Written Answers

Sarah Wollaston Chair, Health Committee

To ask the Secretary of State for Health, whether he expects to be consulted in cases where a Bulk Personal Dataset is required from his Department by an Agency under the provisions of Part 7 of the Investigatory Powers Bill.

George Freeman The Parliamentary Under-Secretary of State for Business, Innovation and Skills, The Parliamentary Under-Secretary of State for Health

The Investigatory Powers Bill does not include any powers to require the provision of a bulk personal dataset (BPD) to a security and intelligence agency. It does require that there should be robust and transparent safeguards relating to such an agency's use of 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 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.

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