

SIGN UP, LOG IN **OPT OUT**

PROTECTING YOUR PRIVACY & CONTROLLING YOUR DATA

A Resource for Teachers. Produced by the
Office of the Data Protection Commissioner

An Coimisinéir
Cosanta Sonraí



Data Protection
Commissioner

Written and edited by:

Office of the Data Protection Commissioner,
Canal House,
Station Road,
Portarlinton,
Co. Laois

LoCall: 1890 252 231

Tel: +353 57 868 4800

Fax: +353 57 868 4757

E-mail: info@dataprotection.ie

Web: www.dataprotection.ie

Design & Print:

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www.penhouse.ie

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ABOUT THIS RESOURCE

This resource is designed for use primarily in Civic, Social and Political Education (CSPE).

It is not expected that a teacher will work through the entire resource with their students from beginning to end. This resource will deal with aspects of the concepts, Rights & Responsibilities & Law. It is intended that the teacher will select elements of this resource in conjunction with other teaching and learning resources throughout the three years of the CSPE programme.

Cross-curricular use of this resource is encouraged. The resource can be adapted for use in other subjects either at junior or senior cycle. It is suitable for use in junior cycle History, SPHE, English or Business Studies.

This resource may also feature as a component on the Transition Year syllabus. Section 3 of this resource may also be suitable for senior cycle Business Organisation Studies.

INTRODUCTION

Civic, Social and Political Education (CSPE) is designed to enable students to become active, aware and responsible citizens.

The development of awareness with regard to privacy and the need to protect one's personal data as a component of citizenship is linked to the fostering of other positive attitudes and values such as concern for human rights, concern for the common good and respect for the rule of the law. An awareness of how technology can affect an individual's privacy is also a core aim.

The concept of data protection is linked to the emergence of the right to privacy in the aftermath of World War II. A focus on basic human rights and fundamental freedoms led to a series of international charters and declarations eg. the Universal Declaration of Human Rights (UDHR).

Rapid technological advances since have resulted in an increasing focus on the processing of personal data in large volumes. Data protection concentrates on the necessary safeguards that need to be in place when processing personal data through a variety of media (e.g. manual files, databases, CCTV, image banks, mobile telecommunications). Today, data protection consists of an established framework of laws at a national and global level that embody core principles based upon the protection of personal data.

Regulatory watchdog authorities have been established in many countries worldwide to monitor developments with regard to protecting personal data in the face of emerging technologies. The Irish Office of the Data Protection Commissioner oversees the operation of the Irish Data Protection Acts in Ireland issuing guidance, investigating possible breaches of the Acts and offering a forum for individuals to make a complaint in relation to the use of personal data in particular situations.

The Office of the Data Protection Commissioner also contributes at a European and global level through its participation in a wide range of fora, working groups and seminars. Of particular note, the Office of the Data Protection Commissioner participates in an EU Working Party made up of the Data Protection Commissioners from across the EU, together with a representative of the EU Commission. This Working Party – known as the Article 29 Working Party – is independent and acts in an advisory capacity to the European Commission.

The emergence of data protection as a separate strand within the overall privacy agenda is developed within this resource but in order to stimulate interest around the basic notion of privacy, many of the activities and coursework in this resource centre on the more fundamental aspects of privacy.

CORE CONCEPTS

This resource is structured around the concept-based approach to CSPE. The central concept of the CSPE course is citizenship and material within this resource relates in particular to two of the core concepts within CSPE, namely, 'Rights & Responsibilities' and 'Law'. It is hoped that addressing 'Rights & Responsibilities' and 'Law' from a privacy and data protection perspective will afford a fresh insight into the concept of active citizenship for students.

USING THIS RESOURCE

The resource is in four main sections. Each section describes the aims, concepts, attitudes, knowledge and skills involved in the particular section and offers activities as optional exercises. 'Follow-up Activities' and 'Ideas for Action' are offered as supplementary options alongside the activities that can be worked through in class.

- * **Section One** is intended as an introduction to the general idea of privacy beginning in a home environment and moving on to more unconventional settings such as Big Brother and the relationships between celebrity and privacy.

- * **Section Two** provides a background on how privacy became enshrined as a human right.
- * **Section Three** focuses on data protection legislation within a national and global context.
- * **Section Four** switches the focus to technology and the implications of innovation for privacy.

ACTIVITIES

A variety of active learning methodologies are used including:

- * structured discussion
- * case studies
- * ratings charts
- * debates
- * performance
- * creative writing
- * visual stimuli.

PAGES FOR STUDENTS

A photocopying symbol (see below) is used to denote which pages should be photocopied and distributed to students.

PHOTOCOPY



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SECTION ONE

AIMS

- 1 To gain an understanding of the concept of privacy.
- 2 To explore the classic 'Big Brother' scenario.
- 3 To examine the idea of privacy and young people using an unconventional setting.
- 4 To gain awareness of standards or guidance with regard to privacy and the media in Ireland.

CONCEPTS

- * Rights and Responsibilities.
- * Law

ATTITUDES & VALUES

- * Development of a sense of why privacy is important and why it should be respected.
- * Awareness of rights.

KNOWLEDGE

- * How privacy can be defined.
- * Dangers of interference or violation of a person's right to privacy.
- * How removing privacy can affect those otherwise materially privileged.
- * Privacy is a human right.

SKILLS

- * Communication – discussion, debating, group work, role-play, listening.
- * Analysis – media, cartoons, images and scenarios.
- * Creative Writing.

SECTION 1.1 WHAT IS PRIVACY?

TEACHERS

Explore the following aspects of privacy with your students.

Privacy is the right to be left alone. As the evening draws in, we draw the curtains in our homes. We block out the approaching darkness and turn on the lights. Once the curtains are drawn our activities and movements are not directly visible to onlookers. We naturally feel that this space is designated for family and friends. It is our private space.

We also like to keep some of our personal documents private – most homes have a box or file in which documents of various family members like birth certs, exam results, house deeds, car registration etc. are kept. We do not necessarily want others to see them and we like to keep them secure.

Other items in our possession are of sentimental value. We sometimes like to display these in the family home, e.g. family photos, birthday cards, baby's first teeth or locks of hair, framed graduation certificates. We exhibit these for our own satisfaction and to share them with family, relatives and visitors.

**THE RIGHT TO
BE LEFT ALONE**

**PERSONAL
DOCUMENTS**

**PERSONAL
BELONGINGS**

Privacy is the right to be left alone and to live one's life with the minimum of interference.

SECTION 1.2 TEACHERS

PRIVACY IN THE HOME

Photocopy the page opposite and distribute to students.
Initiate a structured discussion about privacy using the visual stimuli in the diagram.

AIMS

- ★ To introduce students to the issue of privacy by exploring two contrasting images.

Using the metaphor of drawing curtains in the evening, ask the class to think about what it would be like to have people looking in all the time, with no way to curtail the constant surveillance?

Ask the students to examine the two contrasting scenes (exterior / interior) depicted on the page opposite.

Ask the students how they would feel if this was their house and a complete stranger could have access to all that goes on inside the house? If the stranger was actively...

- ★ Listening to the phone conversation between Brian and his girlfriend.
- ★ Monitoring and making a list of all the TV programmes and DVDs watched by the family.
- ★ Flicking through and making a copy of the electronically stored family albums.
- ★ Copying passwords and usernames enabling access to the family's bank account.
- ★ Learning Sarah's secret.
- ★ Knowing exactly how much money is lying around in cash, unsecured, in the kitchen.

What do students find most worrying about the scenario?

Ask the students to compare the scenario with a physical break-in to a house.

Note the following with your students:

Burglars enter houses and take physical belongings or damage items. However intruding on someone's privacy and becoming aware of their habits, monitoring their activities and listening to their conversations can be just as damaging in the long run.

CONCLUSIONS

Q. What is privacy?

A. The right to be left alone.

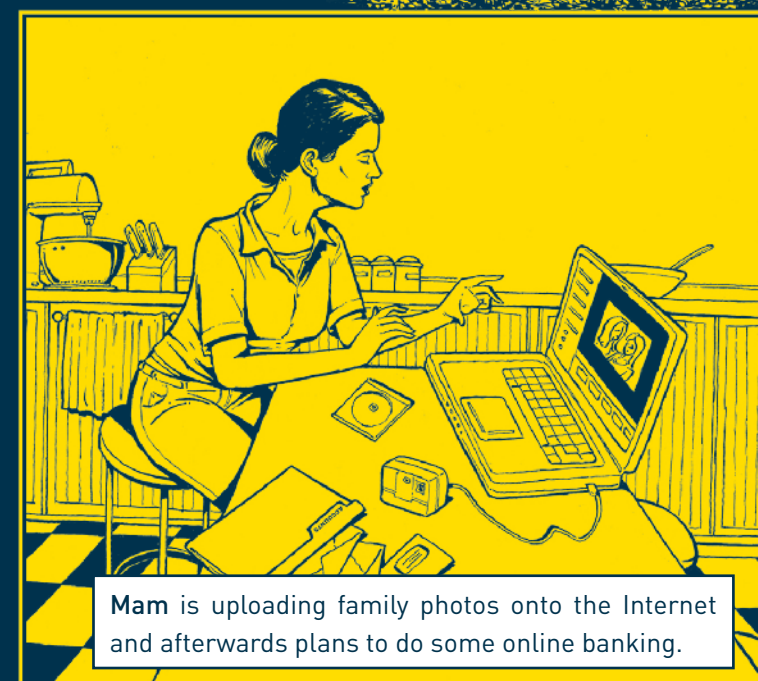
Q. Who should care about their privacy?

A. Everybody.

PHOTOCOPY

SECTION 1.2

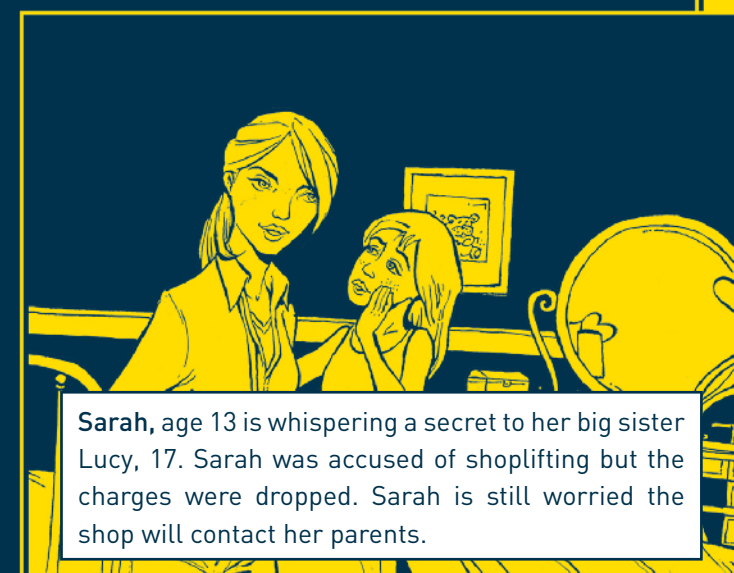
STUDENTS



Mam is uploading family photos onto the Internet and afterwards plans to do some online banking.



As club treasurer of the local football club, Dad is counting money collected during a recent fundraiser.



Sarah, age 13 is whispering a secret to her big sister Lucy, 17. Sarah was accused of shoplifting but the charges were dropped. Sarah is still worried the shop will contact her parents.



Brian, age 16, talking over the phone to his girlfriend, whilst watching a football match on the TV.

SECTION 1.3 BIG BROTHER

It is important to explain the term “Big Brother” and its origins to your students. The visual on the page opposite may be useful. You can photocopy this, use it as an overhead or a powerpoint slide.

George Orwell portrayed a world dominated by Big Brother in his famous novel ‘1984’. Published in 1949, in the aftermath of the Spanish civil war and World War Two, George Orwell tried to peer into the future and portray a vision of a society where individual freedom didn’t exist for ‘members of the party’ and the state exposed its citizens to constant surveillance using a variety of sophisticated technologies.

The term “Big Brother” has its origins in this novel.

TEACHERS

Imagine Ireland was like George Orwell’s Big Brother. You are under constant surveillance where the government wants to know everything about you.

‘The Ministry of Truth’ (A government department) spreads propaganda to influence the way the government wants you to think. Posters warning you ‘BIG BROTHER IS WATCHING YOU’ are visible everywhere and keeping a diary revealing your true feelings, could result in you being sentenced to death... You live in a country where you can be accused of a ‘thought crime’ by the ‘thought police’ and it is illegal to fall in love...

SECTION 1.3

STUDENTS



SECTION 1.3

TEACHERS

AIM

To provoke students into thinking about ways in which the government in a different type of society or state could curtail individual freedoms including the right to privacy.

Photocopy the activity page opposite and distribute to students.

FOLLOW-ON ACTIVITY

- ★ Ask the students to write down their worst fears if 'Big Brother' was always watching.
- ★ Ask the students to also consider whether there are any positives in having 'Big Brother' around?

Split the class into groups and allow them to exchange their thoughts amongst themselves.

FOLLOW-ON ACTIVITY / HOMEWORK

- ★ Ask students to design a poster or compose a poem to represent 'Big Brother'. The poster can be a sketch, picture, symbol, photograph, magazine picture, graphic, and cartoon...
- ★ Locate excerpts from the novel '1984' (widely available on the Internet) and select some chapters for students to read. Ask the students if any of the observations or predictions made by George Orwell are actually present in society today? What role or function does technology fulfil in '1984'?

ACTIVITY 1

STUDENTS

Imagine if you were subjected to live under the conditions outlined below. Rate on a scale of 1-10 each of the scenarios below based on which you feel are the most severe e.g. you don't think chocolate being rationed is a big deal so you only give it a severity rating of 3. The conditions depicted in the Big Brother scenario below are all taken from George Orwell's novel '1984'.

Big Brother Scenario	Rating (1-10)
Helicopter patrols in your neighbourhood snooping into people's windows and gardens.	
You are forbidden to keep a diary.	
A camera in each room of your house constantly records all your family's movements.	
Chocolate is rationed. Using your official id you can buy 15 grammes per month (equivalent of half a bar).	
If you express a negative thought about the government the 'thought police' could arrest and sentence you without a trial.	
A flat-screen TV in your living room broadcasts government propaganda 24 X 7. You can lower the volume slightly but you can never turn the TV off or change channel.	
It is a crime to fall in love.	
You receive clothing coupons worth 3,000 per year. A pair of pyjamas is 600 coupons.	
The Government 'controls reality'. History is constantly being revised. If the government decide, "no that never happened", historical records are altered. You often wonder is your memory playing tricks with you.	

SECTION 1.4 CELEBRITY & PRIVACY

TEACHERS

AIM

To provoke students into thinking about privacy by choosing a scenario that reflects modern day culture but focuses on the privacy rights of otherwise privileged citizens.

CELEBRITIES AND PRIVACY

The personal lives of celebrities, royalty and other prominent public persona are often the centre of media attention. Paparazzi photographers are a particularly intrusive aspect of some celebrities' lives. When the intrusion extends to their immediate families often they need to take action to protect their privacy.

Grace Kelly



Note: Photocopy the case study on the page opposite and distribute to students. Explain to students that the account of Princess Caroline is a landmark case not because of the actual celebrity involved but because the case went all the way to the European Court of Human Rights and was successful. Also of interest to students perhaps is a similar case ongoing in the UK concerning pictures taken by a celebrity news agency of JK Rowling, her husband and her infant son as they went for a walk. JK Rowling lost her High Court case against the news agency but is set to appeal.

