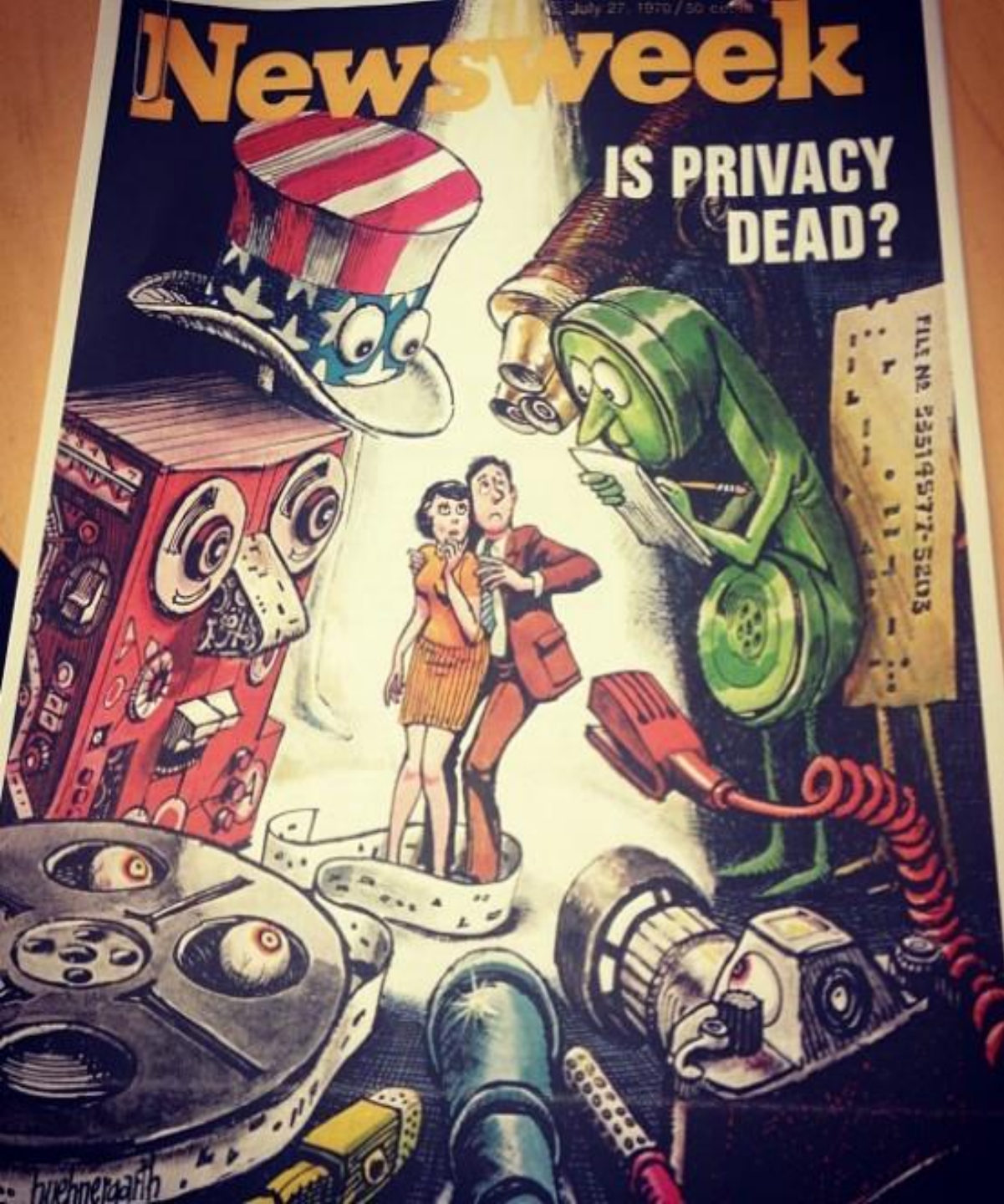


# New Challenges for Privacy

## Ad hoc Working Group III

 Luxembourg 24 May 2018



Newsweek  
cover

July 1970



Sen. Durbin to Zuckerberg: Would you share the name of the hotel you stayed in last night?

160 704 vues

796 19 PARTAGER

# AIMS OF THE WORKING GROUP

- ▶ REVISIT PRIVACY ISSUES IN LINEAR/NON LINEAR WORLD
- ▶ EVOLUTION OF CONCEPT OF PRIVACY?
- ▶ WHAT IMPACT ON NRAS?
- ▶ IDENTIFY ISSUES THAT EPRA COULD ADDRESS

# METHODOLOGY

- ▶ NEW FORM OF INTERACTION WITHIN EPRA
- ▶ COLLECTIVE INTELLIGENCE & DIALOGUE
- ▶ INSPIRATION (OBS/REFRAM)

# Inspirational talks/case studies

## ▶ Kerstin Morast SPBA SE

- ▶ “The Lion King”, “The Riding Instructor”, “Aftermath of me-too”
- ▶ Use of content from social media, material in the public domain

## ▶ Maria Donde Ofcom UK

- ▶ “Can´t pay we will take it away”, “Inside the gang”, “Al Arabiya News”
- ▶ Balancing interests: intrusion of privacy justified by public interest? Criteria?

