

Technically Assisted Review: Some Personal Observations

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Preserving the past

Recording the present

Informing the future

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Technically Assisted Review (TAR)

- TAR, What is it ?
- TAR, Is it real?
- TAR, What is it good for?
- TAR, An operational example
- Other published work
- My View

TAR, What is it?

Breaking it down

- **T**echnically
 - Tools and Techniques developed by Information Retrieval (IR) community (largely Machine Learning)
 - System learns from examples what “good” looks like (Lots of different approaches and algorithms)
- **A**ssisted
 - HELPS humans be more efficient - does not replace.
- **R**eview
 - conceptually “looks” at everything.

TAR, Is it real?

- Yes ! - In e-Discovery
 - For reviewing for responsiveness to the “Matter”
 - For reviewing for “Legal Privilege” (Limited Success)
- Significant academic research
- Significant commercial investment
- Economic driver - Money to be made!

TAR, what is it good for? Not Absolutely Nothing!

- Huh - Say it again!
- BUT the detailed task matters!
- e-discovery is NOT
 - e-Archiving selection
 - e-Archiving appraisal
 - e-Archiving sensitivity review!
- Not all dogs can heard sheep
 - Or Sniff out Drugs or Sniff out Bombs



TAR,

A real example of use with Email

- Public release of Email of Governor Tim Kaine (Library of Virginia)
- Total Collection 1.3 Million emails
 - Being (or has been) released in batches
- Reviewing for
 - Privacy & Legal Privilege (some success)
- See Grossman and Cormack
 - University of Waterloo for all complex details



Other Published Work

- The National Archives (TNA)
 - Research Report February 2016
 - Largely positive, qualitative, results of applying e-discovery tools on sample records
 - Also “How to read 43,000 cabinet papers” - TNA Blog 20/12/17
- Papers on “Sensitivity Review”
 - Graham MacDonald (Glasgow University)
 - Positive, quantitative, results of fundamental algorithmic research

My View:

TAR - Fact, Fiction or Jam Tomorrow?

- Fact – YES (E-Discovery)
- Fiction – YES
 - Significant risk of oversimplification of tasks
 - Significant risk of hype
- Jam Tomorrow – YES (For Archives)
 - No generic solution for archives
 - Little or no work on “Archival” User Interfaces
 - Only a small amount of core research being done

Questions?



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