

# Protect us from data protection bill

*The British Government's Data Protection Bill is the opposite of what it should be, a libertarian charter. It needs to be amended by the House of Commons.*

THE British Government, which last week conceded that the British Medical Association (and the Church of England) has been right these past several months in demanding that the Police and Criminal Evidence Bill should not give the police (on application to a magistrate) the power to breach professional confidences, is going to have to make comparable concessions in its Data Protection Bill, now launched on the House of Commons after an unexpectedly easy passage in the House of Lords. For while the bill has been slightly changed and in some small ways improved, its most obnoxious proposals have become more obviously so. For the bill as it now stands is even less a safeguard of personal liberty than when it seemed (*Nature* 27 January, p. 271) a licence for Big Brother.

The defects of this shabby piece of legislation may stem primarily from the cynicism with which it was conceived — the need for something on the statute book that would allow the United Kingdom to sign the European Convention on the regulation of data banks and thus not have British computer bureaux denied access to mainland European markets — but the anomalies that would accumulate if the bill ever became law are too horrendous to contemplate. Ostensibly, the bill is meant to give some measure of protection to people's privacy — that, at least, is what the European Convention asks. But the British bill exempts from the modest protection which it offers all but computerized records, those considered by governments (local as well as central) to serve the purposes of crime prevention, tax evasion and national security. And while individuals will have the right to see a copy of any computer record held under their name, it will be perfectly proper for one who operates such a data bank to decline such a request if there is a danger that third parties, informants say, may in the process be identified. If, for example, *Nature's* correspondence with authors and referees were stored on a computer (which they are not) it would be a sufficient excuse for denying a disappointed author a sight of his referees' opinions that the identity of the referees might in the process become apparent. This flaw is obviously more important, and more directly an infringement of personal liberty, when the information accumulated in data banks is supplied by informants.

This is one rudimentary way in which a Data Protection Bill conforming in spirit as well as by letter with what the European Convention asks should be drafted. Individuals should have an absolute right to see privately operated computer entries under their names. If that entails that informants risk being identified, and that data can then be accumulated only with some difficulty, the result will at least be that more of it will be accurate. But the more serious enormity in the British Government's proposals is that data accumulated in computer banks at the public expense will not be open as of right to the individuals concerned, although the Home Secretary will be able to order whatever access he thinks prudent by other government departments.

## DNA now and tomorrow

A report of last week's conference appears at page 651. A second conference on this theme will be held in Boston from 19–21 September. Details of a scholarship scheme to excuse graduate students and some others the payment of a registration fee will be published later.

The consequences could be disastrous, as the example of the "new" disease called Acquired Immune Deficiency Syndrome illustrates all too vividly. Many of the thousand or so people so far affected are male homosexuals, many of whom have a florid history of infection by venereal disease and many of whom have also taken drugs intravenously. The recognition of these common factors predisposing towards the disease is likely to be an important pointer to its causation, perhaps even to some means of treatment. But is it likely that even people suffering from such shabby diseases will give their physicians a truthful history of their case if they suspect that the police will demand access to their records so as to help track down their heroin pusher or even their homosexual partners? British physicians are right to protest at the threat in the bill to the professional confidences (from which lawyers have been exempted). But the threat is not to professional *amour propre* but to the effective prosecution of disease.

The general principle goes further. Few would ask that civil liberty should hamper the effective government of countries such as Britain, which means that government agencies should be allowed (even encouraged) to use computers to do their jobs more efficiently. The Big Brother worry is that government computers programmed initially for different purposes will be used in concert with each other to deal with individuals in ways that are manifestly unjust. So the Data Protection Bill should be amended in the House of Commons to require at least the identification of government data banks — and a reasoned explanation of why some remain closed to those whose names are carried. And government departments' computers should be forbidden to communicate with each other except under the supervision of an independent official with the interests of individuals first in mind.

## Looking for a lead

*The British Government has made a mistake in its quick embrace of a proposal to ban lead in petrol.*

THAT one man's meat is usually another's poison (and vice versa) is not well understood. But what happens when one man (or woman) and the other are the same? That is the dilemma underlying the study carried out in Britain (and published last week, see page 643) by the Royal Commission on Environmental Pollution. At least where adults are concerned, lead pollution of the environment is partly, even principally, a by-product of the beneficial use of this potentially toxic heavy metal; it helps to get them from one place to another economically, without the high-compression engines of their motor-cars disintegrating (or melting).

The fact that they (or more importantly) their children may be damaged as a consequence is a hazard with a different time scale, so long (compared with the inconvenience of a broken-down motor-car) as to be forgotten. The commission is nevertheless right to conclude that there is too much lead in the environment and in people's blood, that switching to lead-free petrol is the only practicable means in sight of reducing lead pollution quickly (which means a decade from now) and that the costs involved should therefore be shouldered stoically. The commission is right, within its terms of reference, to call for this action by the government. The government has however been too hasty in saying that it will bite the toughest bullet — and ban lead from petrol — while