



# NEMC 2015

## Privacy Considerations and Big Data, Friends or Foe

### Regulated Industry Perspective

Jennifer Barrett Glasgow, CIPP  
Global Privacy and Public Policy Executive

Updated January 2015

# Big Data Opportunities and Challenges

- Technology Trends
- Policy Implications
  - Private Sector Frameworks
  - Government Sector Frameworks
  - Cross-jurisdictional Considerations
- Improving Outcomes



# Technology Trends

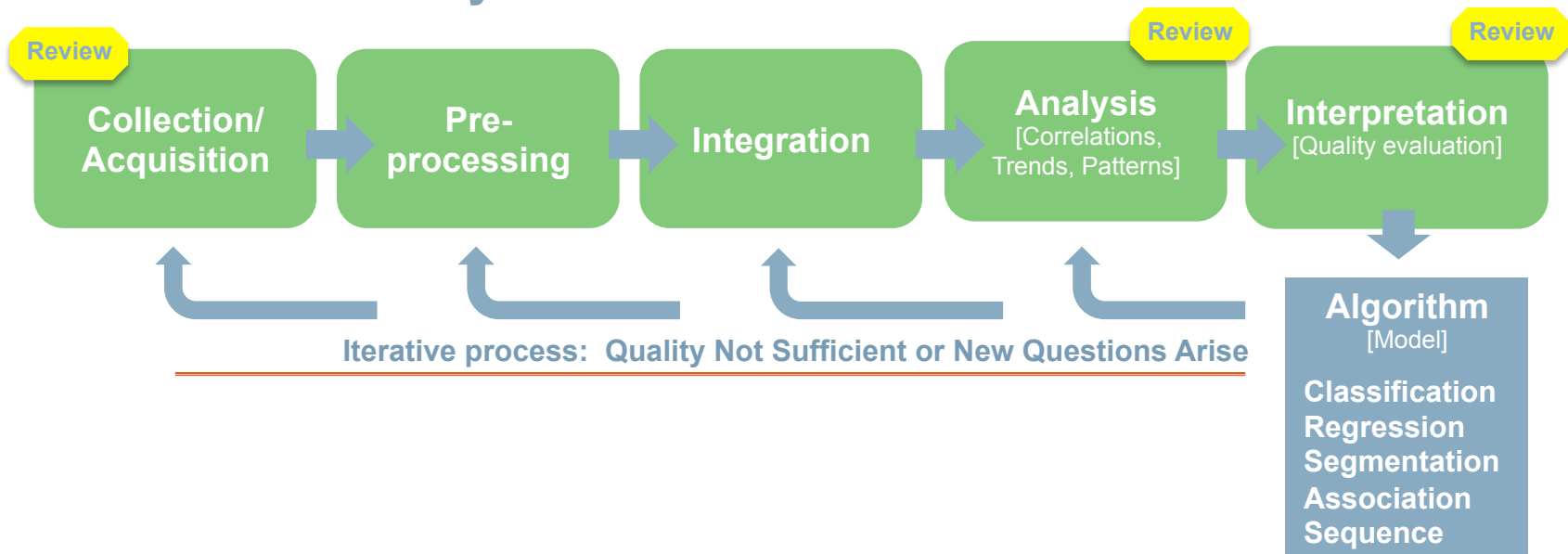
- **Big Data = Big Security**
- Data volumes and velocity skyrocketing
  - Sensors everywhere (ABI estimates 40.9 billion sensors by 2020 & 400 million smart cars by 2030)
- Increasingly complicated ecosystem
  - Many new players in the marketplace (> 4 million Apps on top 5 stores)
- Data sharing on the rise
  - “Anonymous” data more often shared/posted
- Analytic tools much easier to use
  - Don’t require a trained “data scientist”