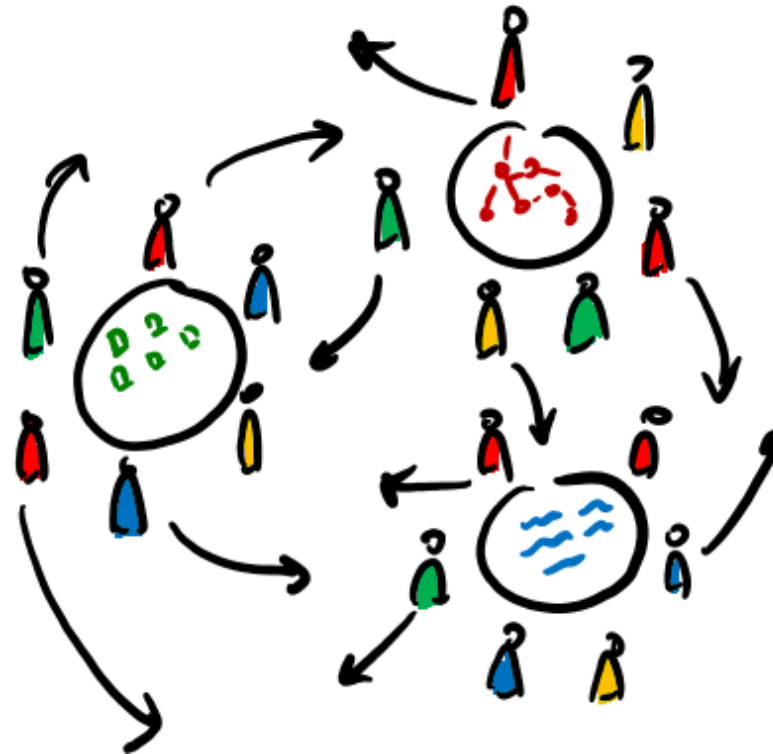
# The world café tables

## ► Brainstorming technique

- Create a “special” environment, most often modelled after a café, to foster spontaneous discussion
- Overcome psychological barriers of big rooms
- Useful to collect ideas

## ► Rules and roles

- Thematic tables
- Predefined sets of questions
- Table hosts stimulate the talk
- Travellers may swap tables
- Sharing moment in plenary



# Table 1 (blue) - The evolution of the concept of privacy in traditional TV: trends and concerns

## The questions

- ▶ **Many complaints?**
  - ▶ No. Often decision to intervene when the handling of individual cases coincides with public interest.
- ▶ **Increase/decrease/landmark cases?**
  - ▶ Yes, since the start of reality shows. Mostly children and public figures.
- ▶ **Issues of concerns/particular formats?**
  - ▶ Reality shows and talent shows: people are willing to give away their privacy against remuneration.
  - ▶ Possible overlap with protection of minors.

**Host: Damir Hajduk (AEM, HR)**





# Table 2 (green) - The evolution of the concept of privacy in traditional TV: changes

## The questions

- ▶ **Shift in concept of privacy?**
  - ▶ Yes. Consequence of social media and new formats.
- ▶ **Change of perception/regulatory expectations?**
  - ▶ Yes. Result of more awareness.
  - ▶ No universal concept across countries (freedom of expression vs privacy)
- ▶ **Changes in handling of cases?**
  - ▶ Different responses to public interest and human dignity.
  - ▶ Specific approach when cases are repeated (worse consequences)

**Host: Ciarán Kissane (BAI, IE)**



# Table 3 (yellow) - Privacy issues in non-linear environment: cases and challenges

## The questions

- ▶ Recent cases involving non-linear elements?
  - ▶ Many and diverse, but common angles: issues concerning footage: identification, perception when easily available, fastness of dissemination of images
- ▶ Which challenges for regulators?
  - ▶ Neither specific remit for data protection (DP), nor well established cooperation with DP authorities.
  - ▶ No rules for non-linear environment.

Host: Luboš Kukliš (CBR, SK)



# Table 4 (orange) - Privacy issues in non-linear environment: impact of GDPR

## The questions

- ▶ Is GDPR relevant for media regulators?
  - ▶ Most regulators are starting now to look into it.
  - ▶ Need to decide who is competent (media or DP auth.)
- ▶ Is there any interaction between media and DP authorities?
  - ▶ Not much yet. Useful to sign a memorandum of understanding (who should act, media/DP/both?)
  - ▶ Important to assess privacy vs public interest in a consistent way

Host: Paul Canessa (GRA, GI)



# Takeaways from this first experience

## Pros and Cons

- ▶ Facilitates discussion
- ▶ Creates engagement
  
- ▶ Too loud (need for more space)
- ▶ A bit dry... (next time with coffee!)

