

B E T W E E N:

PRIVACY INTERNATIONAL

Claimant

-and-

(1) SECRETARY OF STATE FOR FOREIGN AND COMMONWEALTH AFFAIRS

(2) SECRETARY OF STATE FOR THE HOME DEPARTMENT

(3) GOVERNMENT COMMUNICATIONS HEADQUARTERS

(4) SECURITY SERVICE

(5) SECRET INTELLIGENCE SERVICE

Respondents

CLAIMANT'S CHRONOLOGY

Date	BCD	BPD
12 April 1984	Telecommunications Act 1984 (Royal Assent) [A1/1]	
2 August 1984	<i>Malone v United Kingdom</i> [A3/46]	
25 July 1985	Interception of Communications Act 1985 (Royal Assent)	
9 May 1989	<i>Hewitt and Harman v United Kingdom</i> [A3/48]	
26 May 1994	Intelligence Services Act 1994 (Royal Assent) [A1/4]	
21 March 1997	Police Act 1997 (Royal Assent)	
1998-1999	Foreign Secretary made two s. 94 directions (both of which were cancelled in 2001)	
March 1998	GCHQ started using s. 94 directions for collecting BCD (Amended GCHQ Witness Statement, § 117) [CORE/B2/25]	
28 July 2000	Regulation of Investigatory Powers Act 2000 (Royal Assent) [A1/7]	
Late 2001	GCHQ's s. 94 Directions were updated and expanded (Amended GCHQ Witness Statement, § 121) [CORE/B2/25]	

Date	BCD	BPD
2002	Interception of Communications Code of Practice 2002 [A3/64]	
2002		Covert Human Intelligence Sources Code of Practice 2002 [A3/66] Covert Surveillance Code of Practice 2002 [A3/67]
12 July 2002	E-Privacy Directive 2002/58/EC	
17 July 2003	Communications Act 2003 (Royal Assent) [A1/8]	
11 December 2003	Privacy and Electronic Communications (EC Directive) Regulations 2003	
May - July 2004	Correspondence between Home Office and Sir Swinton Thomas [1/821-831] also at [3/419-429]	
July 2004	Sir Swinton Thomas first informed that BCD had been obtained by GCHQ pursuant to a s. 94 direction [CORE/A4/9] Until 2015, oversight not on express, agreed terms [CORE/A8/2]	
October - December 2004	Correspondence between GCHQ and Sir Swinton Thomas concerning s. 94 [2/B/175-182] and at [3/430-437]	
June 2005-2010	GCHQ Compliance Guide [2/B/89-146]	
July 2005	First s. 94 directions made at the request of the Security Service (Amended Security Service Witness Statement, § 109) [CORE/B2/24]	
2006-2015	Intelligence Services Commissioner provides limited oversight over s. 94 directions	
31 March 2006	Security Service internal guidance [1/265-266] and [4/173-174]	

Date	BCD	BPD
May 2006	Security Service BCD Database became operational (Amended MI5 Witness Statement, § 136) [CORE/B2/32]	
2 June 2006	<i>Weber v Germany</i> [A3/53]	
October 2006		Security Service began to apply a 'Bulk External Data Acquisition - Internal Authorisation Process' [1/177-180] and [4/87-96]
Post-summer 2007		SIS developed a bulk personal dataset authorisation process (Amended SIS Witness Statement, §§ 25, 28) [CORE/B2]
October 2007	Acquisition and Disclosure of Communications Data Code of Practice 2007 [A4/67]	Covert Human Intelligence Sources Code of Practice 2007 [A4/68] Covert Surveillance Code of Practice 2007 [A4/69]
October 2007	Interception of Communications Code of Practice 2007 [A4/70]	
1 July 2008	<i>Liberty v United Kingdom</i> [A3/55]	
2009		SIS put in place a Bulk Data Acquisition and Exploitation Policy [2/A/79-83]
25 November 2009	E-Privacy Directive 2009/136/EC	
2010		Intelligence Services Commissioner first notified that the Agencies acquire and use BPDs [CORE/A/4/11] Covert Human Intelligence Sources Code of Practice 2010 [A4/71] Covert Surveillance and Property Interference Code of Practice 2010 [A4/72]
2010-June 2014	GCHQ Compliance Guide [2/B/147-162]	

