is why we're bringing in new laws and having people be aware of laws that are almost certainly coming is a good way of getting them to recognize that a threat exists that has to be addressed.

Caitlin McDonald:

Yeah. Yeah. So breaking through, we often refer to the immunity to change model here at LEF. And so breaking through that immunity to change requires them to really recognize that existential threat, whether that is through regulatory means, reputational means, or a threat to their actual fundamental profits and profitability. So, yeah, and I think there's also that change often comes at us, it's not that we have to go out and seek it, it will come of its own accord. So that actually quite nicely, I think, takes me into a little bit about the Panopticon series, potentially as a means for unfreezing the middle through its visions of potential and existential threat.

Anne Currie:

Yes. Yes. So yeah, last year I decided... I'd been speaking and writing about technology and ethics and the environment and all the threats that are facing us and why we need to be thinking about things differently for years, but I quite fancy doing something that was a little bit of a different approach to it. I guess, although you speak at conferences and people get very... It's definitely useful and you get lots of useful feedback and you get people's attention, but you've only got people's attention for 20 minutes, 30 minutes, 40 minutes tops. Even if you've got an hour long talk, they're going to be drifting off after 30 minutes. So you only have a limited ability to put across ideas.

When you write for tech publications, magazines, and things, again, you don't really know how well people are taking in what you're writing. There's one exception to that, which is actually when you write for the register, which is both good and bad in that you get loads and loads and loads of feedback from your pieces, which can be a little bit intimidating, but you do know that people are listening and paying attention to it and then fighting about it.

But generally speaking, you often feel a little bit like, "Am I screaming into the void here?" You have no idea what the effect is. But you also don't get that long, you can't put across very complicated

concepts. Whereas a novel, if people are reading one of your novels, you're getting a lot of their attention for a lot of time, even a short novel, 50,000 words or so, which is what I normally write, you're talking about eight, 16 hours of concentrated attention from somebody. You can really put across some very complicated ideas and get people to pay an awful lot of attention.

So I thought I would do that and see whether or not it was effective. I don't know, people seem to enjoy them, they're useful to me because they force me to think about things like crazy. There's nothing like writing a book to make you think about a subject, but has it changed anybody's minds? I don't know. I hope so.

Caitlin McDonald:

Excellent. And perhaps for readers that are unfamiliar with the Panopticon series, you can give us a potted overview of what they're about and who's involved in them?

Anne Currie:

Ah, right, yes. So the Panopticon series, it's set in the 2050s. It's speculative fiction with a bit of thriller action to keep everybody page turning and reading all the way through to the end. But it's speculative fiction and it's about the technology that will be and what's happened to the world, which is more or less what we actually anticipate happening to the world between now and 2050, and the technologies that people are using to address it, which are more or less the technologies that we would expect.

So given where we are now, I don't think there's anything in there that's particularly unlikely to happen. And then the things that go wrong with those technologies, how society changes as a result, the difficult decisions that people have to make about how they use it, how they don't, and the protagonists are in the tech industry. So they are the Elon Musk types of the future who are a little bit more thoughtful, possibly, than the technology billionaires at the moment, they think through what are all the implications of what they're doing. So that is my intention.

Caitlin McDonald:

Thank you. Yeah, I've really enjoyed reading them for one thing. And they certainly do bring up a lot of interesting moral conundrums, which is a lot of the challenge and thought-provoking things that you're trying to portray. And I think that there's a really interesting central tenant of the novels that I wonder if we're still in more of a battleground about, which is around privacy and the Panopticon series relationship with what privacy means and how that changes in the future.

Anne Currie:

Yes, yes. So the big switch in the Panopticon is that there's no privacy in the future. Basically privacy has been outlawed. And is this a good thing? Or is this a bad thing? So the whole series is meant to be, well, it's not 100% clear whether this future is a dystopia or a utopia and I was inspired in that by one of your fellow speakers at the conference that I ran a couple of years ago. [inaudible 00:17:56], who I was talking to her about, how do you recognize when something is wrong, is the wrong thing to do? And I said, well, maybe it's that's down the road it would generate, if you extrapolate it forward, you're thinking the world that would result from that would be a dystopia.

And she corrected me. She's younger, she's younger than you, she's very young. And she corrected me and said, "Well, you can't know what the future will think about with their world, whether it's a dystopia or a utopia. It's not up to you to decide. What young people think is dystopian is different from what old people like me think is dystopian.

