

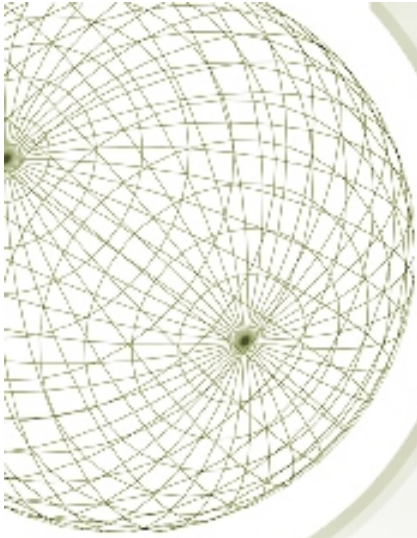
# Google Street view:

'Public place' photography in the Internet age

*David Vaile, Executive Director*

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<http://cyberlawcentre.org/2008/geo/>



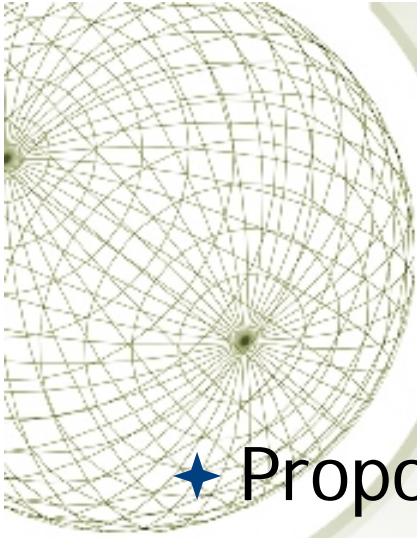
## *Intro*

- ★ UNSW Cyberspace Law and Policy Centre
- ★ Appreciate invitation
- ★ Centre's interests overlap issues raised:  
privacy, information law, governance of Internet
- ★ Materials available online
- ★ Thanks also to AustLII for hosting sites
- ★ [Housekeeping: passengers Mark, Anas, Samuel - end of session + 5:30]



# *Contents*

- ◆ Google Street view in Australia
- ◆ The technology
- ◆ Google and privacy
- ◆ 'Public space'?
- ◆ Privacy advocates input - role of NGOs
- ◆ 'Personal info'
- ◆ Examples of risks
- ◆ Risk assessment: PIA?
- ◆ Google responses
- ◆ Observations



# *Google Street view in Australia*

- ★ Proposal to take images of most public streets
- ★ Panorama cameras
- ★ development done in Australia?
- ★ Implemented in US first
- ★ Hard to find details
- ★ Hard to find risk assessment
- ★ Implied assertion: no choice, no option

Google Maps e.g., "10 market st, san francisco" or "hotels near lax"  
Search the map Find businesses Get directions

Search Maps Show search options

Search Results My Maps

Print Send Link to this page

Browse popular maps

- Real-time Earthquakes
- US Themepark Map
- Popular user-created maps
- See more maps

- Put your business on Google Maps
- Display your ads on Google Maps

Street View Traffic More... Map Satellite Terrain

Street View  
Drag me onto a blue outlined street.  
You can also just click on a blue outlined street.

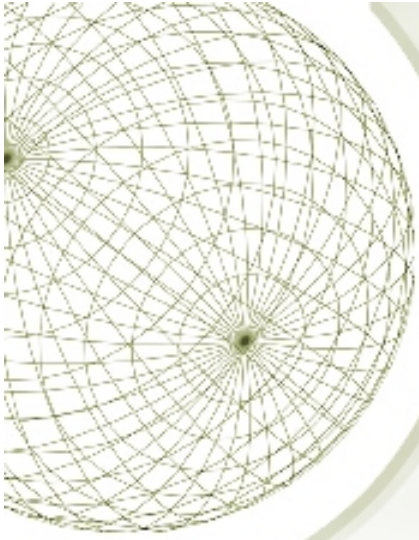
Portland

2000 ft  
500 m



# *The technology*

- ◆ Cars with top mounted cameras
- ◆ Images
- ◆ Stitching
- ◆ Movement of POV; granularity?
- ◆ Geolocation
- ◆ Linking with other tools - Earth, maps etc.



