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## Unveiling the coverage patterns of newspapers on the personal data protection act

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### ABSTRACT

Internet-enabled technology has significantly increased the amount of personal data that are being collected, used, processed and even transferred to third party organizations. To protect the privacy of data owners and the security of these data, the Malaysian government has enforced the Personal Data Protection Act (PDPA) in 2013. Several studies found that Malaysians have low awareness of the PDPA. Prior literature also shows that the framing of news stories by the media has significant influence on public awareness and perception toward a covered topic. In this paper, we investigated how the Malaysian newspapers frame the PDPA news. We extracted a total of 793 news articles between January 1st 2010 and July 31st 2015 from ten local English newspapers. The results show that newspapers in general have not given the PDPA enough attention considering its potential impact on data privacy and security. Nonetheless, newspapers do publish significantly higher number of PDPA articles after the enforcement period compared to before the enforcement period. The newspapers also mostly position the PDPA news in the Technology section. The results also show that more PDPA news originated from foreign sources compared to local sources or the government. Our findings provide insights into the coverage patterns of local newspapers and the insufficient level of prominence given to the PDPA. The findings have implications for both the government and the newspapers as a media.

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### 1. Introduction

The increasingly sophisticated Internet-enabled technology has enabled vast amount of personal data being collected, used, processed, stored, and shared digitally online (Caudill & Murphy, 2000; Conradi & Choenni, 2014; Libaque-Saenz, Chang, Kim, Park, & Rho, 2016). These personal data present valuable business opportunities (Vanian, 2016). For organizations, they will be able to develop better customer profiles to provide tailored products and services that meet customer needs (Liu & Arnett, 2002). For government agencies, they will be able to develop better citizen profiles to ensure higher national security and improve civil services (Janssen & van den Hoven, 2015). The recent big data analytics capabilities and tools further accentuate potential benefits different parties could gauge from having access to large

amount of consumer data (Liu & Arnett, 2002; Libaque-Saenz et al., 2016).

While data accessibility is beneficial, the processes of data collection, storage, and use raise privacy and security concerns. These concerns rise with growing e-commerce and e-government (open government data) activities that increase data flow among different parties and even across different national borders (Dinev & Hart, 2005; Moores, 2005; Zuiderwijk & Janssen, 2014; Janssen & van den Hoven, 2015). To address the concerns, numerous international guidelines as well as country-specific policies exist to govern appropriate data collection and use. Examples of these guidelines are the US Federal Trade Commission's Fair Information Practices Principles (FIPPs), the European Union's Data Protection Directive and General Data Protection Regulation, and the Organization for Economic Cooperation and Development (OECD)'s guidelines on the Protection of Privacy and Transborder Flows of Personal Data. In Malaysia, its government has enforced the Personal Data Protection Act (PDPA, 2010) in 2013 (PDPA, 2010).

The PDPA is enacted under the contention that the consumers (hence the data owners) are entitled to fair treatment in the way their personal information is collected, stored, and used. The guidelines limit data collection and impose accountability on data collectors, thus controlling the use of personal information (Schwaig, Kane, & Storey, 2006; Kassen, 2013). As the data owners, the consumers should be

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aware of the Act in order to exercise their rights. However, studies indicate that Malaysians' awareness on the Act remains poor. For example, Raus, Tah, and Yahya (2014) discover that only 31% of their respondents were aware of the PDPA.

In addition, the public also lack understanding of privacy issues in general. Hashim, Rashid, and Yusof (2013) reveal that Malaysian youth's awareness on privacy issues is still at the infancy level which makes them vulnerable to incidents of identity theft. Similarly, Siegel (2012) found that consumers do not understand how their information are collected and shared with others and how to protect and control their own data. The low level of awareness and interest in privacy related issues is a contributor to the lack of understanding of privacy guidelines in general and the PDPA in particular. A possible solution to this problem is to level the importance of privacy policies and to educate the public on how to control and manage their privacy online (Yanovitzky, 2002).

Prior literature shows that mass media plays an important role to foster the development of and influence public awareness and belief toward an issue (Cohen, 1963; Happer & Philo, 2013; Yanovitzky, 2002). For example, lead stories, headlines and front page news items tend to have stronger influence on the public's perception on what is important compared to less-emphasized news items (Iyengar & Simon, 1993; McCombs & Shaw, 1972). Also, through repeated exposure, the public becomes more informed of a frequently covered topic compared to a rarely covered topic (Curran, Iyengar, Lund, & Salovaara-Moring, 2009; McCombs & Shaw, 1972). Therefore, the media is the primary custodian of information on a topic and plays an important role in disseminating information to the public (Happer & Philo, 2013). Newspapers can play a critical role in creating awareness and educating the public on government policies (Leighley, 2003; Yanovitzky, 2002) such as the PDPA. In fact, many countries still use the mass media as the trustable source to deliver messages on new regulations and policy guidelines to the people. Despite the crucial role of a newspaper in creating awareness on the PDPA, a critical assessment of how newspapers frame the PDPA news has not been undertaken in the literature. Therefore, the objective of our study is to address this research gap and investigate how PDPA news is disseminated. Our study is guided by the literature on the Theory of Framing.

