Written Answer

Sarah Wollaston Chair, Health Committee

To ask the Secretary of State for the Home Department, whether, when considering whether to acquire a bulk personal dataset from another government department under the Investigatory Powers Bill, she plans to consult the Secretary of State for that department.

Mike Penning The Minister of State, Home Department, The Minister of State, Ministry of Justice

The Investigatory Powers Bill provides for robust and transparent safeguards relating to the security and intelligence agencies' use of bulk personal datasets (BPDs). This includes a new requirement for warrants to authorise the retention and examination of BPDs. The Bill provides for both class BPD warrants, covering datasets of a particular class, and specific BPD warrants, covering an individual dataset. The draft statutory Code of Practice provides further guidance on the factors that the security and intelligence agencies should consider in determining which type of warrant to apply for. These include whether the nature or the provenance of the dataset raises particularly novel or contentious issues; whether it contains a significant component of intrusive data; and whether it contains a significant component of confidential information relating to members of sensitive professions. All warrants will be subject to the 'double-lock' safeguard meaning that they will be subject to approval by both a Secretary of State and a Judicial Commissioner.