

UK

ICO Requires Undertaking From Estate Agent to Keep Data Secure

The Information Commissioner's Office (ICO) has served a London estate agent with an undertaking committing them to improve the handling of customer personal data. An outlet owned by the agent was found to be leaving papers containing personal information, including copies of passports and tax details, in transparent bags in the street, despite a previous warning by the ICO. The undertaking requires the estate agent to keep all personal data secure, to train staff on information security and to put in place formal contracts with the companies hired to securely dispose of their confidential waste.

[ICO news release – August 2014](#)

ICO Spam Text Raid and Investigation

The ICO has raided a claims management call centre following an allegation that it was involved in the sending of up to six million spam texts. Documents and computer equipment were seized to assist in the ICO's investigation into where the data to send the texts was sourced from and whether the data has since been sold on to third parties.

[ICO news release – 21 August 2014](#)

Proposal That Judges Alone Should Determine Some Information Rights Tribunal Cases

The Senior President of Tribunals has launched a consultation seeking views on whether some information rights tribunal cases should be determined by a judge alone, without the presence of two lay members. The consultation proposes a change in the composition of the panel in the First Tier Tribunal in a "small number of appeals" which could be disposed of more "swiftly and proportionately" by a judge alone. Lay members would continue to sit on panels in the "vast majority of cases". The consultation is open until on 3 October 2014.

[Proposal to amend the Tribunal Composition Statement of the First Tier Tribunal \(General Regulatory Chamber\) – August 2014](#)

Bar Council Guidance to Members on Data Security

The Bar Council has issued updated guidance to its members about data security. The guidance focuses on the need to physically destroy hard drives before disposing of old computers, in order to ensure that personal data relating to past cases is not leaked into the public domain. It recommends that barristers physically destroy hard drives and USB devices by "hitting them repeatedly with a hammer" or applying reliable secure erasure software. The new guidance comes on the back of a recent ICO warning about increasing instances of data security breaches by lawyers.

[Bar Council guidance – Secure Disposal of Hard Drives – August 2014](#)

EU

EU Justice Commissioner Urges Member States to Forge Ahead With Data Reforms

The new EU Justice Commissioner, Martine Reicherts, has confirmed that the EU data protection reforms will remain on track despite widespread opposition to the ECJ's recent right to be forgotten ruling. She accuses critics of the ruling of trying to "throw a spanner in the works" by "abusing the ruling" to undermine the reforms but urges member states to "be ambitious and help to give Europe the data protection rules it needs".

[Europa – press release – 18 August 2014](#)

EU Data Reforms Could Undermine "Vital Research"

In an open letter to European legislators, some of Europe's leading scientists have warned that reforms introduced by the Data Protection Regulation could threaten the future of "vital economic and social research". The scientists warn that proposed restrictions on the use of personal data in the Regulation could impact on progress in research and scientific discovery and could "limit the ability to ensure that European policy making is informed by the most robust evidence base." This is the latest in a line of similar warnings from academic and research based organisations about the possible impact of the proposed Data Protection Regulation on research projects.

[Science Europe – open letter – 14 August 2014](#)

Contacts

Mark Gleeson

Partner
T +44 20 7655 1465
E mark.gleeson@squirepb.com

Caroline Egan

Consultant
T +44 121 222 3386
E caroline.egan@squirepb.com

The contents of this update are not intended to serve as legal advice related to individual situations or as legal opinions concerning such situations nor should they be considered a substitute for taking legal advice.

© Squire Patton Boggs.