Legal and Regulatory Defensibility

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Discussion

Legal and regulatory defensibility concerns the ability to support an outcome, decision, interpretation, or system behavior during authorized legal, regulatory, supervisory, administrative, or audit examination.

In regulated data interpretation environments, defensibility depends on more than the existence of a result. The organization needs sufficient evidence to explain:

- What information entered the system
- What the system observed or extracted
- Which semantic definitions applied
- Which rules, parameters, and versions governed the processing
- Which components or actors performed relevant actions
- How the system produced the result
- Which authority governed the interpretation or assessment
- How the organization preserved the evidence and processing history

Legal and regulatory defensibility depends on architectural qualities such as:

- Traceability
- Auditability
- Reproducibility
- Evidentiary continuity
- Provenance
- Version control
- Explicit interpretive authority

The architecture supports defensibility by preserving the evidence, context, reasoning, and governance relationships necessary for authorized review. It does not determine whether a court, regulator, supervisory authority, or other decision-maker accepts a particular result.

Definition

quality of a system, process, interpretation, or result that permits its evidence, reasoning, authority, and outcome to withstand authorized legal, regulatory, supervisory, or administrative examination

Source

- Federated Data Interpretation Systems Reference Architecture (FDIS-RA)

- ISO 19011, Guidelines for auditing management systems
- ISO/IEC 27001, Information security management systems

Note

Legal and regulatory defensibility does not mean legal validity, regulatory approval, or guaranteed acceptance by an authorized decision-maker.

The architecture provides evidence and explanatory support for examination. Appropriate legal, regulatory, supervisory, judicial, or administrative authorities determine the legal or regulatory effect of the result.

Legal and regulatory defensibility differs from auditability. Auditability concerns the ability to inspect and reconstruct activity. Defensibility concerns whether the resulting evidence, reasoning, authority, and outcome provide a supportable basis during authorized examination or challenge.

Example

An interpretation is legally and regulatorily defensible when an authorized reviewer can identify the source evidence, applicable definitions, rule versions, parameters, processing history, interpretive authority, and rationale supporting the result.
