Ethics Check Report

Grant Agreement number	**833635**
Project Acronym	**ROXANNE**
Project title	**Speech analytics, Criminal network analysis, Organised crime, Counter-terrorism, Analysis platform, Legal and ethical framework**
Funding scheme	**H2020-SU-SEC-2018-2019-2020**
Start and end date	**From 01/09/2019 to 31/08/2022**
Date of panel meeting	**27.03.2021**

1. Project scope

ROXANNE is a platform combining advances of speech, language and video technologies and criminal network analysis for supporting law enforcement investigators in their daily work, especially on large criminal cases. It aims to speed up the investigative processes as well as reduce the cost and burden to the society caused by organised crime activities. ROXANNE focuses on typical investigation processes where a significant amount of information is collected from telecommunication sources (e.g. wiretaps, interview recordings or audio provided by social media, complemented by video and geographical information). The main objective of ROXANNE is to develop novel statistical methods and a platform for person identification and criminal network analysis technologies to substantially increase their performance, which will lead to better investigation and identification capabilities of LEAs. ROXANNE also includes multilingual automatic speech recognition, natural language processing, video analysis and relation analysis in extraction of information from the available data. ROXANNE will rely on human supervision. The consortium plans to carry out 3 field-tests (in WP8) aligned with 3 operational use-cases with varying complexities. As part of this, some LEA project partners are considering collecting and processing personal data related to criminal convictions and offences. ROXANNE aims to achieve full compliance with relevant INTERPOL and EU legal and ethical frameworks, including innovative approaches to data protection management such as privacy by design. The ROXANNE consortium consists of 24 partners from 16 countries, including 11 end-user partners, 8 industrial partners, and 5 university/research partners.

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2. Identifying the ethics issues raised by the Project

Section 1: HUMAN EMBRYOS/FOETUSES		YES/NO/ NOT CLEAR
Does this research involve Human Embryonic Stem Cells (hESCs)?		NO
If YES:	- Will they be directly derived from embryos within this project?	
	- Are they previously established cells lines?	
Does this research involve the use of human embryos?		NO
If YES:	- Will the research lead to their destruction?	
Does this research involve the use of human foetal tissues / cells?		NO
Section 2: HUMANS		YES/NO/ NOT CLEAR
Does this research involve human participants?		YES
If YES:	- Are they volunteers for social or human sciences research?	YES
	- Are they persons unable to give informed consent?	NO
	- Are they vulnerable individuals or groups?	NO
	- Are they children/minors?	NO
	- Are they patients?	NO
	- Are they healthy volunteers for medical studies?	NO

Does this research involve physical interventions on the study participants?		NO
If YES:	- Does it involve invasive techniques?	
	- Does it involve collection of biological samples?	
Section 3: HUMAN CELLS / TISSUES		YES/NO/ NOT CLEAR
Does this research involve human cells or tissues? (*other than from Human Embryos/Foetuses, see section 1)*		NO
If YES:	- Are they available commercially?	
	- Are they obtained within this project?	
	- Are they obtained from another project, laboratory or institution?	
	- Are they obtained from a biobank?	
Section 4: PERSONAL DATA		YES/NO/ NOT CLEAR
Does your research involve processing of personal data?		YES
If YES:	- Does it involve the processing of special categories of personal data (e.g. genetic, health, sexual lifestyle, ethnicity, political opinion, religious or philosophical conviction.)?	YES
	- Does it involve processing of genetic, biometric or health data?	YES
	- Does it involve profiling, systematic monitoring of individuals or processing of large scale of special categories of data, intrusive methods of data processing (such as, tracking, surveillance, audio and video recording, geo-location tracking etc.) or any other data processing operation that may result in high risk to the rights and freedoms of the research participants?	YES
Does your research involve further processing of previously collected personal data (including use of pre-existing data sets or sources, merging existing data sets)?		YES
Does your research involve publicly available data?		YES
Is it planned to export personal data from the EU to non-EU countries? Switzerland, Israel, UK and Canada.		YES
Is it planned to import personal data from non-EU countries into the EU? Switzerland, Israel, UK and Canada.		YES
Section 5: ANIMALS		YES/NO/ NOT CLEAR
Does this research involve animals?		NO
If YES:	- Are they vertebrates?	
	- Are they non-human primates (NHPs)?	
	- Are they genetically modified?	
	- Are they cloned farm animals?	

