

# DATA PROTECTION

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## EXECUTIVE SUMMARY

This survey was requested by Directorate General Internal Market, Unit E4  
- Media and data protection - and coordinated by Directorate General Press and  
Communication

This document does not represent the point of view of the European Commission.  
The interpretations and opinions contained in it are solely those of the authors.

## **Introduction**

This executive summary relates to a report that looks at EU citizens' views about privacy relating to information held about them by a variety of public and private organisations and related issues.

Views are assessed across the European Union and results are based on both a country-by-country view as well as a socio-demographic analysis which attempts to highlight both the similarities and differences across the European Union by such varied factors as age, education, occupation, etc.

The main data making up the report were gathered between 1 and 30 September 2003 and is part of wave 60.0 of the Standard Eurobarometer.

For comparative purposes and to detect trends in European Union citizens' views, reference is also made to the findings of two previous pieces of research.

The more recent of these (Eurobarometer 45.1) was conducted in Spring 1996 and surveyed the same fifteen Member States.

The earlier survey was conducted in Autumn 1991 amongst the twelve countries making up the European Community at that time. Data from this earlier survey can be used to make comparisons on a country-by-country basis, but, as the number of states taking part is different, direct comparisons cannot be made using a 'European' average.

This report firstly assesses EU citizens' views on the general issue of personal data privacy and examines the level of concern they feel on this subject.

Respondents were then surveyed as to the level of trust they had in the acceptable use of personal data held by organisations such as banks, police, doctors, etc.

Views were then gathered as to attitude towards specific aspects of data collection and data management covering such areas as confidence in the efficacy of the legal framework on data protection, security of information on the Internet, etc.

Individuals' knowledge of legislation, complaints procedures, sanctions on law-breakers and rights to restrict the use of personal information, etc. were then analysed.

There are a number of technologies available which are intended to control and limit the collection and storage of personal data on the Internet. Respondents to the survey were asked whether they were aware of these tools. As a rider to this, further questions were asked to those who, though aware of these tools, had never made use of them.

The clash between the fundamental rights and freedoms of individuals and the necessity for national security was also an issue reviewed in this survey when the question of telephone and Internet monitoring was raised.

Throughout this survey, it will become increasingly apparent that fundamental variations in attitude are usually based upon a country-by-country view rather than on a particular socio-demographic characteristic such as gender, age, education or occupation.

## 1. PROTECTION OF CITIZENS' PRIVACY

### 1.1. Country analysis

On average, in 2003, 60% of all EU citizens were concerned to a greater or lesser degree, about the broad issue of the protection of their personal privacy. This figure shows a small increase on the figures recorded in the poll seven years previously and in the later poll, one in four EU citizens (25%) was **very** concerned about the issue.

As so often happens in surveys of this kind, this average figure hides a wide variation in opinion. Only 13% of Danes, Spanish and Portuguese were **very** concerned about this issue. However, at the other end of the scale, were more than half the Greeks and Swedes who were polled with figures of 58% and 54% respectively.

Including the 1991 poll provides a startling reduction in the number of French people who considered themselves **very** concerned over this issue from 54% in 1991, through 40% in 1996 to a level of 37% in 2003.

### 1.2. Socio-demographic analysis

In a socio-demographic analysis of this situation, the figures show little variation or trend.

Taking the example of Europeans who were **not very concerned**, it can be seen that the 2003 EU15 average of 25% is exactly the same for men and women while, by age bands, the figures range only between 23% and 28%.

This broad consensus is in sharp contrast to a country-by-country analysis on the same aspect which shows a range from 9% in Greece to 38% in Finland.

## 2. CITIZENS' TRUST IN ORGANISATIONS HOLDING PERSONAL INFORMATION

The levels of trust that respondents accorded to various institutions and organisations in relation to personal information they held were then assessed.

### 2.1. Medical services and doctors

Medical services and doctors were held in particularly high regard by EU15 citizens on the issue of the correct use of personal information. On average, 84% of EU15 citizens **trusted** the medical profession in this way and, in Denmark and the Netherlands, this was a sentiment held by more than nine out of ten citizens polled.

The country, in 2003, which had the lowest level of **trust** was Greece (73%). This figure shows a marked increase on the 64% recorded in 1996 and returns to the 72% noted in 1991.

Overall, the 2003 figures show a small increase from 81% to 84% of those saying they **trust** the medical profession in this regard.

Amongst the '**don't knows**', a relatively high figure of 10% was noted in Italy in both 1996 and 2003 compared with just 5% in 1991.

## 2.2. Insurance companies

The percentage of EU15 citizens who **do not trust** insurance companies to use their personal information in an acceptable way has decreased from slightly more than half of those polled to somewhat less (51% to 48%).

Finland's insurance companies are held in high esteem with 77% of those expressing an opinion saying that they **trust** these organisations to use personal information in an acceptable way. This high level of trust was also noted in Luxembourg and Denmark.

