Formal Minutes of the Joint Committee on the Draft Communications Data Bill

Extract from the House of Lords Minutes of Proceedings on 28 May 2012

**Draft Communications Data Bill** Lord Strathclyde moved that it is expedient that a joint committee of Lords and Commons be appointed to consider and report on any draft Communications Data Bill presented to both Houses in the course of this Session and that the committee should report on any draft Bill by 30 November. The motion was agreed and a message was sent to the Commons.

Extract from the Votes and Proceedings of the House of Commons on 21 June 2012.

**Draft Communications Data Bill (Joint Committee)** - Resolved, That this House concurs with the Lords Message of 28 May, that it is expedient that a Joint Committee of Lords and Commons be appointed to consider and report on any draft Communications Data Bill presented to both Houses.

Ordered, That a Select Committee of six Members be appointed to join with the Committee appointed by the Lords to consider the draft Communications Data Bill. That the Committee should report by 30 November 2012.

That the Committee shall have power—

(i) to send for persons, papers and records;

(ii) to sit notwithstanding any adjournment of the House;

(iii) to report from time to time;

(iv) to appoint specialist advisers;

(v) to adjourn from place to place within the United Kingdom; and

That Mr Nicholas Brown, Michael Ellis, Dr Julian Huppert, Stephen Mosley, Craig Whittaker and David Wright be members of the Committee.—(Stephen Crabb.)

Extract from the House of Lords Minutes of Proceedings on 28 June 2012

**Draft Communications Data Bill** The Chairman of Committees moved that the Commons message of 21 June be considered and that a Committee of six Lords be appointed to join with the Committee appointed by the Commons
to consider and report on the draft Communications Data Bill presented to both Houses on 14 June (Cm 8359) and that the Committee should report on the draft Bill by 30 November 2012;

That, as proposed by the Committee of Selection, the following members be appointed to the Committee:

L Armstrong of Ilminster, L Blencathra, B Cohen of Pimlico, L Faulks, L Jones, L Strasburger;

That the Committee have power to agree with the Committee appointed by the Commons in the appointment of a Chairman;

That the Committee have power to send for persons, papers and records;

That the Committee have power to appoint specialist advisers;

That the Committee have leave to report from time to time;

That the Committee have power to adjourn from place to place within the United Kingdom;

That the reports of the Committee from time to time shall be printed, regardless of any adjournment of the House; and

That the evidence taken by the Committee shall, if the Committee so wishes, be published.

The motion was agreed to.
Tuesday 3 July 2012

Present:

Lord Armstrong of Illminster
Lord Blencathra (Chairman)
Lord Faulks
Lord Jones

Mr Nicholas Brown MP
Mr Michael Ellis MP
Mr Stephen Mosley MP
Mr Craig Whittaker MP
Mr David Wright MP

1. Declaration of Interests

The full lists of Members’ interests as recorded in the Commons Register of Members’ Interest and the Lords Register of Interests were declared. Interests relevant to Committee’s inquiry were declared (see Appendix).

2. Election of Chairman

Lord Blencathra was called to the Chair.

3. Programme of work

The Committee considered this matter.

Ordered, That written evidence received by the Committee be published on the Committee’s website.

4. Specialist Advisers

The Committee considered this matter.

Ordered, That Martin Hoskins be appointed a Specialist Adviser to assist the Committee.

[Adjourned till Wednesday 4 July at 3.30pm]

Appendix

Declaration of Interests

The following interests were declared:

Lord Blencathra: Former Minister of State at the Home Office.
Lord Armstrong of Ilminster: Former Permanent Secretary of the Home Office and Secretary of the Cabinet.

Dr Julian Huppert MP: Member of the Advisory Council of the Open Rights Group.

Mr Stephen Mosley MP: A shareholder in a small IT services company.

