



The Security Professional As Data Steward: Understanding Privacy

J. Trevor
IAPP

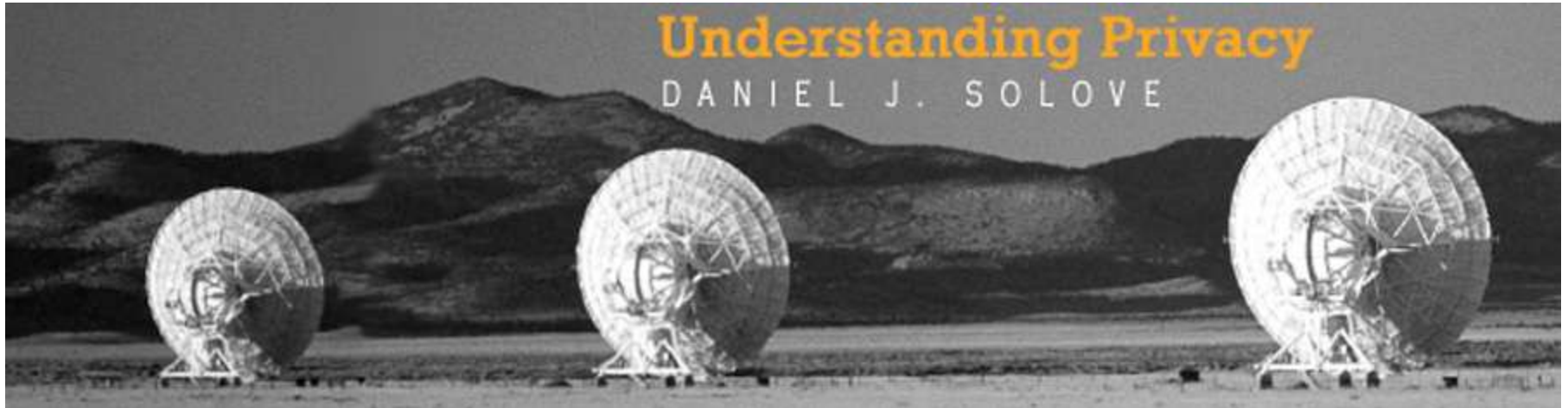
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RSACONFERENCE2012

