Regulatory Frameworks for the Future Governance of Digital Data

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Current Framework

- General Data Protection Regulation
- ePrivacy Directive
- Data Protection Law Enforcement Directive
- Privacy Shield
Assessing Privacy Law

• Right to be protected from unwarranted use of personal data – key practical questions:
  • What purposes?
  • Use by whom?
  • Ensuring accuracy and relevance?
  • How to protect?
  • How to ensure compliance?
Evidence from 2017
Digital Data Easily Re-purposed
Data Crosses Borders, Accessed by Criminals
Difficult to Keep Up-to-Date
Cyber-Security is Hard
Compliance Requires Resources
Future Requirements

• Limited lifetime and uses of data
• Harder boundaries
• Avoiding ‘function creep’
• Keeping privacy alive
• Keeping regulation relevant
How Do We Get There?

...AND AS LONG AS I'M DREAMING, I'D LIKE A PONY.
Incumbent Intermediaries
Difficulties of Global Regulation
Slow Pace of Law Reform
Fragmented
Global Regulation
Leaky Infrastructure
‘Surveillance Capitalism’
Alternatives

- Decentralised networks
- Participatory design
- Responsible Research and Innovation
Proposals

• Re-examine Ted Nelson’s Xanadu project
• Data awareness in civics education
• Hold businesses and individuals accountable