


@zwnne


ELAW PRAKTIJKCURSUS

IoT & Datafication & Big Data & De Privacywet

prof mr. Gerrit-Jan Zwenne



Universiteit Leiden



artefact from the future



Ultrasonics
Ultrasonics Sensor, 1cm
100% Accuracy
100% Sensitivity
100% Specificity

Sneezel Analysis
Sneezel Sensor
100% Accuracy
100% Sensitivity
100% Specificity

MAGNETIC
Smart Diaper

artefact from the future



100% INTELLIGENT TOILET — POWERED BY GOOGLE ETHEREUM ANALYTICS

<p>YOU AREN'T GETTING ENOUGH SLEEP</p> <p>ONE CAR OF SLEEPY DRIVERS CAUSES 100,000 DEATHS PER YEAR</p> <p>100% Accuracy 100% Sensitivity 100% Specificity</p>	<p>YOU ARE OVERDOUPLY PRODUCTIVE</p> <p>GETTING OVER-EXERCISED WITH YOUR DOCTOR WILL CAUSE 100,000 DEATHS PER YEAR</p> <p>100% Accuracy 100% Sensitivity 100% Specificity</p>	<p>ARE YOU SATISFIED WITH YOUR JOB?</p> <p>ARE YOU DOING YOUR JOB WELL ENOUGH TO BE HAPPY?</p> <p>100% Accuracy 100% Sensitivity 100% Specificity</p>
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ALL BROTHERS EMPLOYERS MUST ENFORCE COLLECTIVE ESTABLISHMENT OF HOURS BEFORE RETURNING TO WORK.


NEVER THINK TO LIGHT OUT OF PERSONAL CONVICTION

roadmap


A. WTF is IoT (datafication & big data) (anyhow?)

B. De Privacywet verkort: Wbp en straks AVG

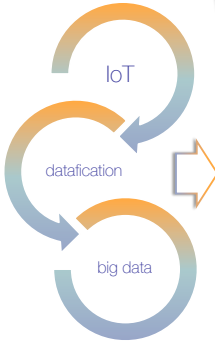

C. Hoe IoT & Datafication & Big Data onze privacywetgever uitdagen



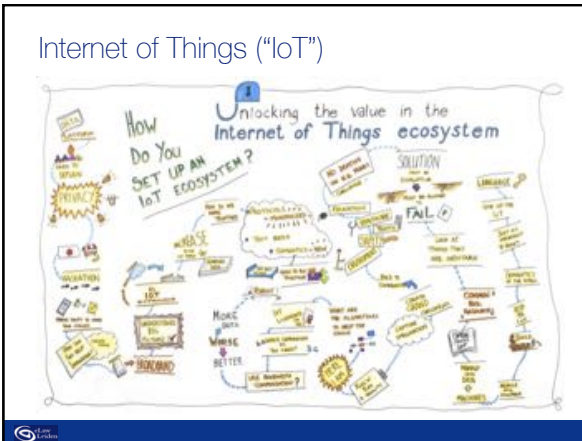
- informeren van datasubjects (betrokkenen)
- verwerken op basis van voorafgaande ondubbelzinnige toestemming
- welbepaald uitdrukkelijk omschreven verzameldoel
- verdere verwerking niet onverenigbaar met verzameldoel
- regels voor profilering en geautomatiseerde besluitvorming



A. WAT IS 'INTERNET OF THINGS'..? WAT IS DATAFICATION? EN WAT IS BIG DATA?

Internet of Things ("IoT")



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Forget the internet of things - we need an internet of people

It's hard to see what this [ie IoT] would look like, exactly. But imagining it shouldn't just be delegated to tech companies and opportunists riding the hype cycle.

Artists, designers, philosophers, lawyers, psychologists and social workers must be just as involved as engineers and internet users in shaping our collective digital future

[J. Judge & J. Powles 25 May 2015]

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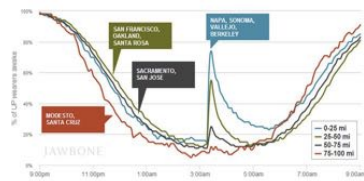
every **breath** you take
every **move** you make
every **bond** you break
every **step** you take...



datification [*dey•tuh•fi•key•shuh•n*]

a modern technological trend turning many aspects of our life into **computerized data** and transforming this information into **new forms of value** [Mayer-Schönberger & Cukier 2013]






Big Data
Big Bullshit?
Big Bucks!

Big Data
Big Brother?
Big Business!



Big Data is a generalized, **imprecise term** that refers to the use of large data sets in data-science and **predictive analytics** [Mayer-Schönberger & Cukier 2013]

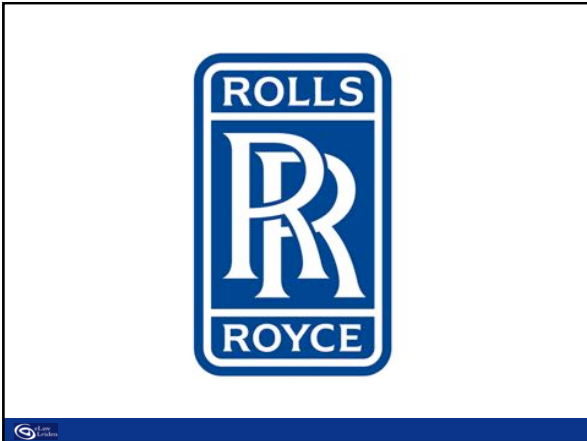
Big data can be used to identify more general trends and correlations but it can also be processed in order to **directly affect individuals** [WP29 2013]



