



HOUSE OF LORDS

Select Committee on the Constitution

2nd Report of Session 2008–09

Surveillance: Citizens and the State

Volume I: Report

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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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CONTENTS

	<i>Paragraph</i>	<i>Page</i>
Chapter 1: Introduction—the Committee report	1	5
Background	1	5
Developments during the course of the inquiry	8	6
Box 1: Timeline of main events		7
A “constitutional approach”	10	9
Acknowledgements	16	10
Chapter 2: Overview of surveillance and data collection	17	11
Part One—Key definitions	18	11
Background	18	11
Two broad types of surveillance	24	12
Uses of personal data	26	12
Data sharing	28	13
Data matching	31	14
Data mining and profiling	33	14
Privacy	36	14
Data protection	38	15
Part Two—Characteristics of contemporary surveillance and data use	40	15
The role of technology	42	15
The impetus behind surveillance and data use	45	16
Large-scale, routine practices	48	16
The availability of technology	51	17
The global flow of personal data	53	17
Public sector and private sector data uses	55	17
Chapter 3: Advantages and disadvantages of surveillance and the use of personal data	68	20
Advantages of surveillance and the collection of personal data—Law enforcement and public safety	70	20
CCTV	70	20
DNA	84	22
Covert surveillance	85	23
Combating fraud	87	23
Advantages of surveillance and the collection of personal data—Provision of public services	89	23
Data collection and public policy formation	96	25
Disadvantages of surveillance and the collection of personal data	99	26
The threat to privacy and social relationships	100	26
Surveillance and trust in the State	104	26
Surveillance and discrimination	111	28
Surveillance and personal security	114	29
Chapter 4: Legal Regulation and Safeguards	118	30
The Human Rights Act 1998	122	30
The Data Protection Act 1998	145	35
The Regulation of Investigatory Powers Act 2000	150	36
Operation of the RIPA regime	153	37
Local authority powers under RIPA	164	39

The National DNA Database	179	43
Regulation of the National DNA Database	209	49
Regulation of CCTV	213	50
Chapter 5: Regulators	220	53
Introduction	220	53
Box 2: The Commissioners		53
The Information Commissioner	221	53
Codes of practice	226	55
Consulting the Commissioner	229	55
Audit and inspection powers	232	56
The Commissioner’s power to levy penalties	239	58
Resources	244	59
The RIPA commissioners	247	60
The regulatory structure	247	60
Quality of oversight	253	61
The Investigatory Powers Tribunal	258	62
Chapter 6: Government	260	64
Privacy protection in government: strengths	260	64
Privacy protection in government: addressing weaknesses	281	68
Privacy Impact Assessment and risk	293	70
Necessity and proportionality	308	73
The limits of legal regulation	324	76
Technological safeguards: strengths	326	76
The limits of technological solutions	338	79
Chapter 7: Parliament	350	82
Introduction	350	82
Primary legislation	352	82
Secondary legislation	358	84
Enhancing the quality of scrutiny	366	85
Chapter 8: The Role of Citizens	380	89
Introduction	380	89
The individual citizen’s role	382	89
Consent	386	90
Public opinion, beliefs and engagement	398	92
Public opinion and attitudes	401	92
Transparency and public engagement	433	99
Collective efforts	446	101
Chapter 9: Recommendations	452	103
Appendix 1: Select Committee on the Constitution		109
Appendix 2: List of Witnesses		113
Appendix 3: Acronyms		115
Appendix 4: Visit Note—21–25 April 2008		117

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

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”.¹ 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

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

