

**University of Leeds**

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# The balancing act between Innovation and Regulation: Theory and Practice

Subhajit Basu



Available at: <https://works.bepress.com/subhajitbasu/91/>

# The balancing act between Innovation and Regulation: Theory and Practice

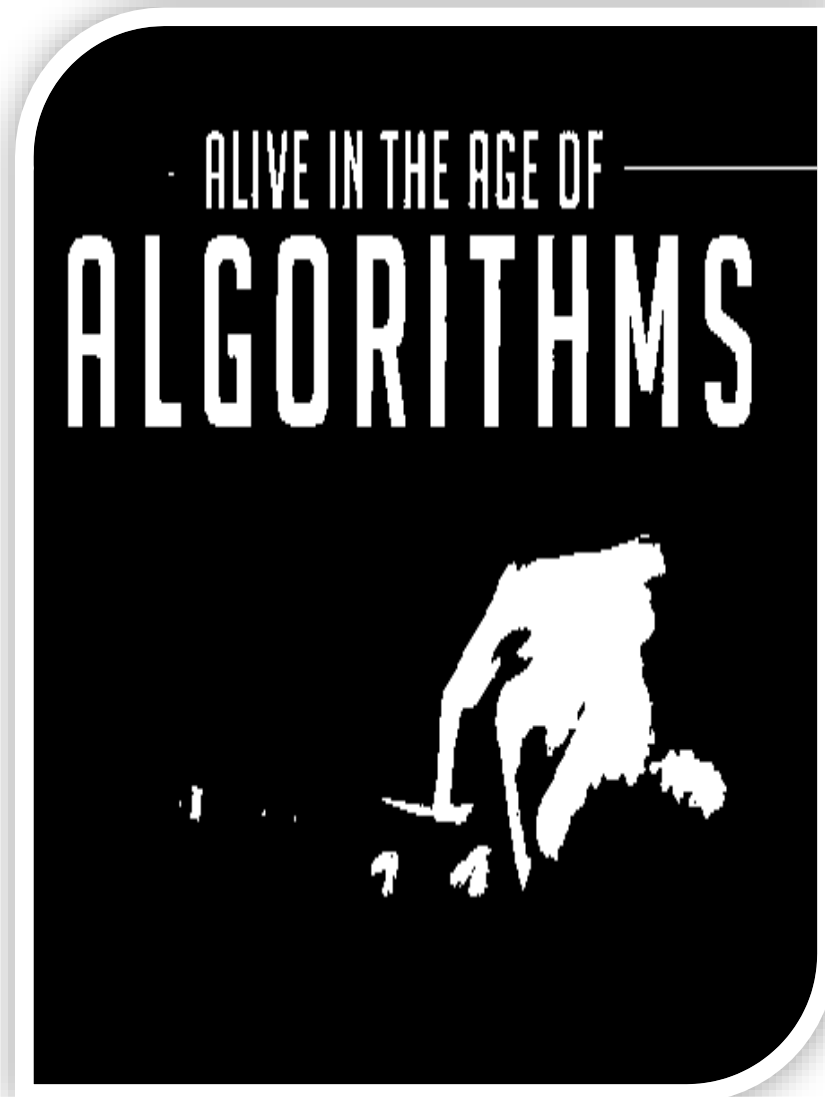
**Subhajit Basu**

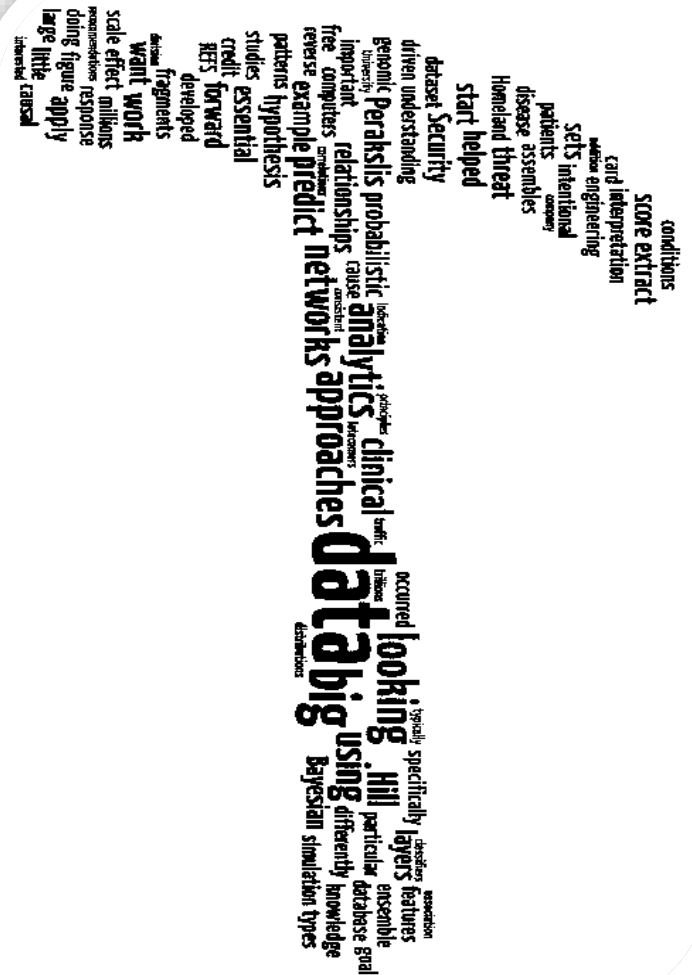
Vice-Chair BILETA

Associate Professor

Email: [s.basu@leeds.ac.uk](mailto:s.basu@leeds.ac.uk)

