Department for
Digital, Culture
Media & Sport

Fwd: Call for views - GDPR - Theme 12

27 July 2017 at 15:11

Dear Sirs

Please this view on behalf of Horwich Farrelly Solicitors.

Theme 12 - Processing of Data

We believe that clarity and interpretation needs to be provided by the UK government in relation to changes from existing DPA rules to GDPR, in relation to processing of data by counter fraud organisations in the civil sector. Also, what plans are in place to deal with such matters, where rules are to be determined at national levels?

Currently, under the DPA, in the course of investigating possible fraud in a civil context, we are used to regular exchanges of personal data without consent of the subject under the cover of Section 29 requests and disclosures. Notably the GDPR refers to such permission being restricted to “competent authorities to be determined at national levels”. Our concern is that this description may exclude those within the UK private sector, such as counter fraud teams within insurers and law firms. If that is the case and unless the UK government takes steps to relax the impact of these provisions, we fear that this will have a catastrophic effect on insurer and law firms’ ability to detect, investigate and prevent fraud.

Regards

Horwich
Farrelly