



DATA PRIVACY: MONTHLY HIGHLIGHTS

| DON HARRIS

Just when one thought it couldn't get much worse, Facebook fueled the mounting international privacy firestorm directed against it (see below) by introducing a host of new features and a further round of changes in its privacy policies. Facebook is clearly attempting to re-define, personalize and monetize what using the Internet is all about. As it morphs aggressively far beyond its humble social networking origins, it would appear to be only a matter of time before the Facebook bubble is burst by some combination of regulatory intervention, data breaches, litigation and user discontent.

Speaking of regulatory intervention, April saw an unprecedented shot across Google's bow by ten privacy commissioners over the company's "throw it up against the wall and see if it sticks" approach to the privacy implications of innovation. Expect to see more joint undertakings of this nature, as regulators recognize that there is untapped strength in coordinated actions. It is clear from this and other developments this month that European regulators are moving towards the creation of legal obligations, namely requirements for 'privacy by design' and 'privacy by default', that would thwart the "innovation first, privacy later" approach of Internet companies.

Do the risks of cloud computing outweigh the benefits? According to an Information Systems Audit and Control Association (ISACA) survey, 45% of IT professionals in the U.S. say the risk of cloud computing does eclipse the perceived benefits. 17% of 1809 respondents felt the benefits outweighed the risks, while the remaining 38% judged the risks and benefits to be equally balanced.

Finally, the significance of Mexico's enactment of a comprehensive data protection law should not be underestimated. For the first time in our modern history, the U.S. is surrounded by countries that provide stronger legal protections for personal information than we do. It will take time for this to sink in. 🌐

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