SECTION 1.4

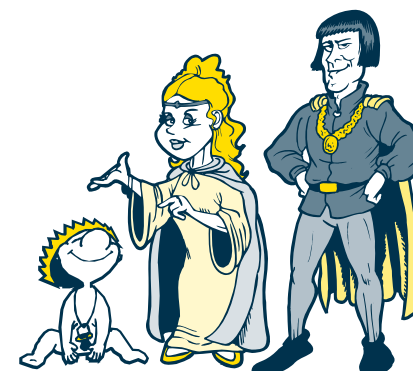
STUDENTS

Read the following case study.

PRINCESS CAROLINE CASE

The Princess of Hanover and Hereditary Princess of Monaco, Princess Caroline, is the eldest daughter of the American film star Grace Kelly.

When Grace Kelly married Prince Rainier III of Monaco in 1956 she gave up her acting career and went to live in Monaco. Princess Grace remained constantly in the public eye until she was killed tragically in a car crash in 1982. By this time her children Princess Caroline, Princess Stephanie and Prince Albert had already become the focus of attention of the European media.



In the late 1990's Princess Caroline took several German magazines to court as a result of the publication of photographs of her and her husband and children engaged in various activities such as shopping, playing sport and coming out of a restaurant. The German courts refused to ban these publications from taking photos of her but they did agree not to publish certain photos of her children.

Princess Caroline then focused on her personal right to privacy and took her case to the European Court of Human Rights in Strasbourg. The European Court of Human Rights ruled that Princess Caroline's right to privacy had been infringed because Article 8 of the European Convention on Human Rights (1950) states:

Everyone has the right to respect for his private and family life, his home and his correspondence.

Irish Law:

The Irish Constitution does not contain an express right to privacy but a person's constitutional right to privacy has been upheld in several key cases in Irish courts.

The right to privacy is also clearly set out in the Universal Declaration of Human Rights (UDHR) drawn up in 1948.

Everyone...
12. Has the right to privacy.

ACTIVITY 1 STUDENTS

DODGE THE PAPPARAZI

Read the scenario below and complete the exercise outlined on the page opposite.

Imagine you are the daughter or son of a famous celebrity couple. You and your family are constantly pursued by photographers taking pictures of you in public places. Pictures are printed of you attending a premiere with your parents, walking to school with your friends, playing football and going out at night to the cinema on a date. Sometimes, yes, your life is exciting and glamorous but the novelty quickly wears off. You now feel very strongly that you shouldn't be followed about by paparazzi when you are going about your daily business. You also don't see why your parents and their legal

team should have to spend so much time and money in legal fees trying to get the courts to ban the paparazzi from taking photos of you. Even though you understand some people like to buy magazines full of pictures of celebrities and their families, you wish they might consider how this affects you. You acknowledge that some celebrities' offspring actively court attention from the media.

Over the last year the following pictures of you and your sibling have appeared in the newspapers and magazines...



The Oscars

Football Practice

Dumped

Star's Spotty son turns to experts

ACTIVITY 1 STUDENTS

Compose a witty, humorous plea to the press to leave you alone. You hope your plea will be printed in several quality newspapers and the celebrity and fashion magazines might back off. You are prepared to concede that you will agree to be photographed when attending public functions. In your plea you could remind the press that legally

you are a child and you wish to be allowed to grow up, making fashion mistakes along the way, forming friendships and doing your own thing without being subject to intense scrutiny and constant media speculation.

You can write your appeal below in song format, a poem or a letter.

Lined area for writing the appeal.

IDEA FOR ACTION

Organise a competition based around the scenario above where you write a plea to the press to leave you alone in poem, song or letter format. Encourage members of the class to compose entries and perform them in front of a panel of judges. Devise several prize categories as well as 'best overall'.

FOLLOW UP ACTIVITY TEACHERS

Bring in a small selection of well known magazines featuring celebrities, gossip and fashion. Divide the class into groups and examine these publications for pictures of famous singers, models, actors, footballers and their families.

Discuss the following and make a general note of your conclusions to feed back to the class:

- ★ Sometimes the celebrities' childrens faces are blurred out deliberately whereas in other similar publications the photos featured might show the children's faces. Why do you think this is?
- ★ Are all of the photos of celebrities and their children taken as part of official appearances at public functions?

- ★ What about parents who sign an exclusive deal with a magazine to feature themselves and their children in their home?
- ★ Do any of the magazines show more sensitivity than the others or are they all more or less the same in their approach?
- ★ Official portraits or photos are often an option favoured by prominent public personalities such as politicians. Why do you think the press are not so keen to use these?

SECTION 1.5

Supplementary information that may be used or discussed in the classroom.

TEACHERS

PRIVACY STANDARDS

in the media sector in Ireland

In many European countries the newspaper industry and journalists come together with all other relevant stakeholders and agree upon Codes of Conduct. These codes establish standards with regard to a range of behaviours including photographing children. These standards are not always adhered to but they act as guidelines.

A Code of Practice has been drawn up by the Press Council of Ireland (see excerpts in column opposite). Principle 5 of the Code of Practice concerns privacy and Principle 9 concerns children.

EXCERPTS

Principle 5.5

Taking photographs of individuals in private places without their consent is not acceptable, unless justified by the public interest.

Principle 9 – Children

9.1 Newspapers and periodicals shall take particular care in seeking and presenting information or comment about a child under the age of 16.

9.2 Journalists and editors should have regard for the vulnerability of children and in all dealings with children should bear in mind the age of the child, whether parental or other adult consent has been obtained for such dealings, the sensitivity of the subject-matter, and what circumstances if any make the story one of public interest. Young people should be free to complete their time at school without unnecessary intrusion. The fame, notoriety or position of a parent or guardian must not be used as sole justification for publishing details of a child's private life.

IDEA FOR ACTION

- ★ Locate the 'Code of Practice' on the website of the Press Council of Ireland (see www.presscouncil.ie). See what material there is in relation to children. Contact the Press Council of Ireland and ask whether the Press Ombudsman has received any complaints in relation to privacy and children and if so what decisions were made by the Press Ombudsman. Write a report based on the information you receive.
- ★ Locate and examine Case Study 6 'News of the World: Limits of Media Exemption' in the 2006 Annual Report of the Data Protection Commissioner (available on www.dataprotection.ie). This case study deals with a complaint from an Irish celebrity concerning photographs of their child being published without permission.

FOLLOW UP ACTIVITY

- ★ Perform a drama set in the courtroom centring on a celebrity couple taking a case against the newspapers for publishing photos of them on holidays with their children.

SECTION TWO

AIMS

- * To learn how and why privacy came to be valued so highly.
- * To view privacy as a human right.
- * To learn how data protection legislation emerged.

CONCEPTS

- * Rights and Responsibilities.
- * Human Dignity.
- * Law.

ATTITUDES & VALUES

- * Concern for human rights from a privacy perspective.
- * Development of empathy for people materially deprived as a result of privacy abuses.
- * To understand the value of large collections of data, appropriate safeguards and areas for potential abuse.

KNOWLEDGE

- * Plight of Jews in Germany and Nazi-occupied territories during World War II.
- * The purpose of a national census and safeguards in place to protect citizen's data.
- * Role of technological change in the emergence of data protection as a specific set of principles and body of law.

SKILLS

- * Analysis: organisation, collation, enumeration and evaluation of disparate sets of data.
- * Communications: discussion, role play, listening, acting, empathising.

SECTION 2.1

TEACHERS

THE EMERGENCE OF PRIVACY AS A HUMAN RIGHT:

Outline the context below to students.

BACKGROUND

Shortly after Hitler's Nazi regime came to power in Germany in 1933, the government began to compile card catalogues identifying political and racial enemies of the German Reich (State). In twentieth century Germany, Jews were fully integrated into mainstream German society and had gained status as lawyers, physicians, scientists, business people, writers, and professors. However, once Hitler came to power the Jewish people became key targets as one of Hitler's obsessions was the purification of the German race based upon the ideal of the traditional Aryan, blond, blue-eyed, German people. An emphasis on perfection and "The German Race Hygiene Movement"

also led to attention being focused on people with disabilities.

Five thousand children and eighty thousand adults with disabilities are estimated to have been murdered in state hospitals and mental institutions under Hitler's regime.

During World War II, as the German army fought the allied forces and civilians throughout Europe, terrible crimes were also being committed by the Nazi regime against the Jews and Roma. Six million Jews and five hundred thousand Roma are estimated to have died in Europe as a result of World War II, many of them murdered in concentration camps by the Nazis.



SECTION 2.1

TEACHERS

Discuss the following keypoints with students before distributing the information sheet on page 22.

How did the holocaust occur on such a massive scale?

How did the Nazi authorities know exactly who was Jewish?

How were the Jews captured?

How did the Third Reich identify popular Jewish residential areas?

Answer = DATA

DATA WAS USED BY THE NAZIS TO CREATE SOPHISTICATED POPULATION IDENTIFICATION SYSTEMS

CENSUS OF POPULATION

A census is an official count of the population of a country.

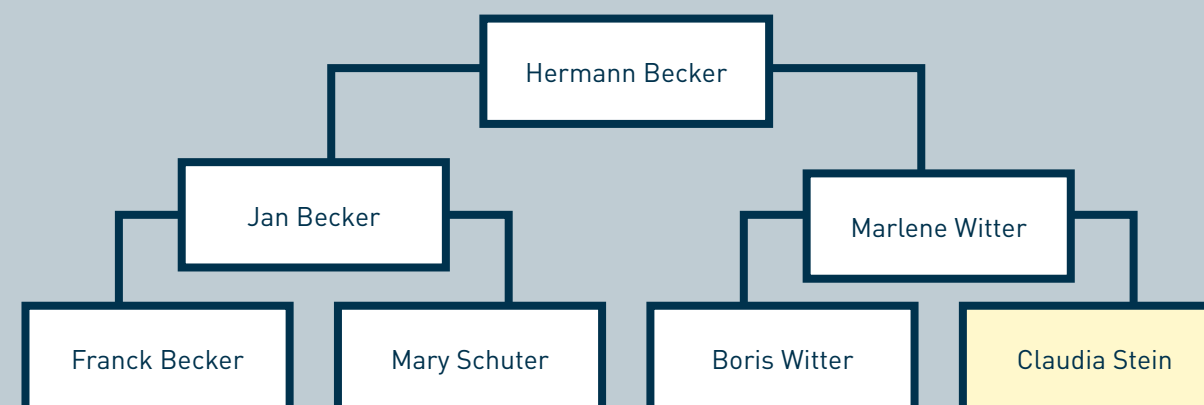
One of the key tools used to identify citizens of Jewish race or descent was the **National Census**.

The 1939 German census required citizens to identify themselves by both **religious affiliation** and **race**. In addition, citizens were asked to provide the **religion of all four grandparents** so people with any trace of Jewish ancestry could be identified.

SECTION 2.1

STUDENTS

Information sheet for students.



Ultimately, the 1939 census became the basis for a national register of Jews. Within three years, the completed national register

of Jews and Jewish 'Mischlinge' (mixed-breeds) was to provide the basis for Nazi deportation lists.

Population Register

Name	Address	Religion	Racial Jew
Becker, Hermann	11 Weiss Strasse	Lutheran (Paternal grandmother, Claudia Stein, Jewish)	25%

MISCHLINGE

POPULATION IDENTIFICATION SYSTEMS: IDENTITY CARDS:

A combination of data from several different government sources resulted in the distribution of **photo identity cards** to all inhabitants of the Reich, mandatory under the law of 10

September 1939. Special regulations of 27 September 1939 resulted in the distribution of the now infamous 'J-Cards' for Jews.



SECTION 2.2

STUDENTS

Read the account below.

DEPORTATION

Most of those deported to concentration camps perished in the Holocaust. Similar methods of collecting data on Jews were used in occupied territories such as the Netherlands. Anyone identified as Jewish was subject to a severe curtailment of their freedom on many levels.

A Jewish girl, Anne Frank, was thirteen years old when she wrote in her diary:



After May 1940 good times rapidly fled: first the war, then the capitulation [the surrender of Holland to the Nazis], followed by the arrival of the Germans, which is when the suffering of the Jews really began. Anti Jewish decrees followed each other in quick succession. Jews must wear a yellow star, Jews must hand in their bicycles, Jews are banned from trains and are forbidden to drive, Jews are only allowed to do their shopping between three and five o'clock and then only in shops which bear the placard "Jewish shop." Jews must be indoors by eight o'clock and cannot

even sit in their own gardens after that hour. Jews are forbidden to visit theatres, cinemas, and other places of entertainment. Jews may not take part in public sports. Swimming baths, tennis courts, hockey fields, and other sports grounds are all prohibited to them. Jews may not visit Christians. Jews must go to Jewish schools, and many more restrictions of a similar kind. ... So we could not do this and were forbidden to do that.

Anne Frank: The Diary of a Young Girl

ELSEWHERE...

On the other side of the Atlantic, researchers have recently shown, how the US Census Bureau provided information to American surveillance agencies during World War II. The census data was used to identify people of Japanese ancestry.

SECTION 2.2

TEACHERS

LESSONS LEARNED

People saw the destructive power that information could have in the hands of an evil government and how information gathered for one purpose could be re-used for a wide range of sinister purposes. These extreme examples of census abuse and population identification systems to track minorities for extermination weighed heavily in the minds of those to whom it fell to re-build Europe and to draft declarations of human rights.

This historical background helps us to understand why privacy is today specifically noted as a human right — the post-war lesson of protecting citizens from outside interference is enshrined in Article 12 of the Universal Declaration on Human Rights (1948) (**below right**) and in Article 8 of the European Convention on Human Rights, (1950) both of which articulate an individual's right to privacy.

Privacy is a Human Right

IDEA FOR ACTION

From your school, library or home PC go to Amnesty International Irish Section (www.amnesty.ie) or the Irish Council for Civil Liberties (www.iccl.ie).

Invite a human rights organisation to your school to give a presentation on human rights and civil liberties. Ask them in advance for some recent examples where human rights with regard to privacy specifically have been infringed upon.

Teachers Note: A possible area for discussion could focus on journalists who attempt to file reports online from a country where freedom of expression or the right to have an opinion is not always acceptable. In such countries, often the government authorities request and receive the journalist's personal details from the internet service provider, enabling them to track down and arrest the journalists in question.

Everyone...

12. Has the right to privacy.

ACTIVITY 1 STUDENTS

Complete the task below

BACKGROUND

All types of data, even your name can reveal aspects about you and your background. Personal data can include:

Name, address, date of birth, parents' names, parents' occupations, religion, ethnic or cultural background, credit union / bank balance, health details, school record, PPS Number, video image, photograph, fingerprint, prescription, record of telephone conversation, exam results, CAO application, mobile phone number, wages, membership of a political party.

Circle items of data requested that you think are unnecessary and not relevant to the situation being described...

1. Job application to work as a part-time lifeguard in local swimming pool for the summer.

Name:
Address:
Phone Number:
Date of Birth:
Parents Occupations:
Hobbies:
Previous Work Experience:

2. A free mobile phone holder offer! Simply complete the label on the back of a well-known mineral drink. The holder will be posted to you as long as you send the correct amount of labels with your entry.

