



HOUSE OF LORDS

Select Committee on the Constitution

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2nd Report of Session 2008–09

# **Surveillance: Citizens and the State**

## **Volume I: Report**

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The Constitution Committee is appointed by the House of Lords in each session with the following terms of reference:

To examine the constitutional implications of all public bills coming before the House; and to keep under review the operation of the constitution.

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NOTE: The Report of the Committee is published in Volume I (HL Paper 18-I)  
The Evidence of the Committee is published in Volume II (HL Paper 18-II)

References in the text of the Report are as follows:

(Q) refers to a question in oral evidence

(p) refers to a page of written evidence

# Surveillance: Citizens and the State

## CHAPTER 1: INTRODUCTION—THE COMMITTEE REPORT

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### Background

1. Surveillance is an inescapable part of life in the UK. Every time we make a telephone call, send an email, browse the internet, or even walk down our local high street, our actions may be monitored and recorded. To respond to crime, combat the threat of terrorism, and improve administrative efficiency, successive UK governments have gradually constructed one of the most extensive and technologically advanced surveillance systems in the world. At the same time, similar developments in the private sector have contributed to a profound change in the character of life in this country. The development of electronic surveillance and the collection and processing of personal information have become pervasive, routine, and almost taken for granted. Many of these surveillance practices are unknown to most people, and their potential consequences are not fully appreciated.
2. Commenting on these developments in August 2004, the Information Commissioner Richard Thomas warned against the possibility of the UK sleepwalking into what he referred to as a “surveillance society”.<sup>1</sup> In particular, he expressed concern about a raft of new Government proposals, including the establishment of a national identity card scheme, and the creation of a database containing the name and address of every child under the age of 18.
3. The years that have followed these comments have seen an expansion in the National DNA Database (NDNAD), the introduction or development of new databases for a variety of public services, and a steady increase in the use of CCTV in both the public and private sector. There has been a profound and continuous expansion in the surveillance apparatus of both the state and the private sector. In the past, computer databases and data sharing, the monitoring of electronic communications, electronic identification, and public area CCTV surveillance were relatively uncommon. Today these technologies are ubiquitous and exert an influence over many aspects of our everyday lives. The expansion in the use of surveillance represents one of the most significant changes in the life of the nation since the end of the Second World War, and has been shaped by a succession of governments, public bodies, and private organisations. Furthermore, surveillance continues to exert a powerful influence over the relationship between individuals and the state, and between individuals themselves. The selective way in which it is sometimes used threatens to discriminate against certain categories of individuals.
4. In 2006, the Information Commissioner commissioned the Surveillance Studies Network to compile *A Report on the Surveillance Society*. The Report was published in November 2006, and focused on surveillance in everyday

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<sup>1</sup> Ford R, “Beware rise of Big Brother state, warns data watchdog”, *The Times*, 16 August 2004.

























































































































































































































































































