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What evidence is there that the EU's competence and the way it has used it (principally the Data Protection Directive) has been advantageous or disadvantageous to individuals, business, the public sector or any other groups in the UK?

The EU Data protection Directive is imbalanced and favours the needs of business and economic interest over those of the individual with a presumption towards data, and importantly meta-data, being collected as default by online businesses. It's like a toll booth whenever anyone goes online, except few understand they paid a toll, they don't really understand the currency if they were aware of the toll and they most certainly do not know the value of the data currency they exchanged for whatever online service they accessed.

This points to an educational imbalance with businesses outsmarting consumers on a daily and minute by minute basis, obtaining online data habit information that over time forms a highly accurate picture of a person, their personality, traits and habits and relationships to name a few. There is probably not a single person over 30 whose online habits are not fully profiled when viewed in aggregate across companies, and those companies desire access to the full picture, hence the trade in data brokering that is now so rampant. All good for business, but with scant regard to the individuals rights to a modicum of control of this data. they don't even have visibility of the data with any real ease even if they knew where it resided...which most of us do not.

What evidence is there that the EU's competence and the way it has used it (principally the Data Protection Directive) strikes the right balance between individuals' data protection rights and the pursuit of economic growth?

None of consequence. However the pursuit of the 'right to delete' is an indicator that things are heading in the right direction. if this legislation is not too watered down by the time it becomes live we have a small chance to fundamentally shift the balance of power towards the consumer and move towards righting the balance of current inequality.

What evidence is there that the EU's competence and the way it has used it (principally the Data Protection Directive) is meeting the challenges posed by the increasing international flow of data, technological developments, and the growth of online commerce and social networks?

It is far too slow, but it is now starting to respond now that the issues, and more importantly the consequences, start to become clear to a greater proportion of the populace and legislative.

Many key elements of internet activity are dominated by US companies, operating under a poorly policed safe harbour arrangement that in theory aligns US privacy protections with the EU data Protection act, but really fails to do so. Thus who we are, what we think and believe in is in the control of US companies. This cannot be good for the long term ability to defend sovereignty and sustain individual and national cultural norms. As we have seen US entities are far more able to freely obtain and use data. However the FTC is able to bite hard when a company breaks it's own promises to consumers, these are the sort of teeth the EU needs to have which it currently does not.

What evidence is there that proposals for a new EU Data Protection Regulation will be advantageous or disadvantageous to individuals, business, the public sector or any other groups in the UK?

In our opinion the drive towards enshrining the right to delete is the single most important piece of possible legislation under review. It empowers consumers to recover their data, which means their data currency traded without their knowledge. This creates a

consequence for businesses if they do not operate with due care to their customers with respect to their data, which in turn has the potential to alter the culture of internet business and right the current imbalances between business and consumer.

It also creates a need for transparency on the part of the company which means they again have to be far more honest about their brand in this context. Trust can only be enforced when the consumer has the ability to deal a consequence upon the business when trust is lost. If I start to distrust a bank I can move my money, if I start to distrust an online service provider I should be able to withdraw my data from their use.

How would UK citizens' ability to access official information benefit from more or less EU action?

By official we assume you mean information sustained by government entities. Government entities have to set the cultural high bar for trust and respect for consumer rights, transparency and control of data. Businesses will always fail to meet the same high bar, but by governments setting it high they set a precedent businesses are forced to get closer to emulating.

How could action, in respect of information rights, be taken differently at national, regional or international level and what would be the advantages and disadvantages to the UK?

It's reality that every country has different cultural norms that filter into what is and is not acceptable for cultural norms online. However the Internet transcends national boundaries and that is its major asset. Any such legislation should be careful to compromise towards an online cultural norm, which thus requires the legislating bodies to seek to define that objective as soon as possible, so that each national entity can be clear to the extent to which it wishes to divert from those objectives as part of easing its population to a single cultural online norm.

However each national entity may wish to embody key tenets that make it stand out competitively from other national entities with respect to their drive to such norms. Some may wish to over deliver on privacy controls, or freedom of speech etc and each should be able to do so, so that material and companies operating from within national boundaries can offer consumers a differentiated value proposition. This is how online businesses will decide where to locate their business - when they can align their brand values to a set of national brand values.

What is the impact on EU competence of creating an entirely new legal base for making data protection legislation that is not expressly linked to the EU's single market objectives?

The internet is global, and must eventually move towards a set of norms for business engagement - at the moment the USA sets the (low) standard - the EU needs to aspire to become the standards setter and openly engage and encourage wider global support for its approach in order to empower businesses that initiate or place themselves within its boundaries. None of this has any direct relation to EU single market objectives, but will benefit EU businesses, at least of a type that respect individual rights. We regularly speak to US attorneys and they are already watching carefully what is happening in EU data protection legislation and are fully aware they'll need to encompass its norms in their approach to advice to formulating businesses in the US. Accelerate this focus, give them tools to meet the needs of their own population who are already desiring a faster shift to more rights and protections, a shift held up by the big internet players who have so much to lose.

What future challenges or opportunities in respect of Information Rights might be relevant at a UK, EU or international level; for example cloud computing?

The biggest opportunity is the consumer led reverse auction. By creating legislative frameworks that enable such entities to safely define themselves in EU law in a manner that

enables trust to be a value more likely to be supported by EU tenets of legal structure.

The 2nd big opportunity is the IoT. Security, privacy and user control of device created data with a personal perspective is a huge issue, and the EU has a basis in law that is ahead of the US for addressing this issue. the unregulated US may give a chance for initial exploitation, but consumers are wising up and will be looking to ensure that are in a modicum of control of this data pool - the EU has a chance to lead the way in addressing this need and thus becoming the place where the IoT truly takes off.