

FROM: **NO CCTV**  
and **PRIVACY INTERNATIONAL**

Press Release 27<sup>th</sup> September 2011  
Attn: News Desks



**PRIVACY  
INTERNATIONAL**

-- BEGINS --

## **Privacy advocates lambast UK Information Commissioner's Office for conspiracy to bury negative news story**

### **Disturbing revelations on “International Right To Know Day” reveal gross hypocrisy by British information regulator**

The global watchdog organization Privacy International (PI) has strongly criticized the UK Information Commissioner's Office (ICO) over its attempt to use exemptions in the Freedom of Information Act to bury potentially negative news coverage.

PI has today published documentation that establishes a cover up by the ICO over a failure to uphold its responsibility to enforce the Data Protection Act. Privacy International is calling for an Inquiry into the activity and has urged substantial reform of the ICO's operations.

The ICO has responsibility for the operation of both the UK Data Protection Act and the UK Freedom of Information Act.

A request under the Freedom of Information Act by PI and No-CCTV has revealed a conflict of interest in the ICO's mandate and a fundamental failure of process within the Office. The material disclosed reveals that the ICO had conspired to delay the FOIA request and then to engineer submersion of an error of judgment by the Office. Officials had attempted to “bury” the potentially controversial decision.

In June 2011 the ICO threw out a complaint [http://www.no-cctv.org.uk/materials/docs/ICO\\_complaint\\_internet\\_eyes.pdf](http://www.no-cctv.org.uk/materials/docs/ICO_complaint_internet_eyes.pdf) by PI and No-CCTV against a company called "Internet Eyes", which is a subscription site offering a cash bounty to anyone who scans online CCTV images and reports alleged shoplifters. PI and No-CCTV in its complaint had asserted that the company was in breach of data protection and that its commercial service was an outrageous violation of personal privacy but the ICO disagreed, deciding instead to allow the company to proceed subject to signing an undertaking of good behaviour [http://www.ico.gov.uk/what\\_we\\_cover/promoting\\_data\\_privacy/taking\\_action.aspx#undertakings](http://www.ico.gov.uk/what_we_cover/promoting_data_privacy/taking_action.aspx#undertakings)

Such Undertakings are high-level statements of good intent that represent 90 percent of all the enforcement action taken by the ICO. These instruments are not regulated by any formal guidelines. At the time Privacy International described that decision as a mandate for bad information practices and that the response was the equivalent of "requiring the doctor for a prison execution chamber to sign a Health and Safety undertaking".

PI believes that Undertakings have become an easy way out both for the regulator and for transgressors. In many circumstances they are a licence to conditionally continue bad privacy practices and yet are not subject to any formal guidelines or oversight.

The FOIA response that was finally received – though heavily censored – reveals a litany of events that amounts to a constructed attempt to bury media coverage of the decision to allow Internet Eyes to continue operating rather than to close down the business.

Details of the FOIA request and the complaint are contained in a report at:

[http://www.no-cctv.org.uk/blog/internet\\_eyes\\_the\\_information\\_commissioners\\_office\\_and\\_media\\_politics.htm](http://www.no-cctv.org.uk/blog/internet_eyes_the_information_commissioners_office_and_media_politics.htm)

The Director of Privacy International, Simon Davies, commented “We have criticized the Information Commissioner’s Office for many years over its failure to uphold privacy rights in the UK but this episode has cast a more sinister and disturbing light on the activities of the regulator”

“There is need for urgent reform to the way the ICO operates. It is clear that the Office is now incapable of fulfilling its statutory responsibilities and that it has become a danger both to openness and to privacy”.

Privacy International emailed these concerns in detail to the ICO in August 2011 but has received no reply.

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#### **References:**

The ICO press release is at:

[http://www.ico.gov.uk/~media/documents/pressreleases/2011/internet\\_eyes\\_news\\_release\\_20110614.ashx](http://www.ico.gov.uk/~media/documents/pressreleases/2011/internet_eyes_news_release_20110614.ashx)

The Internet Eyes “undertaking” is at:

[http://www.ico.gov.uk/what\\_we\\_cover/promoting\\_data\\_privacy/~media/documents/library/Data\\_Protection/Notices/internet\\_eyes\\_undertaking.ashx](http://www.ico.gov.uk/what_we_cover/promoting_data_privacy/~media/documents/library/Data_Protection/Notices/internet_eyes_undertaking.ashx)

The full text of the No CCTV / Privacy International complaint against Internet Eyes is available at

[http://www.no-cctv.org.uk/materials/docs/ICO\\_complaint\\_internet\\_eyes.pdf](http://www.no-cctv.org.uk/materials/docs/ICO_complaint_internet_eyes.pdf)

and an update at:

[http://www.no-cctv.org.uk/materials/docs/2011\\_Complaint\\_Internet\\_Eyes.pdf](http://www.no-cctv.org.uk/materials/docs/2011_Complaint_Internet_Eyes.pdf)

#### **NOTES TO EDITORS:**

1. No CCTV is a UK group campaigning against the excessive use of surveillance cameras in the UK. Their homepage is at [www.no-cctv.org.uk](http://www.no-cctv.org.uk)

2. For further information contact Charles Farrier at [press@no-cctv.org.uk](mailto:press@no-cctv.org.uk)

3. Privacy International is the oldest surviving privacy advocacy group in the world, and was the first organisation to campaign at an international level on privacy issues. Their homepage is at [www.privacyinternational.org](http://www.privacyinternational.org). All media contact on this issue is to be handled by No CCTV as detailed above.