

SIGN UP, LOG IN **OPT OUT**

PROTECTING YOUR PRIVACY & CONTROLLING YOUR DATA

A Resource for Teachers. Produced by the
Office of the Data Protection Commissioner

An Coimisinéir
Cosanta Sonraí



Data Protection
Commissioner

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ABOUT THIS RESOURCE

This resource is designed for use primarily in Civic, Social and Political Education (CSPE).

It is not expected that a teacher will work through the entire resource with their students from beginning to end. This resource will deal with aspects of the concepts, Rights & Responsibilities & Law. It is intended that the teacher will select elements of this resource in conjunction with other teaching and learning resources throughout the three years of the CSPE programme.

Cross-curricular use of this resource is encouraged. The resource can be adapted for use in other subjects either at junior or senior cycle. It is suitable for use in junior cycle History, SPHE, English or Business Studies.

This resource may also feature as a component on the Transition Year syllabus. Section 3 of this resource may also be suitable for senior cycle Business Organisation Studies.

INTRODUCTION

Civic, Social and Political Education (CSPE) is designed to enable students to become active, aware and responsible citizens.

The development of awareness with regard to privacy and the need to protect one's personal data as a component of citizenship is linked to the fostering of other positive attitudes and values such as concern for human rights, concern for the common good and respect for the rule of the law. An awareness of how technology can affect an individual's privacy is also a core aim.

The concept of data protection is linked to the emergence of the right to privacy in the aftermath of World War II. A focus on basic human rights and fundamental freedoms led to a series of international charters and declarations eg. the Universal Declaration of Human Rights (UDHR).

Rapid technological advances since have resulted in an increasing focus on the processing of personal data in large volumes. Data protection concentrates on the necessary safeguards that need to be in place when processing personal data through a variety of media (e.g. manual files, databases, CCTV, image banks, mobile telecommunications). Today, data protection consists of an established framework of laws at a national and global level that embody core principles based upon the protection of personal data.

Regulatory watchdog authorities have been established in many countries worldwide to monitor developments with regard to protecting personal data in the face of emerging technologies. The Irish Office of the Data Protection Commissioner oversees the operation of the Irish Data Protection Acts in Ireland issuing guidance, investigating possible breaches of the Acts and offering a forum for individuals to make a complaint in relation to the use of personal data in particular situations.

The Office of the Data Protection Commissioner also contributes at a European and global level through its participation in a wide range of fora, working groups and seminars. Of particular note, the Office of the Data Protection Commissioner participates in an EU Working Party made up of the Data Protection Commissioners from across the EU, together with a representative of the EU Commission. This Working Party – known as the Article 29 Working Party – is independent and acts in an advisory capacity to the European Commission.

The emergence of data protection as a separate strand within the overall privacy agenda is developed within this resource but in order to stimulate interest around the basic notion of privacy, many of the activities and coursework in this resource centre on the more fundamental aspects of privacy.

CORE CONCEPTS

This resource is structured around the concept-based approach to CSPE. The central concept of the CSPE course is citizenship and material within this resource relates in particular to two of the core concepts within CSPE, namely, 'Rights & Responsibilities' and 'Law'. It is hoped that addressing 'Rights & Responsibilities' and 'Law' from a privacy and data protection perspective will afford a fresh insight into the concept of active citizenship for students.

USING THIS RESOURCE

The resource is in four main sections. Each section describes the aims, concepts, attitudes, knowledge and skills involved in the particular section and offers activities as optional exercises. 'Follow-up Activities' and 'Ideas for Action' are offered as supplementary options alongside the activities that can be worked through in class.

- * **Section One** is intended as an introduction to the general idea of privacy beginning in a home environment and moving on to more unconventional settings such as Big Brother and the relationships between celebrity and privacy.

- * **Section Two** provides a background on how privacy became enshrined as a human right.
- * **Section Three** focuses on data protection legislation within a national and global context.
- * **Section Four** switches the focus to technology and the implications of innovation for privacy.

ACTIVITIES

A variety of active learning methodologies are used including:

- * structured discussion
- * case studies
- * ratings charts
- * debates
- * performance
- * creative writing
- * visual stimuli.

PAGES FOR STUDENTS

A photocopying symbol (see below) is used to denote which pages should be photocopied and distributed to students.

PHOTOCOPY



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SECTION ONE

AIMS

- 1 To gain an understanding of the concept of privacy.
- 2 To explore the classic 'Big Brother' scenario.
- 3 To examine the idea of privacy and young people using an unconventional setting.
- 4 To gain awareness of standards or guidance with regard to privacy and the media in Ireland.

