
What laws protect Big Data?

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List of contents

1. Introduction	2
2. Research Question	2
3. Procedure	2
4. Findings	3
5. Discussion	4
6. Conclusion	5
7. List of references	6
8. Evaluation	8

1. Introduction

The central aim of this report is to investigate what laws protect personal data. “Big data” is a recent word which defined the boom in data, also called personal data. The birth of the internet turned security into a new dimension more open and so more vulnerable. Furthermore, the society spend dark days. Nowadays people thinks about the war, the fear, the security is the main preoccupation. The terrorist attacks which were done last year, shows that the mood of people has changed, as explained in How Fear Of Terrorism May Put You At Risk Of Long-Term Disease (2015).

The report deal with rights provided about our personal data and thanks to these laws,are these data really safe?

2. Research Question

What laws protect Big Data?

3. Procedure

Secondary data was found via the website Stanford Review which bring out the structure of this report, this article got some fully and useful information about the topic privacy and big data. So for a best comprehension some other source was used such as government website to get law in application in United Kingdom with Privacy and the Human Rights Act 1998, in United States with Patriot Act. Thus these data was completed by some article about the broken law like the case of 12 iPhones on the wall street journal and the new york times. At the end there is an article about data given to government by Facebook on the guardian website.

4. Findings

First and foremost a little reminder about privacy law in United states, in United Kingdom and in Europe are being presented for a better comprehension to privacy evolution.

According to Privacy and the Human Right Act (1998), United Kingdom forecast that people can keep data for a reason until the aim is achieved, after what, data must be removed. Furthermore, if someone gains some money with data of someone else, then the victim can put him to trial.

While following the attack of September 11, 2001, the USA created the Patriot Act which allow authority to do more easily warrants of arrest or to access to some personal data like in France since the recent attacks. In fact, for all case without terrorism suspicion the FTC's authority forbid "unfair trade practices" in the United States also the "legitimate interests of the controller" and "un-fairness" doctrine, legitimate interest analysis is inexorably linked to a benefit assessment clause in the European Union data protection directive according to Patriot Act and Stanford review (2013).

According to Stanford review (2013), In the European Union, companies are authorized to used personal data without an individual's consent based on such organizations' "legitimate interests". In such cases, people can make a complaint with "on compelling legitimate grounds."

Now that this laws about privacy was being clarified, this report is concentrating about some example. The Prism report (2015) shows that Government requests for account. Data globally increase 18% in the first half of 2015 to 41,214 accounts, up from 35,051 requests in the second half of 2014, Facebook. While Apple in the Wall Street Journal told the government is asking them to give them a tool to hack their own device because they need to unlock 12 iPhones belonging to terrorism suspects, but Apple refused and his CEO said "Once created, the technique could be used over and over again, on any number of devices ... The government is asking Apple to hack our own users and undermine decades of security advancements." Tim Cook.

In addition, in The New York Time, Mark Zuckerberg support Apple opposite the US government.

Finally, these examples above highlighted the case of public security but there are all aim advertisement used by Netflix or Amazon which purpose a customized service thanks to the preference of the user. Then Google and Comcast which works thanks to the user help who give their knowledge like explain in Stanford review (2013).

5. Discussion

According to Privacy and the Human Right Act (1998), Patriot Act (2001) and Stanford review (2013), in a vast majority of cases the laws protect people. Although for each case of the protection of the public health or public security, the right can be changed easily as was done by Facebook. They work with some government to give the accounts of terrorists suspects as explained in PRISM report (2015). Moreover, there is not a person who look for informations on Big Data but only algorithms which make the decision for us.

The society picks out to lose the liberty.

The Laws about privacy on the web were swept by the government of USA thanks to the NSA. Although the NSA and other organizations has threw to the forefront of the public attention and show the privacy risk and big data opportunities. Thanks to the increasing to terrorism, politicians would like to shrink the freedom because people have fear hence the political parties of extremist never stop to grow.

However Apple for the first time refused to help government. Furthermore Big Data could be use by the well side like the bad side, on the one hand big data could help the public health, public security and help someone to have a better life thanks to Google translate or an antivirus software as explained in the wall street journal and the new york times (2016).

On the other hand people could be manipulate by advertisement and so the one person who have Big data and be able to use it could control the world

6. Conclusion

To sum up this investigation about what laws protect data the law is a useful protection for the people but the law can be broken. So the person who run Big Data must decided for everyone. Although an opposition was born!

7. List of references

- Tene, Jules. “Privacy And Big Data: Making Ends Meet”.
Stanford Law Review Online 66 (2013): 25. Web. 10 Mar. 2016.
retrieved from:
<http://www.stanfordlawreview.org/online/privacy-and-big-data/privacy-and-big-data>
- Barrett D. (2016) “Justice Department Seeks to Force Apple to Extract Data From About 12 Other iPhones” *Wall Street Journal*. N.p., 2016. Web. 10 Mar. 2016.
retrieved from:
http://www.wsj.com/article_email/justice-department-seeks-to-force-apple-to-extract-data-from-about-12-other-iphones-1456202213-1MyQjAxMTI2MjIzMzMyMTMwWj
- Scott, Mark. “Mark Zuckerberg Backs Apple In Its Refusal To Unlock Iphone”. *Nytimes.com*. N.p., 2016. Web. 10 Mar. 2016.
retrieved from:
http://www.nytimes.com/2016/02/23/technology/mark-zuckerberg-backs-apple-in-its-refusal-to-unlock-iphone.html?ref=technology&_r=1&referrer=https://news.ycombinator.com/
- “Facebook Says Governments Demanding More And More User Data”. *the Guardian*. N.p., 2015. Web. 10 Mar. 2016.
retrieved from:
<http://www.theguardian.com/world/2015/nov/12/facebook-says-governments-seek-more-and-more-user-data-and-takedowns>
- “What Is The USA Patriot Web”. *Justice.gov*. N.p., 2016. Web. 10 Mar. 2016.
retrieved from:
<http://www.justice.gov/archive/ll/highlights.htm>

- “What Do I Need To Know About The Right To Privacy? | Find Laws, Legal Information, News & Solicitors - Findlaw UK”. Find Laws, Legal Information, News & Solicitors - *Findlaw UK*. N.p., 2015. Web. 10 Mar. 2016.

Retrieved from:

http://findlaw.co.uk/law/government/constitutional_law/fundamental_rights/right-to-privacy.html

- Almendrala, A. “How Fear Of Terrorism May Put You At Risk Of Long-Term Disease”. *The Huffington Post*. N.p., 2016. Web. 10 Mar. 2016.

Retrieved from

http://www.huffingtonpost.com/2015/01/07/terrorism-cardiovascular-disease_n_6396832.html

8. Evaluation

I have already done some research report but never like this one, it was harder than I expected. For my first time, I should use the passive form for avoid using personal pronouns. In addition the vast majority of my time was spending to find valued sources. However I appreciated to have a structure to follow. I think this experience should be useful for my all life not only for my studies, I think it is really important to have an hight academic writing, we seems more credible.