acxiom™

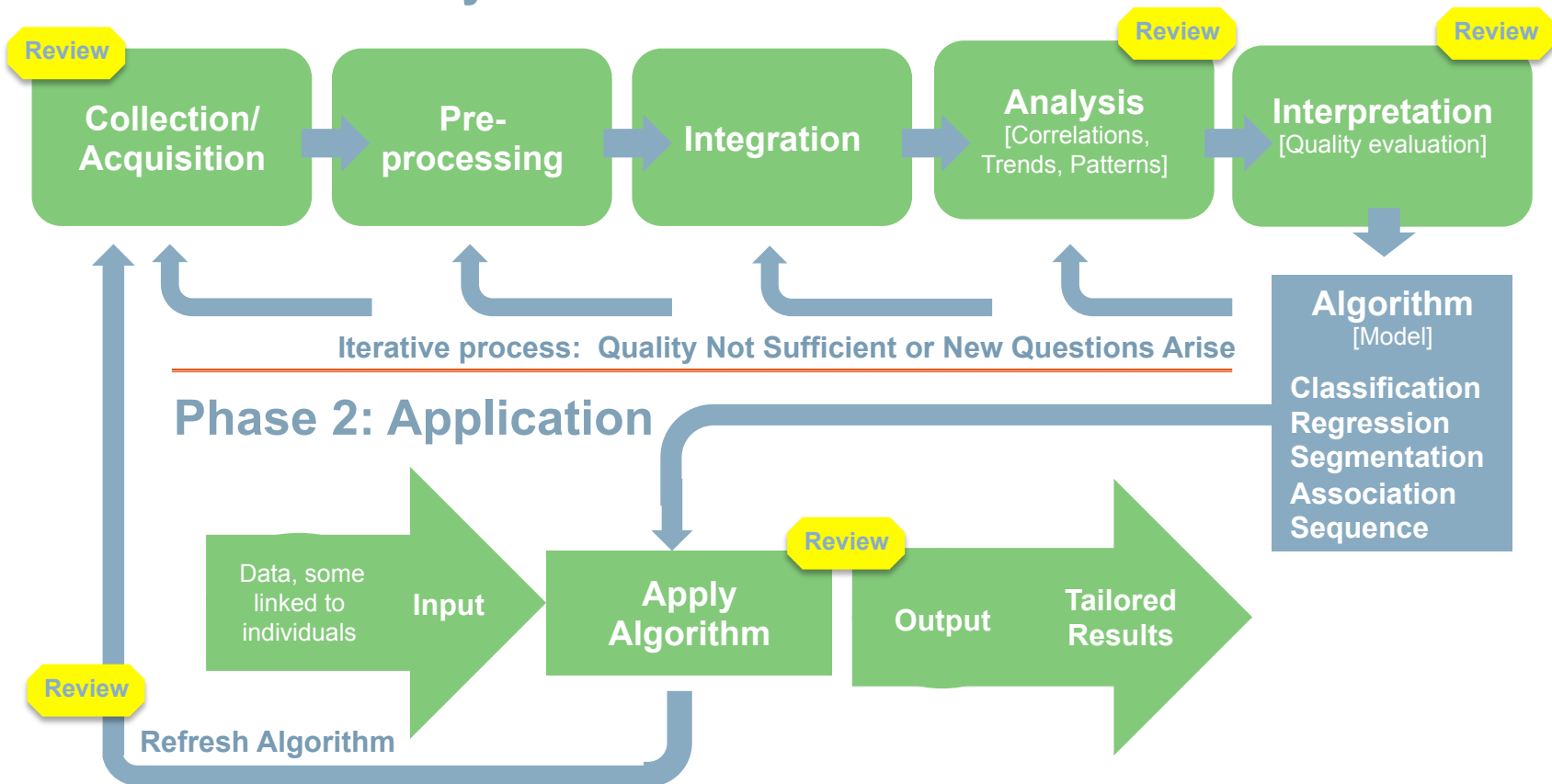
# Big Data Analytics

## Phase 1: Discovery



# Big Data Analytics

## Phase 1: Discovery



# Private Sector Legal Framework

*Out of date and modernizing slowly...*

- Laws protecting sensitive data
  - HIPAA: health care
  - GLBA: financial services
- Laws governing eligibility decisions
  - FCRA: credit, insurance, employment, rentals
- Laws protecting vulnerable classes
  - COPPA: children
  - Lending Laws: discrimination
- Laws governing certain aggressive practices
  - TCPA and DNA Registry: telemarketing
  - CAN SPAM: email marketing



# Private Sector Self-Regulatory Frameworks *Rapidly expanding...*

- Self-regulatory codes governing marketing
  - Direct Marketing Association (DMA)
  - Digital Advertising Alliance (DAA)
  - Network Advertisers Initiative (NAI)

\* \* \* \* \*

- Notice (transparency)
- Choice (company & industry)
  - Opt-in for sensitive data (e.g. health, precise location)
  - Opt-out for all other non-sensitive data