Name:
Address:
Mobile Number:
Email Address:
Favourite Mineral Drink:

3. A charity is selling tickets for a raffle. You buy one and are asked to complete the following details on the ticket itself:

Name:
Address:
Contact Phone No:
PPS No:
Ethnic / Cultural Background:

4. Voluntary work in the Parish Centre Library:

Name:
Address:
Phone No:
Religion:

SECTION 2.3 CENSUS IN IRELAND

TEACHERS

AIM

- * To enable students to critically evaluate how the census is conducted in Ireland today.
- * To emphasise the safeguards in place and the duty of confidentiality and anonymity enshrined in legislation.
- * To raise awareness of the dangers of inadequate safeguards or how abuses could occur in situations where extreme conditions prevail.

The organisation that conducts the census in Ireland is the **Central Statistics Office (CSO)**. The **Statistics Act, 1993** constituted the CSO as a statutory body in the Civil Service.

Population statistics are necessary for planning the provision of health care, education, employment, development of critical infrastructure. In addition, the census is also the only means of accurately measuring the exact extent of migration. In terms of personal data supplied there are many safeguards in place in Ireland today to protect the individual and maintain confidentiality.

- * Data gathered on individuals or households cannot be passed onto other state agencies or bodies.
- * Data cannot be used for other purposes e.g. passed onto commercial third parties who wish to contact citizens for direct marketing purposes based upon an analysis of their demographic profile.
- * Information about you and your family's race, religion, lifestyle etc. is uploaded onto the CSO database separately. Names and addresses are not retained as part of the computerised information.

ACTIVITY 1

TEACHERS

[Sensitivity may be required in terms of your students with regard to religious beliefs / ethnic or cultural backgrounds.]

1. Photocopy this page and the page opposite and distribute to students.

2. Examine the excerpt from the census form below and ask students to pinpoint where it states:

a) Confidentiality is guaranteed under the Statistics Act, 1993.

b) The information you provide will be used for statistical purposes only.

3. Ask each student in the class to complete the two questions highlighted as if they were filling out the census form on census night. Students can
- then complete the questionnaire.

Please Note: Students are not required to write their name anywhere on the answer sheet for this exercise.

4. Ask a student to collect the answer sheets.

5. Nominate one group of students to work out the % of students for each religious category provided based on the replies received.

6. Ask another group of students to calculate the amount of yes and nos for each question on the questionnaire (see page opposite) e.g. Q1. 60% of the class said yes and 40% said no.



Daonáireamh na hÉireann
Census of Population of Ireland
Sunday 23 April 2006

About the Census

The Census takes place every five years and counts all the people and households in the country. The census results will give a comprehensive picture of the social and living conditions of our people and will provide vital information necessary for planning Ireland's future.

Participation is compulsory

The Census is being taken under the Statistics Act, 1993 and the Statistics (Census of Population) Order, 2005. Under Section 26 of the Statistics Act, 1993, you are obliged by law to complete this form. Any person who fails or refuses to provide this information or who knowingly provides false information may be subject to a fine of up to €25,000.

Confidentiality is guaranteed

The confidentiality of your Census return is legally guaranteed by the Statistics Act, 1993. The Central Statistics Office will use the information you provide for statistical purposes only. This includes the production of statistical tables and analytical reports and the selection of samples for some of our surveys.

Census Enumerator

Your Census Enumerator will assist you if you have difficulty completing your Census form or if you have any questions about the Census.

Thank you for your co-operation.


Donal Garvey
Director General

ACTIVITY 1

STUDENTS

EXCERPTS FROM
IRISH CENSUS 2006

13 What is your religion?
✓ one box only.

- 1 ☐ Roman Catholic
- 2 ☐ Church of Ireland
- 3 ☐ Presbyterian
- 4 ☐ Methodist
- 5 ☐ Islam
- 6 ☐ Other, write in your RELIGION
-
- 7 ☐ No religion

14 What is your ethnic or cultural background?
Choose ONE section from A to D, then ✓ the appropriate box.

- A White
- 1 ☐ Irish
- 2 ☐ Irish Traveller
- 3 ☐ Any other White background
- B Black or Black Irish
- 4 ☐ African
- 5 ☐ Any other Black background
- C Asian or Asian Irish
- 6 ☐ Chinese
- 7 ☐ Any other Asian background
- D Other, including mixed background
- 8 ☐ Other, write in description
-

QUESTIONNAIRE

Evaluation of Census Questions on Race and Religion

Question	Yes (Tick)	No (Tick)
1. Do you accept the 'Confidentiality Guaranteed' statement and the Statistics Act 1993 are there to protect you?		
2. Does it reassure you to know that all names and details of individuals are not linked with the data on religion and ethnicity held on computers?		
3. Do you accept that society needs this kind of data in order to plan for the future and prioritise services?		
4. Can you ever imagine a scenario where another state body could seize census data and use it for another purpose e.g. to segregate communities or in an extreme war situation to initiate a programme of ethnic cleansing?		

SECTION 2.3 TEACHERS

FOLLOW UP ACTIVITY

Role Play: Devise a scenario in class where it is census night and a citizen is sitting down to fill out the census form. Choose a student to play the citizen and another student to take on the role of the person responsible for collecting the completed forms; the census enumerator. Aside from questions on religion and race, the citizen has issues with some of the other questions being asked, such as the

nature of the occupancy of the household, whether its rented, local authority or owner occupied — see Question H3 on 2006 census form below.

When the census enumerator arrives to collect the form, the citizen and enumerator engage in a debate on the doorstep of the citizen's house. The enumerator must persuade the citizen to complete the remaining questions reminding them of their legal obligations in this respect and reassuring them of the safeguards in place to protect their privacy.

H3 What is the nature of occupancy of your household's accommodation?

✓ one box only.

- 1 ☐ Owner occupied where loan or mortgage repayments are being made
- 2 ☐ Owner occupied where no loan or mortgage repayments are being made
- 3 ☐ Being purchased from a Local Authority under a Tenant Purchase Scheme
- 4 ☐ Rented from a Local Authority
- 5 ☐ Rented from a Voluntary Body
- 6 ☐ Rented unfurnished other than from a Local Authority or Voluntary Body
- 7 ☐ Rented furnished or part furnished other than from a Local Authority or Voluntary Body
- 8 ☐ Occupied free of rent (caretaker, company official, etc.)

FOLLOW UP ACTIVITY

* From your school, library or home PC go to the CSO website and download a copy of the Census 2006 form - http://www.cso.ie/census/documents/censusform_2006.pdf

* Access the explanations provided by the C.S.O regarding the purpose behind each question — http://www.cso.ie/census/why_all_the_questions.htm Students may assess which questions they feel are the most important and which are the least important.

* Access the explanations provided by the C.S.O regarding new questions appearing for the first time in the census in 2006 - http://www.cso.ie/census/New_Questions.htm Students can decide which new question they feel is the most important or most interesting. *The page opposite contains an excerpt from this web page and explains the background to the introduction of a new question on ethnic group.*

* Ask students what would the implications be if people lost confidence in the C.S.O. and didn't provide the information sought.

IDEA FOR ACTION

* Go to the CSO website www.cso.ie/census/SAPs.htm – and examine the small area population statistics (SAPs). Locate some data relevant to your local area. Analyse what the new statistics mean for your area in terms of future needs. Write an article for the school newsletter or your local paper illustrating your findings. Address the privacy and confidentiality agenda in your analysis. Organise a venue to display the results of your research.

NEW QUESTION 2006 CENSUS

Question 14 - Ethnic group

The results of the pilot survey indicated that there was a high level of acceptance of the question from the public. The categories included in the question were developed in consultation with the Equality Authority, the National Consultative Committee on Racism and Interculturalism and Pavee Point along with relevant departments.

SECTION 2.4 DATA PROTECTION

TEACHERS

There are a number of activities on the following pages. Choose an activity(ies) that is appropriate to your students.

Nazi Germany is an example from the last century of how information on disabilities and racial identity was abused and manipulated to segregate or inflict cruelty upon vulnerable citizens. However, when the human rights declarations and privacy framework emerged in the 1950's, society also began evolving at a rapid pace on a technological scale. The sheer processing power of computers and databases to store, aggregate and manipulate data meant it was eventually necessary for legislation to be introduced to cope with the speed of technological progress. New technologies can undoubtedly create many opportunities

and improvements but they can also create opportunities for more frequent incursions into individuals' private lives.

In order to counteract such threats to privacy steps were taken to control the way in which individuals and organisations could collect and process personal information. In Ireland the principal laws that cover personal information today are the **Data Protection Acts 1988 and 2003**. Irish legislation was introduced on foot of developments in the European Union — mainly a Council of Europe Convention in 1981 and several key EU Directives in 1995 and 2002.

Important: Data Protection legislation does not apply to personal data kept by individuals for recreational purposes or concerned only with the management of their personal, family or household affairs.

What's covered	What's not covered
A company holding a list of names and numbers for commercial purposes.	A list of names and numbers in a personal mobile phone is not covered by the legislation.
A sporting organisation maintaining a spreadsheet of all team members and their contact details.	A list of names in a spreadsheet listing all members of your football team and their contact details so you can contact them to arrange match fixtures is not covered by legislation.
A diary held by a member of An Garda Síochána.	A list of names in your diary detailing names, dates and comments with regard to personal acquaintances is not covered by legislation. [However, a list of names on your web page detailing names, dates and comments with regard to personal acquaintances may be covered by legislation because a social networking site is a public forum].

ACTIVITY 1 STUDENTS

Complete the following questionnaire.

WHO HAS MY INFORMATION?

- * Divide into groups of five.
- * Each group needs to guess what type of information is held by each institution relating to an individual and why.
- * Fill in as many columns as possible .

Organisation	Information Held	Why?
Phone Company		
Bank		
Supermarket		
Department of Social and Family Affairs		
School		
Chemist		
Department of Education and Science		
County Council		
Insurance Company		
Doctor		
Department of Foreign Affairs		
Department of Health and Children		
Gardaí		
DVD Shop		

ACTIVITY 1 TEACHERS

Answers provided below and overleaf are guidelines only.

The aim of Activity 1 was for students to become familiar with institutions that hold their personal details and to try to figure out what information is held by each institution and why.

Once the students start to fill in the columns on their worksheets use the list below to provide assistance to them. Explain to students that for society to function in an organised way it is necessary for organisations to collect and store information on individuals.

Organisation	Information Held	Why?
Phone Company	• Name • Address • Telephone number • All calls made and received.	Send a bill. Record of telephone calls.
Bank	• Debit (ATM) and credit card details • Name (need proof e.g. drivers licence, passport) • Address • Transaction details.	Need contact details for sending statements. Must track transactions. Money laundering legislation.
Supermarket	• Loyalty Points Card • Name • Address • Shopping history.	Send vouchers in the post Marketing - send details about products you may be interested in.
Department of Social and Family Affairs	• Name • Address • Date of birth • PPS number.	Claim benefits (e.g. children's allowance)

Organisation	Information Held	Why?
School	• Name • Address • Parents contact details • Results • School Reports • Attendance • Health details.	Required to have record of all students. Must be able to contact parents in event of emergency.
Hospital	• Details of birth • X-Ray on file.	Important to record details of birth, including any complications. Details of visits important to build health record and for diagnosis
Chemist	• Prescriptions • Name • Address.	Trace prescription. May be important to get a record of prescriptions taken in event of reaction.
Department of Education and Science	• Name.	Record of numbers in schools. Record of all results. Replacement may be provided if results lost.
County Council – Motor Tax Unit	• Name • Address • Car type and registration.	Car Tax Driver's Licence Details
Insurance Company	• Name • Address • Property Insured • Car reg., number, make and model • Previous insurance history.	Must have contact details. Must know what is insured. Must calculate risk
Doctor	• Name • Address • Parents names.	Doctor must be able to identify each patient. Record of illnesses helps to form diagnosis and to provide good health care.

Organisation	Information Held	Why?
Department of Foreign Affairs	Passport application form with details of: • Name • Address • PPS number. If first passport: • Birth certificate.	Must be satisfied that passports are only issued to those that are entitled to them.
Department of Health and Children	• Name • Address • Doctor.	Department tracks immunisation programme
Gardaí	• Registration plate • Name • Address.	Crime prevention and detection
DVD Shop	• DVD Rental Card • Name • Address • Telephone Number	Track DVD's

ACTIVITY 2 STUDENTS

Read the following case study and answer the question below.

CASE STUDY

The Data Protection Commissioner received a complaint from a mother who along with her 14 year-old daughter took part in the 2002 Dublin Women's Mini Marathon. A couple of months after the race, the daughter got a letter from a UK company offering her photos of herself taken on the day of the marathon. The photos also appeared on the company's website. The mother complained that she had not given permission to the organisers of the mini-marathon to supply her daughter's name, address and race number to another company or for them to take photos of her daughter.

The Office of the Data Protection Commissioner contacted the organisers of the mini-marathon who agreed they had supplied entrants' details to the UK company and had allowed them to take photos on the basis that the company

would later offer photos to the participants. The organisers admitted that participants were not told about this when they signed up for the event.

In this case the organisers obtained the race entrants data for one purpose but then passed it onto a 3rd party who used the details for another purpose i.e. to try and sell race entrants photos of themselves. The organisers agreed to revise their procedures for future events and to give participants an option regarding photos. The photos were taken down from the company's website.



Do you agree?	Agree	Disagree
The privacy of the race entrants was breached.		
Was the mother's action correct or was it over the top?		
Was the situation made worse by the fact that under 18's were involved and their pictures featured on the website?		
Would the organisers have been in a better position if they had asked entrants on the entry form could they pass their details on to a company who they had engaged to take photos on the day?		
Do you think the organisers knew the company would also publish race participants photos on the company's own commercial website?		

ACTIVITY 3

STUDENTS

You may be surprised to discover that there are a number of ways your privacy can be affected on a daily basis. It is important to be able to tell the difference between an intrusion or infringement of your privacy and a normal social interaction.

★ Divide up into groups of four. Each group should read the questions below and tick which activities that could be an infringement of your privacy and which activities you think are normal (even though they may be unwanted). There are no right or wrong answers. This exercise is simply to make you think about what you consider acceptable.

Which of the following do you think could be considered to be an intrusion of your privacy?	Yes ✓	No ✓
1. A telephone company calling during dinner to try to get you to change over to their company.		
2. A mobile phone company sending you texts trying to get you to sign up for ring-tones.		
3. A telephone call from your friend's cousin to ask where you bought your new top.		
4. A CCTV camera facing the entrance to a toilet in a fast food restaurant.		
5. A text from your parents asking when you will be home.		
6. A fourteen year old receiving a letter from a bank offering her a credit card.		
7. An email from a hotel that your family stayed in 6 years ago letting you know about a special offer.		
8. A rule in another school that you must provide a fingerprint when you visit.		
9. A photograph of you alone published without your permission in a poster advertising a fun-run.		
10. Your doctor discussing your medical history in the reception area of the clinic.		

Which of the following do you think could be considered to be an intrusion on your privacy?	Yes ✓	No ✓
11. Your photograph uploaded on the internet without your consent.		
12. Your employer leaving details of the salaries of workers on the counter.		
13. Your personal details (name, address, telephone number) appearing on a website as posted by you.		
14. A travel company passing on your families details to a credit card company.		
15. A text from a friend of a friend asking you to a party.		

FOLLOW-UP
ACTIVITY

When this exercise is corrected ask students to think of examples of ways in which their privacy has been affected even though they did not realise it at the time.

SECTION THREE

AIMS

- * To learn how data protection legislation confers rights and responsibilities
- * To learn how individuals can make an access request
- * To learn how individuals can make a complaint.

CONCEPTS

- * Rights and Responsibilities
- * Law.