...a massive phenomenon that has rapidly become an **obsession** with entrepreneurs, scientists, governments and the media [Financial Times 2014]

unprecedented computational power and sophistication make possible **unexpected discoveries**, innovations, and advancements in our quality of life [Whitehouse 2014]

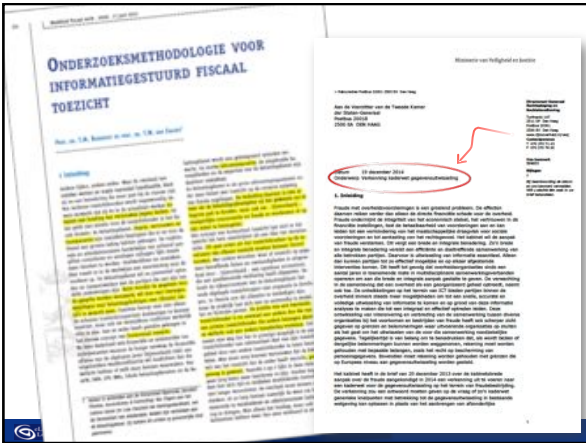












System Risico Indicatie (SyRI) is een instrument waarmee gegevensbestanden van gemeenten, UWV, SVB, Inspectie SZW en Belastingdienst kunnen worden gekoppeld ten behoeve van de bestrijding van fraude op het terrein van de sociale zekerheid en de inkomensafhankelijke regelingen, de belasting- en premieheffing en de arbeidswetten

sinds 2006 in gebruik onder de aanduiding 'Black Box'.

Gesmeerd: slaan op voor de zorg die het kabinet later wil betalen

Probleemgezin kost 40.000 euro

Centraal Instituut voor Toetsontwikkeling

Leger des Heils

Bureau Jeugdzorg

Geestelijke Gezondheidszorg (GGZ)

wie komt in aanmerking voor bemoeizorg?

woningbouw corporatie

energiebedrijf

the PULSE@MARKET
CNBC

Can life as a data point save America's at-risk children?

Up to \$80 billion is spent annually across the U.S. to confront child abuse and neglect, an ugly underside of American life that afflicts hundreds of thousands of children.

Los Angeles County, with the largest child protective services agency in the country, believes there has to be a better way to protect at-risk youth than the **current outdated and costly approach**. LA County is piloting the **use of predictive analytics technology** — informally known as big data — from Cary, North Carolina-based software company SAS, to do a better job of identifying children who may otherwise be left in a vulnerable position.

uithuisplaatsing

In die tijd, de post-Savannah-periode, ontstond de sterke neiging om maar bij de minste twijfel te handelen. Beter een kind te veel uithuisgeplaatst, dan nogmaals een Savannah, hoorde ik een jeugdzorg-directeur zeggen.

De aanleiding voor de uithuisplaatsingen was niet een calamiteit, zelfs geen incident, maar een risicoprofiel: De moeder was getraumatiseerd door een oorlogsverleden in een ander land, en de vader gebruikte trouw medicijnen voor een ggz-diagnose, waardoor de ziekte onder controle was.

Justine Pardon De
Trisco-registratie
31 januari 2015
www.ouders.nl

The main advantage of Big Data is that it can reveal **patterns** between different sources and data sets, enabling **useful insights**

The use of Big Data by the top 100 EU manufacturers could lead to savings worth **€425 billion**, and by 2020, Big Data analytics could boost EU economic growth by an additional **1.9%**, which means a GDP increase of **€206 billion**

[EC The EU Data Protection Reform and Big Data Factsheet April 2015]



B. DE PRIVACYWET VERKORT: WBP EN STRAKS AVG



persoonsgegevens
•
informer en toestemming
•
doelbinding
•
dataminimalizatie
•
profilering
•
etc.



C. HOE IOT & DATAFICATION & BIG
DATA ONZE PRIVACYWETGEVER UITDAGEN



THE PROBLEM
THE CHALLENGE...





correlation \neq causation





in a big-data age most innovative secondary uses [of data] haven't been imagined when the data is first collected. How can companies provide notice for a purpose that has yet to exist? How can individuals give informed consent to an unknown...?

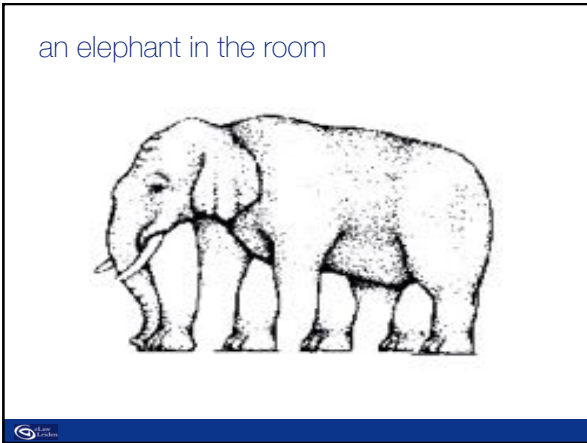
free, specific, informed and unambiguous 'opt-in' consent would almost always be required, otherwise further use cannot be considered compatible

[Mayer-Schönberger & Cukier 2013]

[WP29 2013]

personalization
stigmatization
discrimination
presumption of innocence
etc





 @zwne

g.j.zwenne@law.leidenuniv.nl
DANK U WEL!
