

Editorial

**Bridget Treacy
considers privacy
beyond the lazy,
hazy days of
summer, for
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Interest in privacy related issues has been fed by the mainstream media over the summer, with a succession of stories highlighting privacy issues. There seems to have been none of the usual summer slowdown in news, if anything, interest seems to be increasing. Ask any Data Protection Officer and they are likely to tell you that they are busier than ever. Headhunters abound in the area, and the number of privacy vacancies is increasing rather than contracting.

The stories have been varied, and provide an intriguing snapshot of our attitudes towards privacy and data protection. There has been the usual stream of data breaches, notably HSBC's eye-watering £3 million fine from the FSA for an unfortunate series of incidents, including the downloading of data onto unencrypted portable storage devices that then went astray.

Elsewhere in Europe, there has been continued grumbling about Google's Street View, with the Swiss Data Protection Authority expressing reservations about the number of unmasked faces and car number plates apparently visible on the site, and the Germans have passed a new data breach law.

In the UK, a somewhat damning study released by the Metropolitan Police suggests that the proliferation of CCTV cameras does not really assist the fight against crime. The report indicates that, despite 4 million CCTV cameras in the UK, fewer than one crime is solved for every 1,000 cameras. The ongoing debate concerning the merits and perils of behavioural advertising has continued with the Office of Fair Trading announcing that it will consider the use of personal information in the targeting of advertisements.

In recent weeks, privacy and human rights campaigners have expressed outrage at the UK government's proposal to suspend internet access for illegal file sharing, a step that would require ISPs to disclose the identity of individual account holders. Perhaps most intriguing of all is a case involving a blogger who sought an injunction to prevent his identity being revealed, arguing that he had a right to privacy, even whilst carrying out this most public of activities.

The kaleidoscope of privacy issues featured by the media over the summer illustrates the complexity of the challenges facing the law-makers and regulators who seek to safeguard our privacy values. Some individuals seek to control the amount

of information they make available, others are happy to expose the mundane minutiae of their everyday lives to the world. The key point is that people expect to have a choice as to whether, and if so how much of, their personal information is made available to others.

Safeguarding this choice is the underlying theme of much of our privacy and data protection law. It is also the reason that privacy and data protection issues are increasingly key strategic issues for organisations, whether public, private, or not-for-profit. Whatever our privacy preferences, we expect to have a choice, and we expect the organisations that process our data to respect those choices.

To respect choices, organisations must first take stock of their data assets. It may seem overly simplistic, but many organisations still have very little idea of what personal data they actually hold, let alone, why, how or where, it is processed.

Data protection compliance requirements are generally perceived as overly bureaucratic. Often this criticism is justified. Yet at the core of every organisation is the information it holds about its customers, volunteers, and constituents. Peoples' expectations that their data will be safeguarded, and that their data choices will be respected, are growing. The media stories we have browsed over the summer underscore this theme.

So, as we return refreshed after the summer break, what privacy issues are organisations likely to focus on? For many, it is a return to the basics, and the need to obtain a real understanding of what personal data the organisation is actually processing, how, why, and where. Some businesses are adopting a "back to basics" approach as they seek to validate existing privacy programmes in the context of a push towards BCRs. For others, these basic processing issues are revisited in the context of assessing or implementing new technologies.

As we head into the autumn conference season, it is clear that data protection and privacy are likely to remain newsworthy issues for some time. I look forward to seeing you at the 8th Annual Data Protection Compliance Conference in London on 8th and 9th of October.

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