ATTITUDES & VALUES

- * Awareness of Rights.

KNOWLEDGE

- * Data Protection Principles and Law
- * Data Processing
- * Sensitive Data
- * Age of Consent
- * Access Rights
- * Freedom of Information
- * Right of redress or remedial action
- * Case Studies in data protection arena of relevance to young people.

SKILLS

- * Analysis, organisation, collation, enumeration and evaluation of disparate sets of data
- * Communications: discussion, role play, listening, acting, empathising.

SECTION 3.1 RIGHTS AND RESPONSIBILITIES

TEACHERS

The **Data Protection Acts (1988 and 2003)** give individuals **rights** and afford them with certain key protections. At the same time, the Data Protection Acts create obligations and impose **responsibilities** on those who gather and keep personal information (data controllers).

For the most part, organisations (e.g. schools, hospitals, employers, government departments, banks, libraries) and individuals (e.g. doctors, pharmacists) that hold personal information relating to individuals do so in a responsible manner.

It is possible however, that:

- * The information kept about you may be wrong or out of date;
- * It may be given to someone not entitled to see it;
- * You may find yourself receiving 'junk mail' or unsolicited texts or emails;
- * Your privacy might be threatened in other more serious ways.

TEACHERS

Before proceeding to examine 'Rights and Responsibilities' in detail, students need to explore the concept of 'processing' further. Photocopy and distribute a copy of the diagram overleaf to each student and ask them to study the diagram. Ensure they understand that 'processing' does not just involving performing an electronic operation.

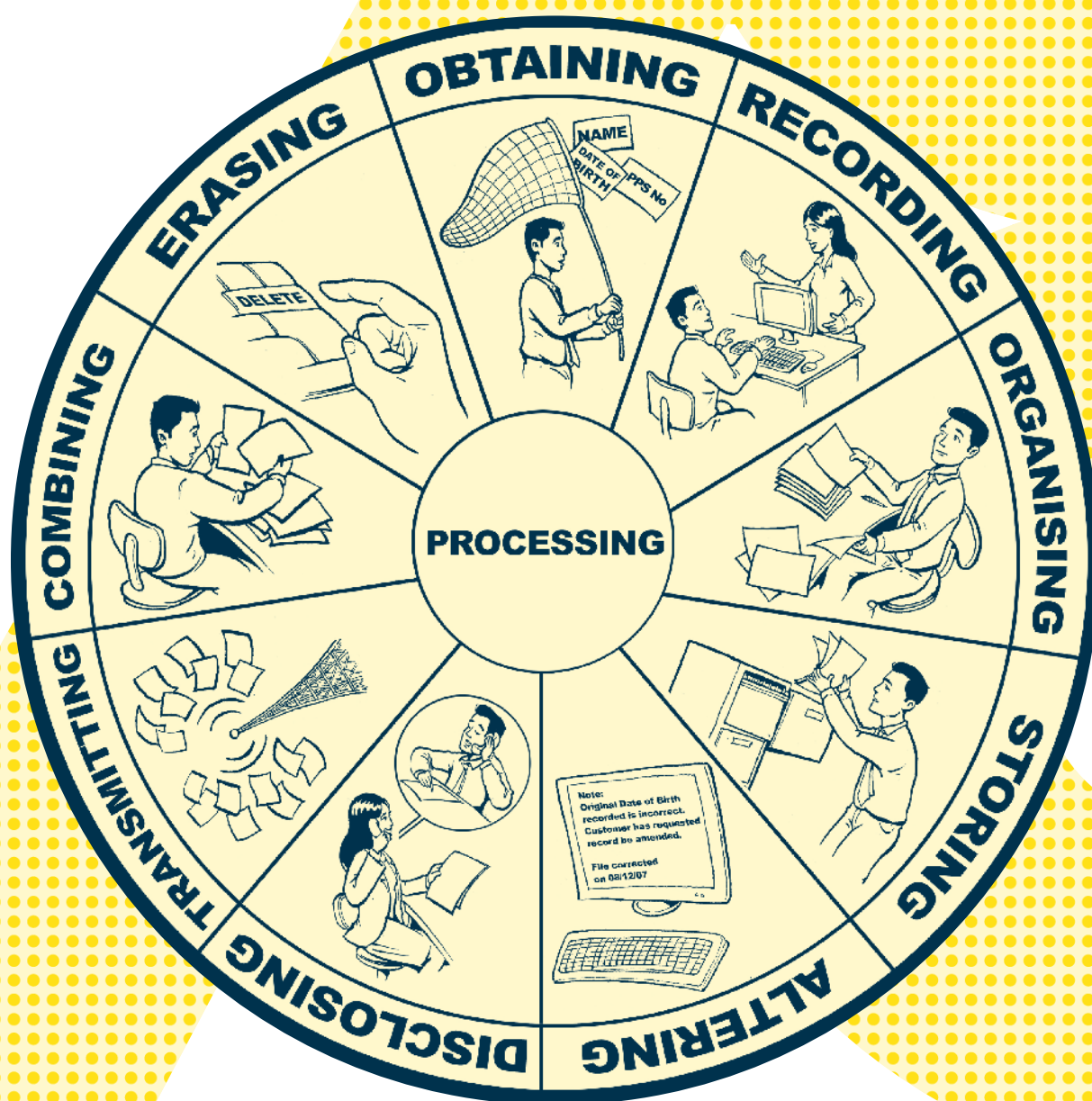
PROCESSING

STUDENTS

The Wheel diagram below will help you understand the many ways in which personal data may be processed.

* Your personal data must be processed in accordance with the Data Protection Acts, 1988 and 2003.

Processing of data covers a whole range of activities with regard to personal data. The Data Protection Acts apply to all personal data held manually in a filing system or electronically.



PROCESSING

TEACHERS

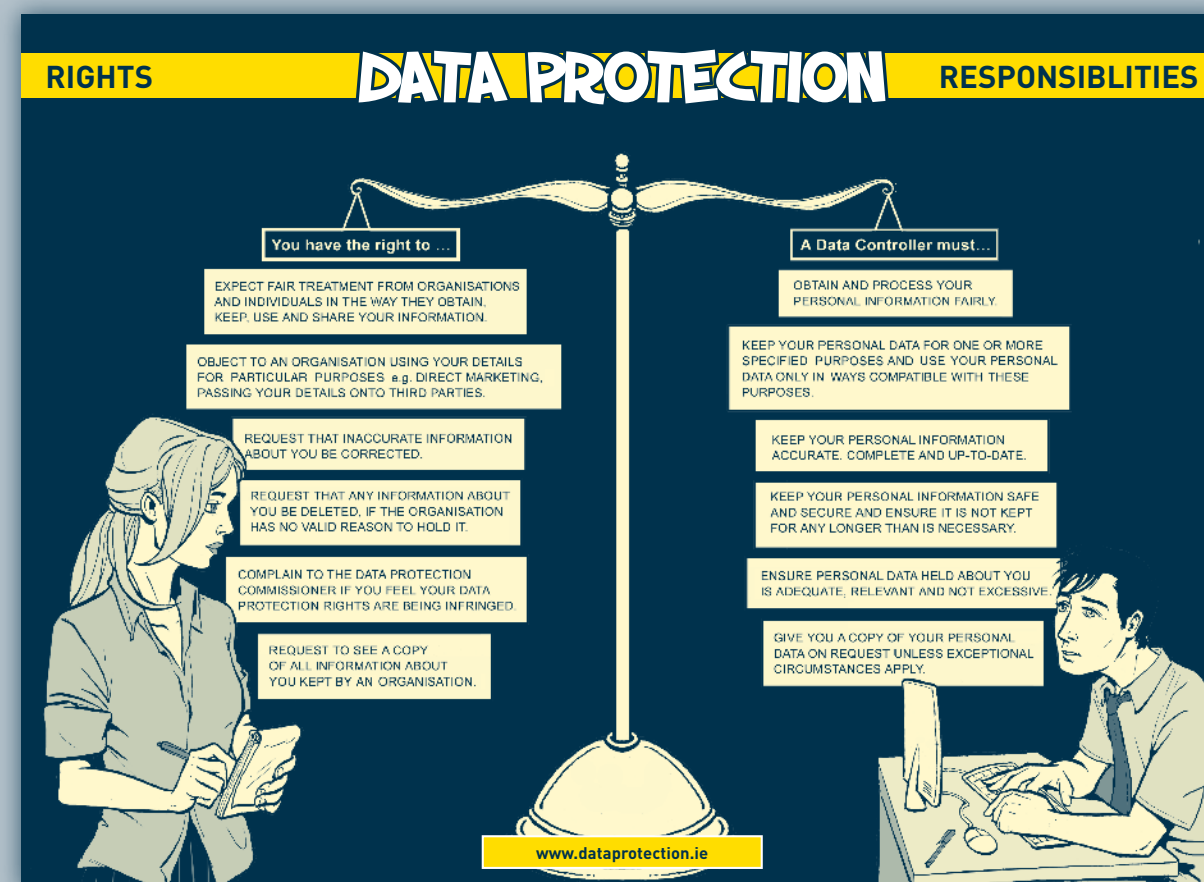
Use the 'Rights & Responsibilities' chart included as an insert at the back of the booklet. Position the 'Rights & Responsibilities' chart in a prominent visible area and read through the rights and responsibilities.

RIGHTS OF DATA SUBJECTS

RESPONSIBILITIES OF DATA CONTROLLERS

Individuals (data subjects) are often requested to provide personal information about themselves to a variety of organisations and individuals (data controllers) for a whole range of purposes on a daily basis.

Data Controllers (organisations and individuals) collect personal information about individual data subjects.



ACTIVITY 1

TEACHERS

Photocopy the two pages of the 'Do you need to take action?' Activity on pages 47 - 48. Distribute a copy of the worksheets to each member of the class. Allocate the students 10 minutes or so to cover the first four scenarios

and then pause to review the students' answers. Use the information provided below to steer the conversation. Return to the activity and ask the students to complete the final four scenarios.

OVERVIEW OF SCENARIOS TEACHERS

Suggested Answers

Brian/Sports Gear Online: Further Action Required

Brian should return to the website he purchased the items from and locate their contact details. Brian should email or call them and state that he does not wish to receive promotional emails in future. As the list may be generated automatically from a customer database, Brian may have to follow instructions to 'unsubscribe' from the mailing list. The company should respect Brian's wishes not to be contacted again. Should the company continue to send Brian unsolicited emails, the ability to pursue and prosecute the company depends on the country or legal jurisdiction in which the company is based. If the company is based in the EU, it will have to have had included details of how to unsubscribe in each message.

Dad's Ticket for Charity: Further Action Required

Advisable that Dad would call the charity and query their communications. Dad may say he doesn't remember them telling him they would keep contacting him once the event was over. The charity might not have asked dad's permission in the first place. Alternatively, the charity could inform him that he failed to tick an 'opt-out' box saying he didn't want to be contacted about future events/campaigns. Nevertheless, even if Dad inadvertently failed to 'opt-out' Dad is entitled to ask the charity to remove his details from the charity's database and not to send him any more texts. The charity must respect this request.

Lucy's Part-Time job: No Further Action Required

Legitimate use. Employers need employees PPS Nos. in order to comply with employment and pay regulations. Employers may also need to check someone's age in order to verify that they are above the minimum legal working age.

ACTIVITY 1

TEACHERS

Brian's Call Card: Further Action Required

This practice is difficult to substantiate as there are a select group of companies in the telecoms sector who make a living from using personal data for further purposes, purposes that may not have been specified at the time of sign-up. Often, customers signing up may have agreed unknowingly to receive further 'offers'. Operators are legally obliged to offer customers a way to 'unsubscribe' from these kinds of services. How to 'unsubscribe' should be indicated in each communication but there are cases where customers are told it will cost them money to unsubscribe. The Office of the Data Protection Commissioner has successfully prosecuted a number of operators in this field and will continue to so in order to ensure the law is fully observed.

Mam's Supermarket experience: Further Action Required

Mam should contact the supermarket's HQ and double check what their marketing policy is. There is an emerging technology called RFID (radio frequency identification) which involves tagging products with a chip and tracking their journey from warehouse to supermarket aisle to checkout. Some vendors are examining the possibility of tagging supermarket loyalty cards with these chips in order to ascertain when a customer is in the store and to target them accordingly. Privacy concerns focus on the appropriate use of this technology and the need to clearly limit its extent and intrusion into people's movements.

Sarah and DVD store: No Further Action Required

The store has most likely adopted a policy of requiring proof of residence in the event that the customer would fail to return the DVDs or try to dodge overdue fines. If someone were to provide a false address this would give them more scope to abuse their membership.

Retention and disposal practices: Further Action Required

Lucy should notify management immediately and suggest the documents be shredded and marked for secure disposal. Poor security practices with regard to personal data heighten the risk of disclosure to third parties and possible fraud, abuse or identity theft.

Accuracy of Data: No Further Action Required

Dad should contact the Irish Credit Bureau to ascertain what his credit history is and to sort out the mix-up. Many financial institutions use the Irish Credit Bureau as a screening process to investigate people's credit history. If a person has defaulted on a loan this will be marked on the Irish Credit Bureau database. Mistakes due to inaccurate data entry or similar names can occur and the person affected is entitled to have their personal data rectified and amended so that it is accurate.

ACTIVITY 1

STUDENTS

Read the scenarios below and tick the appropriate box.

DO YOU NEED TO TAKE ACTION?

- * Is the level of data being requested acceptable?
- * Would you have concerns as to how the data is being obtained or used?

* Do you think the data subjects (Brian, Sarah, Lucy, Mam and Dad) should take action and make some enquiries or objections?

There is no definitive answer for any of these scenarios as not all the facts are known but your teacher can talk through the answers provided and see whether the majority of the class are in agreement as to what is acceptable practice.

Scenario	Further action required. ✓	No further action required. ✓
Brian bought some sports gear over the internet and now he's receiving all sorts of emails concerning sports gear, fitness equipment and vitamin pills. He knows it's not spam or junk mail because it's coming from the same supplier he purchased the gear from. Also, his name is featured within the text of the message and the content is directly targeted at him based on what he bought online.		
A few months ago Dad purchased a ticket for a charity event which he attended two weeks later. At the time of purchase Dad gave his contact details so he could be contacted to confirm times and venue details. Since then Dad has been receiving follow-up texts encouraging him to contribute to various appeals.		



