

3.2 Ownership and Value



Many link ownership with the right to extract value from data. But traditional notions of ownership don't apply, so new models are sought and tested.

In the discussions, there was a strong desire for clear rules and frameworks to establish who is the rightful owner of what data; the common assumption being that once ownership becomes clear, so do the related rights, benefits, responsibilities, and so on.

In some cases, 'ownership' of data is obvious: for example, data generated by an organisation in its internal processes is 'owned' by that organisation. However, generally speaking, data doesn't 'work' in the same way as traditional tangible forms of private property. Very often it is co-created by two or more parties via transactions, interactions, and communications, thereby creating two or more potential 'owners'. Because data can be used without being 'used up', the same data can potentially be re-used by many parties for many different purposes. Data can also be replicated many times over for close to zero cost, which makes it economically limiting, or simply very difficult to enforce traditional proprietary restrictions on the uses of data.

“Data is not created by an individual, it's a joint effort; but it's not realistic to think that ownership is the proper debate to be having. There are multiple owners of data: think of bank transactions...Ownership is an inaccurate term; it's too loose to frame the question.”

Bangalore workshop

Rights and Responsibilities

These complexities are driving the search for alternative ways of framing the debate by, for example, focusing on questions of rights of access and use, and on custodianship rather than 'ownership' per se. The workshops identified and distinguished the role of multiple actors in the supply of data: originators, custodians, processors, and users. A great deal of the discussion focused on defining the rights, responsibilities, obligations, and opportunities for each of these roles. The issues and dilemmas are particularly acute when discussing personal data, where, aside from complexities arising from data co-creation, issues of human rights often overlap and/or clash with narrow, legal notions of private property. This debate is also becoming increasingly important with the Internet of Things, where multiple parties, such as device manufacturers, device users, and devices themselves, all play a part in generating data.

Distributing Value

Many of the liveliest debates in several workshops concerned the distribution of value among these actors. Separating the 'ownership' and use of data by other parties was a recurring theme.

As a result, the emerging concept of data custodians was discussed at some length. It was suggested that 'data custodians' could have twin roles for which they would be rewarded: keeping data stores and sources secure (similar to a safe deposit box in a bank vault); and access and pricing control (similar to a literary agent). Some argued that the originator and custodian should essentially be the same actor, where all the data is both controlled and owned by the originator; others felt that the role is better suited to that of an intermediary or independent platform.

Managing Value

Although data manager business models are still emerging, the idea that some of us will gradually be willing to pay for our personal data to be looked after, shared against agreed preferences, and where appropriate, monetised, was often discussed. Whether there is a standard approach or whether there are different platforms with varied models for different sectors, cultures, and types of data, are as yet open questions. Many believed that if our personal data is worth something, then we should be able to see this, benefit from this, control it more effectively - and so also choose who else can access and gain from it.

“The value of data is very regional, and is largely focused on who benefits from it as much as who owns it.”

San Francisco workshop

Several best practices for operating approaches and processes for data owners and custodians were also introduced into the discussions. These focused on areas such as payment for access to the data, and how ownership rights are transferred among the various stakeholders. Each of these models is different to those of today, where most of this activity is done by the processor.

Problems and Dilemmas:

- Is 'ownership' a useful/practical concept when it comes to certain types of data such as personal data?
- If not, what alternative concepts can we use to replace it?
- What other ways can we use to allocate rights, benefits, and responsibilities relating to data across stakeholders, including governments, technology companies, multinational corporations and individuals?
- In what circumstances does 'ownership' remain a valid notion?

What We Heard

In Frankfurt, the view was that in order to understand the value of our personal data, there must be a *"shift from a world where we have unclear views on data, lots of confusion, panic, and uncertainty, and no real alternative options for what to do with our data than what is provided by a few tech giants, towards a world with universal clarity of data value, ownership, and rights."*

Distributing Value

Type "who owns your data" into Google and you'll get dozens of interesting papers and articles – all with different opinions. But does it really matter? Many in our workshops thought not, and agreed with this perspective from Bangalore; *"data is not created by an individual, it's a joint effort; but it's not realistic to think that ownership is the proper debate to be having. There are multiple owners of data: think of bank transactions. Individuals interact with banks, creating at least a two-way process. Ownership is an inaccurate term; it's too loose to frame the question."* One way that this could be addressed is that individuals retain full ownership of their personal data in machine-readable format, but outsource its management and distribution to professional custodians, curators, or data brokers.