CONCEPTS

- * Rights and Responsibilities.
- * Law

ATTITUDES & VALUES

- * Development of a sense of why privacy is important and why it should be respected.
- * Awareness of rights.

KNOWLEDGE

- * How privacy can be defined.
- * Dangers of interference or violation of a person's right to privacy.
- * How removing privacy can affect those otherwise materially privileged.
- * Privacy is a human right.

SKILLS

- * Communication – discussion, debating, group work, role-play, listening.
- * Analysis – media, cartoons, images and scenarios.
- * Creative Writing.

SECTION 1.1 WHAT IS PRIVACY?

TEACHERS

Explore the following aspects of privacy with your students.

Privacy is the right to be left alone. As the evening draws in, we draw the curtains in our homes. We block out the approaching darkness and turn on the lights. Once the curtains are drawn our activities and movements are not directly visible to onlookers. We naturally feel that this space is designated for family and friends. It is our private space.

We also like to keep some of our personal documents private – most homes have a box or file in which documents of various family members like birth certs, exam results, house deeds, car registration etc. are kept. We do not necessarily want others to see them and we like to keep them secure.

Other items in our possession are of sentimental value. We sometimes like to display these in the family home, e.g. family photos, birthday cards, baby's first teeth or locks of hair, framed graduation certificates. We exhibit these for our own satisfaction and to share them with family, relatives and visitors.

**THE RIGHT TO
BE LEFT ALONE**

**PERSONAL
DOCUMENTS**

**PERSONAL
BELONGINGS**

Privacy is the right to be left alone and to live one's life with the minimum of interference.

SECTION 1.2 TEACHERS

PRIVACY IN THE HOME

Photocopy the page opposite and distribute to students.
Initiate a structured discussion about privacy using the visual stimuli in the diagram.

AIMS

- ★ To introduce students to the issue of privacy by exploring two contrasting images.

Using the metaphor of drawing curtains in the evening, ask the class to think about what it would be like to have people looking in all the time, with no way to curtail the constant surveillance?

Ask the students to examine the two contrasting scenes (exterior / interior) depicted on the page opposite.

Ask the students how they would feel if this was their house and a complete stranger could have access to all that goes on inside the house? If the stranger was actively...

- ★ Listening to the phone conversation between Brian and his girlfriend.
- ★ Monitoring and making a list of all the TV programmes and DVDs watched by the family.
- ★ Flicking through and making a copy of the electronically stored family albums.
- ★ Copying passwords and usernames enabling access to the family's bank account.
- ★ Learning Sarah's secret.
- ★ Knowing exactly how much money is lying around in cash, unsecured, in the kitchen.

What do students find most worrying about the scenario?

Ask the students to compare the scenario with a physical break-in to a house.

Note the following with your students:

Burglars enter houses and take physical belongings or damage items. However intruding on someone's privacy and becoming aware of their habits, monitoring their activities and listening to their conversations can be just as damaging in the long run.

CONCLUSIONS

Q. What is privacy?

A. The right to be left alone.

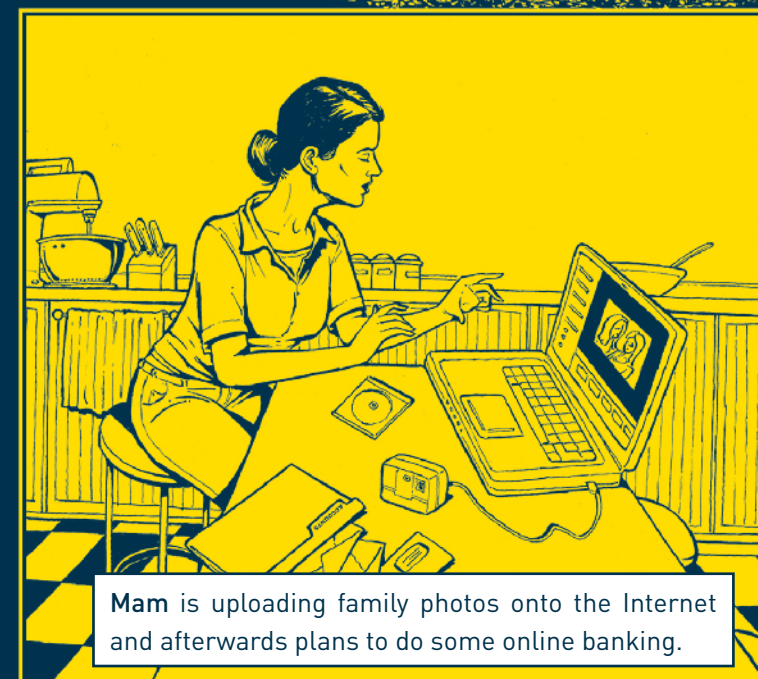
Q. Who should care about their privacy?