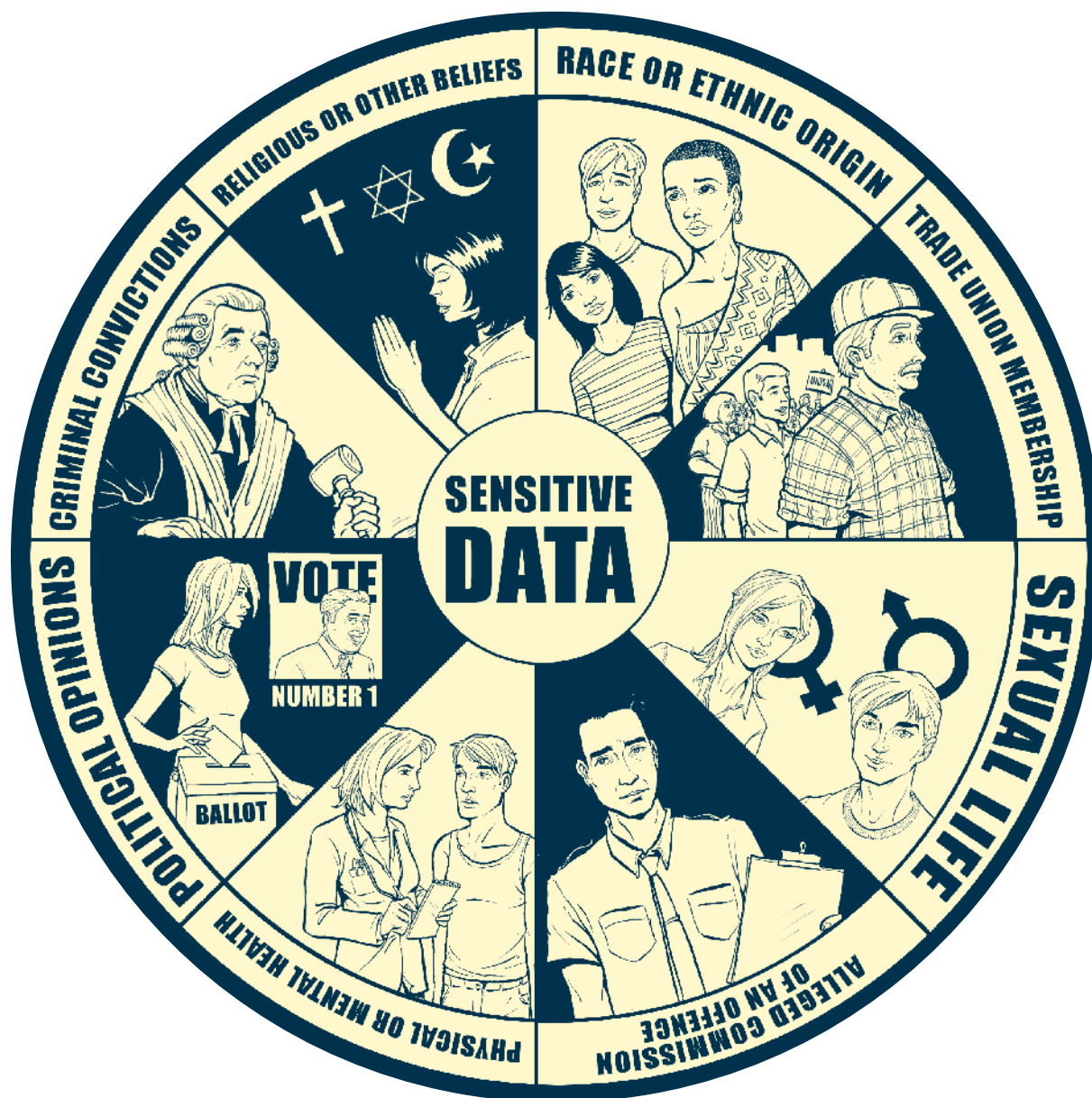
Scenario	Further action required. ✓	No further action required. ✓
When Lucy starts her new part-time job she is asked to present her birth certificate on her first day and provide her PPS Number to her employer. The Employer enters her PPS number onto the system and looks at the birth certificate, returning it to Sarah immediately without making a copy.		
Brian attends an outdoor concert and avails of a free call card offering €15 worth of mobile calls. He fills out a few details about himself on a card in order to receive the free credit. He is now receiving texts about all sorts of offers and holiday deals.		
Mam gets a text when she's in the supermarket to say there is a special offer on detergents in the third aisle. Mam has a loyalty card and so she knows she gave the store her mobile phone number at one stage, but she is confused as to how the supermarket knew when she was in the store or whether it's just a coincidence.		
When Sarah goes to sign up with a local DVD store they refuse her initial application on the basis that they require two letters displaying proof of her home address. Once examined the letters are returned to Sarah.		
Lucy is clocking out from her part-time job when she notices a huge pile of recently discarded customer files are visible from the rubbish bins located to the side of the premises. Lucy knows the files contain details of customers' credit cards.		
Dad applies to a bank for a loan to build an extension onto the house and is horrified when the bank tells him he has a bad credit history and several outstanding debts. The bank refuses Dad's loan application. Dad knows he has no outstanding debts and has never had problems in the past with repaying loans.		



SECTION 3.2 SENSITIVE DATA

STUDENTS

The categories of data featured in the wheel diagram receive extra protection under the Data Protection Acts. Data Controllers must be able to justify why they need this data and they must take extra care when processing this data.



ACTIVITY 1

STUDENTS

The newspaper headlines below could be breaches of data protection laws. Circle which of the options below you think could also be categorised as relating to sensitive personal data.

THE TIMES

Local Authority justifies publishing names and addresses of planning applicants on the web.

DAILY STAR

MEDICAL ASSOCIATION ADMITS RELEASE OF DETAILS ON TRAINEE DOCTORS' RACE AND RELIGIOUS BELIEFS ON TO MA WEBSITE WAS TECHNICAL BLUNDER.

THE ECHO

Trial aborted as prosecution admits disclosing series of allegations against the accused to jury.

THE SENTINEL

Retail giant admits hackers have gained access to credit cards details of customers.

THE TRIBUNE

Mandatory register for Palestinians: a recipe for genocide.

THE VOICE

Union membership payroll deductions used to dock striking teachers pay.

THE HERALD

Results fiasco: University staff post student names alongside exam results on faculty notice board.

THE PEOPLE

Camera lens zoom into private party in star's home.

ACTIVITY 1

TEACHERS

Guideline Answers to newspaper headlines activity on page 50.

Local Authority justifies publishing names and addresses of planning applicants on the web.

Not sensitive data under Data Protection Acts (1988 and 2003). Local Authority may have planning legislation permitting them to put this information into public domain, electronically or otherwise.

Medical Association admits release of details on trainee doctors' race and religious beliefs onto MA website was technical blunder.

Data on race or religious beliefs constitutes sensitive data as outlined in the Acts. The example above was an unintended disclosure of sensitive data. Questions could be asked by the Data Protection Commissioner concerning security practices. Questions could also be raised with regard to the purpose behind requesting these categories of information in the first place.

Mandatory register for Palestinians: a recipe for genocide.

Categorisations of race or ethnic origin qualify as sensitive data under the Data Protection Acts. A government could pass enabling legislation to do this in a situation such as a disputed territory conflict. Such a register would be extremely sensitive if abused. Some population registers based on race or ethnic origin led to persecution.

Retail giant admits hackers have gained access to credit cards details of customers.

Credit card details are not deemed sensitive data under Acts. Affected customers could complain to Data Protection Commissioner but ideally the company would notify the Commissioner of the security breach. The Data Protection Commissioner would then examine security practices.

Union membership payroll deductions used to dock striking teachers pay.

Trade union membership is deemed as sensitive data under the Acts. Data obtained for one purpose should not be used for another purpose.

Trial aborted as prosecution admits disclosing series of allegations against the accused to jury.

Allegations are sensitive data under the Data Protection Acts. Breaks many laws concerning judicial procedure and confidentiality as well as data protection.

University staff post student names alongside exam results on faculty notice board.

Not sensitive data under Acts. Could be viewed as a legitimate complaint.

Lens zoom into private party in star's home.

Not likely to be sensitive data under the acts, however an image is considered personal data so the star could complain that their personal data had been obtained unlawfully.

SECTION 3.3

AGE OF CONSENT

TEACHERS

Discuss information below with the class.

Section 2A(1)(a) of the Data Protection Acts state that if the data subject by reason of his/her physical or mental incapacity or age, is or is likely to be unable to appreciate the nature and effect of such consent, it can be given by a parent or guardian etc.

A person aged eighteen or older can give consent to their data being processed themselves.

18+

The Irish Data Protection Acts (1988 and 2003) are not specific on what age a person needs to be to consent on their own behalf, for their personal data to be processed for a particular purpose.

Data Protection law allows for a degree of flexibility in terms of assessing whether a person is mature enough to give consent themselves depending on the matter in question.

Judging the maturity of 12-18 year olds will vary from case to case and depending on the circumstances.

12-18

Generally, in the case of children under the age of twelve, the explicit consent of a parent or guardian is necessary.

-12



Within the context of a post-primary school environment, data protection law allows **both** students and their parents or guardians to have a role to play in supplying consent to process

the personal data of students. Teachers also have a right to request to view any personal data held about them by the school.



A 14 year old student might sign a slip consenting to their photo appearing in the school yearbook.



A school should seek consent from both the student and the student's parent or guardian in relation to a new fingerprints ID system designed to monitor student attendance. Students and Parents should have the right to refuse to use it.



A 15 year old might be deemed mature enough to make a request seeking access to personal data held about them by their doctor.



A 16 year old might make a complaint to the Data Protection Commissioner if they feel their personal data has been misused or disclosed inappropriately by their school. Alternatively, the parent of a 16 year old may make a complaint on the child's behalf.

The signed consent of a 14 year old post-primary school student may suffice when joining the school library or student-run bank.



Consent might be obtained from both the student and the student's parent or guardian in relation to the installation of CCTV beside lockers in the school corridor.



A parent might be denied access to their 15 year old child's hospital records if this did not serve the best interests of the teenager.



ACTIVITY 3

STUDENTS

Examine the image below and answer the questions that follow



1. Name some of the key rights you have with regard to your data [see 'Rights and Responsibilities' Chart for answers].
2. How can you take steps to be more in control of your data?
3. Have you ever needed to assert your rights in relation to how your data was being processed?

If you would like to receive a free mousemat based on the above design, please email us at info@dataprotection.ie with 'Mousemat' as the subject.

SECTION 3.4

ACCESS REQUESTS

STUDENTS

Below is an information sheet on how to access personal information held about you.

An access request is where you (the data subject) make a formal request to a data controller under the Data Protection Acts requesting they supply you with a copy of all the personal data held about you.

How to make an access request:

Dear ...

I wish to make an access request under the Data Protection Acts 1988 and 2003 for a copy of any information you keep about me, on computer or in manual form. I am making this request under section 4 of the Data Protection Acts. I enclose a cheque/money order for €6.35.

THINGS YOU SHOULD KNOW ABOUT AN ACCESS REQUEST

- * You may be asked to pay a fee, but this cannot exceed €6.35.
- * Once you have made your request, you should also include any additional details that may be necessary to enable the organisation to locate your record; e.g. account number or

PPS number (if you are writing to a public-sector organisation). When requesting some types of record, such as credit records or Garda records, it may also be useful to provide a list of previous addresses, previous names and your date of birth.

- * You must be given the information within 40 days, although most organisations manage to reply much sooner.
- * You can complain to the Office of the Data Protection Commissioner (www.dataprotection.ie) if your access request is refused or not fully complied with.

ACCESS REQUESTS

TEACHERS

Compare and contrast Data Protection and Freedom of Information as presented below with the class.

There are two main options available to individuals in Ireland in terms of seeking access to information held about them. Some access requests can be made either under the Data Protection Acts or the Freedom of Information Acts.

Data Protection Acts, 1988 and 2003	Freedom of Information Act, 1997 and 2003
Data Protection concentrates exclusively on personal data belonging to living persons. Data Protection legislation is designed to safeguard your personal data from its creation to how it is obtained, processed, used, stored right through to its disposal. The right of access to one's personal data is only one aspect of data protection legislation and it is designed to allow the individual to know what data is held about them.	Freedom of Information (FOI) is essentially about the right of individuals to seek information held by public bodies including, information about how decisions are made within the civil and public service. For instance, as well as seeking information behind the award of a tender or a decision to fund a school in a certain location, citizens are also entitled to seek information about themselves. In some circumstances, access to this information can be refused.
Human Rights Data Protection is based on an individual's basic human right to privacy with regard to their home, correspondence and private life.	Citizen Rights 'Freedom of Information' is based on the citizen's 'right to know' and focuses on the core values of openness, transparency, accountability.
The Data Protection Acts 1988 and 2003 cover all organisations in Ireland – public, private or voluntary.	Over 600 public sector bodies are covered under the Freedom of Information Acts.
Data Protection Commissioner Responsible for oversight of the operation of the Data Protection Acts. www.dataprotection.ie	Information Commissioner Responsible for oversight of the operation of the Freedom of Information Acts. www.oic.gov.ie

ACTIVITY 2

STUDENTS

Read the following case study and answer the questions asked by the teacher.

Sometimes there is an overlap between access request cases handled by the Office of the Data Protection Commissioner and the Information Commissioner (F.O.I.) The following case was dealt with under Freedom of Information but has many resonances with Data Protection.

CASE STUDY

Request to access daughter's hospital records under Freedom of Information Act. McK v Information Commissioner:

At issue was the right of a father under the FOI Act to see the hospital records of his daughter. The parents had separated some years previously. The two children from the marriage remained with the mother but after she died the two children went to live with an aunt and uncle who were appointed joint guardians by the court. In 2002, the Information Commissioner dealt with an appeal from the father who had been refused access to his daughter's records by the hospital.

Freedom of Information legislation provides that a parent will be given access to a child's records where to do so is in the best interests of the child. The Information Commissioner decided that the hospital was correct to refuse to supply the records, taking into account that the child's other legal guardians objected to the father receiving them. The father appealed

to the High Court which, in January 2004, ruled in his favour. The Information Commissioner decided to appeal the decision. In January 2006 the **Supreme Court** upheld the principle that the father must be presumed to be acting in the best interests of his child, but crucially, it did allow for this presumption to be challenged and for **the views of the child to be taken into account**. In the new appeal, following the Supreme Court's decision, the views of the child were taken into account. The Information Commissioner decided that release of the girl's hospital records to her father would not be in her best interests.



ACTIVITY 2

TEACHERS

Ask students the following questions.

	Answers:
The _____ Act specifically contains a reference to the right of the parent to seek access to their child's data if it is in the child's best interest.	The Freedom of Information Act specifically contains a reference to the right of the parent to seek access to their child's data if it is in the child's best interest.
The _____ Court ruled that the child could be consulted if there was an issue concerning their best interest.	The Supreme Court ruled that the child could be consulted if there was an issue concerning their best interest.
Do G.P.'s or hospitals have the right to make a judgement as to whether records should be released?	Do GPs or hospitals have the right to make a judgement as to whether records should be released? Yes.
Can this right be challenged?	Can this right be challenged? Yes.
Do you agree young people should have a say in terms of any access requests made concerning them by their parents or legal guardians?	Do you agree young people should have a say in terms of any access requests made concerning them by their parents or legal guardians? Opinions of class.

ACTIVITY 3 TEACHERS

Photocopy the following **Case Studies** featured on the pages overleaf.

In this section (3) students have become familiar with the Data Protection laws. In Ireland it is the Data Protection Commissioner's role to see that these laws are upheld in this country.

The Data Protection Commissioner has a wide range of enforcement powers which include:

- * Serving of legal notices compelling data controllers to provide information needed to assist with enquiries.
- * Compelling a data controller to implement the Acts.
- * Investigating complaints made by the general public.
- * Authorising officers to enter premises and to inspect the type of personal information kept, how it is processed and the security measures in place.

A data controller found guilty of an offence under the Acts can be fined amounts up to €100,000, on conviction on indictment and/or may be ordered to delete all or part of the database.

- * Divide the class into groups of four. Distribute one case study to each group. Ask the students to read through the case study and to name the Data Protection issues that they think might be in question. Students can again refer to the 'Rights and Responsibilities' Chart.

- * Each group should nominate a spokesperson. Allow 10 minutes for students to read the piece and to talk about it themselves.

- * When everybody is finished ask the spokesperson to stand up and to give a brief description of the complaint and the issue in question. A note could be made of these on the board.

