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Excellence through ethics

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

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Message from the Commissioner

Welcome to newsletter #36



We are particularly excited this month to be talking about our special reading recommendation as well as our [inaugural Bijou Lecture](#). It is almost a year since the launch of [Project Bijou](#) and our plan always was to build on its foundations because it was designed to be the start of a long-term initiative to support our regulated community to understand the importance of data and the rights and responsibilities that the Law sets out.

The new annual Bijou Lecture series will kick off this year with the wonderful Susie Alegre, human rights lawyer, thought leader and author. We want our speakers to give us a short insight into themselves and their thoughts about the modern data-driven world we now find ourselves in. **The aim is to encourage us to think beyond and ahead.**

We could not wish for anyone better to start off this series. Susie not only has a brilliant legal and academic mind, she has the rare skill of being able to convey complex and challenging issues with extraordinary clarity and authenticity.

And striving for a wider, more inclusive conversation about data is a core strategic aim for us at the ODPA, and is at the heart of Project Bijou. The reason that wider conversation is so critical is that the issue of data affects each and every one of us so if it is only something discussed by regulators and lawyers we are, by definition, excluding the majority.

Data protection regulators, across the world, including us here in the Bailiwick, are charged with oversight of data protection law. The law is clear that [regulatory enforcement](#) is critical. But regulators also need to prioritise [better engagement](#), [awareness](#) and [empowerment](#). These are not just nice words – they really do matter. The question is, how can we translate them into reality.

We have given that question a great deal of thought and, since 2018, have built a regulatory office that is capable of responding to complaints and breaches because individuals need to have trust and confidence in an independent complaints process, and organisations need to understand the [very real accountability duties](#) that the framework of law sets out. We have also worked hard to look at how we can provide relevant and accessible information and tools to support both the [business community](#) and [our citizens](#).

As always, we are open to thoughts about how we can do that differently/better. Some aspects of our role are non-negotiable – how we handle investigations and breaches. Some aspects allow us to be creative and innovative – how we support better education and awareness. We know that we cannot reach everybody with the same message, but we can make available an [array of information that aims to have something for everybody](#). That is a job that will never be ‘done’ and we constantly review and improve on our work in this area.

Bringing different perspectives and voices into the conversation, such as with Susie, will – we hope – move the issue beyond the offices of lawyers and regulators and into the mainstream. That’s where real change happens.

- Emma Martins
Data Protection Commissioner

[Public Statement: ODPA launch inquiry into MSG cyber incident](#)

We have begun an inquiry in relation to a cyber incident reported by The Medical Specialist Group, following notification of a personal data breach on 8th December 2021.

[READ MORE](#)

- **Any affected person who wishes to discuss their concerns in relation to this matter can contact us by e-mail at casework@odpa.gg or by telephone on 01481 742074.**

[BLOG: Don't care about data protection? All it cares about is you](#)

The Guernsey Press have very kindly offered the Bailiwick’s Data Protection Commissioner Emma Martins a regular column. In [the first of these columns](#) Emma covers devices tracking our every move to algorithms exploiting our browsing history. Our data is a valuable resource – which is why it needs to be protected.

[Cyber security checklist published](#)

Western governments including the US and UK have warned of an increase in cyber attacks since Russia’s invasion of Ukraine. Companies and individuals are being urged to take steps to reduce the risk of becoming a target. This threat is now more specific and likely to be destructive data-wiper malware.

We have compiled a Cyber Security Checklist of recommended actions you can take to keep your organisation’s data safe: odpa.gg/cyber-checklist



[Annual Survey Results](#)

Thank you to everyone who responded to our annual survey during January-March 2022.

You can [view the results of the survey here](#).

- In related news, we would very much like your thoughts next month on what our **NEW Strategic Plan (2023-2026)** should look like, as part of a formal public consultation. Keep an eye out for details soon. Our existing [Strategic Plan \(2019-2022\) can be read here](#).

[Free support and advice, and public engagement](#)

We know the data protection landscape can seem difficult to navigate sometimes, and we are here to help. We regularly publish guidance and resources to support all organisations in their own approach to compliance with our local data protection law. You can access our broad range of online resources and guidance via the links below:

Support and Advice:

- [Fortnightly drop-ins](#)
- [Study Visits](#)
- [Events](#) (view [recordings of past events here](#))
- [Podcasts](#)
- [Information Hub](#)
- [Beginner's Area](#) (includes '[The Feel-Good Guide to Data Protection](#)')
- Bi-monthly [breach statistics](#)
- [Newsletters](#)

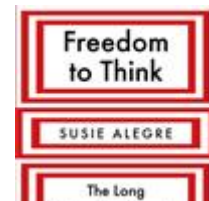
Public engagement:

- [Schools programme](#)
- [Project Bijou](#)

[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: *Freedom to Think – the Long Struggle to Liberate Our Minds* by Susie Alegre.



All the books we have added to our 'virtual library' are wonderful but our reading recommendation this month is extra special.

Its author, Susie Alegre, is an international human rights lawyer, author and speaker and has a special importance for us here at the ODPa as she is our first guest Bijou Lecturer ([if you want to find out more about Project Bijou, have a look here](#)).

The first thing to say about the book is how authentic and accessible it is. Law is often complex and those that seek to communicate the arising issues can often have a hard time making a connection to non-lawyers. Susie does not have that problem. She has clearly made the decision to make it a deeply personal reflection of her own journey, from a young student to one of the top professionals in her field. This very human and authentic approach allows the reader to connect with the admittedly profound issues raised because they relate to real life, to real people, to a real person and in turn, to all of us.

Susie talks of the 'light bulb' moments she has experienced, when the scale, impact and consequences of our speeding into the digital, data-hungry era were brought into sharp focus. From

hearing the headlines about Cambridge Analytica to smaller moments where we share our most private data with faceless tech companies, the scale of the impact on us all of data and the role it plays in influencing freedom of thought is breath-taking but we have become almost immune to it, accepting it as normal and inevitable.

This is a book about the way in which people with money and power can get into our minds not only to understand what we are feeling but to manipulate what we are feeling. For example, it's not about knowing that you like a particular brand of juice, it is influencing us in order to make us like a particular brand of juice. We need to take a moment to reflect on that because it is profound and, of course, it's not just about selling juice, it is about so much more. It is also the case that questions of freedom of thought and the manipulation of people take on a different meaning and importance against the backdrop of war that the world is now witness to.

Having a 'light-bulb' moment can be the catalyst for real change. When we suddenly realise the importance of something and its relevance for us and those we care about.

I spoke of one of my own such moments [in this recent article](#) and know from personal experience how powerful they can be.

In the face of the extraordinary power of the big tech giants, it may seem an impossible task to aspire to a different trajectory – one that is built on human values and collective good. But I heard the incredible author Shoshana Zuboff in discussion with Susie recently and she said, in what felt like something of a rebuke to wider society "*freedom of thought only matters when you have something to think*". We are all now faced with a choice – **we accept that someone else can and will think for us, or we can start to reclaim what should already be ours – free and independent thought.**

Reading this book is a sobering reminder of how easy the former is if we are not alive to the dangers. It also gives us real world examples of how those dangers can play out.

"Your part may be big or small. But whether you are a technologist, a lawyer, a politician, a civil servant, an investor, a teacher, a concerned parent or a consumer of technology, you could make a difference for all our futures."

Please review what newsletters you want from us



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