RESPONSIBLE DATA SCIENCE: WHAT’S LAW GOT TO DO WITH IT?

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Honored to present for top data scientists this Thursday meetup.com/nl-NL/Amsterda…
Funny they seem to miscount top grants (say 5 but seems 6)

Zanten, Helberger; 3 Vidi: Lemmens, Grünwald, Van Zanten; 8 Vici/Pionier: De Rijke, Grünwald, Heskes, Kappen, Jacobs, Meulman, Van Dijck, Van Zanten; 5 Top grants: Van der Aalst, De Rijke, Van Harmelen, Marchiori, Heskes, Jacobs). Van der Vaart and Vossen received Spinoza awards. Grünwald, Van Zanten, and Van der Vaart are Van Dantzig Laureates. Van der Aalst, Van Dijck, Prins, Van der Vaart and Meulman are members of, and Van Dijck is currently President of the Royal Netherlands Academy of Arts and Sciences (Koninklijke Nederlandse Akademie van...
OUTLINE

Share some concerns

Discuss privacy in relation to big data

But first, for those who have not profiled me yet, who am I?
EU Regulation of E-Commerce
Edited by Arno R. Lodder, Andrew D. Murray
For the last twenty years the European Union has been extremely active in the field of e-commerce. This important new book addresses the key pieces of EU legislation in the field of e-commerce, including the E-Commerce Directive, the Services Directive, the Consumer Directive, the General Data Protection Regulation, and the eID Regulation. The latest in the Elgar Commentaries series, EU Regulation of E-Commerce is the first book to apply this well-established format to a dynamic and increasingly significant area of law. Learn More
Green tea extract: the answer to longevity of life or merely hype?

Detox Water
- 1/4 Cup of Strawberries
- 1 Sliced Lemon
- 1 Sliced Grapefruit
Overzicht

BEST-PROJECT
Computer scientists are **loners**

Computer scientists are **exclusively responsible for all of the following except**

Computer scientists are **smart**

Computer scientists are **engineers**

Computer scientists are **astir after baidu team is barred from a i competition**
lawyers are scum
lawyers are smarter than doctors
lawyers are intelligent
lawyers are hypocrites
lawyers are sharks
@Google suggests professors are: useless, weird, losers, maybe time to take editorial responsibility :) theguardian.com/technology/201...
Google had removed the lines suggesting that Jews and black people are evil and that blacks “commit more crimes”, but it is still suggesting Muslims were “bad” and that Islam “should be destroyed”.

Google 'must review its search rankings because of rightwing manipulation'

Hate sites are dominating and controlling searches on Muslims, Jews, Hitler and women and search engine is failing to tackle problem, say academics

Google search results for "jews are" and "women are"
Smart @linkedin technology?
September 1998 – Present (17 years 2 months)
Why should I congrat Ethan Katsh with this NEW job he had for ages

10:21 PM - 29 Oct 2015

What's more stupid?
Technology suggesting congrats for new job started in 1992
People following the suggestion
We are building a new digital society, and the values we build or fail to build into our new digital structures will define us. Critically, if we fail to balance the human values that we care about, like privacy, confidentiality, transparency, identity and free choice with the compelling uses of Big Data, our Big Data Society risks abandoning these values for the sake of innovation and expediency.
Hip hop on Facebook

Creditcard
BIG DATA AND ANALYTICS

For lawyers, three prominent issues

- Algorithms
- Profiles
- Privacy

Zwenne: Sign post on roofs for airplanes
Big data can be used to identify more general trends and correlations but it can also be processed in order to directly affect individuals.

“With all its potential for innovation, big data may also pose significant risks for the protection of personal data and the right to privacy.”

WP29, Opinion 03/2013 on purpose limitation, 2 April 2013, p. 35
Let’s get rid of:

- purpose limitation principle;
- data minimisation principle;
- storage minimisation principle;
- (…)
- right to object to profiling;
Extending the “legitimate interest ground” to the processing of all categories of data and further to all phases of the life-cycle of data

Personal data may be collected, used (which will include profiling), merged, transferred and destroyed if there is a ‘legitimate interest of the controller which does not outweigh the privacy rights of the individuals’.

This balancing test should be ‘harm-based’ and further based on a cost-benefit analysis, where data protection risks are balanced against potential benefits for individuals, companies and society as a whole.

See also Moerel/Prins, advise to the Dutch Lawyers association 2016
‘profiling’

any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements.
In order to ensure fair and transparent processing in respect of the data subject (...) the controller should use appropriate mathematical or statistical procedures for the profiling, implement technical and organisational measures appropriate to ensure, in particular, that factors which result in inaccuracies in personal data are corrected and the risk of errors is minimised
Right to object

1. The data subject shall have the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data concerning him or her which is based on point (e) or (f) of Article 6(1), including profiling.

Article 22

Automated individual decision-making, including profiling.
ARTIKEL 35(3)(A) GPDR

PIA - Data protection impact assessment

a systematic and extensive evaluation of personal aspects relating to natural persons which is based on automated processing, including profiling, and on which decisions are based that produce legal effects concerning the natural person or similarly significantly affect the natural person;