Caitlin McDonald:

Yeah. And I think that's such a great point because actually, in the world that we live in now, plenty of people experience it in a positive and enjoyable way, whereas other people might experience the current world that we have as a dystopia, which I think is a conversation that's really come out through some of the social and political movements we've been seeing over the past several months.

So that was a really interesting one because I think for a lot of people, and in fact I know for a fact that one of the other podcast guests that we'll have, believes that privacy is essentially the central tenant around which you want to legislate to create a more positive, ethical future. Whereas in the Panopticon series, the lack of privacy is the thing that enables people to evaluate their moral judgments about what they do and how they behave with respect to others.

Anne Currie:

Yes. Well, I wanted to be controversial. But of course, the Panopticon approach of the collective information and awareness is more important than individual privacy, is the approach that half the world have already taken. China and Asia is much less privacy obsessed than we are in the West. And it behooves us to challenge which is the right... It's most a guarantee that we're right. We might be, but it's not a guarantee that we are.

Caitlin McDonald:

And I think it's also worthwhile considering some of the social control mechanisms that we also have in the West that we think of as being foreign to us. For example, credit scoring, which is actually used quite a lot in systems like hiring. What does that say about privacy or about information and the relationship of power between the individual and the state or the individual in a large organization? Especially when the way that that is calculated is so unknown and the way that that is used is so unknown.

And those kinds of technologies, because essentially a credit score, if you look at it in that sense, is a technology. It's a thing that you use to evaluate somebody's, initially, credit worthiness, but actually to some extent it's become a kind of social credit score where it's used to evaluate worthiness for other kinds of activities. That then, if you translate out into other kinds of things that we are trying to evaluate worthiness for, becomes a really interesting question around, well, actually has this value of privacy already been eroded? And we just don't think about it that way.

Anne Currie:

Well, yes. I mean, it's entirely possible in the West we're just kidding ourselves. We think we have privacy, whereas all we're really saying is, don't tell me, don't tell me that you know a lot of information about me. And that's not privacy, that's blissful ignorance, which is a whole different thing.

Caitlin McDonald:

Yeah. And quite dangerous, I think as well, because if you don't want to engage with the fact of, these pieces of information being known or being used, especially if they are incorrect or wrong or being used in a way that is wrong, then you can't actually address them if you just try and pretend that they're not happening.

Anne Currie:

Indeed. Yes.

Caitlin McDonald:

Yeah. Of course you also have the interesting conundrum of, in fiction, one of the things that creates drama is not all of the action being known. So that creates a huge problem as a writer, I would imagine.

Anne Currie:

It does indeed.

Caitlin McDonald:

Yes. But I wonder as well, how does the writing of science fiction help in your day job as a strategist and an ethical technologist?

Anne Currie:

Oh, massively. Because to be honest, although it's set 30 years in the future, everything in it is just what's going on today and just forces me to think about issue. So in my current book, I'm thinking a lot about the importance of whether technology companies should be applying filters or thinking about what information they give to you, because are they going to turn you into somebody different? And is that a good thing or is that a bad thing? Do you need to address it? Is it morally required that you don't change people? Or is it morally required that you only change people in certain directions? Which is very relevant to Facebook and you do need to think about these things because they will come up.

Caitlin McDonald:

Yeah, well, it's relevant to Facebook, but it's also relevant to things like the UK's Nudge Unit, which is designed to try and increase pro-social behavior and has come up quite a lot in the news recently because of their advice around how to encourage the population to adhere to some of the social distancing regulations, for example.

Anne Currie:

Yes. It's interesting. I read the book, Nudge, and I thought it was awful. Not because you're encouraging people to do things by default, that's absolutely fine, but because it didn't mandate it. So you'd defined what was good, but then you were effectively mandating it for people who were not paying attention. But for people who were paying attention, you're allowing them to do whatever they liked. So actually, it was something that benefited people who were antisocial, but paying attention.

Adam Smith has a whole section about it in Wealth of Nations, about how you shouldn't have complicated rules that most people will... Complicated rules that mean that most people play by the spirit of the law. But some people, merchants, can bend those rules to stay within the letter of the law, but make a whole load of money by straying from the spirit of it. So he gave a big warning about that and when I read Nudge I thought, that totally matches that warning there that I think those Nudge folk are either somewhat naive or willfully benefiting billionaires.

Caitlin McDonald:

Yeah. Yeah. There's a definite-

Anne Currie:

[crosstalk 00:24:37] to say which way around that is.