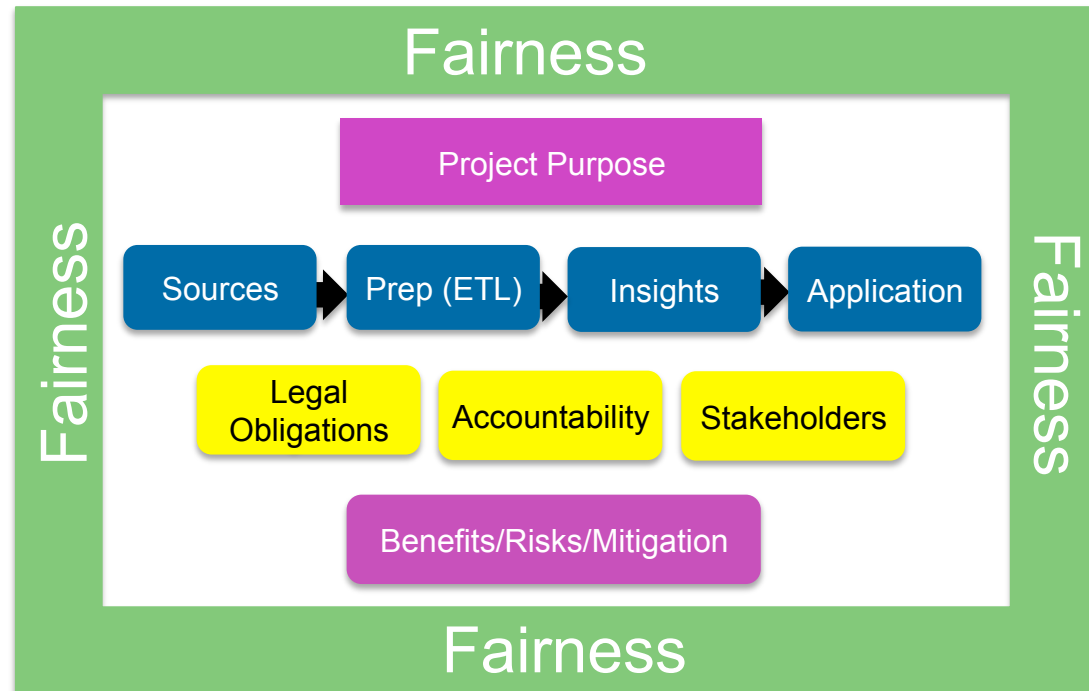


# Private Sector Self-Regulatory Frameworks *Rapidly expanding...*

- Information Accountability Foundation
  - Big Data Ethics Initiative

## Ethics

- Beneficial
- Progressive
- Sustainable
- Respectful
- Fair





# Private Sector Self-Regulatory Frameworks *Rapidly expanding...*

- Future of Privacy Forum
  - Impact and Benefit/Risk Analysis for Big Data Projects

\* \* \* \* \*

- Privacy Impact Assessment (PIA)
- Data Benefit Analysis (DBA)



# Private Sector Self-Regulatory Frameworks *Rapidly expanding...*

- Modernizing OECD Privacy Principles
  - Data Protection Principles for the 21<sup>st</sup> Century

