

FIELD COURT CHAMBERS

Compliance & Consequences

Christine Cooper

Barrister

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Compliance

The Regulatory Framework for:

- Protection of Personal Information
- Access to Information
- Interception of Communications

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Consequences

These can be:

- Civil Liability
- Action by the Regulator
- Criminal Sanctions (in some circumstances)

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Civil Liability

- Data Protection Act 1998
 - S.13
 - Person suffers Loss or Damage
 - Compensation for Distress
 - S. 14
 - Orders requiring rectification, blocking, erasure or destruction
- S. 1(3) Regulation of Investigatory Powers Act 2000

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Action by the Regulator

- Information and Enforcement Notices
 - S. 40 & S. 43 DPA
 - S. 51 & S. 52 FOI
- Warrants for entry and Inspection
 - S. 50 DPA
 - S. 55 FOI
- Good Practice Assessments
 - S. 51 DPA
- Financial Penalties
 - S. 55A DPA (when in force)
 - S. 54 FOI

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Examples

- Loss of Equipment Holding Personal Data
- Theft of Sensitive Data
- Failure to Observe Good Practice

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Any Questions