Wednesday 4 July 2012

Present:

Lord Blencathra, in the Chair

Lord Armstrong of Ilminster  Mr Nicholas Brown MP
Baroness Cohen of Pimlico  Mr Michael Ellis MP
Lord Faulks  Dr Julian Huppert MP
Lord Jones  Mr Stephen Mosley MP
Lord Strasburger  Mr Craig Whittaker MP

1. Informal briefing by Home Office officials

Home Office officials provided an informal briefing to the Committee.

2. Programme of work

The Committee considered this matter.

[Adjourned till Tuesday 10 July at 2.30pm]
Tuesday 10 July 2012

Present:

Lord Blencathra, in the Chair

Lord Armstrong of Illminster  Mr Nicholas Brown MP
Baroness Cohen of Pimlico  Mr Michael Ellis MP
Lord Faulks  Dr Julian Huppert MP
Lord Jones  Mr Stephen Mosley MP
Lord Strasburger  Mr David Wright MP

1. Informal briefing from Specialist Adviser

Martin Hoskins, the Specialist Adviser, provided an informal briefing to the Committee.

2. Oral Evidence: Draft Communications Data Bill

Charles Farr, Director General, Office of Security and Counter-Terrorism, Home Office, Richard Alcock, Director of Communications Capability Directorate, Home Office and Peter Hill, Head of Unit for Pursue Policy and Strategy Unit, gave oral evidence.

[Adjourned till Wednesday 11 July at 2.30pm]

Wednesday 11 July 2012

Present:

Lord Blencathra, in the Chair

Baroness Cohen of Pimlico  Mr Nicholas Brown MP
Lord Faulks  Mr Michael Ellis MP
Lord Jones  Dr Julian Huppert MP
Lord Strasburger  Mr Stephen Mosley MP

1. Programme of work

The Committee considered this matter.
2. **Oral Evidence: Draft Communications Data Bill**

David Davis MP, Nick Pickles, Director, Big Brother Watch, Jim Killock, Executive Director, Open Rights Group and Dr Gus Hosein, Executive Director, Privacy International, gave oral evidence.

[Adjourned till Thursday 12 July at 10.30am]

**Thursday 12 July 2012**

Present:

Lord Blencathra, in the Chair

Lord Armstrong of Illminster  Mr Nicholas Brown MP
Lord Faulks  Mr Michael Ellis MP
Lord Jones  Dr Julian Huppert MP
Lord Strasburger  Mr Stephen Mosley MP

Mr Craig Whittaker MP

1. **Programme of work**

The Committee considered this matter.

2. **Declaration of Interest**

Dr Julian Huppert declared a non-pecuniary interest relating to the evidence session, namely: Vice-Chair of the Local Government Association.

3. **Oral Evidence: Draft Communications Data Bill**

Donald Toon, Director of Criminal Investigation, HMRC, Cressida Dick, Assistant Commissioner, Metropolitan Police Service, Gary Beatridge, Assistant Chief Constable, Association of Chief Police Officers, Trevor Pearce, Director-General, Serious Organised Crime Agency and Peter Davies, Chief Executive, Child Exploitation and Online Protection Agency; Daniel Thornton, Head of Enforcement Legal, Financial Services Authority, Councillor Paul Bettison, LGA Regulatory Champion and member of the LGA Safer Communities Board, Local Government Association, Gillian McGregor, Director of Operational Intelligence, UK Border Agency, Nick Tofiluk, Director of Regulatory Operations, Gambling Commission, gave oral evidence.
Tuesday 17 July 2012

Present:

Lord Blencathra, in the Chair
Lord Armstrong of Illminster
Baroness Cohen of Pimlico
Lord Strasburger
Mr Nicholas Brown MP
Mr Michael Ellis MP
Dr Julian Huppert MP
Mr Stephen Mosley MP
Mr Craig Whittaker MP
Mr David Wright MP

1. Programme of work

The Committee considered this matter.

2. Declaration of Interests

Dr Julian Huppert declared a non-pecuniary interest relating to the evidence session, namely: former member of Liberty's National Council.