FOLLOW-UP ACTIVITY

- * Ask students to think about how they would raise awareness about Data Protection amongst young people?
- * Design an information poster for the Office of the Data Protection Commissioner for distribution in secondary schools.

ACTIVITY 3

STUDENTS

CASE STUDY 1

A man complained to the Data Protection Commissioner that his ten-year-old daughter had got a letter from a bank asking did she want a credit card. The man also contacted the bank and was told the mailing list used by the bank had been bought from a marketing company. The marketing company said they had bought data from a UK company. The UK company said they had gotten the man and his daughter's details from a post-holiday survey.

The survey form clearly showed the girl was only ten. The UK company said they normally would not use details of under 18's and that the girl's details were passed on by mistake. The company corrected their error and changes were put in place to make sure that this type of mistake never happens again.



CASE STUDY 2

A parent contacted the Office of the Data Protection Commissioner to complain that the local primary school had been publishing details of pupils on the school web site, without looking for permission from the parents first. Photographs and names of pupils, as well as information about the children's hobbies, likes and dislikes were on the school web site pages. The parent had already raised the matter with the school but was not happy with the response she had received.

The Data Protection Commissioner asked the school to take all personal details down from the web site. The Commissioner then met with the school principal who explained that all the pupils had been very positive about the new web site and that the web site had even won some awards. As regards getting

the permission of parents, the principal said that the new web site had been mentioned in a recent school newsletter, and that parents had been invited to come to the school to check it out for themselves. However, the Data Protection Commissioner felt that the clear permission of parents or guardians must be obtained before using children under 12's data in this way. The Principal accepted this and undertook not to put personal details of school children on the web site without the permission of a parent or guardian.



ACTIVITY 3

STUDENTS

CASE STUDY 3

A research company sent out a survey along with prepaid envelopes and asked people to reply to questions on the form and to return it unsigned (anonymously). However, the prepaid envelopes had unique four digit numbers, suggesting that the survey was not really anonymous and that replies could be traced back to individual people.

The Office of the Data Protection Commissioner arranged a meeting with the company. The company explained that the

numbers on the envelopes were used to check who had sent back replies and for the company to be able to send reminders to those who had not. Once the replies were taken out of the envelopes there was no way of connecting them back to any one person. The Commissioner was satisfied that the survey form responses could not be traced back to individuals.



CASE STUDY 4

A woman wanted to buy a fridge in a shop. She asked the shop assistant if she could pay by instalment scheme. The shop assistant went to check her details on the computer. Other customers who were at the counter were able to clearly see personal information and details about the woman such as her date of birth.

The lady made a complaint to the Data Protection Commissioner. When this case was followed up it was found that the computer screen was badly situated and that it was possible for other customers to see details on the screen even though the staff did try to be discreet.

The owners remodelled the shop and the computer screen was placed in a much more private position.



ACTIVITY 3

STUDENTS

CASE STUDY 5

Some years ago a young man was convicted of a minor offence. He appealed the sentence and was happy when the conviction was 'struck out' (removed from the man's 'record'). In 1996 the man decided to emigrate in and needed a statement of character from the Gardaí. He made an access request to the Gardaí under section 4 of the Data Protection Acts. When the Gardaí responded he was disturbed to find that the original conviction was shown on his file. The man contacted the Data Protection

Office because he was worried that his original conviction was still kept on computer by the Gardaí. The Commissioner told the man that even convictions that have been 'struck out' remain on gardaí files together with information on the successful appeal. The Gardaí gave the man a Character Reference for Emigration, which showed correctly that he had no recorded convictions.

CASE STUDY 6

A woman attended the accident and emergency department of a public hospital. A few months later she was contacted by a company carrying out research. The researchers knew when she had attended the hospital and why, and they asked her to answer some questions. The woman objected to the fact that the hospital had told the researchers about her visit. She took this up herself with the hospital but was not happy with the response so she complained to the Data Protection Commissioner.

The hospital said they had a notice in the waiting area of the accident and emergency department informing patients that the hospital was going to give their information to the researchers and invited them to let the receptionist know if they objected to this.

The Data Protection Commissioner said that the hospital should have asked each person separately whether they wished to participate in the research.



ACTIVITY 3

STUDENTS

CASE STUDY 7

The Data Protection Commissioner received a complaint about a woman who had changed the telephone account details over to her own name after separating from her husband. The husband contacted the phone company and managed to get the access codes for her voicemail. The woman found out that her husband was able to listen to her messages.

The phone company looked into this complaint thoroughly. They were not able to find out exactly how this situation had happened but they did accept that if the man had made up a story to get the details then their procedures

for protecting customer data were not good enough in this instance. The company started a review of the security procedures in their call centres. The phone company now has a strict set of rules for dealing with transfer of telephone services particularly in cases of couples who have separated.



ACTIVITY 3

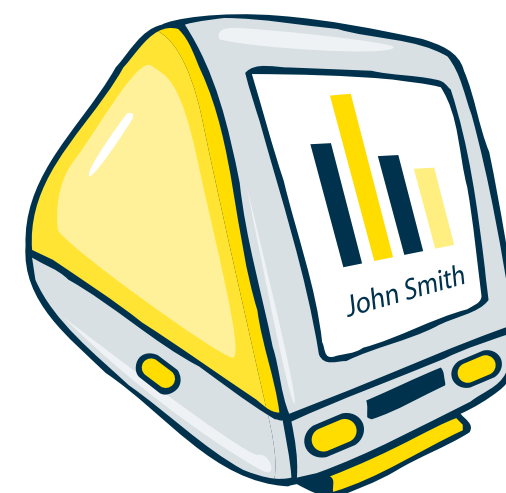
STUDENTS

CASE STUDY 8

A number of employees within a particular company complained to the Data Protection Commissioner because their individual 'performance at work' assessments had been made available to a wide range of managers. The employees felt their confidential details should not be available to people who were not involved in managing them.

When the issue was raised with the company, it was explained that the manager of a particular unit had created a file on computer, setting out performance ratings for staff under his supervision. However the "access permissions" on this file had accidentally been set to allow other people outside of his management team to read it. A staff member had brought the problem to the attention of management,

and the file in question was destroyed. The company arranged for a formal investigation into the matter. The company took immediate steps to tackle the issues involved in this case, particularly making sure that proper security measures were in place from then on.



FOLLOW UP ACTIVITY/ HOMEWORK

TEACHERS

- * Photocopy the complaint form on the opposite page for every member of the class.
- * Make several copies of each case study and ask students to select a case study that they didn't discuss as a group. Ask the students to read their new case study individually and to fill out the complaint form based on their analysis of the situation. Students are free to elaborate or invent details that are not provided in the case study.
- * Consult the annual reports on the website of the Data Protection Commissioner www.dataprotection.ie to find out what is the breakdown in terms of the nature of queries and complaints received each year.

FOLLOW UP ACTIVITY/ HOMEWORK

STUDENTS

Complaint to the Data Protection Commissioner

My name: _____

My address: _____

My e-mail address: _____
(include this if you would like to deal with us by e-mail)

My complaint is against: _____
(name of organisation or individual)

Their address: _____

I have been dealing with: _____
(name of your contact person, if any, within the organisation)

My signature: _____

Today's date: _____

This is my complaint:

- You can attach separate pages if necessary
- Remember to include copies of any letters between you and the organisation or individual
- Give details, including dates if possible, of any attempts you have made to have this matter dealt with by the organisation, and how they have responded to you
- Post your complaint to: The Data Protection Commissioner, Canal House, Station Road, Portarlinton, Co. Laois.

SECTION FOUR

AIMS

- * To highlight the role of technology in our lives today and its implications for our privacy

CONCEPTS

- * Democracy
- * Development

ATTITUDES & VALUES

- * To make students aware of the benefits and potential drawbacks of technology

KNOWLEDGE

- * Profiling
- * Technological Innovation
- * Surveillance Techniques

SKILLS

- * Critical Analysis
- * Communications: discussion, role play, listening, acting, empathising

SECTION 4.1**STUDENTS****ACTIVITY 1****DATA TEEN**

Below is a profile of a typical teenager. Make a similar chart for yourself.

Name:	Data Teen
Age:	16 years
Address:	10 High Road, Smalltown
Siblings:	2 Brothers one younger and one older
Junior Cert Results:	Got 1A, 4Bs, 3C 1D, 1E
Favourite breakfast:	Orange juice and coco pops
School Discipline Report:	Got two detentions in school – one for being continuously late and the other for cheating on a test. Suspended in 1st year for two days because of aggressive and rude behaviour to teachers.
Blood group:	B negative
Medical History:	Mumps, Measles, broken wrist aged 5
Garda File (if any):	Caught shoplifting aged 14 and late one night in July last year had to be escorted home by the Gardaí under the influence of alcohol.
Allergies / Conditions:	Gets migraines three or four times a year. Is asthmatic and carries an inhaler
Monetary Assets:	Has €20 in a savings account in the bank and €500 in the Credit Union
Email address:	dteen@phone.ie
Hobbies:	Reading (wears glasses for reading)
Mobile Phone No:	089 880 0887
Best friend:	Jack
Sports:	Plays football and basketball
Holidays:	Goes to Spain every year the first two weeks of July
Employment:	Worked in a pub for the summer
PPS No:	48053270

ACTIVITY 1

Discuss the points below with your students.

TEACHERS

* What information belonging to Data Teen do students consider to be sensitive?

* Consider the implications if all of Data Teen's data was combined together electronically and a profile created

Imagine the following three items of information appear on a computer screen in relation to Data Teen:

Name: Data Teen

School Discipline Report: Got two detentions in school – one for being continuously late and the other for cheating on a test. Suspended in 1st year for 2 days because of aggressive and rude behaviour to teachers.

Garda File (if any): Caught shoplifting aged 14 and late one night in July last year had to be escorted home by the Gardaí under the influence of alcohol.

To think about: Do students feel this is an unfair profile in that all of Data Teen's achievements and positive attributes are absent from the file? Would it be appropriate if your school had a link to An Garda Síochána's computer system (PULSE) and your school record was updated to reflect any brushes with the law (innocent or otherwise).

Imagine the following items of information appearing together on a computer screen:

PPS No: 48053270

Mobile Phone No: 084 880 0887

Monetary Assets: Has €20 in a savings account in the bank and €500 in the Credit Union

Email address: dteen@phone.ie

To think about: Could disclosure or unwarranted access to this information be harmful to Data Teen? Could someone successfully impersonate Data Teen with this information? Do students think this data could be of use when shopping online or banking?

Combining information held about you from a whole range of sources e.g. your bus-pass, your school, doctor and various financial institutions can build a profile of your interests, movements, relationships, achievements, cash-flow and health. The resulting set of data would be a powerful profile of your details.

SECTION 4.2 A DAY IN THE LIFE OF ANNIE WUN

Read the diary below

STUDENTS

07:30 Annie wakes up.

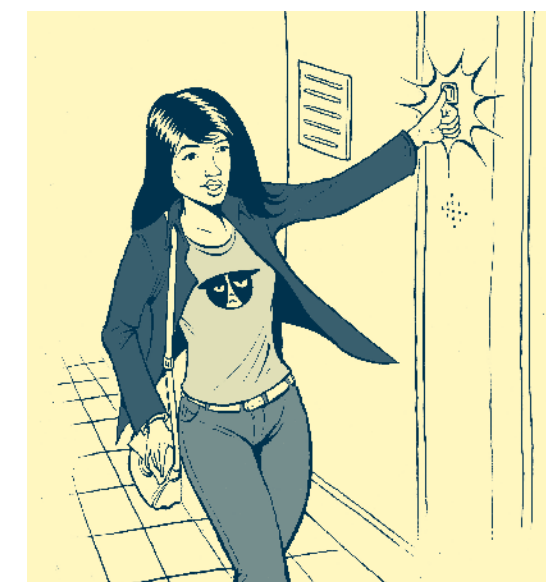
08:00 After breakfast, Annie turns on her computer and goes onto the internet. She logs into her favourite news web site. Annie read the privacy statement on the news website before registering as a regular user and was satisfied with how her personal data would be used.



08:15 Annie searches for some personal items online. All Annie's searches are recorded and kept by her ISP (internet service provider) for an unknown period of time. Information on her searches is also kept, for no specified purpose, by the search engine which she used.

09:00 Annie reaches her workplace. CCTV cameras record her arrival. Before the CCTV cameras were installed, Annie's employer made it clear to all employees that images from the system would only be used for security purposes and all images would be kept safe and secure. Annie's employers also introduced a 'biometric' thumb print clock-in system [for more information on biometrics see page 87 of this resource]. The system records each employee as they enter and leave

the workplace. Annie was concerned that such a system was a bit intrusive but her colleagues did not seem to mind so she went along with it. There are no details available to Annie as to what other uses her employer might make of the information.



11:15 Annie uses her coffee break to access her bank's on-line service. Annie had spoken to her younger brother the previous evening and agreed to send him some money. He is back-packing around Europe. Annie's bank, in common with all other major financial institutions, uses the SWIFT exchange system to send money. It is not made clear to Annie by her bank that the transfer and her personal information may be accessed by the US Government as they monitor all SWIFT transactions as part of the war on terror.

13:00 Annie pops out for lunch and visits her local supermarket to pick up some things for the house as she is planning a major spring clean. At the till, Annie hands in her store card to collect loyalty points. Her supermarket uses the information collected on her loyalty card to monitor her buying habits and offers some suitable products in her next mail shot. Annie doesn't mind what the supermarket knows about her buying habits.



13:20 Annie visits her local library to return a self help book "Male and Female Chemistry" and takes out a book on building self esteem "Love Bomb People". She uses her library card which stores details of all her loans and fines on the local authority database.

16:00 Annie has to leave work early today to attend hospital for an appointment with her specialist. Annie still suffers from pain from a gun shot wound in her leg suffered in an accident while on her family farm 3 years ago. Upon arrival, she gives her details. Her full medical file is with her specialist. Annie is

aware that her full medical history is entered on an electronic system in the hospital. She does not mind this either but assumes that her records are only accessed by those persons who need her information to treat her.

19:00 Annie is going to New York to have minor plastic surgery. After dinner, Annie logs onto the internet again and books a flight to New York. In order to book the flight Annie needs to give out a large amount of her personal details. In advance of travelling, as part of the war on terror, these details will be made available to the US government, and an assessment will be made as to whether Annie poses a threat to US security. The airline website does contain some details of this but Annie does not normally read all such optional information, so she is not aware of this.

20:00 Annie receives a call on her mobile phone. She doesn't recognise the number but answers it anyway. The caller hangs up immediately and Annie thinks nothing more of it. Unknown to Annie, the person who had phoned her number by accident is suspected of criminal activity by An Garda Síochána. The Gardaí will shortly apply to see all the phone records of that person. The records will show that Annie's number was phoned. As a result, An Garda Síochána will also request all details of Annie's mobile phone usage for the past 3 months to decide whether she is relevant to their inquiries.

Annie finishes her day by watching Big Brother on television. Her personal data is not made available to anybody else for the rest of the day.

SURVEILLANCE SOCIETY?

Annie believes she has no reason to worry about her personal information being accessed by other people. Well, why would law-abiding Annie Wun have anything to worry about? Her daily life has been made easier by technology and she has willingly shared her personal information in order to avail of these benefits.

Perhaps Annie should worry though. What if, the information retained about her was pulled together into one central place? What impression could be formed?

The profile which emerges and the conclusions that could be drawn from it might give her an unpleasant surprise. Step forward Annie Wun, terrorist suspect...

