

Our Ref. Z0065/RT/LT

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

Sir Christopher Meyer
Press Complaints Commission
Halton House
20-23 Holborn
London
EC1N 2JD

10th May 2006

Dear Sir Christopher,

What price privacy? The unlawful trade in confidential personal information

Please find enclosed a copy of this report which we have laid before Parliament today. You will recall our discussions in 2004 about the illegal trade in personal information. Our report documents the participation of the media in that trade.

Our report brings to light a flourishing and unlawful trade in confidential information about individuals which can be too easily obtained – without authority – from a wide range of organisations. Typically, information is obtained by making payments to employees who have access to the information or by impersonating the targeted individual or an official elsewhere in the organisation.

These activities already constitute offences under Section 55 of the Data Protection Act 1998, but the report proposes a substantial increase in the penalties. I believe that the introduction of a prison sentence would not only reflect the seriousness of these offences but also act as a significant deterrent.

As you are aware the offence of unlawfully obtaining personal data is one that is from time to time committed by journalists and the report highlights this with reference to the Motorman investigations in sections 5.6 – 5.11. It is my firm view that increasing the penalties for Section 55 should not in any way fetter the press in the lawful pursuit of its stories.

The report makes a number of other recommendations to help to stem the illegal traffic in personal information. You will see (sections 7.17-7.21) that I am recommending that the Press Complaints Commission and the Code of Practice Committee of Editors should take a much stronger line to tackle any involvement by the press in the illegal trade in personal information.



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

You will see that we will be producing a follow-up report in 6 months time. I hope that you will be able to let me have the Press Complaints Commission's response to our recommendations in good time so that we can fully document progress made by all those to whom recommendations have been addressed.

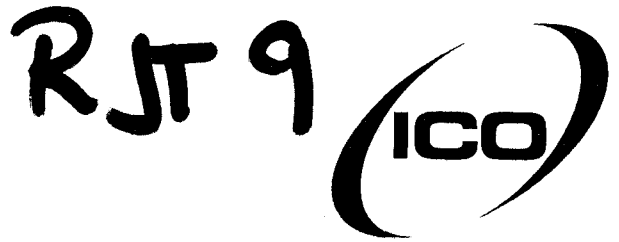
You should also be aware that I will not hesitate pursue the matter if we receive evidence that any of the 305 named journalists identified during the Motorman investigations may be committing further offences after production of this report.

If you or you staff would like to discuss any aspect with my staff, please contact Lee Taylor in the first instance.

We look forward to hearing from you.

yours sincerely 

Richard Thomas
Information Commissioner



Our Ref. Z0065/RT/LT

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

David Newell (Director)
The Newspaper Society
Bloomsberry House
74-77 Great Russell Street
London
WC1B 3DA

10th May 2006

Dear David,

What price privacy? The unlawful trade in confidential personal information

Please find enclosed a copy of this report which we have laid before Parliament today.

Our report brings to light a flourishing and unlawful trade in confidential information about individuals which can be too easily obtained – without authority – from a wide range of organisations. Typically, information is obtained by making payments to employees who have access to the information or by impersonating the targeted individual or an official elsewhere in the organisation.

These activities already constitute offences under Section 55 of the Data Protection Act 1998, but the report proposes a substantial increase in the penalties. I believe that the introduction of a prison sentence would not only reflect the seriousness of these offences but also act as a significant deterrent.

The offence of unlawfully obtaining personal data is one that is from time to time committed by journalists and the report highlights this in sections 5.6 – 5.11. It is my firm view that increasing the penalties for Section 55 should not in any way fetter the press in the lawful pursuit of its stories.

At section 7.29 of the report I call on all relevant regulatory and professional bodies to take a strong line to tackle any involvement in the illegal trade in personal information. As indicated in section 7.31 I am now writing to ask you:

- What steps will you take to publicise this report among your members or those you regulate?




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

- Are you willing to condemn unequivocally the commission of offences under section 55 of the Data Protection Act, and if so how will you do this?
- In six month's time, will you let the Information Commissioner have details of any changes made or in prospect to the relevant disciplinary rules, codes of practice or other instruments (statutory or self-regulatory), with the aim of improving your control or influence over the illegal buying and selling of personal information?

I hope that you will be able to let me have the Newspaper Society's response to the questions above in good time so that we can fully document progress made by all those to whom recommendations have been addressed.

If you would like to discuss any aspect with my staff, please contact Lee Taylor in the first instance.

We look forward to hearing from you.

 Yours sincerely


Richard Thomas
Information Commissioner

RJT 9 (ICO)

Our Ref. Z0065/RT/LT

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

Bob Satchwell (Executive Director)
Society of Editors
University Centre
Granta Place
Mill Lane
Cambridge
CB2 1RU

10th May 2006

Dear Bob,

What price privacy? The unlawful trade in confidential personal information

Please find enclosed a copy of this report which we have laid before Parliament today.

Our report brings to light a flourishing and unlawful trade in confidential information about individuals which can be too easily obtained – without authority – from a wide range of organisations. Typically, information is obtained by making payments to employees who have access to the information or by impersonating the targeted individual or an official elsewhere in the organisation.

These activities already constitute offences under Section 55 of the Data Protection Act 1998, but the report proposes a substantial increase in the penalties. I believe that the introduction of a prison sentence would not only reflect the seriousness of these offences but also act as a significant deterrent.

The offence of unlawfully obtaining personal data is one that is from time to time committed by journalists and the report highlights this in sections 5.6 – 5.11. It is my firm view that increasing the penalties for Section 55 should not in any way fetter the press in the lawful pursuit of its stories.

At section 7.29 of the report I call on all relevant regulatory and professional bodies to take a strong line to tackle any involvement in the illegal trade in personal information. As indicated in section 7.31 I am now writing to ask you:

- What steps will you take to publicise this report among your members or those you regulate?



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

- Are you willing to condemn unequivocally the commission of offences under section 55 of the Data Protection Act, and if so how will you do this?
- In six month's time, will you let the Information Commissioner have details of any changes made or in prospect to the relevant disciplinary rules, codes of practice or other instruments (statutory or self-regulatory), with the aim of improving your control or influence over the illegal buying and selling of personal information?

I hope that you will be able to let me have the Society of Editors' response to the questions above in good time so that we can fully document progress made by all those to whom recommendations have been addressed.

If you would like to discuss any aspect with my staff, please contact Lee Taylor in the first instance.

We look forward to hearing from you.


Yours sincerely


Richard Thomas
Information Commissioner