*(image)*



e.g., "10 market st, san francisco" or "hotels near lax"

Search Maps

[Show search options](#)

Search the map

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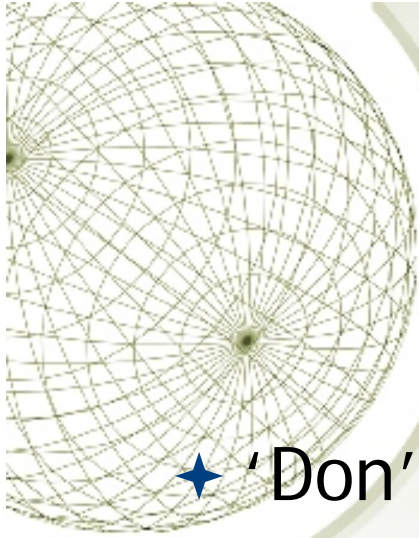
1058 SE Ash St Address is approximate

[Street View Help](#)



© 2008 Google





# *Google and privacy*

- ★ 'Don't be evil' - dismissive assertion of right
- ★ US as land that privacy forgot: 1st Amdt
- ★ Hostility internationally
- ★ Good interaction locally
- ★ Link on front page to Privacy Policy - battle



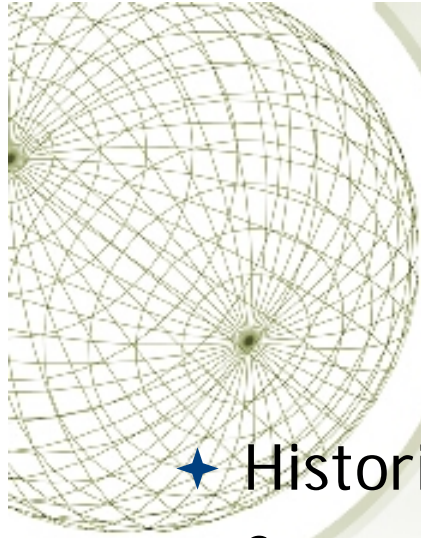
Google Search

I'm Feeling Lucky

Search:  the web  pages from Australia

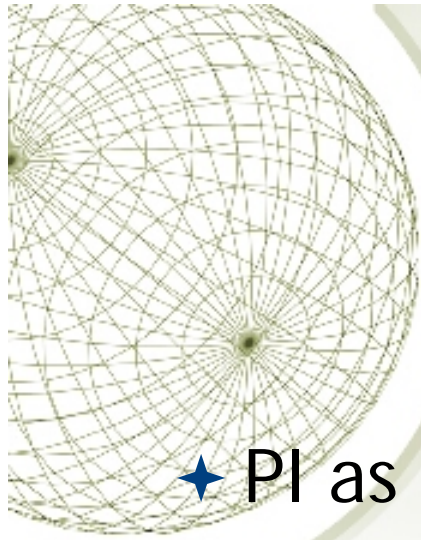
[Advanced Search](#)  
[Preferences](#)  
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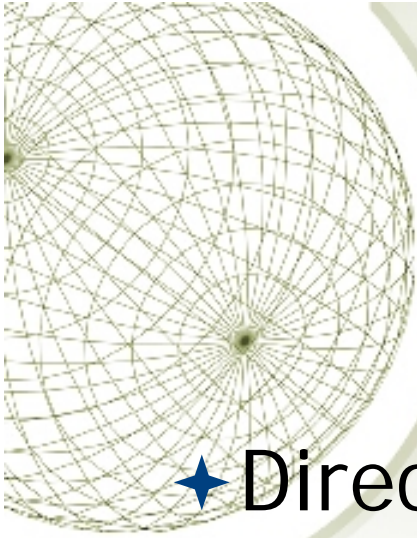
## *'Public space'?*

- ★ Historical approach to right to photo 'public space'
- ★ Some limits, but not substantial
- ★ New functionality? Implications unknown?
- ★ Rules/law not keep up?
- ★ Appeal to common sense?
- ★ 'Tragedy of the Commons'?  
Private exploitation of public good?
- ★ Google business model - 'what's yours is ours,  
what's ours is yours as far as we say'
  - ★ More or less 'friendly' in different applications



## *'Personal info'*

- ★ PI as threshold for traditional privacy law
- ★ Users of Street view: IP addresses, logs?
  - ✦ Viacom litigation against YouTube
  - ✦ Initial order to Hand over all logs of access
  - ✦ Restricted on appeal, clearly marginal protection
  - ✦ US govt: fewer controls? See SWIFT case
- ★ Subjects of street view...



