



## JUSTICE Press Release

### Building a surveillance law fit for a digital age

**For immediate release: 3 November 2015**

In 2011, JUSTICE published *Freedom from Suspicion: Surveillance Reform for a Digital Age*, a forward looking report on the failure of the surveillance law in the UK to keep pace with changing technology, to the detriment of both individual privacy and the credibility of the work of our law enforcement and intelligence agencies.

We recommended that the law be rewritten to provide a new legal framework, containing adequate safeguards and setting new standards for a digital age. Legal distinctions and safeguards drawn up for surveillance in an era before smartphones and social media were “badly out of date”. The Regulation of Investigatory Powers Act – “poorly drafted and hopelessly opaque” – was ripe for repeal.

Today, as the Government prepares to unveil its draft Investigatory Powers Bill - we publish an update to our 2011 report – ***Freedom from Suspicion: Building a Surveillance Framework for a Digital Age***.

Developments in the past four years have confirmed that reform is not only timely, but crucial.

Although much heat and light has been generated about the scope of powers and capacities for digital surveillance, there is broad consensus that the current model for authorisation and oversight in the Regulation of Investigatory Powers Act 2000 is broken.

By its nature secret, the capacity for individuals to complain when surveillance goes wrong is inherently limited. The case for such power to be strictly defined is clear. Increased transparency, prior judicial authorisation and more effective oversight are essential to ensure decisions on surveillance are right *before* our privacy is endangered.

New safeguards do not make the case for overbroad powers, new or old. However, modern legislation which creates a transparent, workable and lawful framework for surveillance is long past due.

**Andrea Coomber, Director of JUSTICE said:**

*“Surveillance is a necessary activity in the fight against serious crime. It is a vital part of our national security. However, unnecessary and excessive surveillance destroys our privacy, blights our freedoms and taints our trust in the bodies which work to protect us.*

*Public debate has become polarised, press driven and both over-simplified and bogged down in technicality. Setting a false dichotomy between security and individual privacy may make a good sound bite, but it won't make good law.*

*We hope that Parliament will grasp this unique opportunity to build a new law which is not only fit for a digital age, but truly world-leading.”*

**For further information, please contact Angela Patrick, Director of Human Rights Policy, JUSTICE on 020 7762 6415 or [apatrick@justice.org.uk](mailto:apatrick@justice.org.uk).**

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**Notes for editors:**

1. Copies of *Freedom from Suspicion: Building a Surveillance Framework for a Digital Age* can be [downloaded here](#). The paper has been prepared by Eric Metcalfe of Monckton Chambers. Eric also produced *Freedom from Suspicion: Surveillance Reform for a Digital Age* for JUSTICE in 2011.
2. The Government is expected to produce its Draft Investigatory Powers Bill on Wednesday 4 November 2015. The Bill follows independent reports from the Intelligence and Security Committee, the Royal United Services Institute and the Independent Reviewer of Terrorism Legislation, David Anderson QC, on the reform of surveillance law. The Draft Bill will be considered by a Joint Committee of both Houses of Parliament, before a Bill is laid before the House of Commons in 2016.

