

The Challenge or problem

Who has jurisdiction over health records?

The data subject moves across international borders, raising issues of trans-border data flows (TBDF) which have been studied for 30 years and are still unresolved.

The data subject has records which start before birth and do not end with death. They span several generations of technology, political and social attitudes, international agreements, employment and family relationships. Intergenerational and inter-organisational issues arise, particularly about the future.

Knowledge technology is evolving exponentially, reducing the time between conceiving of a possibility and implementing it. At the same time, it affects other disciplines from health to history and medicine to music. Subject boundaries are blurring.

The balance of power between individuals, associations and states has changed. Obligatory geographical, tribal and familial ties are giving way to voluntary "club" loyalties, generational conflicts and asymmetric warfare. Traditional ethical codes are challenged and superseded.

The Approach to address the Challenges

The individual should have authority and responsibility for his own information by appointing a "man of affairs" to look after his records, including health. This is the modern equivalent of the bailiff employed by the nobility and gentry for most of the last millennium, but affordable by all in the knowledge economy.

These 'e-bailiffs' could be firms, individuals, charities, public services or co-operatives; many would operate internationally. All would operate information systems that net-worked with other systems. They would compete for clients as do e.g. financial, legal and medical professionals today. And they would be subject to similar regulation. No doubt they would form professional associations to look after their own and their clients evolving interests. Competition in the market would encourage innovation.

In particular, they would stand up for their clients interests when these are threatened by the state.

No doubt, the state would see them as a threat!

Primary interests

Back in 1967, James Martin and I began to write "The Computerised Society" (Prentice-Hall 1970) which looked forward to the opportunities and challenges of 1984. In the CPRS and the Cabinet Office IT Unit from 1980 to 1983, I was deeply involved in information governance and regulation nationally and as the UK delegate at OECD and CEC meetings on TBDF.

Through the Parliamentary IT Committee (PITCOM) and EURIM, I maintained my interest in national and international legislation and agreements, and in the evolving political debates. I published "Computer Insecurity" in 1983.

As a management consultant with an international practice, I specialised in the applications and implications of IT, tracking them from conception, through innovation in the market to dissemination into the main streams of the global economy.

As an entrepreneur, I launched a satellite broadband services business in the UK in 1986 and a service pertinent to the re-use of Public Sector Information when the European Directive was transposed in 2005.

My current interest is the inter-working of Data Protection, FOI, ROPSI and IPRs.

Goals in attending workshop

To interact with, and learn from, others interested in the 'big picture' and keep abreast of pertinent developments.

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