\* \* \* \* \*

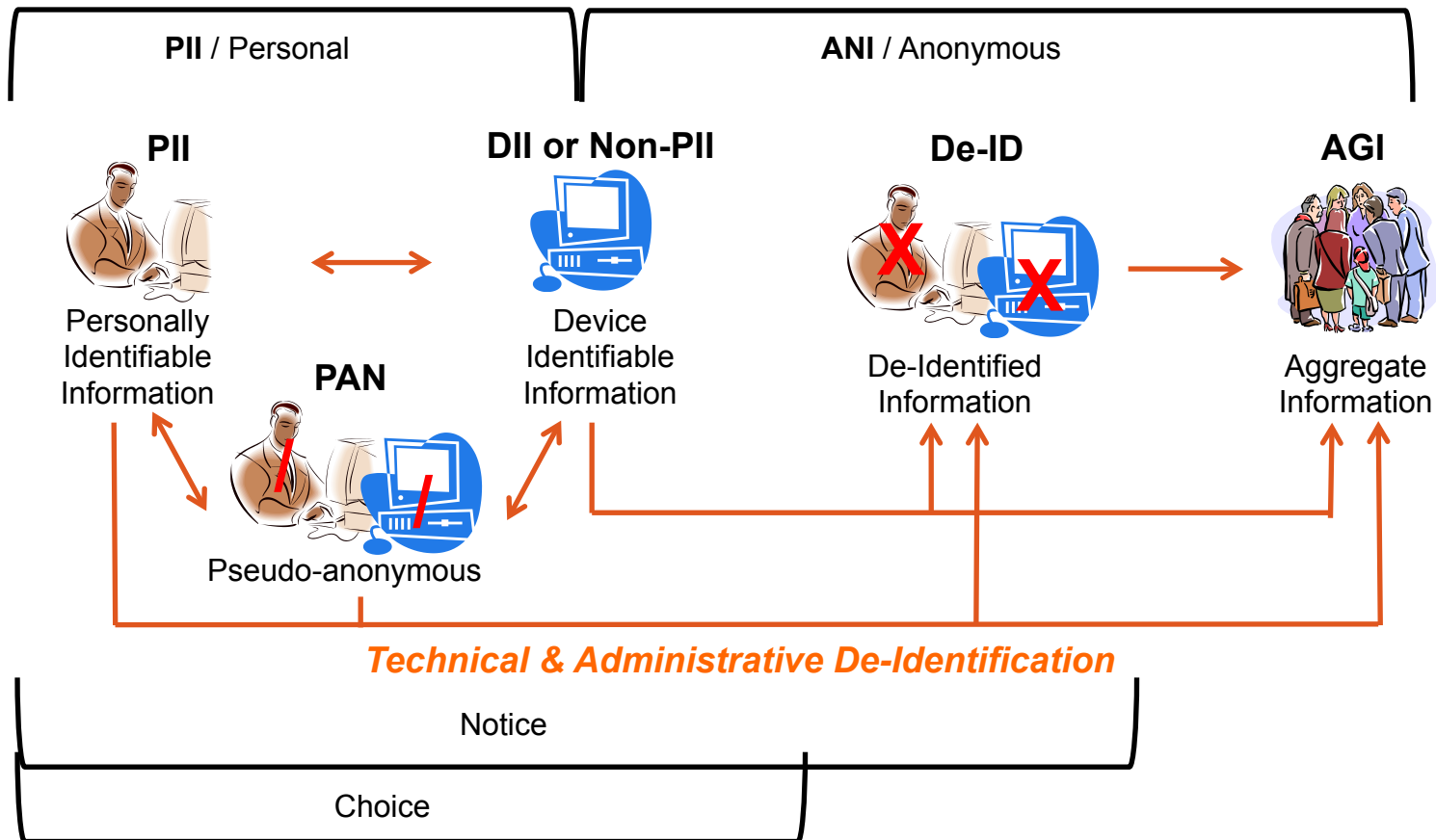
- Balance privacy and the free flow of information so we don't suppress innovation, the original OECD goal.
- Reduce the focus on collection limitations by emphasizing a contextual assessment of the benefits and risks.
- Reduce the role of the purpose specification and use limitation principles which allow only uses that are "not incompatible".
- Make data **users** more accountable for the personal data they access, store, and use, and hold them liable when harm to data subjects occurs.
- Adopt a broader definition of "harms" arising from inappropriate uses of personal data and mitigate those harms.

# Private Sector Anonymization Challenge

100%

Ease of Technical Re-identification

0%



# Private versus Government Frameworks

	Private Sector	Government
Laws & Regulations	✓ +	✓ +
Self-Regulation	✓ +++	?

# Cross-jurisdictional Considerations

- **Security – Security – Security**
- Different social norms about privacy
  - Fundamental human right (EU)
  - Consumer protection (US)
  - Confidence in ecommerce (Asia)
- Different legal systems, laws and regulations
  - Striving for interoperability (not consistency)



acxiom™

# Improving Outcomes

Government should.....

- ✓ Promote responsible data driven environmental innovation
- ✓ Help define “ethical uses” of big data
- ✓ Fund/train more expert “data scientists”



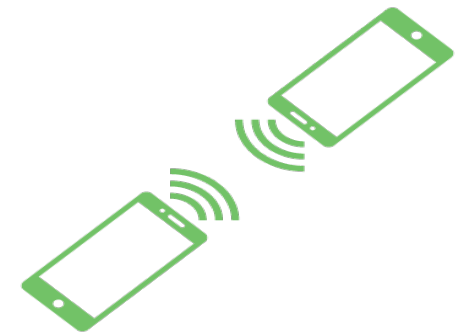


“Like a force of nature, the digital age  
cannot be denied or stopped”

“Being Digital” (1995) by Nicholas Negroponte

**Thank You!**

Jennifer Barrett Glasgow  
Global Privacy and Public Policy Executive  
Acxiom Corporation  
Email: [jennifer.glasgow@acxiom.com](mailto:jennifer.glasgow@acxiom.com)  
Phone: 501-252-2316



acxiom™