

Profiling and manipulating human behaviour: a core privacy concern

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One of the features of the digital age has been the dramatic increase in concern over the invasion of personal privacy. Almost on a daily basis stories appear on either how actual or potential breaches of privacy related to the use of digital technology have occurred or may occur. Whilst we are generally provided with details of how privacy has been breached or might be breached, with an inherent feature being that there is an unwritten general acceptance that such an invasion of personal privacy is wrong and unacceptable, far less attention is made as to specifically why invasion of privacy is wrong.

Therefore, this paper will look at one of the reasons why invasion of personal privacy is wrong. It will consider how digital technology enables sophisticated profiling to be achieved and look at some of the reasons that lay behind the construction of such profiling, and how consequentially it may be possible to manipulate human behaviour via the use of such profiling. A particular focus will be on behavioural advertising, and how Europe is currently addressing this issue from a legal perspective.

Furthermore, whilst much is made of the benefits that can accrue to humanity from the development and use of the new technologies, it should also be recognised that these technologies can in some instances be used in a manner which intrudes upon an individual's privacy and may therefore be detrimental. The paper will therefore also look to highlight and provide a range of examples, some merely at present hypothetical, where privacy may be compromised, and as such it will be argued we need to look to provide appropriate and effective protection against such present and future risks.