Understanding Privacy

DANIEL J. SOLOVE



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Surveillance
Interrogation

COLLECTION





CONFERENCE 2012





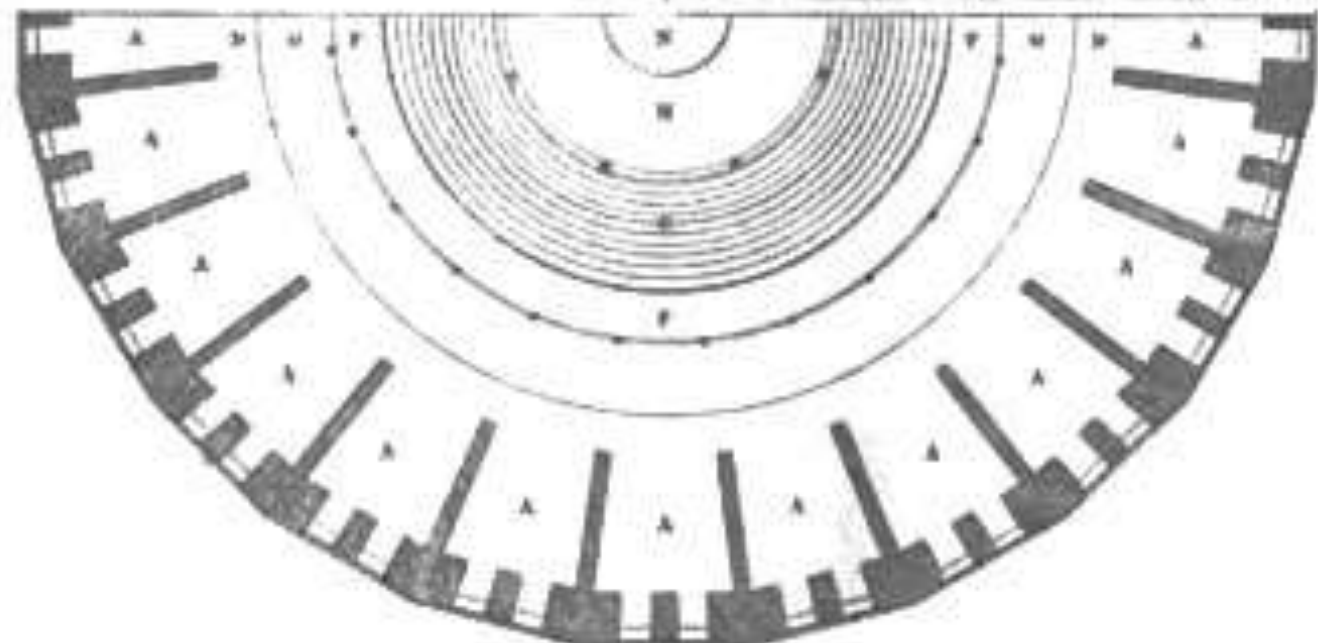
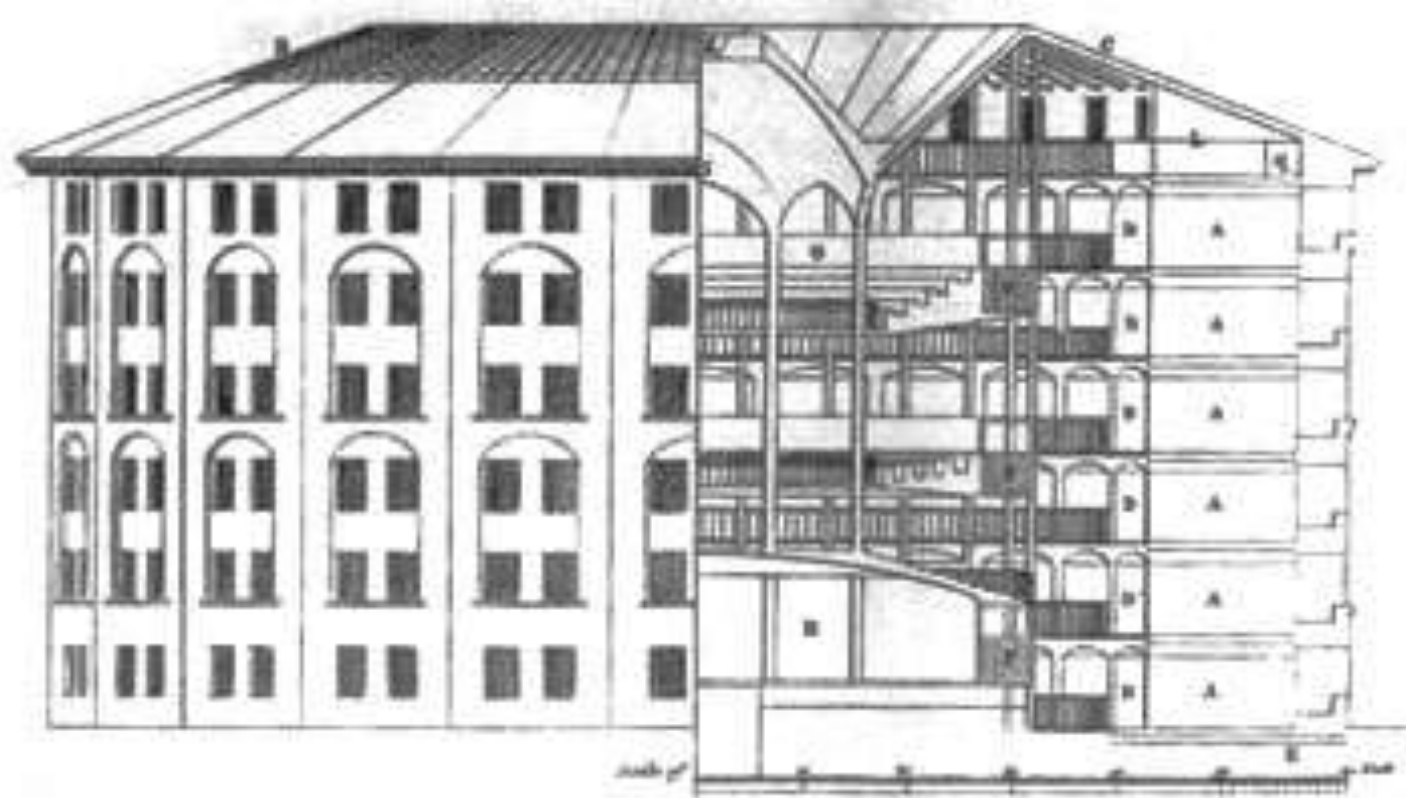