A. Everybody.

PHOTOCOPY

SECTION 1.2

STUDENTS



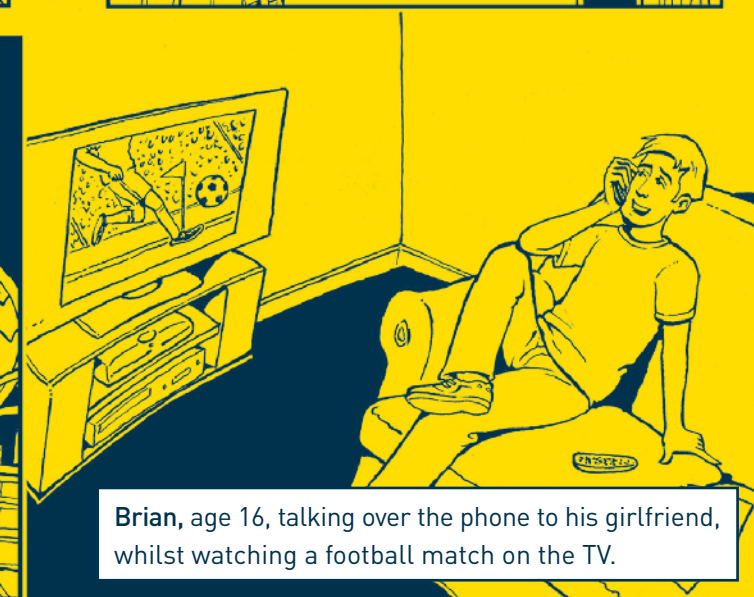
Mam is uploading family photos onto the Internet and afterwards plans to do some online banking.



As club treasurer of the local football club, **Dad** is counting money collected during a recent fundraiser.



Sarah, age 13 is whispering a secret to her big sister Lucy, 17. Sarah was accused of shoplifting but the charges were dropped. Sarah is still worried the shop will contact her parents.



Brian, age 16, talking over the phone to his girlfriend, whilst watching a football match on the TV.

SECTION 1.3 BIG BROTHER

It is important to explain the term “Big Brother” and its origins to your students. The visual on the page opposite may be useful. You can photocopy this, use it as an overhead or a powerpoint slide.

George Orwell portrayed a world dominated by Big Brother in his famous novel ‘1984’. Published in 1949, in the aftermath of the Spanish civil war and World War Two, George Orwell tried to peer into the future and portray a vision of a society where individual freedom didn’t exist for ‘members of the party’ and the state exposed its citizens to constant surveillance using a variety of sophisticated technologies.

The term “Big Brother” has its origins in this novel.

TEACHERS

Imagine Ireland was like George Orwell’s Big Brother. You are under constant surveillance where the government wants to know everything about you.

‘The Ministry of Truth’ (A government department) spreads propaganda to influence the way the government wants you to think. Posters warning you ‘BIG BROTHER IS WATCHING YOU’ are visible everywhere and keeping a diary revealing your true feelings, could result in you being sentenced to death... You live in a country where you can be accused of a ‘thought crime’ by the ‘thought police’ and it is illegal to fall in love...

SECTION 1.3

STUDENTS



SECTION 1.3

TEACHERS

AIM

To provoke students into thinking about ways in which the government in a different type of society or state could curtail individual freedoms including the right to privacy.

Photocopy the activity page opposite and distribute to students.

FOLLOW-ON ACTIVITY

- ★ Ask the students to write down their worst fears if 'Big Brother' was always watching.
- ★ Ask the students to also consider whether there are any positives in having 'Big Brother' around?

Split the class into groups and allow them to exchange their thoughts amongst themselves.

FOLLOW-ON ACTIVITY / HOMEWORK

- ★ Ask students to design a poster or compose a poem to represent 'Big Brother'. The poster can be a sketch, picture, symbol, photograph, magazine picture, graphic, and cartoon...
- ★ Locate excerpts from the novel '1984' (widely available on the Internet) and select some chapters for students to read. Ask the students if any of the observations or predictions made by George Orwell are actually present in society today? What role or function does technology fulfil in '1984'?

