



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

Press Release

For immediate release

Date: 25 September 2008

Liberal Democrats found in breach of Privacy and Electronic Communications Regulations

The Information Commissioner's Office has taken enforcement action against the Liberal Democrats after finding the party in breach of the Privacy and Electronic Communications Regulations. This follows an investigation by the ICO into the party's use of automated phone calls.

Last week the Liberal Democrats made a substantial number of automated calls featuring a recorded message from Nick Clegg to households across the country. After reviewing the phone script the ICO concluded that the calls were made for the purpose of promoting the Liberal Democrats and therefore constituted direct marketing.

In addition, the ICO has now received a number of complaints from those who received calls without giving their prior consent. The Privacy and Electronic Communication Regulations forbid the use of automated unsolicited direct marketing calls to any individual who has not previously given their consent to receive such calls.

David Smith, Deputy Information Commissioner at the ICO, said: "The ICO has consistently made clear that the promotion of a political party counts as marketing. We have previously issued detailed guidance to all major political parties on this subject. Many people find unsolicited automated calls particularly intrusive and annoying so it is important that any organisation making such calls ensures that individuals have given their consent before they are targeted."

The ICO has today issued the Liberal Democrats with an [Enforcement Notice](#) - a legal order to stop the activity within 30 days. Breach of an Enforcement Notice is a criminal offence and could lead to prosecution. The Party has a right to appeal within 28 days.

The ICO has previously taken enforcement action against the Scottish National Party (SNP) for breaching the Privacy and Electronic Communications Regulations. In 2005 the SNP used automated marketing calls to Scottish households without gaining consent. This action was upheld by the Information Tribunal in May 2006 following an appeal by the SNP.

A full copy of the Enforcement Notice can be downloaded at www.ico.gov.uk

ENDS

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. For more information about the Information Commissioner's Office subscribe to our e-newsletter at www.ico.gov.uk