

Latest updates from The Office of the Data Protection Commissioner



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

- [Message from the Commissioner - Emma Martins](#)
- [Increase in local data breaches](#)
- [Brexit and data protection](#)
- [Suggested reading: 'You are not a gadget' - Jaron Lanier \(2010\)](#)



## Message from the Commissioner

As Christmas approaches it is natural that we reflect on 2018 as a year of progress and change.

As we look back on this historical year in the world of data, we can see how conversations around data integrity, security and control have become increasingly central to all aspects of our lives. This acceptance and embedding of the principles that are enshrined in the legislation is important for us as a jurisdiction as well as for us as citizens.

But we, as the regulator, are far from complacent. There is still much to do and we will start the New Year with an ambitious workplan to deliver the highest quality regulatory environment for the benefit of the Bailiwick.

Looking ahead to 25 May 2019, we will see all aspects of the Data Protection (Bailiwick of Guernsey) Law, 2017 come fully into force as the year-long grace period (known as 'transition') that began on 25 May 2018 will come to an end. Now is the time for all local organisations to ensure their compliance review programmes are well underway. To support local organisations in this, we will be publishing and disseminating guidance from March 2019.

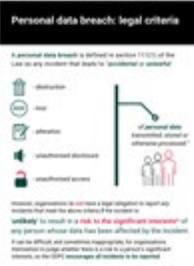


Please note that our office will be closed from 13:00 on 24 December, and will re-open on 2 January.

On behalf of my team, and The Data Protection Authority, we would like to wish you and your families a very Merry Christmas and a peaceful 2019.

- Emma Martins

Data Protection Commissioner



## Increase in local data breaches

Twenty-eight personal data breaches have been reported to us in the last two months up to 13 December 2018.

The number of breaches has increased slightly, when compared with the previous reporting period of 26 reported breaches over the two months up to 18 October. The increase is likely due to two factors: firstly, organisations are increasingly more aware of their legal obligation to report breaches; and secondly, certain organisations have erred on the side of caution by reporting incidents that do not necessarily meet the breach classification criteria.

We encourage all local organisations to continue with this cautious approach as this provides valuable intelligence to the real-world risks local organisations face.

**READ: [press release](#)**

**INFOGRAPHIC: [personal data breach - legal criteria](#)**

## Brexit and data protection

With UK parliament set to vote on the draft agreement on Britain's withdrawal from the European Union in the week of 14 January, we'd like to reassure local organisations that in the event of a 'no deal' Brexit in March 2019 consideration is being given to the need to invoke the statutory provision in our local Law to continue to recognise the UK as an adequate country from a data protection perspective. This means that organisations could continue to transfer personal data to/from the UK as they do now.



We can also confirm that on 17 December we met with the States of Guernsey's data protection policy team to discuss the situation, to ensure readiness to respond with a firm approach in the event of any Brexit scenario. And we will continue to work in partnership with the States as things evolve over the coming weeks.

- If you would like to know more about how UK organisations are affected, you can read the [UK government's guidance](#), and the [UK ICO's advice for organisations](#).
- For an in-depth look please refer to our deputy commissioner's paper: ['Leaving the EU: the data protection implications of a Hard Brexit for UK businesses with EU data flows and clients'](#) (May 2018 document)

## Suggested reading:

### 'You are not a gadget' - Jaron Lanier (2010)

*"If a church or government were doing these things, it would feel authoritarian, but when technologists are the culprits, we seem hip, fresh, and inventive. People will accept ideas presented in technological form that would be abhorrent in any other form."*



At the risk of being authoritarian, this is the book I would make compulsory for anyone who is remotely interested in our current world and how we, as humans, need to play a stronger moral role in creating a future that is built on decency and fairness rather than greed and manipulation. It is both inspiring and terrifying in equal measure. Read it and be the change you want to see.

**Prefer videos to books? Watch Jaron deliver 'a call to arms against digital collectivism and propose more productive ways technology might interact with our culture.'**

- Emma Martins



#### The Office of the Data Protection Commissioner

St Martin's House, Le Bordinge, St. Peter Port, Guernsey GY1 1BR

+44 1481 742074

[enquiries@odpc.gg](mailto:enquiries@odpc.gg)

[Privacy Notice](#)

[View previous issues here](#)