

'Surveillance minimization' needed to restore trust

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Surveillance minimisation - where surveillance is the exception, not the rule - could help rebuild public trust following revelations about the collection of personal data, according to a law academic from the University of East Anglia (UEA).

Dr Paul Bernal, whose research covers privacy, surveillance and human rights, says the role of [government surveillance](#) and of surveillance by commercial groups and others must be reconsidered.

He suggests surveillance minimisation as a way forward and will present the idea on Thursday (January 23) at the Computers, Privacy and Data Protection international conference, taking place in Brussels, Belgium. It comes after the announcement last week by American President Barack Obama of curbs on the use of bulk data collected by US intelligence agencies, including the National Security Agency (NSA). His speech followed widespread anger after leaks revealed the full extent of US surveillance operations, including the mass collection of electronic data from communications of private individuals and spying on foreign leaders.

"Surveillance minimisation is a simple concept and uses one of the overriding principles of data protection, the idea of data minimisation, and applies it to communications surveillance," said Dr Bernal, who is currently writing a book on internet privacy and [data protection](#). "The potential impact upon individuals from surveillance by commercial organisations can be significant, and as the NSA's PRISM programme in

particular demonstrated there are inextricable links between the commercial and the governmental.

"Surveillance minimisation requires surveillance to be targeted rather than universal, controlled and warranted at the point of data gathering rather than of data access, and performed for the minimum necessary time on the minimum necessary people. Surveillance minimisation could play a part in rebuilding the trust that is vital in this field - and in the construction of a more 'privacy-friendly' internet - one where surveillance is the exception, not the rule."

Dr Bernal argues the debate and discussion around the issues has been "miscast" and the common understanding - that there is a balance to be found between the individual right to privacy and the collective right to security - significantly misses the point.

"Communications surveillance, and internet surveillance in particular, has become a topic of much discussion in recent years," he said. "The information released, revealing at least some of the true extent and nature of communications surveillance being carried out by the NSA and others, has come as a surprise to many and contributed to an atmosphere of confusion and of distrust in a field where trust is of the utmost importance.

"Surveillance impacts upon more than just individual privacy, but upon a wide range of [human rights](#), from freedom of expression and freedom of association and assembly to protection from discrimination. The impact is not just on individuals but on communities and other groups, and casting the debate as one of individual versus collective rights is misleading, inappropriately downplaying the significance of the impact of [surveillance](#). The nature of this impact needs to be understood better if a more appropriate balance is to be found between people's rights and the duties of states to provide security for their citizens. Consequently, a

new understanding of the balance between the relevant competing rights, needs and imperatives has to be established."

Provided by University of East Anglia

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