3. Oral Evidence: Draft Communications Data Bill

Angela Patrick, Director of Human Rights Policy, Justice, Rachel Robinson, Policy Officer, Liberty, Jim Killock, Executive Director, Open Rights Group and Nick Pickles, Director, Big Brother Watch; Professor Anthony Glees, Director of the Centre for Security and Intelligence Studies (BUCSIS), University of Buckingham and Dr Julian Richards, Co-Director of the Centre for Security and Intelligence Studies (BUCSIS), University of Buckingham, gave oral evidence.

[Adjourned till Tuesday 4 September at 2.30pm]
Tuesday 4 September 2012

Present:

Lord Blencathra, in the Chair

Lord Armstrong of Illminster    Mr Nicholas Brown MP
Baroness Cohen of Pimlico       Mr Michael Ellis MP
Lord Faulks                      Dr Julian Huppert MP
Lord Jones                       Mr Stephen Mosley MP
Lord Strasburger                 Mr Craig Whittaker MP
                                Mr David Wright MP

1. Oral Evidence: Draft Communications Data Bill

Professor Peter Sommer, Visiting Professor, De Montfort University Cyber Security Centre, Professor Ross Anderson, Professor of Security Engineering, University of Cambridge, Professor Sadie Creese, University of Oxford and Glyn Wintle, Chief Consultant, Firewolf, gave oral evidence.

[Adjourned till Wednesday 5 September at 2.30pm]

Wednesday 5 September 2012

Present:

Lord Blencathra, in the Chair

Lord Armstrong of Illminster    Mr Nicholas Brown MP
Baroness Cohen of Pimlico       Mr Michael Ellis MP
Lord Faulks                      Dr Julian Huppert MP
Lord Jones                       Mr Stephen Mosley MP
Lord Strasburger                 Mr Craig Whittaker MP
                                Mr David Wright MP

1. Programme of work

The Committee considered this matter.

2. Oral Evidence: Draft Communications Data Bill (Private)

Jonathan Grayling, Head of Law Enforcement Liaison, Everything Everywhere, Bob Hughes, Government Programme Manager, O2
(Telefonika UK), Mark Hughes, Managing Director Security, BT, Mark Hughes, Head of Corporate Security, Vodafone, Simon McCready, Group Risk Director, Virgin, gave oral evidence.

3. **Oral Evidence: Draft Communications Data Bill (Public)**

Nicholas Lansman, Secretary General, Internet Services Providers' Association (ISPA), Malcolm Hutty, Head of Public Affairs, London Internet Exchange (LINX), Jimmy Wales, gave oral evidence.

[Adjourned till Thursday 6 September at 10.30am]

**Thursday 6 September 2012**

Present:

Lord Blencathra, in the Chair

Lord Armstrong of Illminster Mr Nicholas Brown MP
Baroness Cohen of Pimlico Dr Julian Huppert MP
Lord Faulks Mr Stephen Mosley MP
Lord Jones Mr Craig Whittaker MP
Lord Strasburger Mr David Wright MP

1. **Programme of work**

The Committee considered this matter.

2. **Oral Evidence: Draft Communications Data Bill (Private)**

Sarah Hunter, Head of UK Public Policy, Google; Stephen Collins, Head of EU Policy, Microsoft, for Hotmail; Emma Ascroft, Director of Public Policy, Yahoo; Simon Milner, Director of Policy for UK & Ireland, Facebook, Colin Crowell, Head of Global Public Policy, Twitter, Stephen Collins, Head of EU Policy, ex-Skype/Microsoft, Steven Murdoch, Chief Research Officer, The Tor Project; Senior Researcher, University of Cambridge; gave oral evidence.