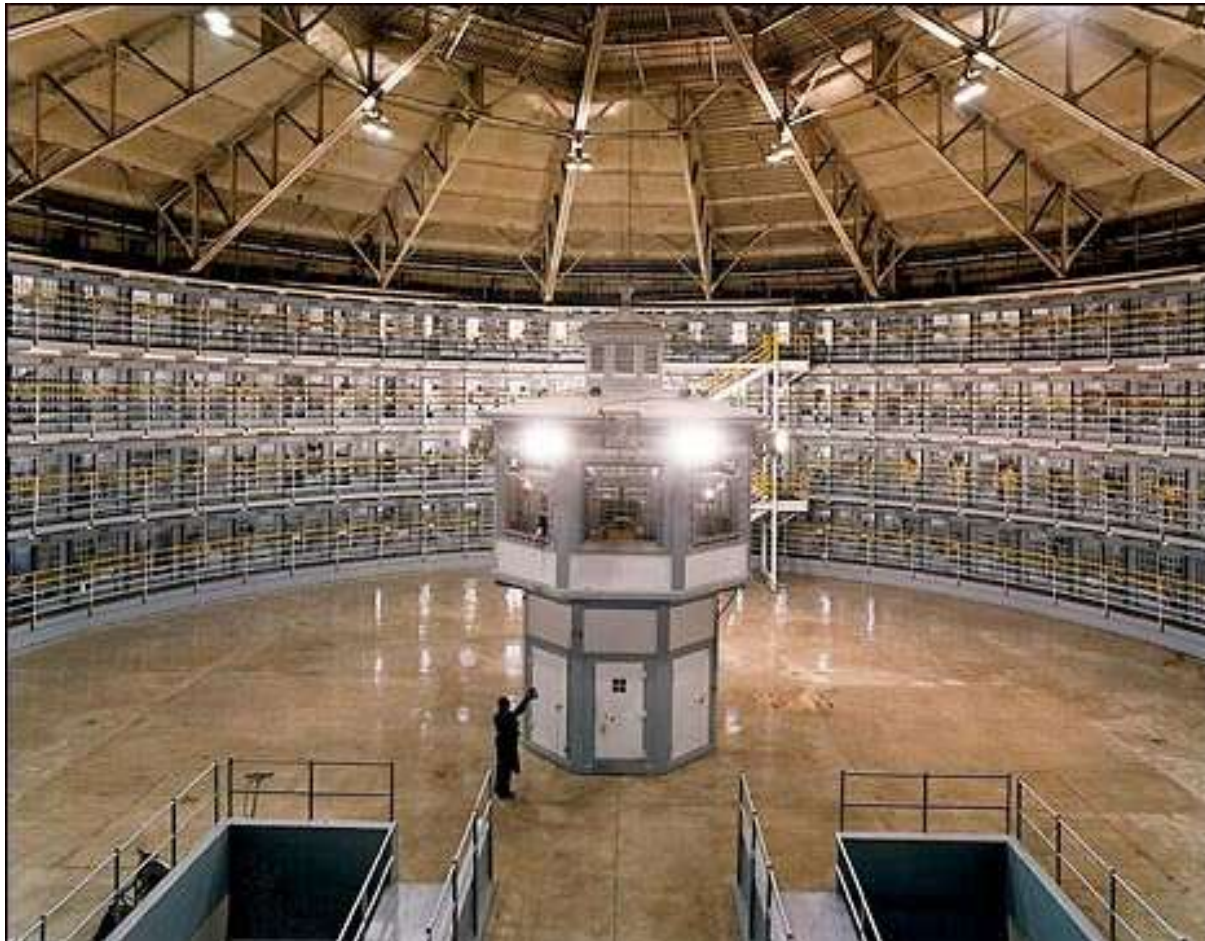




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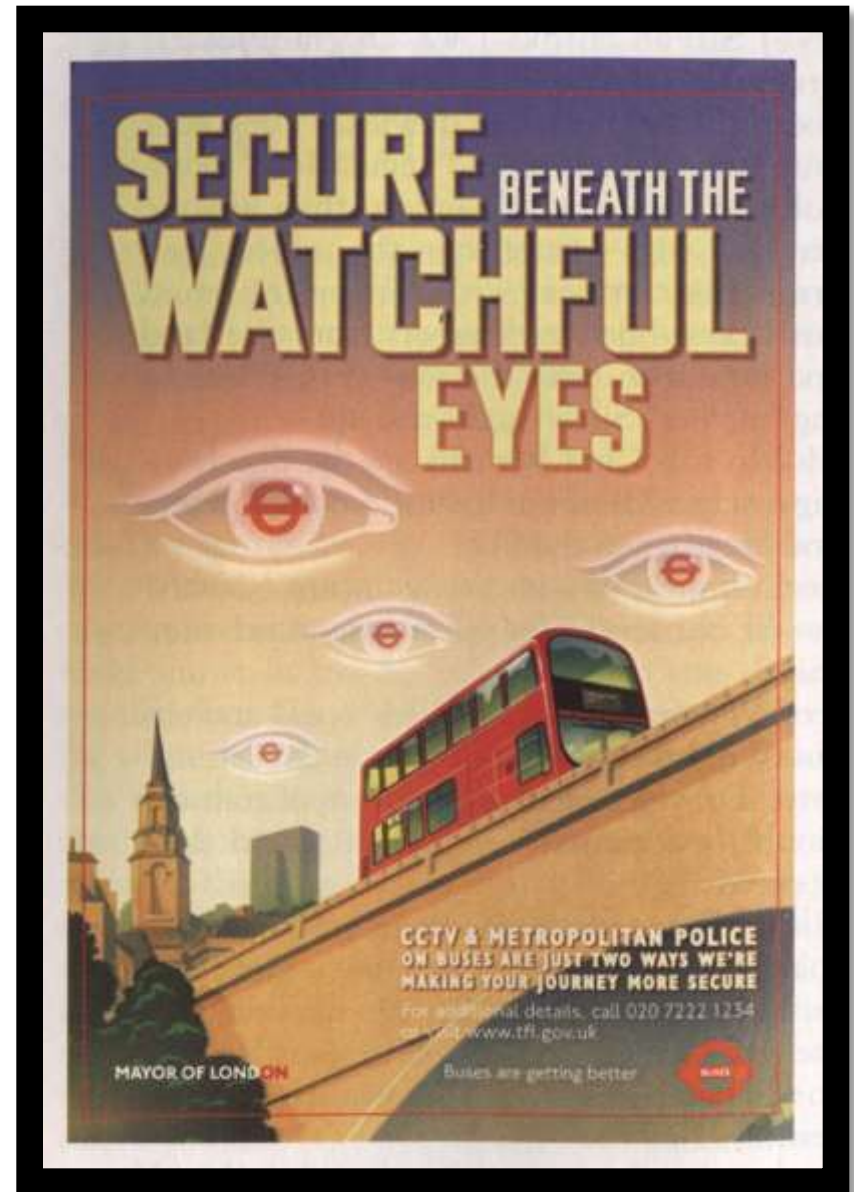




Justice is a lady,
She's blind with her scales,
She's got a big letter opener,
She's been reading my mail,
And I don't know why this should
shame me,
But it does somehow.