Annie Wun:

Internet News Search:

Articles of Interest: London Terrorists charged (internet records).

Web searches: Plastic surgery.

Fund Transfer:

Made out to a male in Hamburg.

Medical records:

Operated on for gun shot wound.

Criminal records/offences committed:

Yes. (Two speeding fines)

Local Authority library files:

A word search on books borrowed produced two hits – "chemistry" and "bomb".

Phone records:

Call received from known criminal.

Shopping habits:

Large variety of hazardous cleaning materials purchased.

Holiday Plans:

Travelling on a flight to New York next week.



ACTIVITY 2 TECHNO DIARY

TEACHERS

FOLLOW UP ACTIVITY

Similar to the account of Annie's day on previous pages, ask students to write down a record of their interaction with technology. Entries could include transactions such as having their names entered onto a video library database, their laser card being swiped or their bus pass being used. Remind students to think about their mobile phone or internet usage and areas of their environment where CCTV cameras are in use. The students diary could also include a record of any medical visits, any books borrowed, DVDs rented, competitions entered, tunes downloaded...

SECTION 4.3 SURVEILLANCE

TEACHERS

Photocopy the activity on page 77 and distribute it to each student. Use material below to introduce the activity. Answers are provided on page 78.

The prevalence of technology in our everyday lives is now almost taken for granted.

Like our carbon footprint our electronic footprint leaves a trail behind us. Whether we are switching on our mobile phone, swiping our bus travel card, clocking in to work or school, shopping online or being monitored on CCTV as we walk down the street, many of our movements and activities can be retraced at some point and time.

Some surveillance is conducted openly such as a prominently situated CCTV camera with an accompanying information notice explaining the purposes for which the images are being recorded.

Some surveillance is passive such as being monitored by a speed camera at certain points as you drive across the country. This type of surveillance demands nothing from an individual specifically unless the individual is compelled to explain certain actions or behaviours. Surveillance for legitimate reasons may sometimes need to be covert i.e. the activity will be hidden from the people under surveillance. However, many types of surveillance made possible due to emerging technologies need to be examined more closely and their operation justified...

Ask students to decide whether the scenarios depicted on the page overleaf constitute 'overt surveillance' where the use of some kind of technology to monitor a person is obvious and to be expected. 'Covert surveillance' on the other hand is a situation where the use of technology to monitor someone's activities is not being flagged upfront. [Remember, covert surveillance could be perfectly legitimate].

ACTIVITY 1

STUDENTS

Decide whether the surveillance in the examples below is obvious(overt) or hidden(covert).

Situation	Overt ✓	Covert ✓
Clocking into work with your swipe card.	✓	
A videocam hidden under the teacher's desk by school management without the knowledge of the teacher. The videocam is facing the classroom and recording the activities of students and the teacher.		
Security tags on clothes in a boutique. An alarm will sound if you leave with an item that still has the tag on it.		
Speed Cameras.		
Cookies installed on your PC monitor all your activities on a particular website.		
Search engine history logs: a record of all searches made from a particular PC.		
A CCTV camera in a petrol station.		
Chat rooms: emails you send and receive are monitored by internet tools and internet service providers for unsuitable content.		
A voice message left on your mobile phone ties you to a particular geographical area at a given time on a given day last year.		

ACTIVITY 1 ANSWERS

TEACHERS

Situation	Overt ✓	Covert ✓
Clocking into work with your swipe card.	✓	
A videocam hidden under the teacher's desk by school management without the knowledge of the teacher. The videocam is facing the classroom and recording the activities of students and the teacher.		✓
Security tags on clothes in a boutique. An alarm will sound if you leave with an item that still has the tag on it.	✓	
Speed Cameras.		✓
Cookies installed on your PC monitor all your activities on a particular website.		✓
Search engine history logs: a record of all searches made from a particular IP address on a PC.		✓
A CCTV camera in a petrol station.	✓	
Emails sent by you across a chat room being monitored by an internet service provider for unsuitable content.		✓
A voice message left on your mobile phone ties you to a particular geographical area at a given time on a given day last year.		✓

SECTION 4.4

STUDENTS

DIGITAL INTERACTIVE T.V.

Digital Interactive Television is being rolled out world wide. Many buzzwords are used to describe Digital TV – the digital revolution, greater choice, control...

What is Digital Interactive TV?

Digital Interactive TV is where information flows back and forth between the TV viewer and the service provider (the digital TV company who supplies TV channels). The TV service provider asks questions and the viewer responds using the TV controls supplied. The TV content is then changed based on the replies.

How does it work?

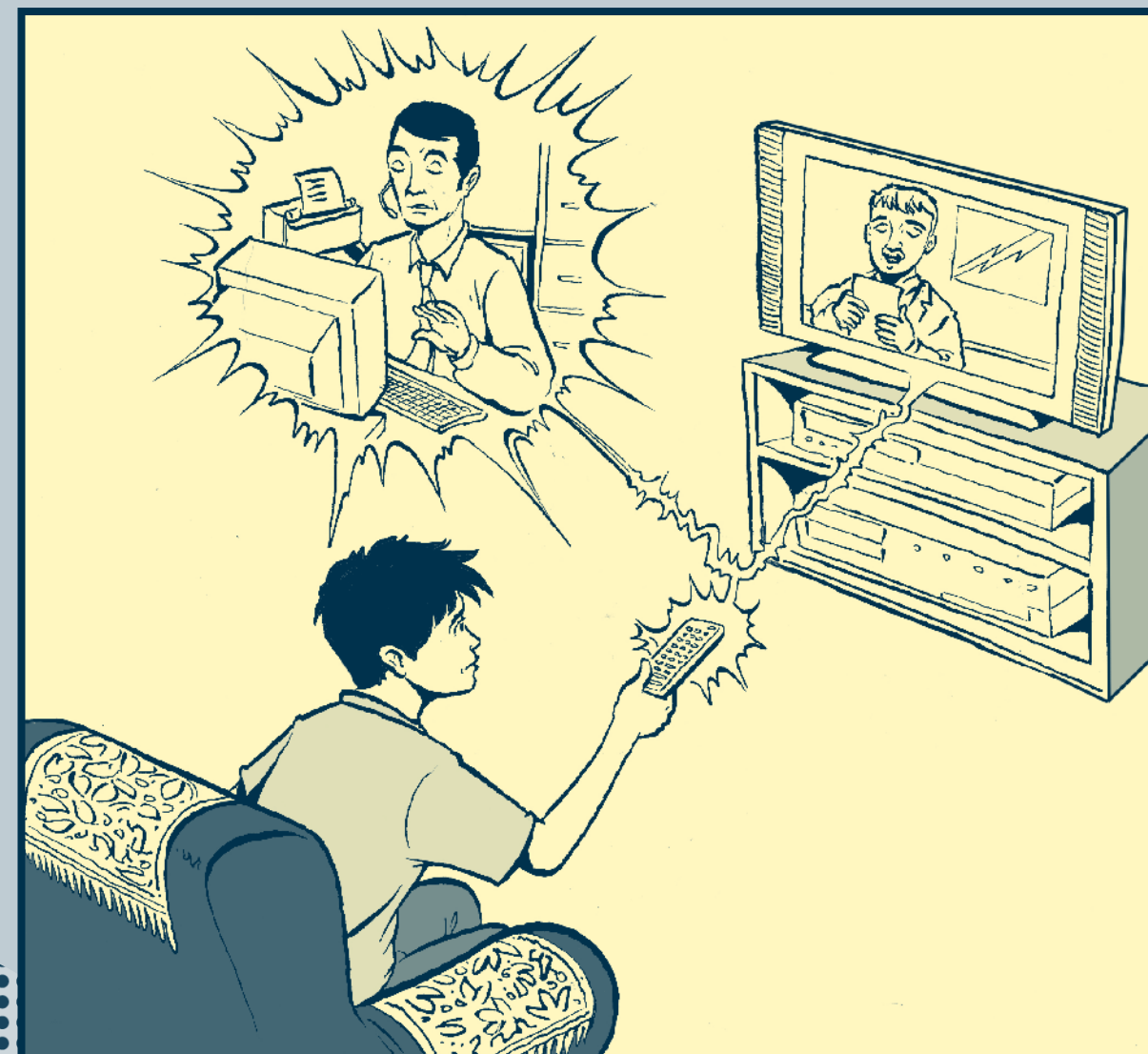
A memory chip in your TV links back to a central database. This chip monitors the hours you spend watching television per day. It logs all programmes viewed per individual television and for how long. Every click of the remote control goes into a database. This is called a TV set's "click stream" and it can be analyzed to create a very sophisticated picture of who you are and what your preferences are. Analysts working for the TV supplier can get to know more and more about viewers' tastes and habits as time goes on. The data may be sold onto consumer research companies or advertisers.

Choices

Many new packages coming on stream will offer a discount or added channels if you register your details to a central registry and agree to have all your viewing monitored. Your family may get a cheaper monthly bill and discounts off related products. Is it worth it? It's your choice...

How would you feel if suggestions based on your preferences were flashed on your TV screen regarding forthcoming programmes? Would you care if reminders were being sent to you via your mobile phone or to your e-mail address? How would you feel if your supplier passed on your details to other companies and they contacted you about products and services based on your viewing habits? Could some material addressed to you reveal a side you wished to keep private from others e.g. information about bankruptcy, cosmetic surgery, bodybuilding products, dating agencies, slimming pills, embarrassing medical conditions...

Digital Interactive TV may actively try to get inside your head seeking your opinion on all sorts of issues... imagine how useful this data would be to political parties?



FOLLOW-UP ACTIVITY/HOMEWORK

Keep a TV diary for a week of programmes watched and calculate your viewing hours per day. Discuss the results in class the following week. What do the results reveal about your personality and interests? Do you think marketing companies would find this information useful in terms of what TV advertisements or personalised messages they would like to broadcast to your TV? Do you think the benefits outweigh the negatives? Are there programmes you watch that you would not want others to know about?

SECTION 4.5 SHOPPING HEAVEN OR HELL

STUDENTS



BACKGROUND

Your shopping habits can be monitored by supermarkets through loyalty card schemes. By rewarding customers who sign up for a loyalty card with all sorts of offers and discounts, supermarkets gain valuable knowledge about people's regular and 'special occasion' purchases.

Supermarkets use the data from loyalty cards very cleverly. The data is analysed to find out how often certain goods are bought and whether there are any common patterns. Purchases are divided into categories such as luxury, budget or household. The data might also be used to put people into different social or economic groups. When customers sign up to loyalty card schemes, they should be told that their data will be analysed and they should be asked for permission to pass their data onto other companies, with a clear option to say 'no' if they don't want this to happen.

Many people would be surprised if their data was linked directly back to them or their shopping habits passed onto other companies without their permission. For example, if the supermarket were to text you every time a new product is added to the bakery section because you purchased a lot of cakes last year? Would you mind if the supermarket passed information like this onto other companies and you were offered a discount off slimming pills via a text message?

Using the data for another purpose than it was originally obtained for would be a breach of the supermarket's (data controller's) responsibilities? A Data Controller must ... keep your personal data for one or more specified, explicit and lawful purposes. A Data Controller should also... only use and disclose your personal data in ways compatible with these purposes.

See Rights and Responsibilities Chart.
(Inserted at the back of the book).

FOLLOW-UP ACTIVITY/ HOMEWORK:

Next time you are in the supermarket or in a chain store that offers a loyalty card scheme look for a copy of their application form. Read the Terms & Conditions.

Answer the following questions:

- * Is there a clear minimum age limit for joining the loyalty card scheme?
- * Do you understand from reading the 'Terms & Conditions' what uses you or your family's data will be put to?
- * Can you say 'no' to being contacted about other services e.g. loans, car or home insurance?
- * Can you say 'no' to having the data sent onto 'a number of companies' associated with the supermarket?

SECTION 4.6

STUDENTS

SOCIAL NETWORKING SITES

Social networking sites (eg. Bebo, Facebook, MySpace & Pizco) are a great place to catch up with friends and to meet new people. While many social networking sites allow users to restrict access, surveys have shown that the majority of users are not activating the privacy settings or safety measures.

Your experience of social networking sites may be affected by your attitude to privacy, how much information you tell people, the privacy settings on offer and the security system of the site you have signed up to. When creating an account on a social networking site it is worth reminding yourself that you are creating an electronic imprint or record of your life at a specific place and time. Revealing too much about yourself, your relationships and what you get up to in your spare time can have implications down the line... the past can creep up on you...

2020
GENERATION Z

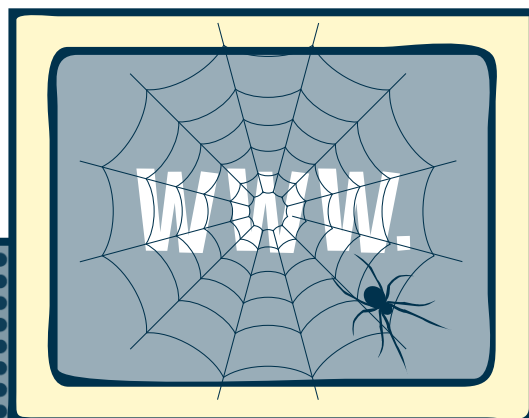
As you make postings and upload videos and photos onto your social networking site, unknown to you, an electronic 'spider' trawling the world wide web caches (saves) your pages. Even though you delete content on your pages every few months, to your horror a collection of videos, photos and postings created by you as a teenager resurface in the year 2020 in an archive on the net entitled 'Generation Z: the Lost Years'.

Scenario 1:

- It is the year 2020 and you have an important interview for promotion coming up. You are counting on getting the promotion and the pay rise that comes with it in order to secure a mortgage on your first house. A former schoolmate alerts you to the Generation Z archive. You are worried that your employer will come across this material as part of its screening process. Some of the photos and conversations on record now come across as quite shocking.

Scenario 2:

- You are an ambitious, hard-working local politician and are planning to run for the Dáil in the 2020 general election. One of your rivals comes across Generation Z and alerts the local newspaper. The newspaper publishes comments about you from other pages in the same virtual community. You are described as unpopular, lazy and self-centred. You try to laugh it off as a one-off snapshot of you at an early stage of your adult life but you can't help noticing a change in people's manner towards you as you canvass the locality.

SOCIAL
NETWORKING
SITES:
A HONEY POT
FOR IDENTITY
THEFT?

Identity thieves gather personal information from the web hoping to get enough information to eventually steal an individual's identity and commit fraud.

Users' passwords can be guessed by reading about users' relationships and pastimes. People sometimes provide enough detail on their web pages to allow others to impersonate or even stalk them.

Precautionary Measures

- Putting your date of birth, mobile phone number, place of residence, mother's birth surname or medical details such as your blood group on the web can expose you to harm. It's never really a good idea to publish this information on a web page or profile. You should only share it with someone you are sure you can trust.
- Make virtual friends only with people you know and if you have doubts over their identity check them out.
- Be cautious when uploading images. Never upload an image of somebody else without their consent.
- Avoid using machines accessed by the public, such as in internet cafes, and if you do, log out properly.

FOLLOW-UP
ACTIVITY/
HOMEWORK

From your school, library or home PC go to <http://www.watchyourspace.ie> and click on the link entitled 'Who's Doing What' to locate a copy of the Anchor 'Watch your Space' Survey (conducted by the NCTE working with the members of the Anchor Youth Centre). Print off the survey and read the sections on 'Personal Information' and Friends (pages 4-5).

