



DATA PRIVACY

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Google

Regulatory Crackdown Continues over Street View. In Belgium, data protection authorities, concluding that Google committed “flagrant violations of privacy law” with its collection of Wi-Fi data but lacking the power to fine Google themselves, have referred the case to federal prosecutors, who have taken over the investigation. In the Netherlands, the Dutch data protection authority issued several administrative orders against Google for incremental fines over its Street View Wi-Fi sniffing. Google must inform data subjects, by both offline and online means, within three months about its collection of their router information and give them the option of opting-out from the router database. It must also destroy the payload data it collected within the Netherlands within four weeks. Failure to comply may result in fines of up to one million euros. In Germany, with hundreds of thousands of blurred images of residences, Google announced that it was abandoning further development of Street View on the grounds that its priorities have shifted. In Austria, the Data Protection Commission decided to allow Street View data collection to proceed, under three conditions: that images of individuals taken in 'sensitive' locations such as in front of churches, hospitals or prisons must be blurred; that images of private spaces not visible to pedestrians must be blurred before publication; and that suitable tools be provided for data subjects to exercise their right to object to the online publication of images.

Quebec Court Dismisses Facebook Lawsuit

The Quebec Superior Court dismissed a class-action lawsuit against Facebook filed in July 2010 by Merchant Law Group in Toronto, which claimed that Facebook breached the privacy of its users and used altered privacy rules to misappropriate users' personal information for behavioral targeting purposes. While the province has a comprehensive privacy law, the judge in the case

ruled that Quebec courts lack jurisdiction, since Facebook users agreed, in joining the site, to submit all legal disputes to Californian courts.

Canadian Employers Concerned about Social Networking

A recent survey by the Human Resources Professionals Association of Ontario (HRPA) found that more than 60% of respondents have at least some concern about the time employees spend on social media websites during work hours. Other results showed that 55% of companies monitor employees Internet usage during work hours; 60% have developed a social media policy; and 61% have blocked access to specific websites.

Security of Employee Data is Biggest Concern for Cloud Users

A survey conducted in the UK by the Cloud Industry Forum found that businesses are more concerned about the confidentiality of employee data in the cloud than customer data. 54% of respondents said that they would not move data about staff to a hosted service, while 52% said they would not move accounts and financial data to the cloud. At the same time, only 23% said that they would not trust the cloud to host their client and third-party data.

Firestorm Erupts over iPhone Tracking

The FCC and Congress were reported to be looking into iPhone tracking, which may violate federal communications law as well as Apple's own privacy policy; privacy regulators in Germany, Italy, France and Korea also began investigations. In Florida and New York, class action lawsuits were filed against Apple over the location tracking. New research reported in the Wall Street Journal shows that Google also collects vast amounts of location data through its Android cell phones. Within a week of the revelations about iPhone tracking, Congress broadened its investigation of location tracking to include Google, Microsoft, HP, Nokia and Research in Motion. A week after the tracking was publicized, Apple issued a statement denying that it was tracking iPhone users but admitting that the devices were storing more location information than necessary because of a software bug that it intended to correct.

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