I don't care what you say,
She don't look like a lady now.

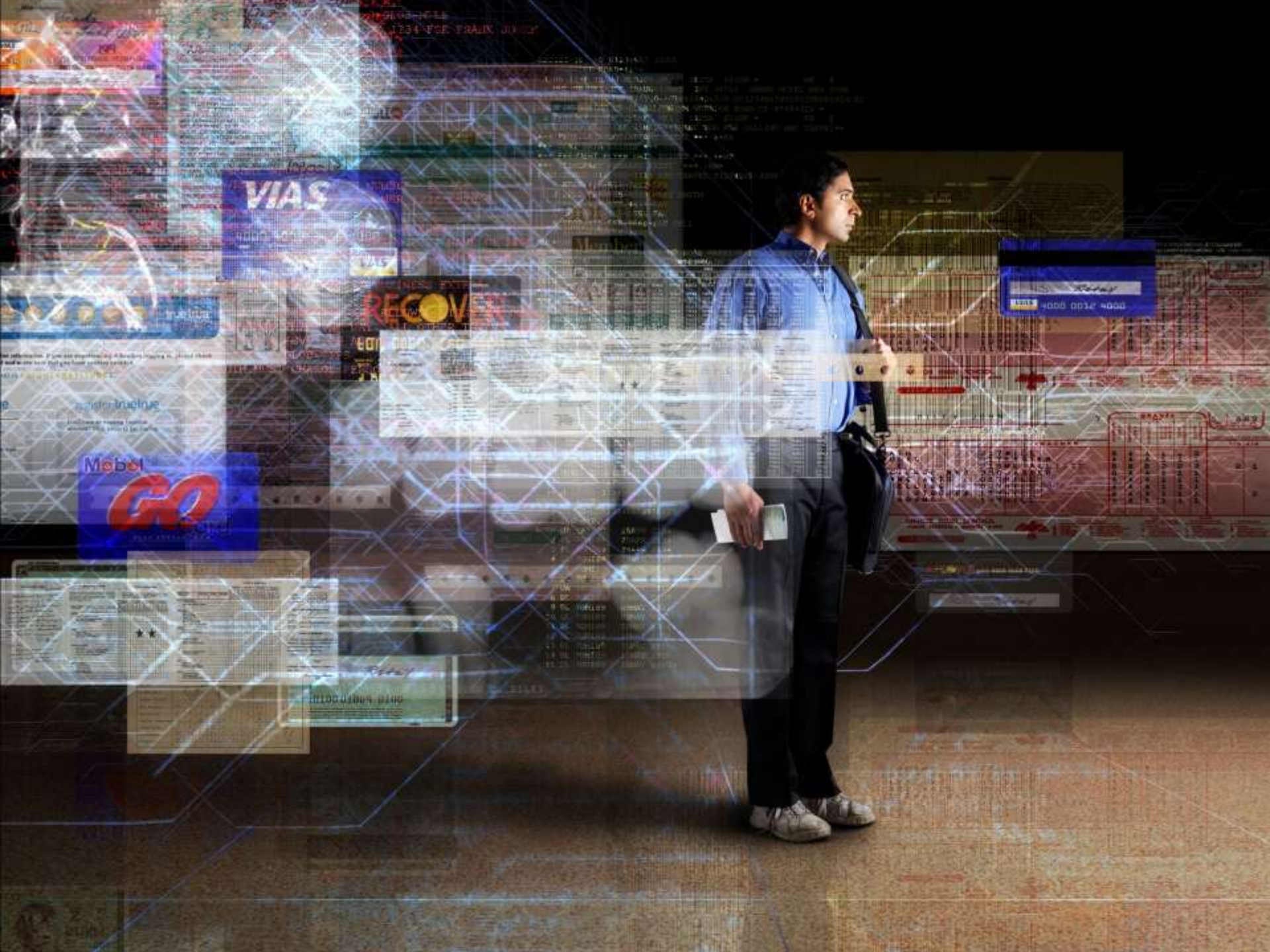
Chris Smither
Happier Blue



Aggregation
Identification
Insecurity
Secondary Use
Exclusion

INFORMATION PROCESSING











Breach of Confidentiality

Disclosure

Exposure

Increased Accessibility

Blackmail

Appropriation

Distortion

INFORMATION DISSEMINATION







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Intrusion Decisional Interference

