

Notes from the speeches made to delegates of the DPOC, 4 March

Data Protection Officer's conference

4 March 2009

Michael Wills presentation



The Right Honourable Michael Willis, MP Minister of State, Ministry of Justice.

The Minister thanked David Smith for the invitation to speak at the conference and commenced his speech to conference by paying tribute to Richard Thomas (and everyone on his team [the ICO]) who he described as “holding Parliament to account” – and “doing it with great distinction”.

The Minister agreed that the subjects being discussed today are important to society. He talked about technology driving change, with every day bringing radical new developments in information technology that brought with it both opportunities and threats.

The Minister stressed people are “greatly worried about the scale of change” and highlighted this quoting from a report published by the Convention on Modern Liberty¹ which he thought best demonstrated how worried people can be:

“Children are being groomed for a life in the database state”

This was a reference to ContactPoint, a database set up by Government to look after vulnerable children. The Minister thought it was disproportionate to use what he described as “paedophilic language” to describe a database he described as having been designed to protect children.

The Minister talked about the benefits for greater data sharing but recognised the worry of an incursion on privacy.

The Minister accepted that public confidence was not what it should be. High profile data losses and data breaches had been a profound shock to Government. He went on to state that such losses and breaches were “unacceptable” and that it was clear that the maintenance of databases was not being taken seriously enough. He stressed this point stating databases should be afforded the same safeguards we apply to looking after our money.

The Minister told conference there had been a “significant shift of culture” at the Ministry of Justice with data security being taken very seriously to the extent the all breaches in the Department are brought to his personal attention. He went on to state that breaches were now more from private contractors than civil servants/ministers.

The Minister again stressed technology was changing all the time and that everyone must keep vigilant. He stated that the data loss of 25 million records by HRMC was a profound shock to Government adding “when people see Government being careless with data they lose confidence in Government itself”. The Government needs

¹ The Abolition of Freedom Act 2009 (Convention on Modern Liberty)

peoples' trust to use their personal data for the services and functions that the government needs to do for people.

The Minister talked about the Coroners and Justice Bill and stated Government would listen to concerns and make changes.

The Minister used an example of free school meals to highlight the benefits of data sharing – every local authority has the data that would enable children to get their free school meal entitlement – Government can deliver if they can use the data effectively and people trust Government.

The Minister again stressed the need for a cultural change and wrapped up by stating “Government was determined to learn, keep learning and improve”.

The floor was opened up for questions.

A delegate protesting against Phorm asked the Minister about information sharing by BT in 2006/07.

The Minister responded stating this was a matter for the ICO but went on to state he was personally informed about this issue. He said that people really care and that we (Government) certainly care about it. He stated the DPA is viable and fit as a legislative framework however if further legislation is required we will have no hesitation in legislating.

The Minister was asked to about Government/Civil Service training initiatives in light of “disastrous articles in the press”.

The Minister responded referring to a continuing program of cultural change stating “We have learnt the lessons of HRMC – we became aware of what was going on, now we are aware. It is now the remit of Senior Civil Servants (Permanent Secretaries) to monitor information security and they are making real progress.

The Minister was asked to comment on an article in the Financial Times that highlighted the different views of various departments as to how they would handle information security situations.

The Minister responded stating there are different approaches because they all have different cultures. Information security is a top priority for all civil servants – We can still do better and should never be complacent.

Nick Tyler from Astra Zeneca asked the question why Jack Straw had not signed up to the ICO's Information Promise – The Minister responded stating this was “under discussion with the Information Commissioner” – and he went on to say “the Government know how important this is and if they don't get it right they are toast”.

A final question was asked by a delegate from a Housing Provider who asked when would we have the outcome on the Consultation of the Review on Freedom of Information. The Minister advised the consultation was complete however they were “pretty close to an announcement” and he did not wish to pre-empt that announcement at this forum.