Another motivation of our research is the lack of similar study among the information privacy literature. The existing literature focuses mostly on individual and organization privacy issues (Smith, Dinev, & Xu, 2011; Bélanger & Crossler, 2011) such as how privacy policies influence individual's privacy concern, data control, information risk, privacy status and attitude. These studies are also empirical, survey-based research to develop theories on people's behavior. As the importance of information privacy and protection permeates every part of the society and its enforcement is effective when implemented top-down, it is valuable to extend the research to the national and societal level. Our study focuses on how newspapers in a country carry their role in disseminating information on government's privacy guidelines.

## 2. Literature review

### 2.1. Personal Data Protection Act 2010

In April 2010, the Malaysian Parliament passed the Personal Data Protection Bill. In November 2013, it enforced the personal data protection law via the Personal Data Protection Act 2010 (PDPA, 2010). The PDPA applies to any person who (1) processes and has control over or authorizes the processing of any personal data for commercial transactions, (2) uses equipment in Malaysia to process personal data other than for the purposes of transit through Malaysia. It requires data users (e.g., a person or a company that processes or controls any personal data) to notify the data subjects (e.g., individuals who is the subject of the personal data) on the purpose of personal data processing and obtain their consent with regards to the purpose.

The PDPA has six core principles. First, the Notice and Choice Principle states that data users shall be providing timely and adequate notice on detailed description of data collected, the data subjects' rights to the data and how to contact the data users with any inquiries and complaints in respect of the personal data. Second, the Disclosure principle establishes that no personal data shall, without the consent of the data subject be disclosed. Third, the Security principle states that a data user shall take practical steps when processing personal data to protect these data from any loss, misuse, modification, unauthorized or accidental access. Forth, the Retention principle declares that the personal data processed for any purpose shall not be kept longer than is necessary for the fulfilment of that purpose. Fifth, the Data Integrity principle sets forth that the data users shall take reasonable steps to ensure that any data collected is accurate, complete, not misleading and kept up-to-date. Sixth, the Access principle establishes that a data subject shall be given access to his/her personal data held by a data user and be able to correct that personal data where the personal data is inaccurate, incomplete, misleading or not up-to-date.

The PDPA authorizes a category of sensitive personal data that requires the explicit consent of the data subjects to be processed. The law further establishes the rights of data subjects such as the right of access to personal data, right to correct personal data, right to withdraw of consent to process personal data, right to prevent processing that is likely to cause damage or distress, and right to prevent processing for purposes of direct marketing. In case of violation, the PDPA imposes criminal penalties. If an organization breaches the PDPA, individuals within the management of the business may be jointly and severally liable for non-compliance.

### 2.2. Media's role in disseminating policy information

The development media theory seeks to explain the normative behavior of the media in countries that are classified as "developing countries" or "third world countries". One of the fundamental principles of the theory is that "the media must accept and conduct positive development tasks in line with national established policy" (McQuail, 1994) "without prejudice to their traditional functions of (disseminating) information, education and entertainment" (Folarin, 1998). Since Malaysia is a developing country, the local media, should play an active role in delivering news on government policies, such as that of the PDPA. Also, since Putrajaya represents the Malaysian government offices, rationally, it should be regarded as the most credible and genuine source of policy news. Previous literature has found a correlation between the impact of media on policy and the source of the news. Reliable and respected news sources have more impact compared to those marginal and questionable news sources (Bartels, 1996).

Though by no means media is the only source of policy agenda, existing work indicates that the media can play an important role. Previous studies (e.g., Baumgartner & Jones, 1993; Flickinger, 1983; Kingdon, 1984; Mayer, 1991; Pritchard, 1986) point out that while the media may not decide the nature of policy change, it can certainly drive attention toward certain policy domains. In investigating the role of media in drawing public attention on particular issues, McCombs and Shaw (1972) found that the media can effectively underscore public agenda by constantly and remarkably featuring certain issues in their news coverage.

In spite of its importance, there are issues related to the media's role in influencing the policy process. Examples of these issues are biases in the coverage, the use of active conflict frames to increase the readers' interest, the lack of sufficient contexts provided for the readers to understand contentious policy options, and the reporters lacking of technical proficiency in the matters written. All these issues may affect how policies are being conveyed to the public (Entman, 2004; Farnsworth & Lichter, 2006, 2011; Larson, 2001; Boykoff, 2005; Mooney, 2004; Iyengar & Kinder, 1987).

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