	- Are they endangered species?	
Section 6: NON-EU COUNTRIES		YES/NO/ NOT CLEAR
If non-EU countries are involved, do the research activities undertaken in these countries raise potential ethics issues? Switzerland, Israel, UK and Canada.		YES
Is it planned to use local resources (e.g. animal and/or human tissue samples, genetic material, live animals, human remains, materials of historical value, endangered fauna or flora samples, etc.)?		NO
Is it planned to import any material from non-EU countries into the EU?		NO
If YES:		
Is it planned to export any material from the EU to non-EU countries?		NO
If YES:		
Does this research involve low and/or lower-middle income countries?[1]		NO
Could the situation in the country(ies) put the individuals taking part in the research at risk?		NO
Section 7: ENVIRONMENT & HEALTH AND SAFETY		YES/NO/ NOT CLEAR
Does this research involve the use of components that may cause harm to the environment, to animals or to plants?		NO
Does this research involve endangered fauna and/or flora/or protected areas?		NO
Does this research involve the use of elements that may cause harm to humans, including research staff?		NO
Section 8: DUAL USE		YES/NO/ NOT CLEAR
Does this research involve dual-use items within the scope of Regulation 428/2009, or other items for which an authorisation is required?		NOT CLEAR
Section 9: EXCLUSIVE FOCUS ON CIVIL APPLICATIONS		YES/NO/ NOT CLEAR
Could this research raise concerns regarding the exclusive focus on civil applications?		NO
Section 10: MISUSE		YES/NO/ NOT CLEAR
Does this research have the potential for misuse of research results?		YES

[1] If the research involves low and/or lower-middle income countries, respective benefit sharing measures should be planned.

Section 11: OTHER ETHICS ISSUES	YES/NO/ NOT CLEAR
Are there any other ethics issues that should be considered?	YES

3. Ethics analysis

3.1. Analyse how the ethics aspects have been addressed.

The Ethics Screening Report for this project identified a number of ethics issues. As part of the Grant Agreement, 17 ethics requirements were imposed. The First Ethics Check Panel Meeting on 11 March 2020 analyzed how the ethics aspects of ROXANNE project have been addressed in the first 6 months of the project and submitted the First Ethics Check Report (FECR). FECR concluded that some of the ethics requirements were deemed completed. However, the Panel also concluded that most of the ethics requirements were partially completed/open for monitoring and some of the requirements were not completed.

The Panel also found that some of the documents were not submitted. The missing documents included:

- Incidental or unexpected findings policy,
- A report including risk assessment and details on measures to prevent misuse of research findings,
- A report by the Ethics Board that needed to be submitted as a deliverable at M4,
- A document on the use of "privacy preserved" in the project,
- An additional document on the details of the profiling/systematic monitoring of individuals.

In total, the First Ethics Check Report included a list of 26 requirements, with the majority of these requirements being associated to the protection of personal data.

The Consortium provided comprehensive feedback on the First Ethics Check Report on 12 June 2020 for the Second Ethics Check Panel Meeting. The Consortium's response also included reports on the incidental or unexpected findings policy, a document on the meaning of "privacy preserved" in the project, and an additional document on the details of the profiling/systematic monitoring of individuals. [redacted]

Overall, the Second Ethics Panel Report (SEPR) noted that while there are still some open issues and requirements to be completed, the majority of issues and requirements were addressed in a comprehensive manner by the Consortium. [redacted]

For the third ethics check, the Consortium responded by providing deliverables addressing the above requirements, and an additional 5 deliverables which consisted of detailed explanations on the profiling activities of the project, recruitment procedures for research participants, details on the anonymization/pseudonymization techniques and security measures being applied to the project data, an opinion on whether a DPIA has to be conducted for certain aspects of the project, as well as a detailed description on the structure and functioning of the two ethics oversight bodies of the project, the Internal Ethics Board (IEB) and the External Ethics Board (EEB).

The Panel notes that the Consortium updated certain requirements, which were previously marked as completed by the previous Ethics Check Panels. The updated requirements are as follows; D10.1, D10.5, D10.9, D10.11 and D10.12.

The Third Ethics Check Panel found the following requirements to be fulfilled in this Third Ethics Panel Report (TEPR). The Consortium has stated that some changes in the research activities have yet to be decided, hence, certain requirements, although completed, remain open for monitoring in case that the deliverables need to be updated.

