

Privacy & Data Protection

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Headlines

- European Official makes significant Opinion on nature of 'an establishment', p.17
- Albrecht says agreement on Regulation by end of 2015 feasible, p.18
- French data protection regulator warns websites on cookie use, p.20

Contents

<i>Expert comment</i>	2
<i>Does the US need an EU-style data protection law?</i>	3
<i>Nuisance calls and text messages — lower threshold, higher risk to UK companies</i>	6
<i>Wearable technology and the corporate wellness strategy</i>	9
<i>Misuse of information — the floodgates open</i>	11
<i>Data protection in Japan — proposed changes to the law</i>	15
<i>News & Views</i>	17

ICO's latest Annual Report shows fewer fines, but higher accuracy

The Information Commissioner's Office has published its Annual Report for 2014/2015.

At the press conference for the release of the Report, Information Commissioner, Christopher Graham, and his Deputies, David Smith and Graham Smith, discussed the main areas of focus within the past year.

They singled out the increased enforcement in the areas of nuisance calls and poor data security practices, and practical implementation of the so-called 'right to be forgotten.'

Regarding enforcement, David Smith noted that the ICO issued 10 civil monetary penalties, totalling £1,078,500.

This value was half that of the previous year, despite the ICO receiving roughly the same number of complaints about data protection. The statistics are consistent with the ICO's stated intention in May 2015 not to issue fines 'left, right and centre'.

"We have come down firmly on those not adopting best security practices, but not necessarily those that have suffered a security incident,"

Mr Smith explained.

Nuisance calls and texts accounted for more than 180,000 complaints. The Report noted a 12% rise in complaints about spam communications, compared with the previous year.

It shows that the ICO issued five fines (50% of the total) relating to marketing calls and texts totalling £386,000, along with eight enforcement notices.

The ICO is monitoring a further 31 organisations in relation to nuisance calls and texts, as well

[\(Continued on page 17\)](#)

Landmark case means online news sites need to proactively monitor content

Online news sites may need to proactively monitor responses written in the 'comments' section of articles, following a landmark decision from the European Court of Human Rights.

In *Delfi v Estonia*, the Court ruled that Estonian news site Delfi may be held responsible for anonymous and allegedly defamatory comments from its readers.

It reached the verdict despite the fact that the article itself was balanced and contained no offensive language.

The decision affirmed an earlier judgment by the first section of the ECHR in 2013, which also held that there had not been a violation of Delfi's right to freedom of expression, even though it had removed the comments as soon

as it had been notified of them.

London based non governmental organisation, Media Legal Defence Initiative ('MLDI'), intervened in the case, filing a brief joined by 27 media organisations from around the world.

The brief emphasised the importance of user

[\(Continued on page 17\)](#)