



*Excellence through ethics*

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

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### [Message from the Commissioner](#)

We have recently been reviewing our [strategic plan](#) and will be publishing a new one early in 2023.



You may well be involved in considering strategic and business plans in your role and these moments, whatever the nature of our work, offer us a great opportunity to pause and reflect. We often work at 100 miles an hour and such moments can be rare but they are essential. We would never get into our cars and drive as fast as we can without having a clear idea of where we are going and the best route to get there.

For organisations such as ours that are charged with overseeing certain legislation, it can be easy to fall into conversations around enforcement – how much are the fines, what are the penalties etc. And it is clearly important, if we are serious about a law, that it is properly enforced.

But we also need to think very carefully and seriously about the wider question – what does good regulation look like? Is it just big fines and lots of enforcement or is it something else?

Every law on our statute books is there for a different reason and has a different framework of compliance and enforcement.

Data protection is a piece of legislation that was borne from two important pressures: the political and economic imperative for the Bailiwick to ensure the free flow of data which is the life blood of our economy; and the desire to give us all, as individuals, control, power and rights over information about us.

The speed at which the digitalisation of our lives has become normalised has not given us much of an opportunity to pause for reflection about what success in that respect looks like.

We recognise that and have built a regulatory office that is fit for purpose in dealing with complaints from individuals. We investigate them impartially and within the robust framework of governance and

accountability.

But we are also clear that we want to do all we can to encourage and support compliance to reduce the likelihood that things will go wrong in the first place.

We live in a world where we are data and data is us – our lives are informed, influenced and shaped by data in all sorts of ways. But it remains the case that we find it very difficult to engage with questions of data harms.

Arguably, we are not yet culturally attuned to the real impacts – good and bad. And culture has such a massive impact on us all. I once heard Tessa Jowell talk eloquently about the importance of culture and how bad culture eats good strategy (a quote first attributed to Peter Drucker).

We can write all the good words we want but if we do not have a culture that lives and breathes our values and is clear about its objectives and how it wants to get there, we are destined to fail to deliver on those words.

Seeking to engage our community through our newsletters, communications projects, outreach work, breach reporting etc. are all done to help to further conversations, pique interest and embed a culture that cares.

Our strategic direction has always been firmly on that path and will continue in that direction as we look ahead to the next chapter.

Emma Martins  
Data Protection Commissioner

## **FAQs:**

# ***Prevention of Discrimination (Guernsey) Ordinance, 2022***



### **[Prevention of Discrimination \(Guernsey\) Ordinance, 2022](#)**

We have prepared a [factsheet](#) for employers and employees following the approval of discrimination legislation in Guernsey, to explain how the requirements may affect you.

## Experts lined up for inaugural pan-island conference

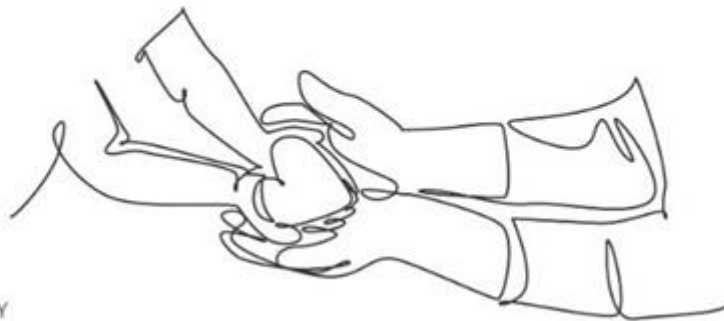


### [Channel Islands Data Protection Forum](#)

The Office of the Data Protection Authority is proud to be participating in the inaugural conference of the newly launched Channel Islands Data Protection Forum. It takes place on Tuesday 11 October at Les Cotils from 8:30am until 5pm, is free of charge and open to everyone. [Find out more about the programme and register.](#)

## DROP-IN: Charities

In partnership with:  
 GUERNSEY  
COMMUNITY  
FOUNDATION



### [Reaching out to the third sector](#)

Through our partnership with the Guernsey Community Foundation, we have delivered two tailored data protection sessions for local charities to help them navigate their legal obligations. We will be holding another 'drop-in' session on [9 November](#) where ODP staff will be on hand to discuss specific issues relating to Data Processing Notices and offer general guidance about data protection for local charities and not-for-profit organisations.

