



Privacy & Data Protection

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Headlines:

- AOL wins huge damages for email spam, p.15
- Further delays to employment codes, p.16

Privacy Ombudsman to replace Press Complaints Commission

The Press Complaints Commission faces its toughest year yet, as it faces even more fierce criticism of its ability to deal with press intrusion into the private lives of individuals.

An inquiry by the influential cross-party Commons Select Committee on Culture, Media and Sport, chaired by Gerald Kaufman, MP, will investigate privacy laws and media intrusion early in 2003.

The impetus for the investigation ostensibly arises out of concern for the privacy of ordinary citizens, but is most

widely regarded to have been sparked by the Cherigate affair—where the wife of the Prime Minister was hounded by the media in allegations concerning conman Peter Foster.

Among other matters, the Committee will consider whether a new statutory law of privacy is required.

Mr Kaufman said that the investigation, the first major inquiry of the Select Committee in 2003, will be into press intrusion into the lives of private individuals “who nonetheless have found themselves to be the focus

of media attention for one reason or another.” Despite this, Tessa Jowell, the Secretary of State for Culture, Media and Sport, will give evidence to the Committee. Sources in her department said that she would be “very likely” to raise the Cherigate affair. Ms Jowell has previously appeared on television attacking the press for their treatment of Mrs Blair.

The MPs comprising the Committee will hear from people who consider themselves victims of media intrusion. They want to know about the actions of
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Zeta-Jones action faces possible strike out

The case—involving the publication of Catherine Zeta-Jones’ wedding photographs in *Hello!* magazine—heralded to be the most significant for UK privacy law for over a decade may not reach trial.

As all privacy experts eagerly await the decision in *Douglas & Zeta-Jones v Hello!*, the lawyers directly involved with the case are battling on several fronts.

The trial, recently set to

commence on Monday 20th January, but now put back by a week to 27th January (at the request of the claimants), may now face its most serious setback to date. The claimants have applied to strike out the defence, and that application for strike-out is due to be heard on 16th and 17th January.

The defendants are extremely confident that the strike-out action will fail.

The claimants have also applied to amend their particulars of claim, and this will also be vigorously resisted.

Chris Hutchings, partner at Charles Russell, the firm acting for *Hello!*, said “both sides have conceded that this is a matter relating almost entirely to legal issues as opposed to factual ones.

“One of the major argu-
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