Date	BCD	BPD
February 2010		Hannigan Report [3/563-573] and [5/22/280-290]
18 May 2010	<i>Kennedy v United Kingdom</i> [A3/59]	
August 2010		Code of Practice for SIS's BPD database [2/A/101-104]
October 2010		Security Service Policy for Bulk Data Acquisition, Sharing, Retention & Deletion [1/17-28] and at [3/154-165] and [4/71-80]
14 October 2010		Intelligence Services Commissioner oversight of Security Service BPD commences (Amended Security Service Witness Statement, § 100) [CORE/B2/22]
November 2010		SIS Bulk Data Acquisition, Exploitation and Retention Policy [2/A/49-54] and [4/219-224]
6 December 2010		Commissioner oversight of GCHQ BPD commences (Amended GCHQ Witness Statement, § 67) [CORE/B2/14]
February 2011	Security Service revised guidance on communications data [1/279-283]	
2012	GCHQ begins obtaining Internet communications data (Amended GCHQ Witness Statement, § 122) [CORE/B2/25]	
October 2012		Security Service Bulk Data Retention and Deletion Policy [1/29-34] and at [3/166-170]
March 2014	GCHQ formally notifies the ISC that s. 94 had been used to require CSPs to provide BCD [CORE/A4/12]	Intelligence and Security Committee first formally notified of the Security Services' use of BPD (Response to RFI, §38) [CORE/A4/12]
8 April 2014	<i>C-293/12 and 594/12 Digital Rights Ireland</i> [A3/62]	

Date	BCD	BPD
June 2014 - 4 November 2015	GCHQ Compliance Guide [2/B/5-24]	
17 July 2014	Data Retention and Investigatory Powers Act 2014 (Royal Assent) [A1/11]	
December 2014		<p>Covert Human Intelligence Sources Code of Practice 2014 [A4/73]</p> <p>Covert Surveillance and Property Interference Code of Practice 2014 [A4/74]</p> <p>SIS BPD Guidance on Authorisation [2/A/5-12] and [3/340-347] and [5/18/191-197] and [5/24/295-309]</p>
January 2015	Sir Anthony May asked to extend his oversight of Security Service's database capability (Amended GCHQ Witness Statement, § 151) [CORE/B2/31]	
February 2015		<p>Joint SIA BPD Policy [1/309-317]</p> <p>Security Service SIA BPD Policy [3/1-14] and [4/1-15]</p>
March 2015	<p>IOCCO agrees to provide non-statutory oversight over s. 94 directions, once sufficient resources in place (IOCCO Report, March 2015, §10.4) [A4/78]</p> <p>Acquisition and Disclosure of Communications Data Code of Practice 2015 [A4/75]</p>	<p>Terms of reference for GCHQ BPD Review Panel [2/B/63-64]</p> <p>Security Service internal BPD Guidance [1/35-46] and at [3/171-182] and [5/15/162-173]</p>
March - December 2015	Correspondence between Home Office (Theresa May MP) and Security Service concerning Designated Persons [3/438-440] [3/454-462]	
11 March 2015		Review of BPD placed onto statutory basis: Intelligence Services Commissioner (Additional Review Functions) (Bulk Personal Datasets) Direction 2015 [A1/16]

Date	BCD	BPD
12 March 2015		BPD avowed for the first time in ISC Report [A4/79]
19 March 2015-18 December 2015	Correspondence between the Security Service and Home Secretary re Independent Authorisation of Communications Data [3/454-462]	
October 2015		SIS BPD Guidance on Authorisation [2/13-20] and [5/19/198-204]
November 2015		Security Service SIA Bulk Personal Data Policy (updated and mis-dated) [3/219-232]
4 November 2015	<p>First avowal that s. 94 used to obtain BCD on publication of draft IP Bill [CORE/A4/3]</p> <p>Publication of s. 94 Handling Arrangements [2/B/195-204]</p> <p>GCHQ Closed Handling Arrangements [2/B/81-88] and [4/191-198] and [5/11/138-145]</p> <p>Security Service Closed Handling Arrangements [1/163-175] and [4/169-182] and [5/10/125-137]</p>	<p>BPD Handling Arrangements [2/B/183-193]</p> <p>GCHQ Closed BPD Handling Arrangements [2/B/71-80] and at [4/137-146] and [5/9/115-124]</p> <p>Security Service Closed BPD Handling Arrangements [1/101-114] and at [3/251-264]</p> <p>SIS Closed BPD Handling Arrangements [2/A/65-78] and at [3/404-416] and [4/93-104] and [5/8/103-114]</p> <p>Security Service updated BPD Guidance [1/47-66] and at [3/183-202]</p>
January 2016	Interception of Communications Code of Practice 2016 [A4/76]	
January 2016		Equipment Interference Code of Practice 2016 [A4/77]
12 January 2016	<i>Szabo v Hungary</i> [A3/61]	
11 April 2016	GLD writes to Bhatt Murphy to explain error re Designated Persons [3/417-418]	
7 July 2016	Burnton Report published [A4/82]	

Date	BCD	BPD
19 July 2016	AG Opinion in C-203/15 and 698/15 <i>Watson & Ors</i> [A3/63]	