Who watches the watchers?

Joanna Cavan, Head of the Interception of Communications Commissioner’s Office (IOCCO) explains how the body works and what its objectives are.

IOCCO is responsible for overseeing the intelligence agencies’ and police forces’ use of interception and communications data powers under the Regulation of Investigatory Powers Act (RIPA) on behalf of the Interception of Communications Commissioner. The office is independent of Government and Parliament, and it conducts independent audits of public authorities’ use of powers to intercept the content of communications (what was said or written) and the acquisition of communications data (the ‘who’, ‘when’ and ‘where’ of a communication). This material or data is used by public authorities predominantly to prevent and detect crime, in the interests of national security, or to save life in an emergency. It can reveal suspects’ movements and tie

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Lessons to be learned from the ICO’s Undertaking by Google

The Google Undertaking is a reminder for companies to review their privacy policies. Clara Westbrook explains the Undertaking.

On 30 January 2015, the Information Commissioner’s Office (ICO) announced that Google had agreed an undertaking to make changes to its privacy policy. This news comes following several years of dialogue and negotiation between Google and the ICO. Google has been fined substantially by both France’s and

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Purpose limitation under challenge in EU negotiations

The latest from the EU DP Regulation negotiations is that European DPAs point out that changes now planned on purpose limitation in the draft Regulation are illegal – an example of how far the Council of Ministers has moved from the high-level principles represented by the European Commission's original January 2012 version (see p. 8). However, UK Deputy Information Commissioner, David Smith, said at the ICO’s Manchester conference at the beginning of March that the Regulation is definitely on its way and organisations should prepare now (p.17). Certainly, some areas such as marketing are likely to see big changes and marketers should start preparing now for the stricter consent requirements (p.10). This is particularly important in light of the ICO’s recent survey which shows that 85% of UK consumers are concerned about how their personal details are passed on or sold to other organisations.

The ICO is strengthening private sector enforcement in terms of nuisance calls which it plans to fight with vigour given the new lower threshold for prosecution (p.17). Google’s Undertaking, agreed instead of an Enforcement Notice, serves as a reminder for other organisations to ensure that their privacy policies are up to scratch (p.1). Also, considering that the last five monetary penalties issued by the ICO were for the private sector, companies should not be comforted by a false sense of security. In addition, since 10 March, enforced subject access is now a criminal offence – important for all employers (p.18). Read on p.16 about other privacy related achievements of the coalition government.

Parliament's Intelligence and Security Committee published its report earlier this month stating that it is satisfied that the UK’s intelligence and security services agencies do not seek to circumvent the law, including the requirements of the Human Rights Act. However, they have serious concerns about the lack of transparency. * PL&B is pleased to publish two articles from regulators in this issue. The Head of the Interception of Communications Commissioner’s Office explains on p.1 what the body does to monitor the intelligence and security services, and the Scottish Information Commissioner writes on p. 19 about her views on ten years of the FOIA in Scotland.

Laura Linkomies, Editor
PRIVACY LAWS & BUSINESS


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