Managing Value

One way to manage the value of data is through personal data stores. These could allow individuals greater transparency on just how their data is being used. Essentially, this is a *“central repository for personal data, where individuals can access and control the access of others to their data.”*⁵ The creation of a new profession, privacy agents or data brokers, was also explored. In London, they were compared to the role played by asset managers, where *“in the main, we trust others to do it on our behalf – and can choose how (e.g. active, passive, ethical). The same may emerge in this space by trusted third parties (TTP), making it easy for the customer.”*

Participants in our Kenya workshop built on the idea. In Nairobi, it was suggested that if there were a central repository for data, *“...allowing business and government to access personal information, but individuals to maintain control of their data and benefit from it,”* then *“... there will be wider access to information, without jeopardising personal privacy.”*

Ownership to Custodian

There was general agreement that we will have to move on from ‘ownership’ to ‘custodianship’ within a decade. In Bogota, the suggestion was, although *“those who own data will continue to exploit its value...more data will be used for public benefit.”* In Washington DC, they suggested that it would lead to *“better use of data from larger and more aggregated data sets”* that can have greater impact. Finally, in Sydney, it was suggested that we may well see more collaborative use with *“data being used to optimise social good – “data commons for social good,” for example, focused on fewer car accidents, less teenage suicide, the ability to crowdsource health solutions, enhanced social belonging, more inclusive/less isolation and marginalisation – so data can make life better.”*

This means there is a need for greater transparency, more information, better action, and a more widely shared informed view on data ownership and its implications. In a culture where everyone starts with trust as a default, the Danish view was that *“we can move on to community ownership of data – via cooperatives within society – that then provide the trusted platforms that can scale into broader ecosystems.”* In San Francisco, a reflection was that *“the value of data is very regional, and is largely focused on who benefits from it, as much as who owns it.”*

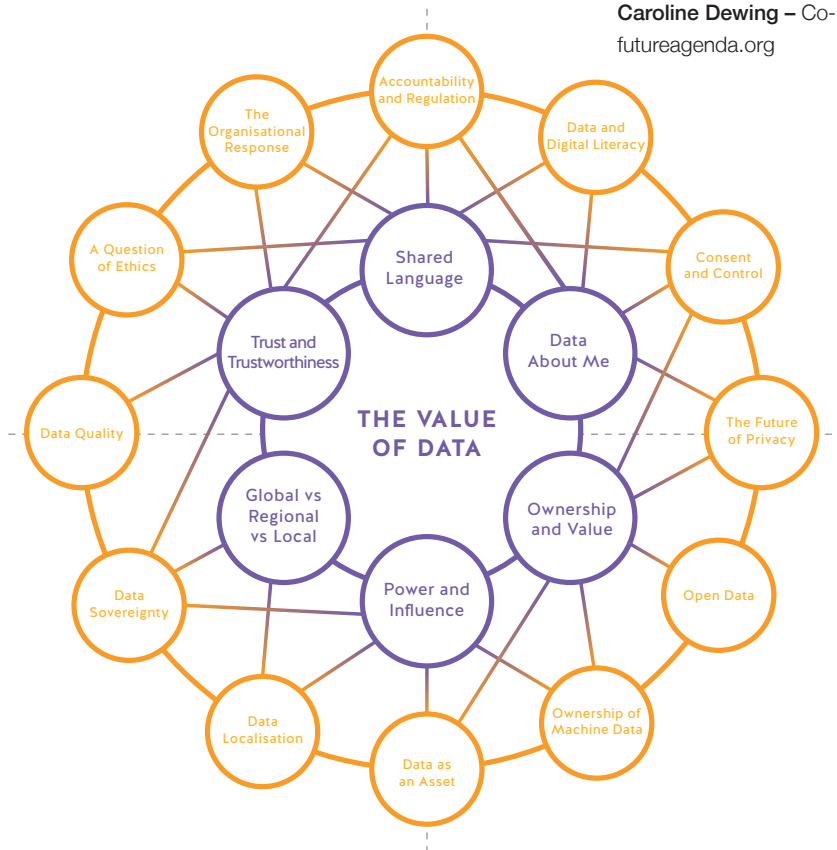
Context

This is one of 18 key insights to emerge from a major global open foresight project exploring the future value of data.

Throughout 2018, Future Agenda canvassed the views of a wide range of 900 experts with different backgrounds and perspectives from around the world, to provide their insights on the future value of data. Supported by Facebook and many other organisations, we held 30 workshops across 24 countries in Africa, Asia, the Americas, and Europe. In them, we reviewed the data landscape across the globe, as it is now, and how experts think it will evolve over the next five to ten years.

The aim of the project was to gain a better understanding of how perspectives and priorities differ across the world, and to use the diverse voices and viewpoints to help governments, organisations, and individuals to better understand what they need to do to realise data's full potential.

From the multiple discussions 6 over-arching themes were identified alongside 12 additional, related future shifts as summarised in the diagram below.



Details of each of these, a full report and additional supporting information can all be found on the dedicated mini-site: www.deliveringvaluethroughdata.org

About Future Agenda

Future Agenda is an open source think tank and advisory firm. It runs a global open foresight programme, helping organisations to identify emerging opportunities, and make more informed decisions. Future Agenda also supports leading organisations, large and small, on strategy, growth and innovation.

Founded in 2010, Future Agenda has pioneered an open foresight approach bringing together senior leaders across business, academia, NFP and government to challenge assumptions about the next ten years, build an informed view and establish robust growth strategies focused on major emerging opportunities. We connect the informed and influential to help drive lasting impact.

For more information please see: www.futureagenda.org

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