

Centre for Information Policy Leadership at Hunton & Williams Calls for Data Stewardship and Organizational Accountability

Washington — January 31, 2011 — The Centre for Information Policy Leadership at Hunton & Williams LLP today called for a privacy framework that holds organizations accountable for consumer data collection and management. This is in response to the Department of Commerce’s privacy paper entitled “Commercial Data Privacy and Innovation in the Internet Economy: A Dynamic Policy Framework,” released in December.

“Organizations need to understand the risks they create for individuals as they use data, how to mitigate those privacy risks and be answerable for their actions,” says **Marty Abrams**, a privacy industry leader who has helped shape this evolving area of regulation and law as Executive Director of the Centre. “The simple word for this is accountability, and it needs to go hand in hand with the innovation that models the future rather than just perfects the present in a digital age.”

“Innovation in today’s digital world is dependent on organizations using data in new, responsible ways,” adds Abrams. “While individual participation is important, today’s market is too complex for consumers to police themselves.”

In response to the Department of Commerce’s policy framework, the Centre outlined the following recommendations, available in full [here](#):

1. The Policy Framework should rely less on the individual’s control over the collection and use of data and more upon data stewardship and organizational accountability.
2. The Department should look to fair information practice principles as articulated in the Organization for Economic Cooperation and Development (OECD) guidelines as the foundation for privacy guidance.
3. Principles of fair information practices should be applied within a contextual framework, and not in a rigid or fixed way.
4. The Centre encourages organizations’ use of privacy impact assessments as a tool to assess and manage risks data use may pose to individuals, however, such assessments are not the appropriate tool to serve the transparency function suggested in the Department’s framework.
5. The Centre encourages the establishment of a Privacy Policy Office, but cautions that its charter should be clear and appropriate. Development of voluntary codes of industry conduct is best carried out by the organizations affected in a non-government environment that encourages candid and open negotiation.

6. The privacy office should take a lead role in discussions with international organizations, and the Federal Trade Commission should continue to represent the United States in forums addressing privacy enforcement.

About The Centre for Information Policy Leadership

The Centre for Information Policy Leadership is a global think tank, associated with Hunton & Williams, which encourages responsible information governance in today's digital society. Through collaboration with industry leaders, civil society, consumer organizations and government representatives, it explores innovative and pragmatic approaches to global policy issues, seeking to build privacy and data protection in practice while balancing economic and societal needs and interests. More details about the Centre can be found at www.informationpolicycentre.com.

About Hunton & Williams

Hunton & Williams LLP provides legal services to corporations, financial institutions, governments and individuals, as well as to a broad array of other entities. Since our establishment more than a century ago, Hunton & Williams has grown to more than 900 lawyers serving clients in 100 countries from 18 offices around the world. While our practice has a strong industry focus on energy, financial services and life sciences, the depth and breadth of our experience extends to more than 100 separate practice areas, including bankruptcy and creditors rights, commercial litigation, corporate transactions and securities law, intellectual property, international and government relations, regulatory law, products liability and privacy and information management.

###