

British firms given right to spy on employees' e-mail and phone calls

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From October 24, companies in Britain will be free to spy on their employees' e-mail and telephone calls, when legislation introduced by the Labour government takes effect.

Draft regulations issued by Minister for e-Commerce and Small Business Patricia Hewitt set out the conditions under which businesses and public authorities can record or monitor communications without the caller's consent.

The all-embracing instances in which the new legislation will apply will wipe out previous rules requiring companies to inform callers that their conversation may be recorded. The guidelines are part of the Regulation of Investigatory Powers Bill (RIP), which requires users to hand over the means to read encrypted correspondence if demanded by the state authorities. The new legislation will likely contravene the recently adopted Human Rights Act.

The Confederation of British Industry (CBI) welcomed the proposed legislation. Head of e-Business Nigel Hickson said, "Ministers have recognised that companies need to monitor communication for a whole range of reasons, including ensuring that employees adhere to best practice."

The Trade Union Congress (TUC) argued, "Employers should not be allowed to routinely screen e-mail and phone calls, and certainly not without consent." In response Hewitt stressed the rights of business over their employees, stating that the draft legislation needed to "strike a balance between protecting the privacy of individuals and enabling industry and business to get the maximum benefit from new communications technology."

Far from striking a balance, the guidelines issued by Hewitt on October 3 give a wide variety of instances in which snooping on employees would be allowed and

none in which it is forbidden. The all-embracing list specified the recording of evidence of transactions, ensuring compliance with regulatory or self-regulatory rules or guidance, gaining routine access to business communications, maintaining the effective operation of their systems, monitoring of service and training standards and combating crime and the unauthorised use of their systems. Rather than facilitating the commercial use of new technology, the legislation is set up to ensure the subordination of workers' lives to their employers' demands.



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