

Private Data, Open Government: Questions of Information

13 May 2009

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information

Private Data, Open Government

Making a Difference

Richard Thomas

Information Commissioner

13 May 2009

Questions of information

- Stock-take
- Impact of data protection and freedom of information
- Achievements and unfinished business
- Contribution to democratic renewal, political engagement and citizen/state relationships
- Stimulate policy debate
- Explore consensus

Challenges facing the Information Commissioner

“The Commissioner is charged with promoting two principles that are novel, controversial and threatening. They will assume concrete shape in predictable and many unexpected ways. This task must be accomplished across both public and private sectors, in conformity with a complex web of duties and powers, with limited resources, in dialogue with powerful forces and against a fast-changing backdrop.”

“Two principles that are novel, controversial and threatening”

- **Freedom of information**
Achieving the accountability and other benefits of official transparency
- *(Overcoming the fears of a reluctant public sector)*
- **Data Protection**
Avoiding the risks of data abuse
- *(Data protection is not ‘nerdy’ and it matters)*

“....a complex web of duties and powers....”

- Teacher, Ombudsman, Policeman
- Strategic approach – ‘*selective to be effective*’
- Targeted education and influence
- Pragmatic and sound complaint-handling
- Carrots and sticks enforcement
- Changing cultures - emphasis on persuasion, incentive and self-interest

“....in dialogue with powerful forces....”

- ID Cards
- Iraq – Legal advice; weapons of mass destruction draft dossier; Cabinet minutes
- What Price Privacy?
- A Surveillance Society? Communications database?
- MPs’ expenses and allowances

“....against a fast-changing backdrop....”

- IT – more pervasive, more powerful, more portable, cheaper, longer-lasting
- Reality of globalisation
- ‘Big Bang’ freedom of information
- ICO changes: strategies, plans, structures, regions, technology, people, communications

“.....will assume concrete shape in and many predictable and unexpected ways...”

- Soham
- Police retention of information
- Children's Database
- Electronic health records
- Facebook and StreetView
- Phorm and behavioural advertising
- Secret construction industry database
- HMRC and 515 other data breaches

**“.....will assume concrete shape in
and many predictable and
unexpected ways...”**

- Planning disputes; speed cameras and parking
- Arms sales to Middle East; Sakhalin gas field
- 1911 census; 1982 Belgrano; 1997 Budget
- Animal experiments; abortion statistics
- Local government pension investments in hedge funds

“....with limited resources...”

- ½ million freedom of information requests in four years
- 11,500 complaints to ICO
- 1225 decision notices
- 415 appeals to Information Tribunal
- 25,000 data protection cases per annum
- Data protection powers, sanctions and resources

Data protection agenda

- Risks, governance and accountability
- “Too important to be left to the experts”
- Appetite for simplification and clarity
- Liberty / Security balance
- The false comfort of mass data collection
- Less centralisation; less governmental collection
- Privacy by Design / Privacy Impact Assessments
- Reform of EU Directive / International standards

Freedom of information agenda

- Fabric of public life
- Powerful citizen / media appetite and expectations
- Suspicion of secrecy / cover-up
- Transparency and openness as standard political vocabulary
- Overcoming instinctive secrecy, fear of precedent and burdensome requests
- Communicating benefits of more proactive disclosure

ICO Agenda

- Power of information
- Transparency for organisations; privacy for people
- Importance of trust and confidence as drivers of public policy
- Renaissance of civil liberties
- Popularity and awareness of freedom of information and data protection
- Cross-party appeal of freedom of information and data protection
- Continue Making a Difference

Looking ahead (ICO)

ICO Corporate Plan 2009/12

“The new Information Commissioner will inherit a lively, committed and hard-working ICO which is proud to be making a difference.

It is a privilege to lead an ICO that is determined to fulfil this Plan, but which would always like to be doing more.”

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Rt Hon Jack Straw MP

Lord Chancellor and
Secretary of State for Justice

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Rt Hon Michael Wills MP

Justice Minister

Dominic Grieve MP

Shadow Justice Secretary

Rt Hon Sir Alan Beith MP

Chair of the Justice Select Committee

Break

Refreshments at the back of the room

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Peter Fleischer

Global Privacy Council,
Google

Matthew Taylor

Chief Executive,
Royal Society of Arts

Shami Chakrabarti

Director,
Liberty

Roger Smith

Director,
Justice

Ian Readhead

Director of Information,
Association of Chief Police
Officers (ACPO)

Richard Thomas

UK Information
Commissioner

Closing remarks

Richard Thomas

UK Information Commissioner

Drinks and canapés

Pickwick Suite

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