INVASION







STRAINED POLICY RESPONSES









Larger Threat Is Seen in Google Case

By RACHEL DONADIO

Published: February 24, 2010

ROME — Three [Google](#) executives were convicted of violating Italian privacy laws on Wednesday, the first case to hold the company's executives criminally responsible for the content posted on its system.

 [Enlarge This Image](#)



Paolo Bona/Reuters

Bill Echikson, a spokesman for Google, called a judge's ruling against executives "astonishing."

The verdict, though subject to appeal, could have sweeping implications worldwide for Internet freedom: It suggests that Google is not simply a tool for its users, as it contends, but is effectively no different from any other media company, like newspapers or television, that provides content and could be regulated.

The ruling further complicates the business environment for Google in Europe, where it faces a wave of antitrust complaints. And it comes shortly after Google threatened to withdraw from China, citing sophisticated attacks by hackers there and Chinese demands that it restrict information available to local users.

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[New Complaints Filed Against Google in Europe \(February 25, 2010\)](#)

[When American and European Ideas of Privacy Collide](#)



THE PRIVACY ADVISOR

The Official Newsletter of the International Association of Privacy Professionals

iapp

Editor: Kirk J. Nahra, CIPP

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Retroactive zip code ruling incites flurry of class-actions

03.07.2011

By Angelique Carson

In the month's time since the California Supreme Court [decided](#) that zip codes are personal information, 106 class-action lawsuits have been filed. That's because the court asserted that the ruling, which reversed a 2008 Court of Appeals decision, would apply retroactively.

As attorney M. Scott Koller, CIPP, of McKennon Schindler wrote in the *Privacy Advisor*, the [decision](#) in *Pineda v. Williams-Sonoma* followed a class-action lawsuit filed by Jessica Pineda.

"In 2008, Pineda visited a Williams-Sonoma store in California and was asked to provide her zip code but was not informed of the purpose for which the data was collected. Later, Williams-Sonoma used the information Pineda provided to conduct a 'reverse' lookup and was able to determine Pineda's mailing address by matching her zip code and name in a third-party database. Williams-Sonoma later stored the information in their own database for direct marketing purposes," Koller wrote.

Pineda's suit alleged that such action violates California's Song-Beverly Credit Card Act of 1971, which states that retailers may not collect and store personally identifiable information from cardholders in credit card transactions.



Data in Stasis v. Data Flow

- Metcalf's law
- My Laws
 - Value only increases when data is transferred; ergo,
 - Data in stasis has limited value
- Data must flow to create value!



**PRIVACY:
WE DON'T HAVE AN
APP FOR THAT.**



Towards Data Environmentalism

■ PROCESS

- Accountability Project
- Privacy by Design
- More focus on securing data, data flows, legitimate use
- Indicators of trust
- Data governance



Towards Data Environmentalism

- **POLICY**

- RIP FIPs?
- Notice of Security Breach
- New Definitions of Harm

- **PETs**

- Yes, we need tech solutions!



Towards Data Environmentalism

■ PEOPLE

- The need for agile professionals
 - Technical, legal, cultural skills will be critical
- Not just privacy pros!



Towards Data Environmentalists

- 9300 members in 70 countries
- Privacy moves from a compliance/regulatory function to a *strategic and customer integrity* function
- Privacy moves **out** and **down** within an organization



Thanks!

- jtrevorhughes@privacyassociation.org
- @jtrevorhughes
- www.privacyassociation.org