HUMANS

Requirement 2: The procedures and criteria that will be used to identify/recruit research participants must be submitted as a deliverable. The informed consent procedures that will be implemented for the participation of humans must be submitted as a deliverable. Templates of the informed consent forms and information sheets (in language and terms intelligible to the participants) must be submitted as a deliverable.

[redacted]

Requirement is completed and open for monitoring.

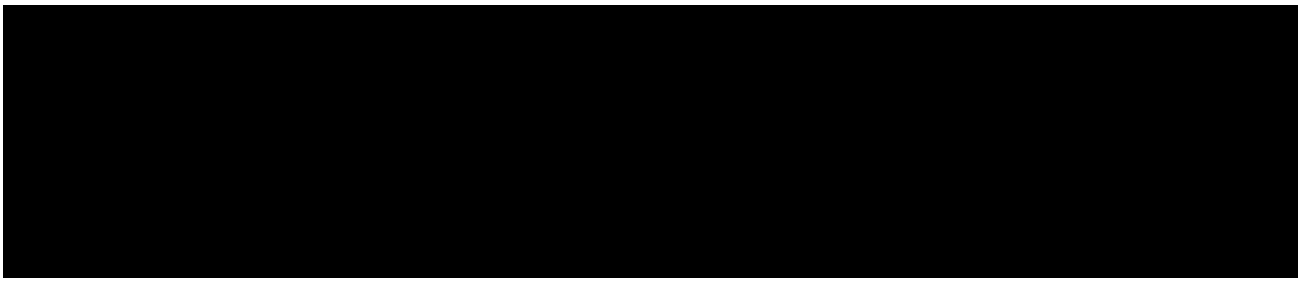
PROTECTION OF PERSONAL DATA

Requirement 6: The missing contact details of the DPOs and the correct links to the data protection pages for [redacted] must be provided in deliverable D10.4.

[redacted]

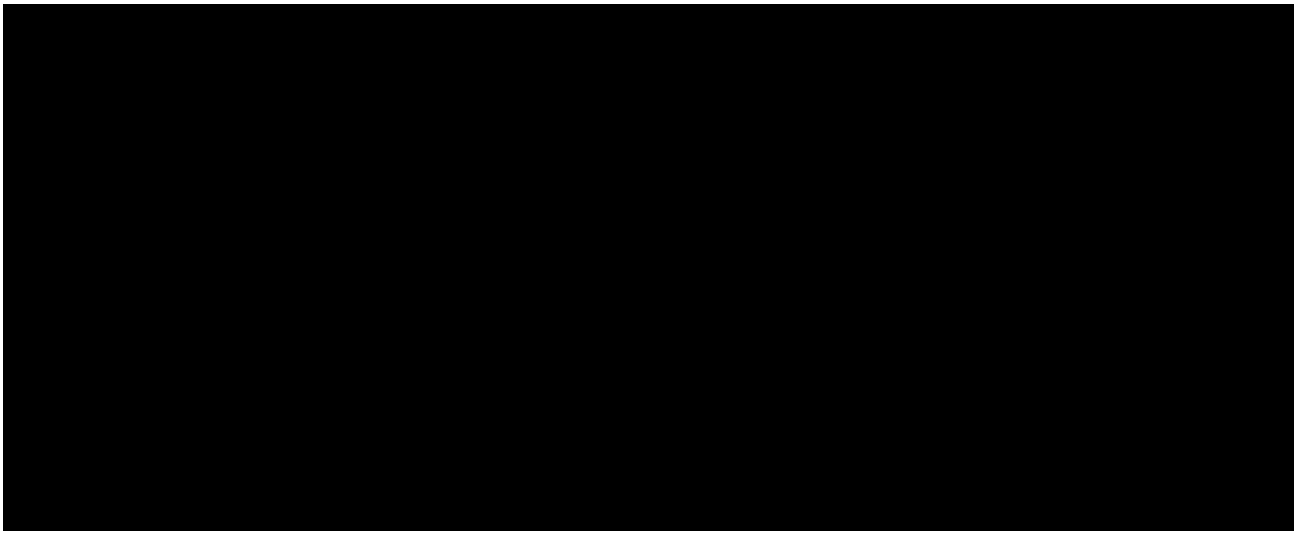
Requirement is completed.