If you have a social networking account... answer these questions articulating some of your own thoughts on the matter and drawing on your own experience.

- Are the findings in the Anchor 'Watch Your Space' Survey similar with you or your friends own experience regarding web profiles? Do you and your friends generally tend to make your profiles public or private?
- Do you give out details such as your name, date of birth or mobile phone number?
- Do people you know 'add' friends who are not known to them? In what way could you be affected if one of your friends added a stranger to their group of online friends?

IDEA FOR ACTION

Track the issue of Identity Theft using a variety of media (print media/television/radio/internet) over a specified period of time. Focus in particular on any statistics available on identity theft in an Irish context. Investigate how often social networking web sites are named as a potential source for identity thieves. Compile a report and make a display/organise an expo detailing your key findings.

SECTION 4.7 STUDENTS

RFID: MAKING WAVES

Radio Frequency Identification (RFID)

Radio Frequency Identification (RFID) is a type of automatic identification system using radio wave frequencies. Data is transmitted via a portable device, called a tag, which is read by an RFID reader. The data transmitted by the tag may provide identification or location information.

RFID tags have become very popular in the warehousing and shipping sectors because the tags help track the whereabouts of goods. This has also led to a high level of interest in RFID tags from the supermarket and retail sector. Concerns have been voiced by civil liberties groups and privacy activists as to when the RFID tag on the product would expire – as you pay at the checkout (point of purchase) or when you open the product in your own home (consumption)? As well as the goods themselves, loyalty cards are an obvious location for RFID tags to be implanted because the RFID reader in the supermarket would be alerted to your presence if you entered the store with their loyalty card in your wallet...

The future of shopping?

When a shopper enters a popular fashion chain store carrying a loyalty card with a RFID tag, the chain store assistant instantly knows the shopper's preferences, past purchases and vital statistics before the shopper even starts to look around thanks to the assistant's handheld RFID readers. Once in the dressing room, the RFID reader suggests coordinating pieces to match the items that the shopper selected, all of which are displayed on a video screen in the dressing room. In some cases, the RFID readers may be able to read tags issued by other companies. By scanning the rest of your shopping bags or loyalty cards in your wallet a far bigger picture of your purchasing habits could be built up and added to the store's profile of you.



RFID Tags and Children

RFID devices designed to 'tag and track' children are being trialled in some countries. Solutions range from;

Toddler Tags: Toddlers are given wristbands to wear which transmit a radio signal to a handset carried by a parent or childminder. A ring fenced area is created and an alarm goes off if children wander outside that area.

i-Kids Phone: Parents give their children an i-Kids Phone. If the parents want to know where their child is they can text a number and get the location of the i-Kids phone sent back to them, revealing where the child is.

Tracker Belts: These belts have a Global Positioning System (GPS) tag in them, so parents can go online and obtain a satellite image of where their kids are. The image is updated every 15 seconds.

Implants: This is where the chips are actually implanted inside your skin. Microchipping of pets is already happening but plans to implant chips in children have been opposed due to ethical concerns.

FOLLOW-UP ACTIVITY

Your parents are considering purchasing a tagging device for your six year old brother. This may give your parents some peace of mind but you are worried that your parents are going over the top. Write a list of the pros and cons of parents obtaining 'track and tag devices' for their children.

To think about: What if parents decided not to stop when the child got older and wanted their teenage son or daughter to continue wearing the device. Should teenagers have a say?



FOLLOW-UP ACTIVITY

The Parents Council for the local primary school in your area wish to trial a 'tag & track' facility to locate children within a 50 metre radius of the school. As Secretary of the Parents Council you must write a letter to the school principal and management board explaining what you wish to trial and why. Request a meeting to discuss the idea.

SECTION 4.8 BIOMETRICS

STUDENTS

Computer-generated biometric data systems automatically identify physiological characteristics such as fingerprint, retina, face, voice patterns and even body odour as unique to an individual. Read the newspaper article below and answer the questions on the next page.

Biometric scans served up with school meals

Kevin Schofield, Scotsman, 27/10/2006

PUPILS at a Scots primary school have become the first in the world to pay for their lunches by having their palms scanned rather than by handing over cash.

Biometric technology which allows them to be identified through their hands' unique vein patterns has been introduced at Todholm Primary in Paisley.

It means no more lost dinner money - and protects the identity of pupils who are entitled to free school meals. The system identifies children with food allergies and encourages pupils to eat a balanced diet by providing a read-out of what they choose during the week.

Those behind the scheme now want to roll it out across Scotland and say it could be used to allow pupils to get in and out of school, register their attendance and take out library books. However, critics said it is unnecessary and a possible breach of civil liberties.

Pat Swanson, the deputy headteacher at Todholm, said the new system was much better than the previous one. "The kids are enjoying it because it's new and exciting, and easy for them to use," she said. "It means that they're not coming to school with cash in their pockets, which they often lost

and which meant we then had to send letters home to parents asking them for lunch money."

Many schools already use swipe cards as a way of removing cash from their canteens. But Grant Henderson, the contracts director with Amey, the company behind the palm scanner, said its scheme was much more reliable. "The problem is that swipe cards can get lost and that is even more likely with young children," he said. "Under this system, the young person comes to the canteen and runs their hand across the scanner. "A display then shows the dinner lady how much money they've got left in their account and what they've selected from the menu in the past, so they've got the option of choosing something more healthy.

"It can even tell the caterer if the young person has any allergies so they know what food they're not allowed to have." Mr Henderson predicted that the biometric technology could be put to use in other areas of school life. "For instance, instead of morning registration, the child would just have to have their palm scanned when they turned up," he said.

"It could also be used for security, as a way of keeping people out of the school who shouldn't be there." But Patrick Harvie, a Green Party MSP, said that he had serious concerns about the use of biometric technology in schools. "Any of these systems could potentially result in data being processed wrongly or falling into the wrong hands."

QUESTIONS

1. What is the main purpose of the new biometric system?
2. How many other uses does the article mention the data might also be gathered for?
3. Would you be surprised if you were advised at the checkout to go for something healthier as you had already had chips once this week?
4. Would you be concerned if your parents could request an itemised print out of all dinners or snacks bought by you in the school canteen?
5. Do you think parents and students were asked about this new system before it was introduced?
6. Is there any way parents could allow their children to use the cash free canteen but no data (except the total amount spent) would be kept.



FOLLOW-UP ACTIVITY

School's Fingerprint Register:

Your school is currently giving consideration to a fingerprint ID registration system which would alert parents to absent pupils in seconds. Pupils place their finger on a scanner, which reads their fingerprint and records their attendance on a computer. If a student fails to register at the beginning of the day a text alert will be sent immediately to a parent's mobile phone. The information may also be sent to education welfare officers who plan to use the data to track down truants.

Imagine you are charged with writing an article for the school magazine on the proposed introduction of the biometric attendance system outlined above. Try to strike a balance between the rights of the students and the needs of the school.

FOLLOW UP ACTIVITY

Imagine a scenario where a bill is due to be debated in the Dáil and Seanad concerning new arrangements for public transport e-ticketing systems.

The bill if passed will lead to the insertion of an electronic tag onto all public transport travel cards. The tag will feed data such as the name of the travel card holder and the destination back to a central database administered by a government transport agency. The tag will remain valid for 2 weeks. Advocates of the new legislation argue it will prove invaluable in tracking perpetrators of crime and to help ascertain the last known movements of some missing persons. Opponents argue that not only is this an unwarranted invasion of the right to privacy but it also severely impacts the right to freedom of movement.

Debate the proposed tagging of travel cards. Research the topic and establish whether similar systems are in force in other European countries eg. The London 'Oyster Card'. Divide the class into two groups, the Government and the Opposition. Debate the bill and make suggestions for possible amendments. Organise a vote to be taken on the bill and any amendments agreed. Analyse what the final outcome means in terms of the operation and management of the new system.

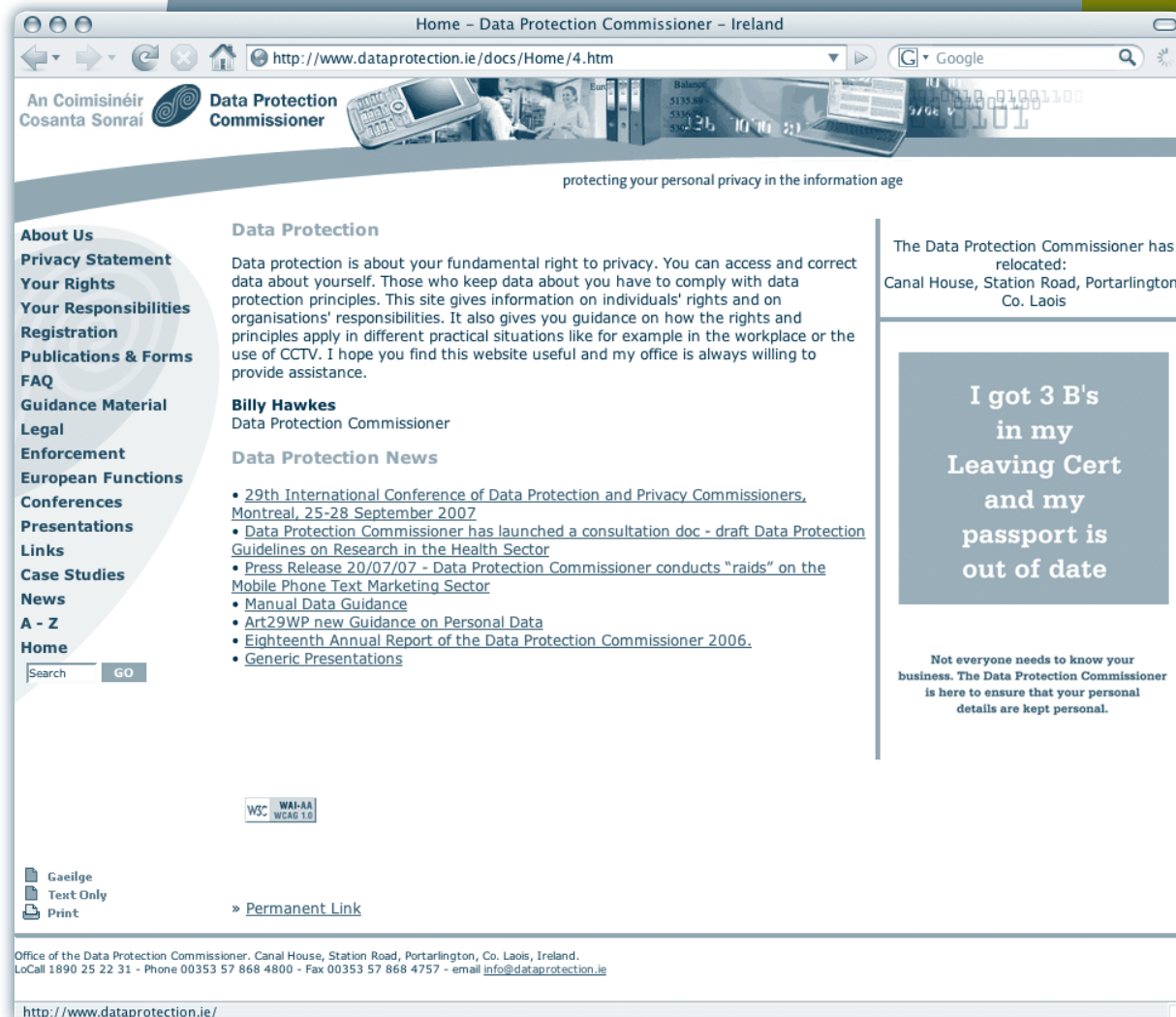
IDEA FOR ACTION

Community CCTV was introduced to many towns in Ireland on a trial basis in 2007. Conduct a survey in the town nearest you where Community CCTV has been rolled out. Identify all location points of cameras in the town. Ask members of the general public what they think of the initiative and whether they find the cameras intrusive. Ask local business people whether they have seen any improvements since the cameras were introduced and whether there are any drawbacks.

Visit www.justice.ie to find out more about Community CCTV schemes.

Write into the local authority nearest you responsible for rolling out the scheme requesting more information on the scheme. Who administers the scheme on behalf of the local authority? Were there any objections raised in advance by members of the public? Has the local authority concerned ever received any complaints with regard to the cameras? How often would the footage be supplied to An Garda Síochána? How frequently do members of the public make requests to view footage?

DATA PROTECTION COMMISSIONER WEBSITE



<http://www.dataprotection.ie/teens>

Office of the Data Protection Commissioner
Canal House, Station Road,
Portlannington, Co. Laois, Ireland.

LoCall: 1890 25 22 31
Phone: 00353 57 868 4800
Fax: 00353 57 868 4757

Should you require any further information on our 'Education & Awareness' activities please email us at info@dataprotection.ie with 'CSPE' as the subject.

If you or your students would like to receive a free mouse mat based on the design shown on page 54 of this resource, please email us at info@dataprotection.ie with 'Mouse mat' as the subject.

WEBSITES MENTIONED IN SIGN UP, LOG IN, OPT OUT

Organisation	Website link
Amnesty International Irish Section	www.amnesty.ie
Anne Frank Foundation, Basel	www.annefrank.ch
Central Statistics Office	www.cso.ie
Department of Justice	www.justice.ie
Information Commissioner	www.oic.gov.ie
Irish Council of Civil Liberties	www.iccl.ie
National Centre for Technology in Education	www.ncte.ie
Press Council of Ireland	www.presscouncil.ie
The Scotsman Newspaper	www.scotsman.com

You have the right to ...

EXPECT FAIR TREATMENT FROM ORGANISATIONS AND INDIVIDUALS IN THE WAY THEY OBTAIN, KEEP, USE AND SHARE YOUR INFORMATION.

OBJECT TO AN ORGANISATION USING YOUR DETAILS FOR PARTICULAR PURPOSES e.g. DIRECT MARKETING, PASSING YOUR DETAILS ONTO THIRD PARTIES.

REQUEST THAT INACCURATE INFORMATION ABOUT YOU BE CORRECTED.

REQUEST THAT ANY INFORMATION ABOUT YOU BE DELETED, IF THE ORGANISATION HAS NO VALID REASON TO HOLD IT.

COMPLAIN TO THE DATA PROTECTION COMMISSIONER IF YOU FEEL YOUR DATA PROTECTION RIGHTS ARE BEING INFRINGED.

REQUEST TO SEE A COPY OF ALL INFORMATION ABOUT YOU KEPT BY AN ORGANISATION.

A Data Controller must...

OBTAIN AND PROCESS YOUR PERSONAL INFORMATION FAIRLY.

KEEP YOUR PERSONAL DATA FOR ONE OR MORE SPECIFIED, EXPLICIT AND LAWFUL PURPOSES AND USE AND DISCLOSE YOUR PERSONAL DATA ONLY IN WAYS COMPATIBLE WITH THESE PURPOSES.

KEEP YOUR PERSONAL INFORMATION ACCURATE, COMPLETE AND UP-TO-DATE.

KEEP YOUR PERSONAL INFORMATION SAFE AND SECURE AND ENSURE IT IS NOT KEPT FOR ANY LONGER THAN IS NECESSARY.

ENSURE PERSONAL DATA HELD ABOUT YOU IS ADEQUATE, RELEVANT AND NOT EXCESSIVE.

GIVE YOU A COPY OF YOUR PERSONAL DATA ON REQUEST UNLESS EXCEPTIONAL CIRCUMSTANCES APPLY.

