The Right to Hide and the Right to Lie? The Dangers of Accuracy and the Limitations on Data Quality

Jiahong Chen, University of Edinburgh

The principle of data quality, in a narrow sense, requires data controllers to keep personal data accurate and up to date. The requirement of data accuracy dominated the principle in the earliest international initiatives on data protection in the 1970s. Since then, however, although the data quality principle has secured its place in all fundamental legal instruments, it appears to have been taken for granted and less significance has been attached to it. Given the remarkable changes of the socio-technical landscape in the last decades, it is therefore worth questioning whether the principle has faced the test of time, or whether more recent developments in the area of big data, in particular the ease with which it is now possible to collect vast quantities of personal data and process them at speed, give rise to new concerns.

This paper will investigate the origins of the data quality principle, and whether the assumptions that led to its adoption remain valid today. As it has become much easier to rectify, erase and keep up-to-date personal data, the question arises if data subjects’ rights and interests may now be affected by an unwarranted high level of data accuracy. If so, it could be argued that the data quality principle in its current form, with its focus on accuracy, can hardly address concerns about, for instance, the potential loss of control by the data subjects in a situation where more accurate data may create, or enhance an existing, information imbalance between them. This paper will explore a fresh approach to the data quality principle, examining whether it would be desirable to impose certain restrictions on the accuracy of personal data.