Requirement 8: Confirmation that transfers of personal data between all partners comply with the laws of the country in which the data was collected must be submitted.



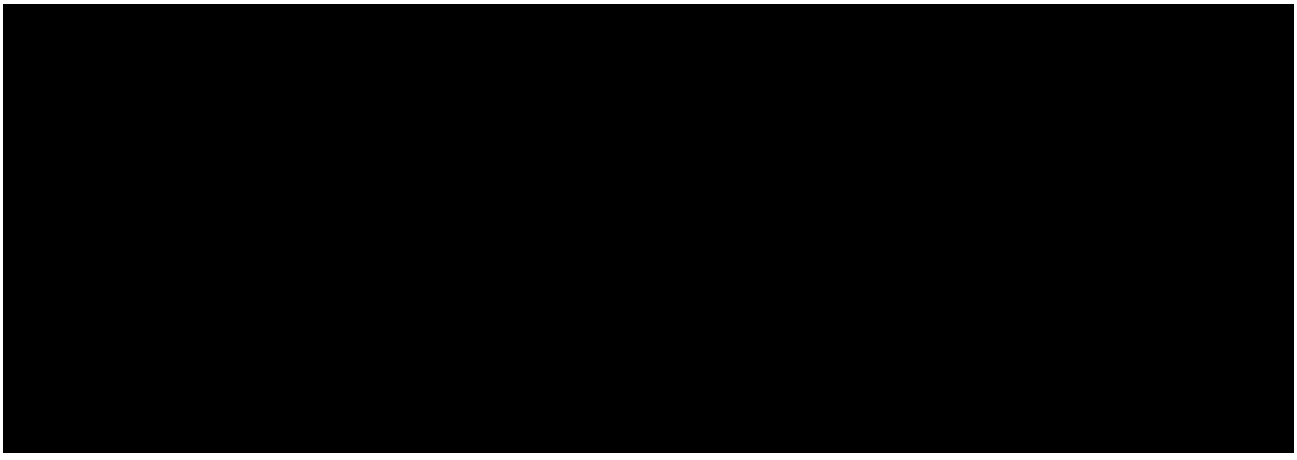
Requirement is completed.

Requirement 12: Concerning partners who are public authorities, confirmation must be submitted that they are relying on legitimate purposes outside the scope of their tasks as a public authority. In addition, an explicit explanation on the legal basis that partners are using for secondary processing of personal data must also be submitted.



Requirement is completed and open for monitoring.

Requirement 13: An updated version of deliverable D10.8 (Lawful basis for processing of secondary data), including an explicit explanation on the legal basis that partners are using for secondary processing of personal data, must be submitted.

