

# The leviathan awakes?

## Why we need data leak law now?

It is now some ten years since CECUA ran the seminal conference in Brussels, "The Citizen and the Global Information Society". Some 100 high level leaders of the European Commission, Industry, Commerce and the academic world discussed the problems facing the Citizen and identified many issues of concern including the difficulty of controlling and policing criminals in the International work and play-space of the Internet. A comprehensive report was presented to the European Commission after conference, but this does appear to have been considered seriously either then or since.

Since that time, very little has changed. The politicians and the European Commission seem to have taken the view that the "market knows best" and has left companies and criminals largely to themselves in the development of the Internet. The result was predicted at the time of the conference (1998) and we now have a situation where the Internet has the morality and control of the "Wild West". Nobody is safe. Terrorists have found it wonderful source of power both to raise funds and to terrorise people. Recently, the Internet has been used as a weapon to attack a government. There is widespread fraud and the use of identity theft through "phishing". Commercial interests seem to have had complete freedom to collect data internationally, to inspect (spy?) on the data in personal computers, run covert programs on citizens computers etc. Data Protection legislation seems to have had little effect on all this activity.

Governments have been very slow to react in the interests of the citizen. Governments have been very active in anti-terrorism, trying to collect taxes and above all to collect data on its citizens at an unprecedented rate. Technology has also been used by governments on a wide scale to intercept and interpret telephone calls, charge motorists for using the roads, catch motorists not paying their road taxes etc. So it would seem that governments are quite expert with their use of the Internet technology - but not, it would seem, for the protection of their citizens and their privacy!

Steve Ranger's excellent article: [Why UK must pass data leak law now](#),

draws attention to one aspect of the very complex legal and technical issues regarding personal data held by commercial interests. When an organisation "loses" personal data, should the individual have the right to be informed. Well, currently there is every disincentive for an organisation to release such information.

Technically, I believe, the organisation will have breached Data Protection legislation by allowing the data to fall into unauthorised hands. Further, it may be that some organisations lose a lot of information compared with others and this could lead to a loss of confidence in the organisation by the customer. Thirdly, it could well be that the incidence of data theft is far greater than is currently apparent.

I believe that we should all back Silicon.com's Full Disclosure campaign by signing their petition. The past record of the European Commission and governments is very poor when it comes to protecting the rights of their citizens - let us hope that we can stir this leviathan into action!

For Steve Ranger's full article and how you can support the petition see:  
<http://management.silicon.com/government/0,39024677,39168115,00.htm>

Stuart Goold,  
CEUA Honorary President  
[stuart.goold@ceua.org](mailto:stuart.goold@ceua.org)