

Profiting from personal information: Power, information privacy and evidence based policy

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A decorative graphic at the bottom of the slide features a horizontal band of binary code (0s and 1s) in white and orange. The band is flanked by large, stylized orange and grey shapes that resemble a funnel or a wide arrow pointing to the right. The background is a light orange color with a subtle pattern of vertical lines and circles.

101001010100111101000010010111010010
00410000101001010010010100001010010101400001111010010101001110100001001011010010
1101010101011101000041000010100100100101000010110100101014000011110100101

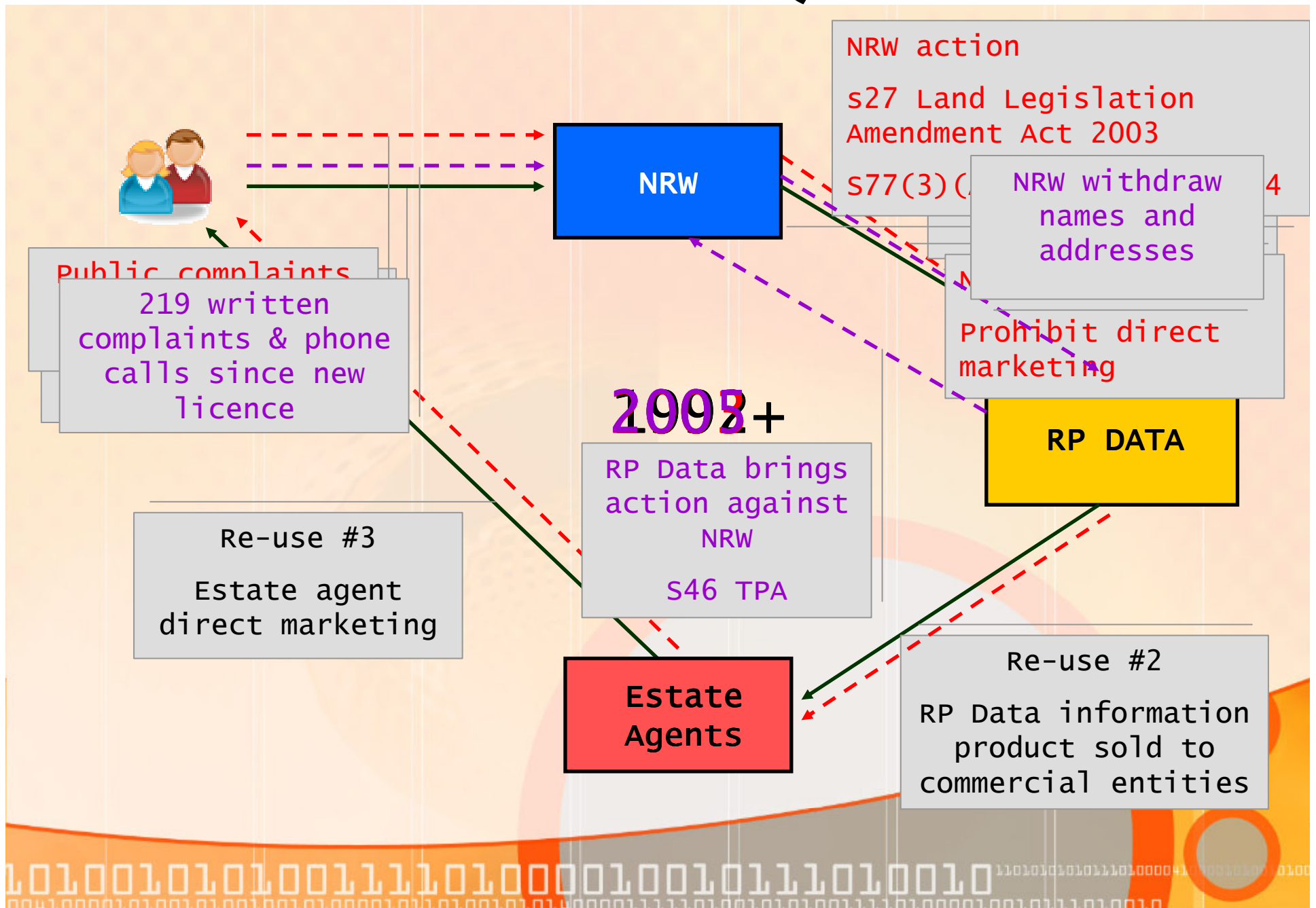
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Overview of Talk

- Case study
 - RP Data v State of Queensland
- Solove's metaphors of power
 - Big Brother & Kafka
- Power analysis
 - Case study
- Implications
 - Evidence based policy
- Conclusion



RP Data v State of QLD



So love metaphors of power #1

- Information privacy as power
 - 2 metaphors
- Big Brother
 - Coercive power – oppress, control...
 - Surveillance, invasions of privacy..
 - Dominant conceptual paradigm and laws
 - Not reflect concerns
 - Mass data collection



So I love metaphors of power #2

- Kafka Metaphor
 - Indifferent not malevolent
 - Little intelligent control
 - Influence not oppress
 - Exploiting expressions of individuality
 - “Little Brothers”
 - Imbalanced power relationships
 - Individuals, data collectors and data re-users

Power analysis of case study

- Kafka rather than Big Brother
 - Goal of data collection
 - Innocuous data – housing information
- Little brothers
 - Impact of commercialisation
 - Complex web
 - Limits of property rights paradigm
- Disempowering practices
 - No meaningful participation
 - Decision making without purpose

Form 24

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FORM 24



Version 2



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Implications - evidence based policy

- Information privacy development
 - Account for power relationships
- Deeper policy analysis & evidence acquisition
 - Pawson and Tilley (1997)
 - “realist explanation”
 - Demonstrate existence causal mechanisms
 - Mechanism, outcome and context
 - CCTV and car parks

Conclusion

- Power analysis unveil
 - Complex interplay of hidden mechanisms
 - Governmental self-sufficiency
 - Value of personal information
 - Angst generated by misuse
- Limits information privacy laws
 - Paradigm of ownership & control
- Effective policy responses
 - New way of thinking
 - Focus on structures of power
 - Govern relationships



Questions