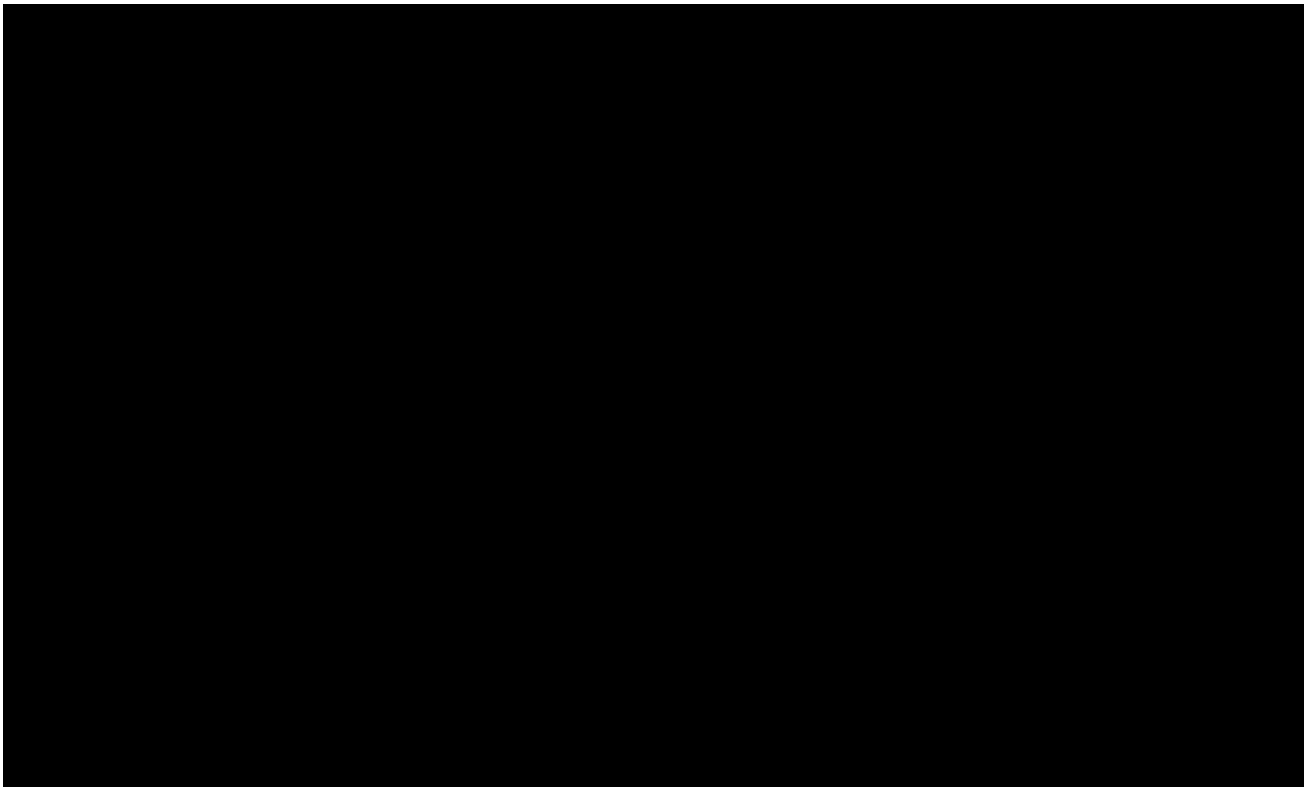


Requirement is completed and open for monitoring.

Requirement 15: In case data from real ("hot, ongoing") cases are processed in the project, deliverable D10.8 must be updated to describe the legal basis for the further processing of such data.

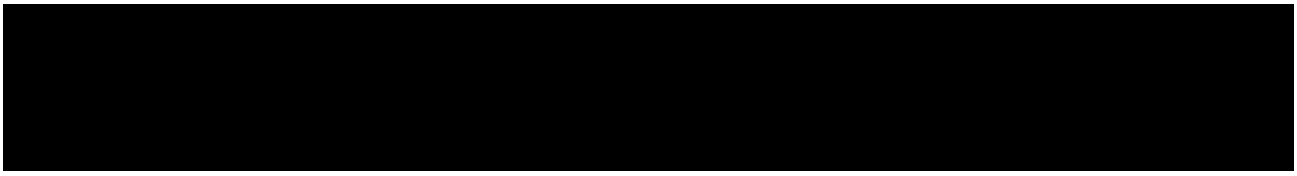
Requirement is completed.

Requirement 17: In case criminal conviction/offence data are processed in the project, deliverable D10.10 must be updated to describe the appropriate safeguards for the rights and freedoms for data subjects and the description of technical and organisational measures adopted to comply with these safeguards.



Requirement is completed and open for monitoring.

Requirement 22: A report including risk assessment and details on measures to prevent misuse of research findings and that also addresses how the software tools (in particular the social media analysis and deviant behaviour detection tools) avoid the risk of mass surveillance of the general public and/or specific groups of people must be submitted as a deliverable.



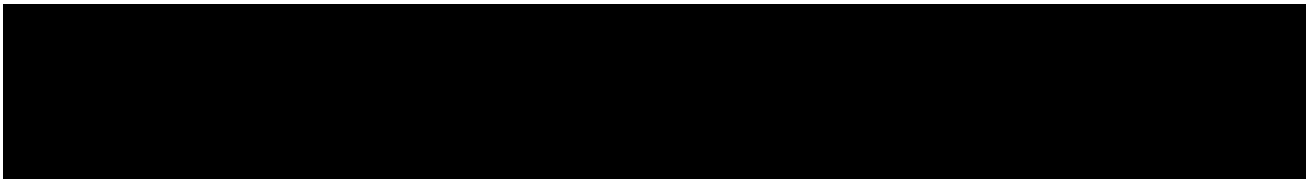
Requirement is completed and open for monitoring.

