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FAX

To: GUY BLACK

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No. of Pages: including this page 2

Tel No:

Date: 12/12/03

Re:

CC:

GUY

FOR INFORMATION (IN CASE YOU HAVEN'T SEEN THIS BEFORE)

THIS IS A 1997 CASE UNDER THE 1986 ACT.  
IN FACT THE 'NEW' 1998 ACT GIVES A PUBLIC  
INTEREST DEFENCE TO THE EQUIVALENT OFFENCE.  
(THE ORIGINAL OFFENCE WAS INSPIRED BY NORMAN LAMONT'S  
CREDIT CARD INCIDENT, A LORDS' REVOLT AND DATA PROTECTION  
COMMISSIONER'S OPPORTUNISM (MITIGATED BY GRAHAM SUTTON) IF  
YOU'RE WONDERING WHAT THE 'WIDESPREAD CONCERN' WAS AT  
THE TIME!)

I SEEM TO REMEMBER THAT THE GUARDIAN WAS THE  
ONLY NATIONAL TO COVER THIS COURT CASE.

SEE YOU ON TUESDAY.

Have a good weekend!

Sanjitha

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**THE DATA  
PROTECTION REGISTRAR**  
*Using the law to protect your information*

*file 03*

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## NEWS RELEASE

28th October 1997

### PRIVATE EYE GUILTY OF DECEIVING BT: PRIVACY INVASION AGAINST THE DATA PROTECTION ACT

At Harrow Magistrates' Court on 28th October 1997, Rachel Barry, a former private investigator, was convicted of a total of 12 offences of procuring the disclosure of personal data and of selling the information procured, in contravention of sections 5(6) and 5(7) of the Data Protection Act 1984.

Mrs Barry used deception to obtain information from BT, such as ex-directory numbers and itemised bills, relating to people in whom the media were interested. Her clients included the proprietors of The News Of The World, The People, The Sunday Express and The Mail On Sunday.

She pleaded guilty to all 12 offences. She was fined a total of £600 for the offences of procuring the information and a total of £600 for the offences of selling the information. She was also ordered to pay costs of £800.

The offences were introduced by an amendment to the Data Protection Act which took effect in February 1995, to meet widespread concern about the market in personal information. Commenting on the case the Data Protection Registrar, Elizabeth France, praised the co-operation BT had given her Office: "When the amendment was introduced the concern and the intention of Parliament were clear, but we said then that convictions would only be secured with the co-operation of targeted data users. We are now working with a number of them to make clear that this kind of invasion of personal privacy is unacceptable". She added that in this case she was also particularly grateful for the co-operation of the witnesses who had suffered as a result of these offences.

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