## **BLOG:**

# **Why it's time for the 'hidden agenda' to emerge**



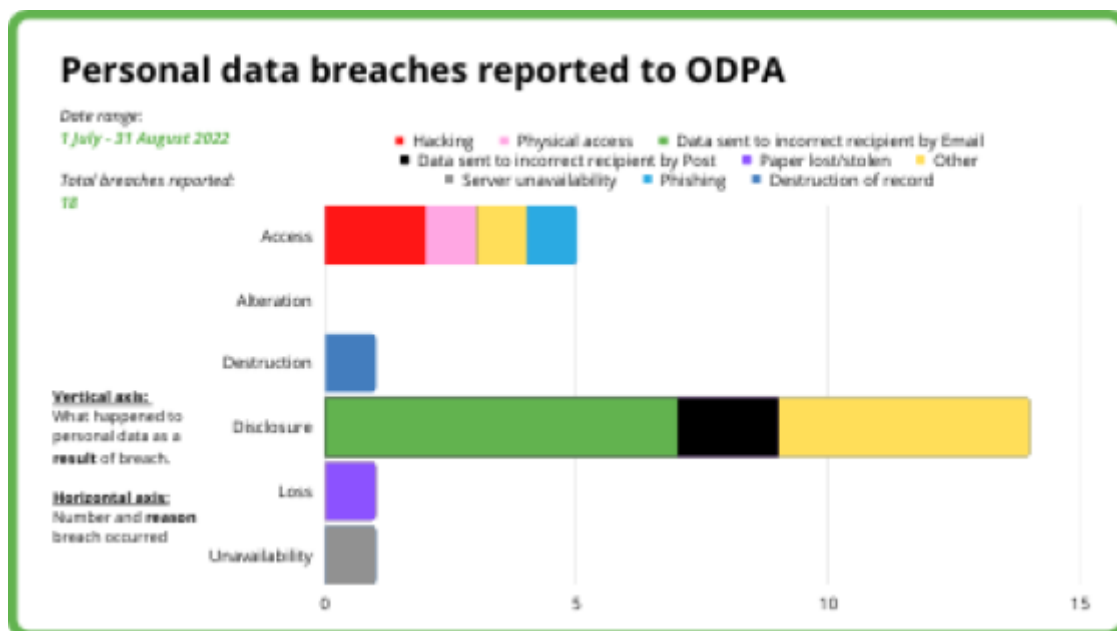
**BLOG:** In [this column](#), which first appeared in the Guernsey Press on 28 September 2022, the Bailiwick's Data Protection Commissioner Emma Martins takes a moment to reflect on how history continues to shape our future, and why we need to understand the origins of the rights we enjoy today.

## **BLOG:**

# **Why do we need regulation?**



**BLOG:** For jurisdictions such as the Channel Islands to remain competitive and attractive to discerning investors high standards of regulation are key. Bailiwick Data Protection Commissioner Emma Martins explains why in [this blog](#), which first appeared in Business Brief on 1 September.



The Office of the Data Protection Authority (ODPA) has published its [latest breach statistics](#) with 18 personal data breaches reported during July and August 2022.

### [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:**

- [Children and young people](#)
- [Project Bijou](#)

# ODPA PODCASTS

Insights, information, and conversations.

visit: [odpa.gg/podcasts](https://odpa.gg/podcasts) or wherever you get your podcasts

Brewed by:  THE OFFICE OF THE  
Data Protection  
Authority



There are [20+ podcasts in our ongoing series 'Data Protection Teabreak'](#) providing insights, information, and conversations on a broad range of topics relevant to data protection.

## HIGHLIGHTS INCLUDE:

- What has Data Protection ever done for us?
- Managing behavioural risk
- Cyber Security and Smart Devices
- Your Digital Footprint - what data are you leaving behind?
- Controllers And Processors

Find all episodes at: [odpa.gg/podcasts](https://odpa.gg/podcasts), or wherever you get your podcasts.

## Suggested reading:

Each month our Commissioner provides suggested reading to help you makesense of and safely navigate our data-driven society.

This month's choice is: *The Twittering Machine* by Richard Seymour

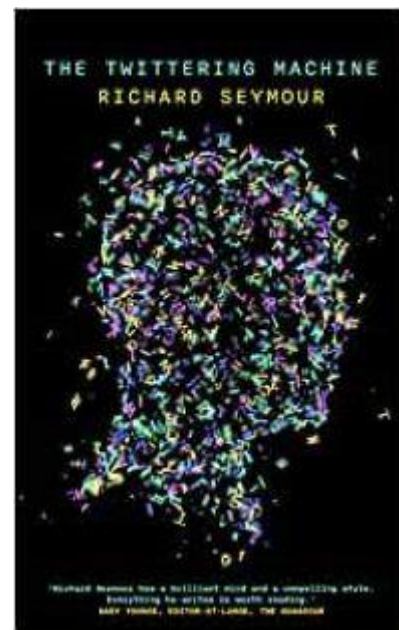
Richard Seymour is a writer, broadcaster and political activist and has written a number of books.

His latest, *The Twittering Machine*, takes its title from the work of the same name by surrealist artist Paul Klee (above) and Seymour argues that this is a chilling metaphor for the relationship we have with social media. In the book, he explores the staggering scale and speed of technological development and in particular our constant desire to scroll more, tweet more, post more.

What does this addiction say about us and our social and political relationships and what are the consequences? It can be difficult to engage objectively with critiques of technologies when we are all so dependent upon what it offers us.

The early vision I think many of us had of new technologies being liberal and participatory are increasingly hard to square with dramatically escalating incidences of fake news, trolls, online mobs, alt-right subcultures etc.

Writers like Seymour risk making readers uncomfortable, using descriptions such as 'addicts' for those who spend hours on social



media, but now more than ever we need to take a moment to reflect the role of technology in our lives and, more importantly, the trajectory we are all on.

The point that Seymour makes is that the technology itself is neither good nor bad so therefore we can choose to use it however we see fit. But we need the whole picture if we are going to see clearly.

Seymour has a lovely, accessible writing style that exposes the reality of our 'liberal technologies' but at the same time looks us square in the eye to encourage us towards something better, towards an "imaginative placeholder for human desires".



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