

The Society of Authors,
24 Bedford Row,
London, WC1R 4EH
United Kingdom

The Rt Hon Nadine Dorries MP,
Secretary of State,
Department for Digital, Culture, Media and Sport,

10 June 2022

Dear Secretary of State,

During the last Queen's Speech, the Government announced the introduction of a Data Reform Bill, which will replace the United Kingdom's existing data protection laws. In November 2021, the Department for Digital, Culture, Media and Sport (DCMS) launched a consultation known as "Data: a new direction", which has put forward worrying and, in some cases, dangerous proposals to scrap the GDPR and the protections it affords to women, workers, patients, migrants, ethnic minorities, LGBT communities, and everyone else.

A formal response to the consultation addressing the concerns expressed by many has not been published yet. According to DCMS officials, the content of this response has not yet been finalised. DCMS invited a select and limited number of interested parties to continue engagement with their department beyond the formal consultation period, and reiterated such invitations in the days immediately after the Queen's Speech, indicating that discussions had not yet closed.

In spite of that, DCMS turned down the offer to organise initial meetings with a wide range of civil society organisations, representing some of the groups that may be disproportionately impacted by any changes to data protection law. This reversal of

DCMS' offer of engagement has led to a suspicion that DCMS is keen to work with sympathising businesses and respondents of their choice while ignoring ordinary citizens and everyone who criticises their proposals.

The undersigned organisations are appalled at this decision.

The importance of retaining sound and effective data protection laws cannot be overstated. Authorities, local government and private enterprises routinely rely on personal data to make decisions that will profoundly impact the life and aspirations of people living in the UK. With the increasing digitisation and automation of public services including welfare, healthcare, immigration and criminal justice, rolling back existing legal safeguards will result in significant harm and discrimination. Transparency, accountability, and effective legal remedies are paramount to preserving our individual and shared well-being.

The undersigned organisations are deeply concerned about the proposals set out in "Data: a new direction" and the Government's intention to implement them. We fear that this Bill will undermine effective legal remedies and independent oversight, and promote toxic business practices instead of innovation and growth. For instance, workers in the so-called gig economy could be stripped of important protections such as the ability to challenge unfair automated decision making as well as the right to inspect and port their data. Also, trust in the Government by the general public concerning their data is already very low; what is currently proposed will undoubtedly increase their distrust and decrease their participation in data gathering initiatives.

Further, we believe that the resulting framework is likely to conflict with the UK's international obligations under the COE Convention 108 and the European Convention of Human Rights, at a time when the Government have also announced the intention to scrap the Human Rights Act. In turn, this would undermine the adequacy status that UK businesses and organisations rely on for international data transfers.

The decision of the DCMS to deny civil society the opportunity to discuss and address these concerns is counter-productive. It endangers the outcomes of the Data Reform Bill, and undermines the credibility and due process that should underpin it. For these reasons, we urge DCMS to reconsider their position and engage with civil society groups.

The undersigned:

Open Rights Group

Index on Censorship

Liberty

Big Brother Watch

United Tech & Allied Workers (CWU)

Defend Digital Me

Just Algorithms Action Group (JAAG)

Medact

Fair Trials

The Citizens

The William Gomes Podcast

Waging Peace

Migrants' Rights Network

Migrants Organise

Middle Eastern Women and Society Organisation-MEWSO

Joint Council for the Welfare of Immigrants

Doncaster Conversation Club

Worker Info Exchange

Keep Our NHS Public

App Drivers & Couriers Union (ADCU)

Aaron Public Speaking Studio

Herts for Refugees

IRISi

Public Law Project

The Northern Police Monitoring Project (NPMP)

Prevent Watch

Bail for Immigration Detainees

Privacy International

StopWatch UK

Chayn

CAGE

Glitch

Asian Women's Resource Centre

Promising Trouble