

# Privacy shouldn't be sold to the highest bidder

How odd, says **Michael Ashcroft**, that the press devoted so little space to a new report on those who pry unlawfully into our private lives and sell what they find

It is curious, is it not, that even after the arrest and subsequent charging of the *News of the World's* royal editor with offences relating to phone tapping, one of the least-reported publications of recent times remains the Information Commissioner's report 'What price privacy?'

Reading its often racy pages, I could not help thinking that it would have been better titled 'What price information?' Sadly, few people to whom I have spoken are aware of its existence, let alone what it contains, and even the recent allegations of unlawful prying stimulated only the most cursory references to the contents of a report of which the public should have been made fully aware.

The report reveals that the Information Commissioner's Office, otherwise known as the ICO, had long suspected the existence of an organised trade in confidential personal information; its suspicions being confirmed when the ICO attended a search under warrant in Surrey conducted by the Devon and Cornwall police.

In time this search led to a further trawl at the home of a private detective in Hampshire. This proved to be an Aladdin's cave of information, most of it belonging to other people. The private detective, working with a number of others, offered a service to supposedly reputable organisations whereby he stole confidential information from, inter alia, telephone companies, the Driving & Vehicle Licensing Agency (DVLA) and even the Police National Computer. Helpfully, the unnamed detective had kept detailed accounting records for his enterprise in which he named his clients, the information requested, the information provided, and the prices charged.

This was not just an isolated business operating occasionally outside the law, but one dedicated to its systematic and highly lucrative flouting. The report makes clear, should there have been any doubt, that the customers of this villain could not escape censure for their actions. Only the deranged would imagine that access to the Police National Computer could be obtained by lawful means. Nevertheless, customers came from a raft of organisations which one might reasonably expect to be reputable. Media, especially newspapers, insurance companies and local authorities chasing

council tax arrears all appear in the sales ledger of the dodgy agency.

Media represented the lion's share. The files named 305 journalists seeking information, and invoices and payment slips identified leading media groups. There was little attempt to disguise what was going on: the invoices referred to the supply of 'confidential information' and invoices carried VAT. (One is left with the disturbing question as to whether criminal activity is indeed a taxable supply.)

The targets of the fraudulent inquiries included professional footballers, broadcasters and celebrities generally. They included a woman going through well-publicised divorce proceedings and even a member of the royal household. Less obvious targets were the sister of the partner of a well-known local politician and the mother of a man once linked romantically to a *Big Brother* contestant. (Some people need to get out more.)

The whole activity appeared in most respects to be a normal business, even to the extent of a published tariff of charges. Ex-directory telephone numbers cost the Hampshire detective £40, and he sold them on for £70. A vehicle check cost £70, and customers were charged £150. And so on.

But perhaps the most scary elements of the report were the extracts from a 'blagger's' training manual discovered during a raid on another private investigator in Middlesex. Investigators either bribe corrupt officials to disclose confidential information, or 'blag' the information on the telephone by impersonating the subject of the investigation or others working with the organisation. I myself have suffered at the hands of two such blaggers, about whom I wrote last year in my book *Dirty Politics, Dirty Times*.

Blaggers ply their trade by deceiving those in charge of private information by pretending to be someone they are not. By piecing together small, and in themselves



'Finally there's something worth watching.'

insignificant, pieces of information, blaggers create a picture of awareness of a target which they then use to con 'customer services' into divulging more and more important pieces of information. A trusting public servant is no match for a skilful blagger, and such encounters regularly result in rich pickings.

Most people would, I believe, share my view that no civilised society can exist without some element of trust. Those who prey on the good nature of others in order to steal information simply undermine what little is left of trust in our society. No longer, it seems, can we take anyone at face value.

Much of the Information Commissioner's report was familiar to me. I was also able to empathise with the frustration with which the report concludes; namely, that the sanctions now available are grossly inadequate. Offenders know that the chances of prosecution are low, and in any case that the worst the courts can impose is the equivalent of a mild slap on the wrist. There is little chance, therefore, of this scandalous trade being brought to a close without much greater penalties.

That is not to say that I wish to attack, across the board, defrauded insurance companies, local authorities or, more relevantly in my case, newspaper groups for their use of criminals and conmen. The real problem for all those involved is that no one wishes to be left behind. If others have access to an effective and inexpensive means to gather information, one might perhaps be considered foolish to stand on one's principles and be different.

My real sadness is that what was a truly interesting report should have received such scant coverage in the press. It is understandable, perhaps, that few people would wish to stand up and be counted, given that we all know what goes on and that so many blind eyes are turned. But 'What price privacy?' should have featured large in the open debate about what is acceptable in the pursuit of the public interest as opposed to what is acceptable in satisfying the prurient interest of the public.

Besides, I am led to believe that in the days of Fleet Street this sort of thing rarely occurred. Good journalists were nevertheless able to get the information they needed by largely legitimate means. In calling for jail sentences for offenders, Richard Thomas, the Information Commissioner, may have upset the National Union of Journalists, but I think he was right to have called time on a practice which does little to dignify the activities of a great profession.

I hope, especially following the most recent allegations, that those in the media who have the authority to end the dubious gathering of information will have the good sense to call a halt. A spell in Wormwood Scrubs for refusing to reveal a source might well represent a mark of honour. A similar penalty for bribing a civil servant or utilities official is unlikely to be perceived as quite so worthy.