[Adjourned till Tuesday 16 October at 10.30am]
Tuesday 16 October 2012

Present:

Lord Blencathra, in the Chair

Lord Armstrong of Illminster  Mr Nicholas Brown MP
Baroness Cohen of Pimlico  Mr Michael Ellis MP
Lord Faulks  Dr Julian Huppert MP
Lord Jones  Mr Stephen Mosley MP
Lord Strasburger  Mr David Wright MP

1. Programme of work

The Committee considered this matter.

Ordered, That written evidence received by the Committee be published on the Committee’s website.

2. Oral Evidence: Draft Communications Data Bill

Sir Paul Kennedy, Interception of Communications Commissioner, Interception of Communications Commission, Joanna Cavan, Chief Inspector, Interception of Communications Commission; Christopher Graham, Information Commissioner, ICO, gave oral evidence.

[Adjourned till Wednesday 17 October at 2.30pm]

Wednesday 17 October 2012

Present:

Lord Blencathra, in the Chair

Lord Armstrong of Illminster  Mr Nicholas Brown MP
Lord Faulks  Mr Michael Ellis MP
Lord Strasburger  Dr Julian Huppert MP
Mr Stephen Mosley MP
Mr Craig Whittaker MP
Mr David Wright MP

1. Oral Evidence: Draft Communications Data Bill
Jamie Bartlett, DEMOS; Lord Carlile of Berriew, Former Independent Reviewer of Terrorism Legislation, gave oral evidence.

[Adjourned till Tuesday 23 October at 2.30pm]

Tuesday 23 October 2012

Present:

Lord Blencathra, in the Chair

Lord Armstrong of Illminster  Mr Nicholas Brown MP
Lord Faulks               Mr Michael Ellis MP
Lord Jones                Dr Julian Huppert MP
Lord Strasburger          Mr Stephen Mosley MP
                          Mr Craig Whittaker MP
                          Mr David Wright MP

1. Programme of work

The Committee considered this matter.

Ordered, That written evidence received by the Committee be published on the Committee’s website.

2. Oral Evidence: Draft Communications Data Bill


[Adjourned till Wednesday 24 October at 2.30pm]
Wednesday 24 October 2012

Present:

Lord Blencathra, in the Chair

Lord Armstrong of Illminster  Mr Nicholas Brown MP
Lord Faulks  Mr Michael Ellis MP
Lord Jones  Dr Julian Huppert MP
Lord Strasburger  Mr Stephen Mosley MP

Mr Craig Whittaker MP
Mr David Wright MP

1. Programme of work

The Committee considered this matter.

Ordered, That written evidence received by the Committee be published on the Committee’s website.

2. Oral Evidence: Draft Communications Data Bill (Private)

Martin Sutherland, Managing Director, BAE Systems Detica, and John Davies, Chief Technology Officer, Global Communications Systems, BAE Systems Detica gave oral evidence.

3. Oral Evidence: Draft Communications Data (Public)

Richard Alcock, Director of Communications Capability Directorate, Charles Farr, Director General, Office of Security and Counter-Terrorism, and Peter Hill, Head of Pursue Policy and Strategy Unit, Home Office gave oral evidence.

4. Oral Evidence: Draft Communications Data Bill (Private)

Richard Alcock, Director of Communications Capability Directorate, Charles Farr, Director General, Office of Security and Counter-Terrorism, and Peter Hill, Head of Pursue Policy and Strategy Unit, Home Office gave oral evidence.

[Adjourned till Tuesday 30 October at 2.30pm]
Tuesday 30 October 2012

Present:

Lord Blencathra, in the Chair

Lord Armstrong of Illminster    Mr Nicholas Brown MP
Baroness Cohen of Pimlico        Mr Michael Ellis MP
Lord Faulks                      Dr Julian Huppert MP
Lord Jones                       Mr Stephen Mosley MP
Lord Strasburger                 Mr Craig Whittaker MP

1. Programme of work

The Committee considered this matter.

Ordered, That written evidence received by the Committee be published on the Committee’s website.

