

Proposed UK Surveillance Law is Bad News for Privacy Across the Globe

April 20, 2016 – The United Kingdom is in the process of updating its laws on surveillance. As it stands right now, the proposed changes include a provision that would require tech companies to provide the government with advanced notice of any new or updated products or services involving encrypted data. The law would allow the government to examine those new products or services ahead of their roll-out. In short, the UK government wants to make sure that they can break the encryption used or to require the companies to provide them a back door to break in. It's an awful proposal that would affect encrypted devices worldwide.

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s.src = 'http://widgets.digg.com/buttons.js';
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})();
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To be clear, this is much different than the US Government's case to compel Apple to break into a phone used by one of the San Bernardino terrorists. In that case, there was no back door and the government did obtain a search warrant. Apple could have broken into the phone on a one time basis and then thrown away the code or procedure they used to do it.

In this case, the UK is suggesting that companies provide them the means to break into a phone or other device prior to any crime being committed. Moreover, they would have that means available to them whether or not a search warrant had been issued. Judicial oversight would actually be an afterthought.

The proposal has some teeth in it too. If adopted, companies that didn't comply could be hauled into court. They could face criminal and civil penalties.

Any tech company doing business in the UK would be subject to the law. That includes American companies with large American footprints such as Samsung, Apple, Microsoft – the list goes on. Since the operating systems on these phones don't recognize borders, there is little reason to think that an iPhone sold in the United States wouldn't have the same back door built into it as one in Britain. And since the US is closely allied with the UK on many issues, if the UK has access to that back door there is every reason to believe that the US will too.

For its part, the UK government isn't mincing its words. They want to make sure that there is no service or product available in the UK that the government can't gain access to. When you think about that for a while, it is very Orwellian.

by Jim Malmberg

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