



Dr Caroline Lucas MEP
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Our reference: MC238555

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Dear Caroline

CORONERS AND JUSTICE BILL – INFORMATION SHARING CLAUSE

Thank you for your letter of 14 April to Jacqui Smith, on behalf of several constituents, who expressed concern about the Government's proposals to introduce in the Coroners and Justice Bill, a power to create information sharing gateways. Your correspondence has been passed to the Ministry of Justice and I am responding as the minister responsible for data protection.

Having considered carefully the concerns raised about the information sharing proposal, on Tuesday 24 March the clause was withdrawn from the Bill.

I understand the concerns regarding the clause and, in particular, that it was open to misuse. Data security is a major priority for Government and it is vitally important that public trust in Government's handling of information is maintained, and the privacy of citizens protected. The Government is clear that there are many benefits to information sharing. To deliver high quality services, Government departments need to share personal information in a secure and appropriate fashion. Through such data sharing we can improve opportunities for the most disadvantaged, provide customer-focussed public services, reduce the burden on businesses, implement policies effectively and detect fraud. There are risks to information sharing but we must not allow them to blind us to the potential benefits.

Government has always said there is a proper balance to be struck between providing the positive elements of sharing information and the right to privacy of the individual, including ensuring sensitive information -such as medical records- is properly protected. It was never Government's intention to allow indiscriminate information sharing, regardless of any protections set up in the Data Protection Act.

The original data sharing proposal in the Bill stemmed from a recommendation of the independent Data Sharing Review, conducted by the Information Commissioner, Richard Thomas, and Sir Mark Walport of the Wellcome Trust. Their Report was published on 11 July 2008. They recommended changes to the legal framework for data sharing, in part to support better public service provision. To counterbalance this power, the Review also recommended that there should be a transparent and consistent mechanism ensuring greater scrutiny while at the same time reducing the scope for confusion.

I can assure your constituents that the Government takes the protection of information very seriously and any sharing of information must be justifiable, proportionate and only undertaken when proper safeguards are in place. This principle underpinned the intention behind this clause and will continue to underpin the Government's future thinking on this matter. The Government will therefore be taking the concerns raised into account, undertaking further analysis, and considering how to take this policy forward.

I hope that this information is helpful. I enclose a copy of this letter for you to forward to your constituents, should you wish to do so.

A handwritten signature in black ink that reads "Michael". The letters are cursive and connected, with a long vertical stroke at the end.

MICHAEL WILLS MP