ACTIVITY 1

STUDENTS

Imagine if you were subjected to live under the conditions outlined below. Rate on a scale of 1-10 each of the scenarios below based on which you feel are the most severe e.g. you don't think chocolate being rationed is a big deal so you only give it a severity rating of 3. The conditions depicted in the Big Brother scenario below are all taken from George Orwell's novel '1984'.

Big Brother Scenario	Rating (1-10)
Helicopter patrols in your neighbourhood snooping into people's windows and gardens.	
You are forbidden to keep a diary.	
A camera in each room of your house constantly records all your family's movements.	
Chocolate is rationed. Using your official id you can buy 15 grammes per month (equivalent of half a bar).	
If you express a negative thought about the government the 'thought police' could arrest and sentence you without a trial.	
A flat-screen TV in your living room broadcasts government propaganda 24 X 7. You can lower the volume slightly but you can never turn the TV off or change channel.	
It is a crime to fall in love.	
You receive clothing coupons worth 3,000 per year. A pair of pyjamas is 600 coupons.	
The Government 'controls reality'. History is constantly being revised. If the government decide, "no that never happened", historical records are altered. You often wonder is your memory playing tricks with you.	

SECTION 1.4 CELEBRITY & PRIVACY

TEACHERS

AIM

To provoke students into thinking about privacy by choosing a scenario that reflects modern day culture but focuses on the privacy rights of otherwise privileged citizens.

CELEBRITIES AND PRIVACY

The personal lives of celebrities, royalty and other prominent public persona are often the centre of media attention. Paparazzi photographers are a particularly intrusive aspect of some celebrities' lives. When the intrusion extends to their immediate families often they need to take action to protect their privacy.

Grace Kelly



Note: Photocopy the case study on the page opposite and distribute to students. Explain to students that the account of Princess Caroline is a landmark case not because of the actual celebrity involved but because the case went all the way to the European Court of Human Rights and was successful. Also of interest to students perhaps is a similar case ongoing in the UK concerning pictures taken by a celebrity news agency of JK Rowling, her husband and her infant son as they went for a walk. JK Rowling lost her High Court case against the news agency but is set to appeal.

SECTION 1.4

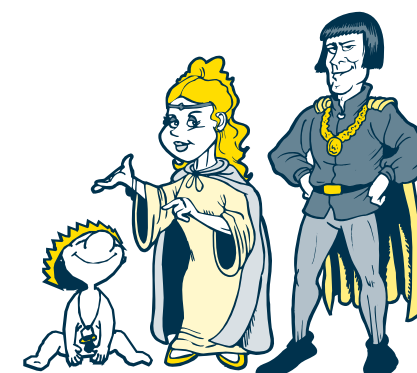
STUDENTS

Read the following case study.

PRINCESS CAROLINE CASE

The Princess of Hanover and Hereditary Princess of Monaco, Princess Caroline, is the eldest daughter of the American film star Grace Kelly.

When Grace Kelly married Prince Rainier III of Monaco in 1956 she gave up her acting career and went to live in Monaco. Princess Grace remained constantly in the public eye until she was killed tragically in a car crash in 1982. By this time her children Princess Caroline, Princess Stephanie and Prince Albert had already become the focus of attention of the European media.



In the late 1990's Princess Caroline took several German magazines to court as a result of the publication of photographs of her and her husband and children engaged in various activities such as shopping, playing sport and coming out of a restaurant. The German courts refused to ban these publications from taking photos of her but they did agree not to publish certain photos of her children.

Princess Caroline then focused on her personal right to privacy and took her case to the European Court of Human Rights in Strasbourg. The European Court of Human Rights ruled that Princess Caroline's right to privacy had been infringed because Article 8 of the European Convention on Human Rights (1950) states:

Everyone has the right to respect for his private and family life, his home and his correspondence.

Irish Law:

The Irish Constitution does not contain an express right to privacy but a person's constitutional right to privacy has been upheld in several key cases in Irish courts.

The right to privacy is also clearly set out in the Universal Declaration of Human Rights (UDHR) drawn up in 1948.

Everyone...
12. Has the right to privacy.

ACTIVITY 1

DODGE THE PAPPARAZI

STUDENTS

Read the scenario below and complete the exercise outlined on the page opposite.

