



Information Commissioner's Office
Promoting public access to official information
and protecting your personal information

Press Release

Date: 09 May 2008

ICO welcomes new powers to fine organisations for data breaches

The Criminal Justice and Immigration Act has received Royal Assent creating tough new sanctions for the privacy watchdog, the Information Commissioner's Office (ICO). This new legislation gives the ICO the power to impose substantial fines on organisations that deliberately or recklessly commit serious breaches of the Data Protection Act.

David Smith, Deputy Information Commissioner said: "This change in the law sends a very clear signal that data protection must be a priority and that it is completely unacceptable to be cavalier with people's personal information. The prospect of substantial fines for deliberate or reckless breaches of the Data Protection Principles will act as a strong deterrent and help ensure that organisations take their data protection obligations more seriously.

"This new power will enable some of the worst breaches of the Data Protection Act to be punished. By demonstrating that the law is being taken seriously tougher sanctions will help to reassure individuals that data protection matters and give them confidence that organisations have no choice but to handle personal information properly.

"The fact that strengthening the Data Protection Act has cross party support demonstrates the growing consensus on importance of effective data protection."

The Information Commissioner's Office has repeatedly called for more effective sanctions against organisations that fail to live up to their responsibilities under the Data Protection Act. Last year the Information

Commissioner called on UK chief executives to take the security of employees' and customers' personal information more seriously following a number of 'unacceptable' security breaches.

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If you need more information, please contact the Information Commissioner's press office on 020 7025 7580 or visit the website at: www.ico.gov.uk

Notes to Editors

1. The Information Commissioner promotes public access to official information and protects personal information. The ICO is an independent body with specific responsibilities set out in the Data Protection Act 1998, the Freedom of Information Act 2000, Environmental Information Regulations 2004 and Privacy and Electronic Communications Regulations 2003.
2. Last month the Conservatives and Liberal Democrats tabled an amendment to the Criminal Justice and Immigration Bill during its third reading at the House of Lords which called for stronger sanctions for intentionally or recklessly disclosing information. This amendment has been replaced by a subsequent amendment from the Government.
3. Under existing legislation the ICO only has powers to issue an enforcement notice against organisations in breach of the Act.
4. For more information about the Information Commissioner's Office subscribe to our e-newsletter at www.ico.gov.uk
5. Anyone who processes personal information must comply with eight principles, which make sure that personal information is:
 - Fairly and lawfully processed
 - Processed for limited purposes
 - Adequate, relevant and not excessive
 - Accurate and up to date
 - Not kept for longer than is necessary
 - Processed in line with your rights
 - Secure
 - Not transferred to other countries without adequate protection