Requirement 26: The statements about the use of "cold cases" versus "closed cases" must be clarified in deliverable D10.17.

Requirement is completed.

GENERAL

Requirement 18: A report by the Ethics Board due at month 4 must be submitted.

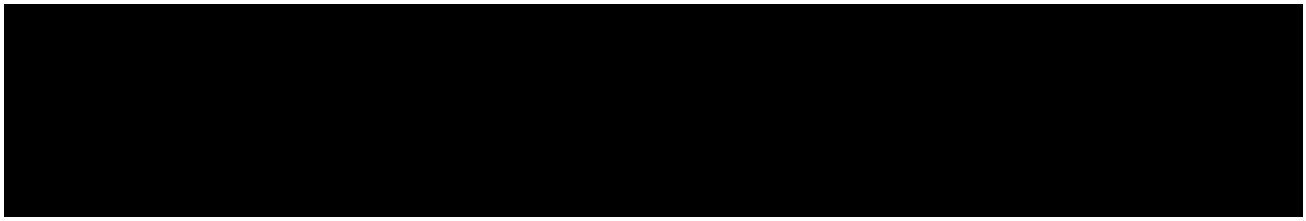


Requirement is completed.

3.2. Outstanding issues.

HUMANS

Requirement No. 3: Copies of opinions/approvals by ethics committees and/or competent authorities for the research with humans must be submitted as a deliverable.



Requirement is partially completed and open for monitoring.

GENERAL

Requirement 20: A report by the Ethics Board must be submitted as a deliverable at month 12. This report must include a thorough analysis on how the beneficiaries have met the ethics requirements established in this ethics check report. Particular attention has to be made on data protection and privacy aspects.

[redacted]

Requirement is partially completed.

Requirement 21. A report by the Ethics Board must be submitted as a deliverable at month 30.

Requirement remains open.

DUAL USE

[redacted]

3.3. How are ethics aspects monitored in the project (Ethics Advisor, Ethics Mentor, Ethics Advisory Board or other appropriate internal or external ethics monitoring)?

The Consortium separated members into an Internal Ethics Board (IEB) and an External Ethics Board (EEB). The IEB deals with ethical issues that arise in the project first, and the EEB provides independent oversight of them. The EEB can provide comment, critique, or suggest changes to IEB decisions. Additionally, an ethical and legal expert, knowledgeable in speech and media mining technologies, is added as a member of the EEB.

The Ethics Check Panel in M6 included a requirement to supplement "the expertise of the Ethics Board by the appointment on an independent ethics advisor with an extensive expertise in data protection law covering both the GDPR and Police Directive." The Consortium added a new member with the required expertise.

Instead of submitting a report by the Ethics Board for M6, the Consortium provided "a record of discussions from the meetings of the External Ethics Board, and their outcomes, alongside a record of letters sent between the External Ethics Board and the Project." For the Third Ethics Check the Consortium has provided information that this report will not be submitted. The Ethics Report due in M12 by the Board is also not submitted. A document prepared by the Consortium that includes comments and recommendations on specifics issues by the EEB is submitted instead.

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4. Ethics requirements

The Consortium must submit to REA:

HUMANS

Requirement No. 4: If there is a change in the research activities involving humans, copies of updated opinions/approvals by ethics committees and/or competent authorities for the research with the updated research activities involving human participants must be submitted as a deliverable.

GENERAL

Requirement 20: A report by the Ethics Board must be submitted as a deliverable at month 12. This report must include a thorough analysis on how the beneficiaries have met the ethics requirements established in this ethics check report. Particular attention has to be made on data protection and privacy aspects. The independence of the report must be ensured.

Requirement 21. A report by the Ethics Board must be submitted as a deliverable at month 30.

Requirement 27. The Consortium must assess and confirm if the technologies developed during this project fall within the scope of Regulation 428/2009.

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5. Next steps

5.1. Do you recommend further Ethics Check?

☐ Yes ☒ No

5.2. Do you recommend a meeting with project representatives during the further Ethics Check?

☐ Yes ☒ No

5.3. Do you recommend a site visit?

☐ Yes ☒ No

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6. Recommendations

The consortium is reminded that under the General Data Protection Regulation 2016/679, the data controllers and processors are accountable for the data processing operations. Any violation of the data subject rights may lead to sanctions as described in Chapter VIII, art. 77-84. (E)