Caitlin McDonald:

Yes. We cannot read into each other's minds in the current status of things, and even in the Panopticon, you can only see what people are doing, you can't see what they're thinking. So I think there's that consideration around... To throw in another piece of reading, there's a really great book, which I'm just leaning over to my bookshelf to grab off the shelf by James Williams, which is called Stand Out of Our Light, which is a really great book around thinking about the way that attention is being used. And so, one of his primary questions is, how do we want what we want to want? So I think that really relates to some of those ethical conundrums that you're describing.

Anne Currie:

Well, it's interesting because the first startup I did, which was 15 years ago now, was a tool for Windows back in the day when Windows was a thing. It was a desktop tool for Windows that automatically tracked what you were doing. And I was interested in attention because I was worried that everybody was just being distracted by Facebook and there was only really Facebook at the time, everybody was being distracted by Facebook and not using their time very effectively.

And I knew how to write something that would just track exactly how you're spending your time and doing all that, because I was quite a Windows whizz back in those days. Windows programmer whizz. And I wrote this application and sold it. I ran it for about 10 years. I closed it down quite recently, because it was a little bit GDPR-y. It was actually fine because it all stayed on your local machine, but it was all getting a bit... It wasn't locally encrypting data and things like that. Couldn't be arsed.

So I closed it down, but mostly people used it to make sure that they were doing what they wanted to be doing. And it was mostly used by people all over the world who wanted to make sure that their billable time was actually billable. So it was folk who had something specifically that they wanted, which was their time in front of their computers was used to generate cash by working on what their customers wanted them to work on.

And for them, they loved the product. I think people will really be quite disappointed it's now gone, but it worked by, and this was actually fundamental to my thinking about Panopticon, it worked by giving people the information. If people wanted to know whether they were spending their time better, how they could spend their time better, the first step is to tell them how they're spending their time. [inaudible 00:27:18] do it with a pencil and paper or whatever, but it's easier if you automate it. But information is key to doing what you want with your own attention.

Caitlin McDonald:

Yeah. And I think that that's where you start to get into some really nifty, ethical conundrums of course, because once you changed the locus of control from me having the information to, for example, very similar to a Microsoft Delve, which sends the information about how many quiet days you've had or how many hours you've worked or how much screen time you've done. But of course, not only can I see that, but my employer can as well. And thankfully, I work in a place where they trust me to do my job well.

But if I was working in a place where there wasn't that level of trust, I might have a little bit more skepticism about this kind of tracking technology being used on me, and whether that was really for my benefit as a worker, or whether that was being used against me. So I think that those kinds of things where it's like, the technology itself isn't the place where the moral conundrum comes into play, it's always about the power relationships between people and organizations.

Anne Currie:

Yeah. And to be honest, it's also about competing [inaudible 00:28:25] in that, well, one thing I really noticed with this tool, whenever I was pushing it out or deploying it with new companies, that if people had to write, fill in, if people said, "Oh my God, I'm just being watched and I've got this information, but it's of no use to me," then it always died a death because, why would anybody want something watching them and they get no benefit from it?

But if they had to fill out time sheets, then it was completely different because everybody hated filling out time sheets more than almost anything else in the world. So their privacy was of no interest to them compared to the ease of use of completing time sheets. So it's all about competing desires. Privacy really doesn't stack up as much as you'd think it does.

Caitlin McDonald:

Yeah. Yeah. I think that depends on the nature of the kind of information you want to keep private, but we could have a whole separate podcast on that. So with that thought-

Anne Currie:

Yeah. All right. I could go into that, because obviously-

Caitlin McDonald:

Yes, no. Let's think about hosting another one because I think we absolutely could, but with that, perhaps one concluding thought to the poor frozen middle managers whose burden and duty it is to create ethical change within companies. What would you like to leave them with?

Anne Currie:

It is that... So one of the other speakers that we had at our conference on tech ethics was a lawyer, a criminal lawyer. And we had many discussions with her about, actually you are more liable than you think you are for these things. It's amazing how technologists think that, "I was only following orders," is a legal defense. It's not a legal defense. And similarly, just as many developers think, "But I didn't know it was against the law," is a legal defense. It's not a legal defense. It is required that you familiarize yourself with what the law says you are and aren't allowed to do. And that you're aware of what you might be breaking the law in in the future. So that's kind of 101 for thawing the middle.

Caitlin McDonald:

With that terrifying thought, it remains only to say, thank you so much for your time. We really enjoyed hearing about it. And I'm sure that all of this thought-provoking, extremely interesting ethical digital stuff will be on our minds and we look forward to having you back again in the neat future.

Anne Currie:

Thank you very much.

Caitlin McDonald:

Thanks Anne.