2. Oral Evidence: Draft Communications Data

Trefor Davies, Chief Technology Officer, Timico Ltd, David Walker, Managing Director, Labelled Security Ltd, Caspar Bowden, Independent Privacy Advocate, and Dr Gus Hosein, Executive Director, Privacy International; Steve Higgins, Detective Superintendent, National Policing Improvement Agency, Sir Peter Fahy, Chief Constable of Greater Manchester Police, Peter Davies, Chief Executive, CEOP, Alan Lyon, Detective Superintendent, Greater Manchester Police, and David Stevenson, Detective Sergeant, Accredited SPOC Manager, PSNI, gave oral evidence.

[Adjourned till Wednesday 31 October at 2.30pm]
Wednesday 31 October 2012

Present:

Lord Blencathra, in the Chair

Lord Armstrong of Illminster       Mr Nicholas Brown MP
Baroness Cohen of Pimlico          Mr Michael Ellis MP
Lord Faulks                        Dr Julian Huppert MP
Lord Jones                         Mr Stephen Mosley MP
Lord Strasburger                   Mr Craig Whittaker MP

Mr David Wright MP

1. Programme of work

The Committee considered this matter.

Ordered, That written evidence received by the Committee be published on the Committee’s website.

2. Oral Evidence: Draft Communications Data Bill

Rt Hon Theresa May, Home Secretary gave oral evidence.

[Adjourned till Wednesday 7 November at 2.30pm]

Wednesday 7 November 2012

Present:

Lord Blencathra, in the Chair

Lord Armstrong of Illminster       Mr Nicholas Brown MP
Baroness Cohen of Pimlico          Mr Michael Ellis MP
Lord Jones                         Dr Julian Huppert MP
Lord Strasburger                   Mr Stephen Mosley MP

Mr Craig Whittaker MP

Mr David Wright MP

1. Draft Communications Data Bill (Chair’s draft report)

The Committee considered this matter.
[Adjourned till Tuesday 13 November at 10.30am.

Tuesday 13 November 2012

Present:

Lord Blencathra, in the Chair

Lord Armstrong of Illminster  
Baroness Cohen of Pimlico  
Lord Faulks  
Lord Jones  
Lord Strasburger

Mr Nicholas Brown MP  
Mr Michael Ellis MP  
Dr Julian Huppert MP  
Mr Stephen Mosley MP  
Mr Craig Whittaker MP  
Mr David Wright MP

1. Draft Communications Data Bill (Chair’s draft report)

The Committee considered this matter.

[Adjourned till Wednesday 21 November at 2.30pm.

Wednesday 21 November 2012

Present:

Lord Blencathra, in the Chair

Lord Armstrong of Illminster  
Lord Faulks  
Lord Jones  
Lord Strasburger

Mr Nicholas Brown MP  
Mr Michael Ellis MP  
Dr Julian Huppert MP  
Mr Stephen Mosley MP  
Mr David Wright MP

1. Draft Communications Data Bill (Chair’s draft report)

The Committee considered this matter.

Ordered, That written evidence received by the Committee be published on the Committee’s website.
[Adjourned till Wednesday 28 November at 2.30 pm.

Wednesday 28 November 2012

Present:

Lord Blencathra, in the Chair

Lord Armstrong of Illminster
Baroness Cohen of Pimlico
Lord Faulks
Lord Jones
Lord Strasburger

Mr Nicholas Brown MP
Mr Michael Ellis MP
Dr Julian Huppert MP
Mr Stephen Mosley MP
Mr Craig Whittaker MP
Mr David Wright MP

Draft Report (Draft Communications Data Bill), proposed by the Chair, brought up and read.

Ordered that the draft Report be read a second time.

Paragraphs 1 to 323 read and agreed to.

Summary agreed to.

Appendices to the Report agreed to.

Resolved, That the Report be the Report of the Committee to the House.

Written evidence was ordered to be reported.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134 of the House of Commons.

The Committee adjourned.