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FREEDOM AND BUREAUCRACY IN ISRAEL:-

PROTECTING THE INDIVIDUAL'S PRIVACY AND FREEDOM

FROM MISUSE OF PERSONAL DATA IN COMPUTER STORAGE

by David Baram

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Planned:- 'The Interior Ministry will store all information pertaining to a citizen and make it instantly available'

Israel is a fascinating country. There is never a dull moment.

Just consider for one moment the kind of private information about you which is contained in the different official and semi-official records, in school and army records, in medical, national insurance, welfare, police and court files, in income tax returns.

Without privacy there can be little if any independence. Misuse of your own personal and private information stored in computer memory banks threatens your privacy and thus your independence.

'... and soon all government departments will be plugged into a computer at the Interior Ministry which will store all the information pertaining to a citizen and make it instantly available when his number is summed up'.

This quotation is not from a horror story nor from science fiction. The Directors-General (that is the administrative heads) of the government ministries meet once a month to consider their procedures and the newspaper reports from which the quotation is taken {1} describe what the Directors-General were then working on. They are reported to be introducing, after maybe no more than another two or three months, that each citizen be given a single number to identify him and all his records and that all this information be stored by and at the Interior Ministry and be instantly available.

There can be no effective safeguards with a system of centrally held and complete personal files

This means that each citizen and his records would be fully identified by one number, by his identity card number. Records such as your school, medical, army and driving records which contain information about your religious beliefs, reports by educational psychologists, social workers, teachers, doctors and specialists as well as their own personal comments and value judgements about you and about your social and cultural background. Also information about your family and relatives. Also the kind of work you do, how much you earn, other incomes, who your employer is, all from income tax records. Previous addresses and traffic offences from driving licence records. And much else.

Police records may possibly contain information about your political and trade union activities. And there is information about what political and other organisations you support and how

{1} Jerusalem Post, 24th April 1980 and 20th May 1980

you spend your money (banking computer records), about whom you telephone (telephone computer accounting) and about what books you read (library computer records).

It is now a simple matter to see what other bank accounts you have and what your credit rating is.

Each citizen and his records fully identified by one number. All this information available to a lot of people at any one of many computer terminals at the touch of a few buttons since there can be no effective safeguards with such a system.

There have to be safeguards regarding the storage and use of the recorded details of our private lives

It is essential to keep personal and private data confidential so as to avoid enforced conformity. We have to ensure and protect the individual's right to think and do as he pleases so long as he does not behave in a way which harms other members of the community either directly or indirectly.

What we are talking about are the recorded details of our private lives. There simply have to be foolproof safeguards regarding the storage and use of such information as well as effective legal protection against the misuse of the personal records of our private lives.

Freedom and bureaucracy

It seems that the recently enacted emergency powers (detentions and miscellaneous provisions) law enables the Israeli government to detain anyone for a period of up to six months and perhaps even longer without having to give any reason, without having to state suspicions, without having to produce evidence.

Also of concern is that about three years ago the Policy Ministry was absorbed by the Ministry of the Interior. The upper levels of the Police are being reorganised by the Ministry.

It would seem important that there is no possibility of the police becoming directly responsible to a political appointee since there is the risk that a political appointee could proceed to lay down policies, surveillance and investigations directed against opponents of his party.

From this point of view also the plan of the Directors-General, that full and complete personal files for all citizens be compiled and stored by the computer at the Ministry of the Interior, can only be viewed with the greatest concern by all citizens.

No matter which way you look at it, it is seen that this plan of the Directors-General should not be put into effect and there is need for speedily enacting laws for the protection of the privacy of individuals in accordance with the requirements listed here.

Requirements which outline the legal protection which is needed

The privacy of information is protected by laws in a number of countries including Canada and USA while in Britain a number of government reports and recommendations have laid the basis for such legislation.

The kind of legal protection which is needed is indicated by the following requirements:-

- 1 Information should be kept for a specific purpose only and not used for any other purpose.
- 2 Only that information should be collected which is absolutely necessary for the specific purpose for which it is being collected.
- 3 Only those authorised to use it for its original purpose should have access to the information.
- 4 There should be an independently approved security system to prevent deliberate abuse of the information.

But there are additional requirements for legal protection and these involve the individual more directly:-

- 5 The specific purpose for which the information is collected should be clearly stated.
- 6 Personal and private information should be stored in a computer storage bank only after this has been authorised by the individual concerned.
- 7 The individual should receive a print-out of information stored about him, for correction and approval.
- 8 Information about an individual should be passed on to another person, organisation or storage bank only after first obtaining written agreement and approval from the individual.