

France

State Council Orders the Deletion of Personal Data in a File Relating to the State Security

It is very complicated for a data subject to exercise its rights with regards to information held by the French secret services, as their rights can only be exercised indirectly through the CNIL. In this case, a data subject filed with the CNIL an indirect subject access request to obtain his personal data contained in the file of the Defense Intelligence and Security Directorate (DRSD). According to the data subject, this file contained inaccurate data on their record of past criminal activities (TAJ) as the criminal proceedings in question had been closed without further action. The CNIL does not always provide information on whether it has been able to exercise the rights of the data subject and whether the intelligence services effectively hold information on the data subject. This was the case here, as the CNIL only stated that "it had carried out the verifications requested and that the proceedings had been completed", without further information. The data subject filed an appeal with the State Council. On [5 May 2017](#), and following investigations, the State Council ordered the Minister of Defense for the first time to erase the data which was illegally present in the file.

Experimental Use of Voice Recognition by Banks

On [27 April 2017](#), the CNIL authorised nine financial institutions to implement, on an experimental basis, a device for authenticating customers by voice recognition. The CNIL recognised that this type of authentication method is more user friendly than others. However, the CNIL stated that the project must comply with the following requirements: prior consent of the data subjects; limited duration; limited scope; guarantees in terms of confidentiality; and a project review must take place at the end. In relation to biometric identification, the CNIL stated that it favoured systems under which the data subject retains control over their biometric data. This involves storing the biometric data on a device held by the data subject or in a database in an encrypted format for which only the data subject holds the key. Finally, the CNIL noted that, under the GDPR, any such project would first be subjected to a Privacy Impact Assessment.

UK

Queen's Speech Addresses New Data Protection Law

On 21 June 2017, the Queen spoke to both houses of the UK Parliament to set out the government's legislative plans. She stated that "a new law will ensure that the United Kingdom retains its world-class regime protecting personal data". On this occasion, [the government issued a briefing document](#) detailing the points addressed in the Queen's speech. The government stated that the Data Protection Bill (the Bill) would implement the GDPR, "meeting our obligations while we remain an EU member state and helping to put the UK in the best position to maintain our ability to share data with other EU member states and internationally after we leave the EU". Other notable elements of the Bill would include a right to be forgotten when individuals no longer want their data to be processed, a new regime for data processing by law enforcement agencies and new powers and sanctions available to the Information Commissioner.

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