Imagine you are the daughter or son of a famous celebrity couple. You and your family are constantly pursued by photographers taking pictures of you in public places. Pictures are printed of you attending a premiere with your parents, walking to school with your friends, playing football and going out at night to the cinema on a date. Sometimes, yes, your life is exciting and glamorous but the novelty quickly wears off. You now feel very strongly that you shouldn't be followed about by paparazzi when you are going about your daily business. You also don't see why your parents and their legal

team should have to spend so much time and money in legal fees trying to get the courts to ban the paparazzi from taking photos of you. Even though you understand some people like to buy magazines full of pictures of celebrities and their families, you wish they might consider how this affects you. You acknowledge that some celebrities' offspring actively court attention from the media.

Over the last year the following pictures of you and your sibling have appeared in the newspapers and magazines...



The Oscars	Football Practice	Dumped	Star's Spotty son turns to experts
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ACTIVITY 1

STUDENTS

Compose a witty, humorous plea to the press to leave you alone. You hope your plea will be printed in several quality newspapers and the celebrity and fashion magazines might back off. You are prepared to concede that you will agree to be photographed when attending public functions. In your plea you could remind the press that legally

you are a child and you wish to be allowed to grow up, making fashion mistakes along the way, forming friendships and doing your own thing without being subject to intense scrutiny and constant media speculation.

You can write your appeal below in song format, a poem or a letter.

Lined area for writing the appeal.

IDEA FOR ACTION

Organise a competition based around the scenario above where you write a plea to the press to leave you alone in poem, song or letter format. Encourage members of the class to compose entries and perform them in front of a panel of judges. Devise several prize categories as well as 'best overall'.

FOLLOW UP ACTIVITY TEACHERS

Bring in a small selection of well known magazines featuring celebrities, gossip and fashion. Divide the class into groups and examine these publications for pictures of famous singers, models, actors, footballers and their families.

Discuss the following and make a general note of your conclusions to feed back to the class:

- ✱ Sometimes the celebrities' childrens faces are blurred out deliberately whereas in other similar publications the photos featured might show the children's faces. Why do you think this is?
- ✱ Are all of the photos of celebrities and their children taken as part of official appearances at public functions?

- ✱ What about parents who sign an exclusive deal with a magazine to feature themselves and their children in their home?
- ✱ Do any of the magazines show more sensitivity than the others or are they all more or less the same in their approach?
- ✱ Official portraits or photos are often an option favoured by prominent public personalities such as politicians. Why do you think the press are not so keen to use these?

SECTION 1.5

Supplementary information that may be used or discussed in the classroom.

TEACHERS

PRIVACY STANDARDS

in the media sector in Ireland

In many European countries the newspaper industry and journalists come together with all other relevant stakeholders and agree upon Codes of Conduct. These codes establish standards with regard to a range of behaviours including photographing children. These standards are not always adhered to but they act as guidelines.

A Code of Practice has been drawn up by the Press Council of Ireland (see excerpts in column opposite). Principle 5 of the Code of Practice concerns privacy and Principle 9 concerns children.

EXCERPTS

Principle 5.5

Taking photographs of individuals in private places without their consent is not acceptable, unless justified by the public interest.

Principle 9 – Children

9.1 Newspapers and periodicals shall take particular care in seeking and presenting information or comment about a child under the age of 16.

9.2 Journalists and editors should have regard for the vulnerability of children and in all dealings with children should bear in mind the age of the child, whether parental or other adult consent has been obtained for such dealings, the sensitivity of the subject-matter, and what circumstances if any make the story one of public interest. Young people should be free to complete their time at school without unnecessary intrusion. The fame, notoriety or position of a parent or guardian must not be used as sole justification for publishing details of a child's private life.

IDEA FOR ACTION

- ✱ Locate the 'Code of Practice' on the website of the Press Council of Ireland (see www.presscouncil.ie). See what material there is in relation to children. Contact the Press Council of Ireland and ask whether the Press Ombudsman has received any complaints in relation to privacy and children and if so what decisions were made by the Press Ombudsman. Write a report based on the information you receive.
- ✱ Locate and examine Case Study 6 'News of the World: Limits of Media Exemption' in the 2006 Annual Report of the Data Protection Commissioner (available on www.dataprotection.ie). This case study deals with a complaint from an Irish celebrity concerning photographs of their child being published without permission.

FOLLOW UP ACTIVITY

- ✱ Perform a drama set in the courtroom centring on a celebrity couple taking a case against the newspapers for publishing photos of them on holidays with their children.