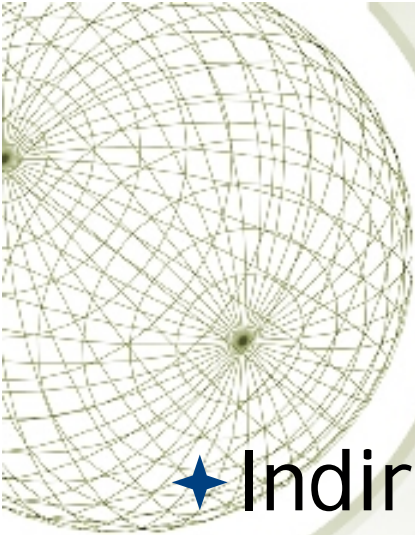
## *PI (cont)*

### ★ Direct:

- ★ Face? Number plates?
- ★ Google precautions

### ★ Less direct:

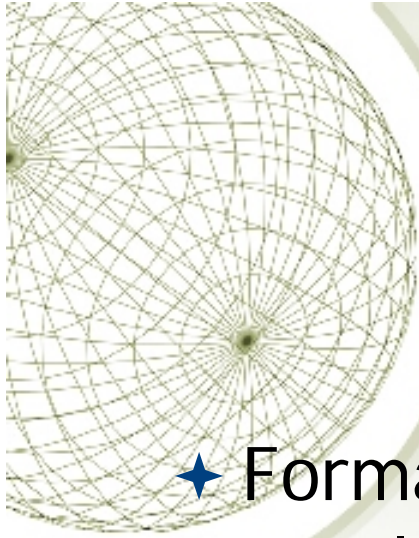
- ★ Personal: height, skin colour, hair, clothes, association with others
- ★ Your-address-related: attributes of building, entrances, etc.

A decorative wireframe sphere is located in the top-left corner of the slide. It consists of a grid of lines forming a sphere, with a central point from which lines radiate outwards.

## *PI* (cont. 2)

### ★ Indirect...

- ★ Attributes of buildings or places where you might be:
  - ★ Abortion clinics (bombings in US)
  - ★ Other sexual services including health clinics
  - ★ Pre-school
  - ★ Workplace
  - ★ Public market space...



## *Privacy advocates input - Role of NGOs*

- ★ Formal and informal submissions to regulators and organisations
- ★ Weak legislative base
- ★ Partly overlaps with IT risk management tools of 'user-centred design': surrogates
- ★ Challenge where organisations reject notion of participatory input to their plans
- ★ Media and public campaigns have potential, but cruder tools



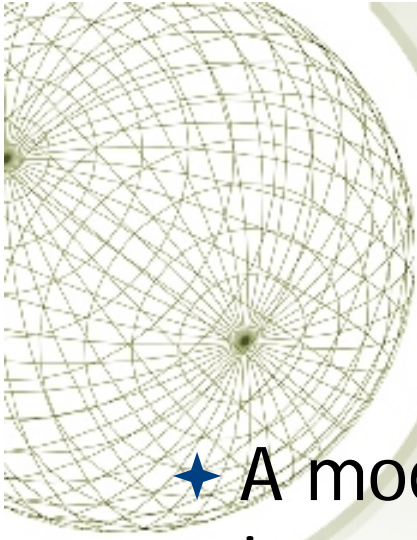
## *Examples of risks*

- ★ Google foresees

- ◆ Face, Number plate
- ◆ Certain clinics

- ★ Google not foresee

- ◆ Hard to tell without PIA + detailed specs
- ◆ Associational: who were you you with?
- ◆ Buildings
- ◆ Chilling effects



## *Risk assessment: PIA?*

- ★ A model for detailed assessment of privacy impacts, risks, remedies
- ★ Local factors, laws, business, culture
- ★ Not obligatory?
- ★ Not open or public, transparent?
- ★ Google resistant
- ★ APF still presses this point



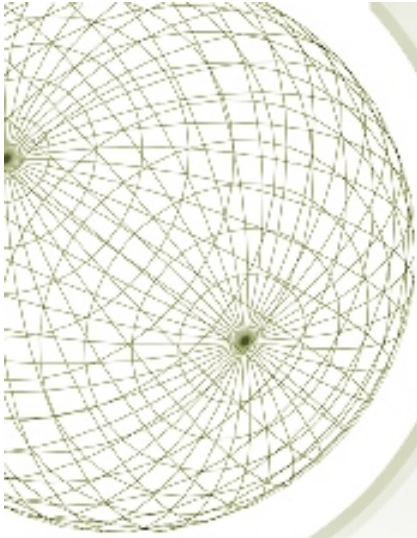
## *Google responses*

- ★ Query why anyone would see issue
- ★ Alarm at media coverage
- ★ Resistance to PIA, regulation
- ★ Exposure of differences in culture, law
- ★ Privacy consultant 'looking at it'
- ★ Engagement



# *Observations*

- ★ Challenges in many areas
  - ✦ Identification of risks and impact?
  - ✦ Obligation to assess and discuss risks?
  - ✦ Conceptions of 'personal information'?
  - ✦ Purpose of collection - cf. IPPs
  - ✦ Other types of risks?
  - ✦ Regulation of photos in public places?
  - ✦ Implications for this new function embedded in a matrix of other LDS
  - ✦ Who decides? Is Google a sovereign actor?
  - ✦ Potential abusive uses in future - revocation



# *Questions?*

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