



Country or jurisdiction report

UNITED KINGDOM

Website: www.ico.gov.uk

The surveillance society

The ICO hosted the 28th International Conference of Data Protection and Privacy Commissioners in November 2006. The theme was the “surveillance society”, on which a special report was presented by the Surveillance Studies Network. Much of the ICO’s work during the subsequent year has related to aspects of the surveillance society and ways in which the dangers of excessive data collection might be addressed. Extensive debate has continued in the media on this topic and the Commissioner and his staff have given evidence before two parliamentary select committees that have been formed to discuss surveillance issues.

At the home affairs select committee the Commissioner argued for a more widespread implementation of Privacy Impact Assessments (PIAs). PIAs are a widely-used tool in other parts of the world, and the ICO hopes to learn from examples of good practice to design a methodology for use in the UK. The ICO has commissioned a team, led by Loughborough University, to produce research into PIAs, including a user-friendly handbook to put them into practice. The report and handbook will be launched at a conference in December on “The surveillance society: Turning debate into action”.

What price privacy now?

In December 2006 the ICO published “What Price Privacy Now?”, which outlined the reactions from the media, security industry, financial bodies and government to the previous report on the unlawful trade in personal information. Many organisations had taken steps to raise awareness and tighten security, and the government had begun consulting on the Commissioner’s call for a maximum two-year jail sentence for those found guilty of illegally obtaining or disclosing personal data. Responses to the consultation were generally in favour of increased penalties, and clause 75 of the new Criminal Justice and Immigration Bill will introduce the possibility of two years’ imprisonment on indictment and six months’ imprisonment on summary conviction for offences under section 55 of the Data Protection Act.

Codes of practice

In August the ICO launched a consultation on its new draft CCTV Code of Practice, which sets out good practice advice for those involved in operating CCTV cameras. Since the publication of the first Code in 2000, there have been significant practical and legal developments in the use of CCTV. Consultation with practitioners has shown that while much of the original code is still of relevance it would benefit from updating. The draft code aims to ensure that people's privacy is maintained despite the increasing use of surveillance technologies to monitor individuals.

The ICO will also soon complete its Framework Code of Practice on Information Sharing. This has been produced partly in response to the "transformational government" agenda: the transformation of government services through the use of technology. However, the ICO also receives a large number of queries from local authorities, police and other public bodies about information sharing. Using the Framework Code will help organisations to ensure that they address all the main data protection compliance issues that are likely to arise when personal information is being shared. The Code focuses especially on the need for transparency, better subject access to shared information, and the importance of data standards and security.

Security

At the launch of the ICO's annual report the Commissioner highlighted the serious lapses in security that had occurred in both the public and private sector over the past year. Personal information had been lost by banks, retailers, government departments, public bodies and other organisations. The ICO secured formal undertakings from 11 banks and building societies that were found to have discarded personal information in waste bins outside their premises.

Data protection strategy

The ICO launched a consultation on its new data protection strategy at the Privacy Laws & Business 20th annual conference in Cambridge on 2nd July. The strategy sets out how the ICO plans to maximise its long term effectiveness in bringing about good practice. It explains that the ICO will focus its data protection resources in situations where there is the greatest risk of harm through improper use of personal information, either to individuals or to society as a whole. The ICO will also work to influence government and the legislature at Westminster and in the devolved administrations so that minimising any risk to personal information is embedded as an aim from the earliest stages of policy development.

London initiative

At November's international conference the so-called "London initiative" was put forward jointly by the Commission Nationale de l'Informatique et des Libertés, the Information Commissioner's Office and the European Data Protection Supervisor. The project aims to produce concrete measures to communicate data protection better and make it more effective. It has taken the form of a series of workshops, each focusing on a different aspect of the overall theme. The UK will be hosting the next workshop on "Strategy for DPAs" in November 2007.