- **Data-driven Innovation and Building the data Economy**
  - “Big data” is becoming a core asset in the economy, fostering new industries, processes and products and creating significant competitive advantages.
  - Across every field data is the creed; the answer to everything.





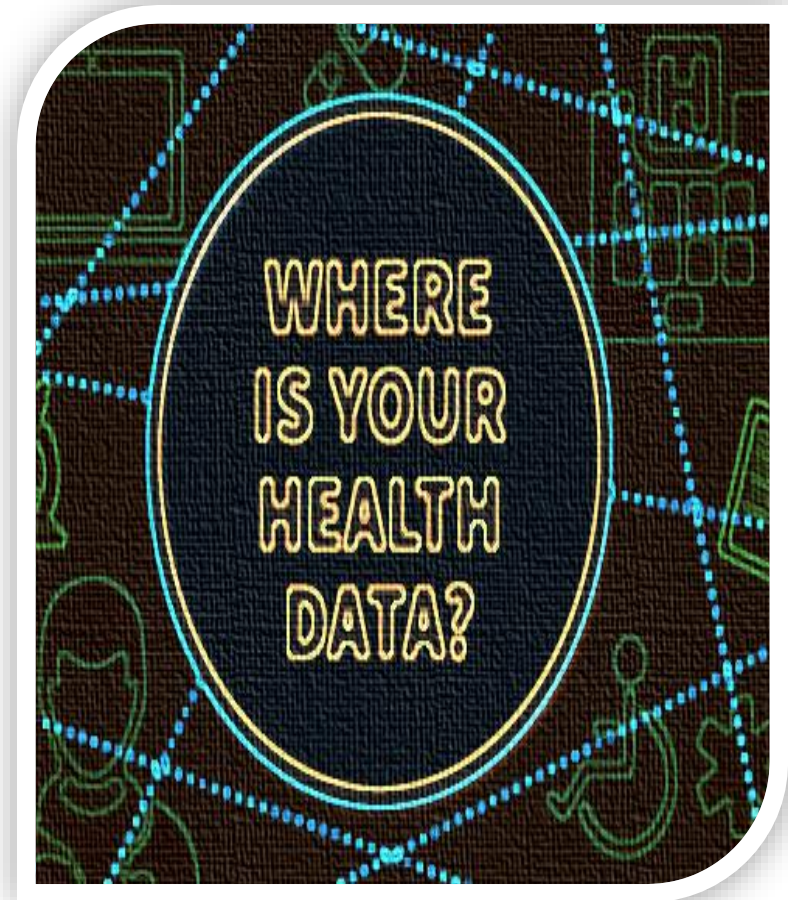
## **Data-driven Innovation: Google DeepMind and Healthcare Data: A Case Study**

- DeepMind has been given access to the healthcare data of up to 1.6 million patients from three hospitals run by a major London NHS trust
- DeepMind will launch “Streams” (an app for identifying acute kidney injury). It will trigger mobile alerts when a patient’s vital signs or blood results are flagged as abnormal.
- NHS has used a loophole around “implied consent”, NHS does not require patient “consent” for direct care.
- UK’s data protection watchdog, the ICO, is investigating complaints about the “Streams” app

- **DeepMind data-driven innovation:**
  - Consent or collect-it-all: did the patients sign up for this?
  - Transparency and fairness?
  - Can Google/DeepMind be trusted?
  - What's in it for Google, for DeepMind?



- What are the most important ethical and legal challenges raised by AI in healthcare?
- Who does (and can) own data anyway, and on what basis?
- How do we ensure the rights of patients, indeed of all individuals, are safeguarded?



- Does current legal framework on data protection takes into account the reality characterised by the development of data-driven innovation in healthcare?
- What is the role that technology can play to ensure that data-driven innovation advances in an optimal way, particularly in the context of the privacy of the healthcare data?

## The (missing?) “balancing act”:

- Do we need new regulatory framework to protect privacy while at the same time advancing medical research and healthcare?
- Do we need new ethical standards for the private sector if they operate in healthcare context?



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- Our aim has been to encourage and empower patients to make informed choices about sharing their health data.
- To provoke new visions for sharing of healthcare data. We framed such discussion through an exploration of the changing concept of 'privacy' and 'patient control' in healthcare information management.

