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THE OFFICE OF THE

**Data Protection
Authority**

Excellence through ethics

Thank you for subscribing to our monthly newsletter – in this issue:

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Message from the Commissioner

Welcome to our latest newsletter which coincides with the very welcome relaxation of restrictions for the Bailiwick after a challenging couple of months.

Firstly, I want to thank all those local organisations that registered with us in the [new registration window of Jan – Feb](#) this year. Any new regime brings with it certain challenges but to place new duties on our local community at such a difficult time was something we have been extremely alive to. It is, again, testament to our community that industry and industry bodies worked so constructively to engage with and deliver on this new regime and we are extremely grateful to each and every one of you.



It is lovely to have a little more normality back, but it is tempered by the ongoing difficulties being faced elsewhere across the world.

It is hard not to sense a new degree of optimism however, as the vaccine programme rolls out and discussion turns to the possibility of being able to travel for holidays and to see much missed family and friends. As we have seen recently, this in turn [raises important questions](#) about the way in which such a lifting of restrictions may be linked to whether or not individuals have received both doses of the vaccine. The way in which data relating to our health is recorded, maintained and shared in this context is likely to have an increasingly significant impact on all aspects of our lives, not only travel. It is not difficult to imagine a world, not too far from now, where entrance to theatres, restaurants, workplaces etc will be dependent upon sight of some form of vaccine certificate.

In our understandable desire to be free of the restrictions we have all had to live with for over a year, we must never lose sight of the importance of handling such data with [respect for the rights and](#)

[dignity of the individual](#). I have never accepted that the protection of data necessarily has to be traded for other public goods, such as public health. Rather, we need to build the governance in from the beginning.

We are starting to better understand the profound harms, to individuals as well as society, that can result from the mishandling and misuse of data. It is arguably (and regrettably) a trait of the human race that we often have to actually experience harms to really actively engage with working to prevent them. Data is such an ephemeral concept, existing somewhere out in the ether. It is hardly surprising that we find it difficult to comprehend the role it plays in almost every aspect of our lives. In understanding that better, we ensure that when we think of the word 'data' it is the faces of our family, friends and loved ones that comes to mind, not a computer server, or a line of code.

Let's move beyond polarising conversations about the 'trade off' between privacy and public health and encourage a respectful and mature discussion about how best to ensure we enjoy the freedom we are all so desperate for, whilst at the same time, ensuring we are all treated with respect, dignity and equality. Much will depend on the trust and confidence that we, as citizens, have in those making the big decisions. Trust and confidence is built on [honesty, openness and accountability](#), and it is no coincidence that this is exactly the sort of language that sits at the heart of data protection legislation.

- Emma Martins

Data Protection Commissioner

Registration and beyond

Thank you to everyone based in the Bailiwick who has completed their registration with us this year. Please ensure you have diarised the renewal period (1 Jan-28 Feb) for subsequent years.

If you need to make any changes to your registration you can now do so, please visit: [Register, renew or update](#).

We'd like to take this opportunity to remind you of the [support we offer towards your compliance](#) with the data protection law. This includes access to free:

- [Fortnightly drop-ins](#) (re-starting on Tues 6 April)
- [Study Visits](#)
- [Events](#) (we are wondering whether to do these online, or in-person – [let us know your preference](#))
- [Podcasts](#)
- [Information Hub](#)
- [Newsletter](#)
- [LinkedIn](#)



Data breaches: human error vs. technology

ONLINE EVENT: Data Breaches: Human Error vs. Technology

We want people to come away from this session with a greater awareness of the role that human error

plays in data breaches and how our interaction with evolving technology can take us by surprise. This event will take place [via Zoom on Tues 20 April 12:00-13:00 - book your free place now.](#)

Reprimand issued to Deputy Kevin Gentle of the States of Alderney relating to data release issues

Following a complaint made to the Authority under section 67 of the Law the Data Protection Authority determined that Deputy Gentle breached the Law in relation to the unauthorised collection and disclosure of personal data.

[READ: public statement](#) (issued 11 February 2021)

More from [odpa.gg/NEWS](#):

BLOG: Equality and diversity in tech



BLOG: The price of freedom?



Number of personal data breaches reported to ODPA (by category)



Suggested reading:

Each month our commissioner provides suggested reading to help you make sense of and safely navigate our data-driven society.

This month's choice is: *Right/Wrong – How Technology Transforms our Ethics* by Juan Enríquez.



Enríquez is a Mexican-American academic, businessman, author and speaker (you may have seen [his recent TED talk](#) which I recommend to you if not).

He brings a rich historical analysis of what drives society's understanding of right and wrong. We often think that ethical behaviour is something immovable and that there is an eternal truth to good and bad behaviours and attitudes. Our view of others, especially those in the past, is framed by such an approach.

Reading this book will probably make you feel gently but firmly chided for such a view. It is the gift of a good author (of any genre) who can give the reader tools to create intellectual and emotional headspace to reconsider their own views and opinions, in a way that doesn't leave you feeling patronised or foolish.

Essentially, Enríquez argues powerfully that ethics change over time and that technology changes

ethics; we are in an age of exponentially changing technologies; ergo we are in an age of exponentially changing ethics.

What should our reaction be to this simple but powerful revelation?

“In an era of extreme polarization and certainty, we need a touch more humility, less blame, and a certain knowledge that our descendants will consider us savages for some of the things we do today.”

I am often struck by how simple (and easily accessible) the solutions can be to some of the world’s most vexing challenges. Surely it is not too much to ask for us all to be a little more humble and a little less ready to blame others.

As one reviewer notes, Enríquez’s book is like a roller coaster – a joyride for the mind whilst also being undeniably scary. A difficult combination to pull off, but pull it off he does! And he leaves the reader with a wonderful sense of optimism that we can and should make a more positive difference.

“The choices we make today will determine the future of humanity. Literally.”



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