

Seeking approval

As revelations surrounding Facebook's data scandal continue to unravel, **Thomas G Jackson** examines the steps the social media giant has taken to ensure compliance



As the Facebook data saga continues to unfold,¹ the company has begun to make some much-needed changes in the ways it handles personal information and discloses the use of personal data.

Some, if not most, of the changes may have been driven more by the need to comply with the requirements of the General Data Protection Regulation (GDPR) that took effect on 25 May than the Cambridge Analytica debacle.

Facebook has announced plans to build out a "clear history" feature, allowing users to view information associated with their Facebook accounts, apps they used and websites they visited, and clear the information.

Going forward, users will also be able to limit Facebook's ability to gather and store certain information associated with their accounts.

It also has announced that it has plans to add or has already implemented features to comply with the GDPR and will make those features available globally.

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In April, the social media giant updated its terms of service and data use policies to provide the details of its data collection policy with greater clarity and transparency. It is also simplifying the design of its privacy settings and making them available from a single point of access.

In addition, Facebook has designed a series of opt-in options to allow users to identify the types of data that can be collected and how it can be used.

Outside the EU, Facebook will continue to use opt-outs to permit users to limit the use of certain types of data.

Cambridge Analytica

What attracted so much ire in response to the Cambridge Analytica episode was not only that collected personal data of as many as 87m Facebook users in the US but also the nature of the data that was collected and how it was used.

The data was harvested using a personality test that, unbeknown to the Facebook users who took the test, not only gave a third-party access to their personal information but also the personal information of their friends for use in a political campaign.

Facebook said that it will maintain tighter controls over what

information can be accessed and how it is used. In addition, Facebook announced that it will no longer acquire the data of third-party data aggregators and combine it with the data it collects from its own users to help advertisers target their ads to the audiences they are trying to reach.

In answering questions in his testimony before the US Congress, Facebook's CEO, Mark Zuckerberg, made the point that Facebook does not sell data to advertisers but instead its advertisers tell Facebook who they want to reach and Facebook handles the placement of the ads. But the fact remains that Facebook maintains a platform that permits third parties to access user data.

EU investigators have said that they have opened or broadened investigations that are ongoing. The US Federal Trade Commission has confirmed that it is looking into whether Facebook's data gathering practices violated a 2011 consent decree that barred Facebook from telling users that they could keep their information private but allowed the information to be shared with third parties. Under the consent decree, Facebook is required to obtain its users approval before it changes the way that it shares their information.

Summary

The one prediction that is safe to make is that privacy concerns will continue to be a serious issue for Facebook and that more regulatory intervention is virtually certain.

Footnote

1. In March, it was revealed that UK data mining company Cambridge Analytica harvested at least 87m Facebook user profiles. Cambridge Analytica said it had bought the information from the creator of an app called myPersonality without knowing that it had been 'improperly obtained' and that it deleted the data after being made aware of the situation. In May, it was exposed that Facebook data on more than 3m people who took the personality quiz was published onto a poorly protected website where it could have been accessed by unauthorised parties.

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