The Irish experience, however, is against the general flow of an improving opinion and the percentage of those polled **trusting** insurance companies with this information has decreased substantially from 47% to 36% in that country.

Women generally have a less jaundiced view about insurance companies with only 44% of their number as opposed to 51% of men holding the negative view.

## 2.3. Credit card companies

Credit card companies are less trusted than insurance companies and 52% of the EU15 poll **did not trust** them in both 1996 and 2003.

Once again, the attitude held on a country-by-country basis is seen to be a much more important factor than socio-demographic characteristics.

Accordingly, making up this 52% EU15 average are figures as diverse as 80% in Greece and 23% in Finland of citizens who **did not trust** credit card companies to use their personal information in an acceptable way.

The Greek figures show a relentless increase from 27% in 1991 through 55% in 1996 to the very high level cited above of 80% in 2003.

## 2.4. Banks and financial institutions

The EU15 average opinion regarding having **trust** in banks and financial institutions in this domain has improved by ten percent from 50% to 55% between the last two surveys.

Noticeable variations between EU Member States were again seen with substantial upward movement in the figures from the Nordic countries. Increases from 60% to 81% were recorded in Sweden, 73% to 86% in Finland and 69% to 79% in Denmark. Other major increases were seen in Germany (45% to 56%).

However, perhaps caused by well-publicised public enquiries involving a number of banks in Ireland and Belgium, the percentages of citizens **trusting** the way these institutions handled client information fell from 50% to 44% and 65% to 62% respectively in these two countries.

However, both these decreases are overshadowed by the massive shift in public opinion in Greece.

In 1996, 60% of Greeks **trusted** this aspect of banks and financial institutions while only 34% did not. Seven years later, the figures were virtually reversed with 59% of those polled **not trusting** and only 36% **trusting**.

## 2.5. Employers

The belief that employers could be **trusted** to use personal information in an acceptable way was held by 55% of EU15 citizens polled – a three percentage point increase on the 52% logged in 1996.

Danish employers were the most **trusted** in the EU with a figure of 72% which was a nine percentage point increase on the 63% recorded in 1996.

## 2.6. The police

In the 2003 survey, police forces across Europe earned the **trust** of nearly three out of four (72%) EU respondents who believed that they would use personal information they held about citizens in an acceptable way.

This figure shows a substantial ten percent increase from the 1996 survey (65%-72%) and, in some cases, the increase is considerably more.

When the figures for 1991 are included, the long-term increase in trust levels in certain countries can be appreciated. Over the three surveys, trust factors rose from 41% through 51% to 67% in France and 48% through 64% to 75% in Germany.

In fact, against this background of increased **trust**, the only two exceptions were Ireland and the UK, where, in the last two surveys, the figures fell from being above the EU average to below it.

The highest level of **trust** on police use of personal information was noted in 2003 in the Nordic countries where figures of 87% were recorded in Finland, 85% in Denmark and 81% in Sweden.

At the other end of the scale, only 64% of Belgians in this latest survey **trusted** the police to use this personal information in an acceptable way. However, this shows an improvement in that the figures for 1991 and 1996 were 42% and 61% respectively.

## 2.7. Social security

Over the seven-year period between the last two surveys, the '**trust**' factor in social security bodies rose by 10% across the European Union from 63% to 69%. Only two countries (Finland and Germany) showed minimal reductions in their figures.

Five countries had considerably higher than average increases in this positive growth over the past seven years. These were Sweden (50% to 64%), Greece (53% to 67%), Italy (54% to 68%), the UK (50% to 60%) and France (61% to 74%).

## 2.8. Tax authorities

There was an approximately 15% increase across the European Union amongst those who **trusted** the tax authorities to use personal information in an acceptable manner between the last two surveys.

However, in four countries, the figure was considerably greater.

In the vanguard were increases in Sweden (67% to 81%), Italy (35% to 52%), France (44% to 56%) and Greece (36% to 58%). This last figure represents an increase of approximately 60% over the seven-year period.

Over the longer term, two countries showed noticeable changes in the proportion of their citizens trusting the tax authorities to use these data correctly. In France and Italy, the growth between the 1991 and 2003 figures shows increases from 35% to 56% and 27% to 52% respectively.

The UK was the only country where the level of **trust** actually declined (64% to 62%) between 1996 and 2003. The Irish figure was the lowest in 2003 at 50%.

## 2.9. Local authorities

European attitudes towards local authorities resemble those held regarding tax authorities. Accordingly, the level of **trust** regarding their use of personal data increased by a similar figure from 51% in 1996 to 58% in 2003.

There are a number of countries where the increase in **trust** level is substantial. The figures for Italy over the three polls increased from 33% to 57%, and, in the last two polls, the Swedish figure moved from 48% to 59%.

## 2.10. National authorities

Over the 1996-2003 period, there was a notable increase in European Union citizens' **trust** in their national authorities to treat their personal information in an acceptable way.

This is clearly indicated by the percentage points gap between those who **trust** and those who **do not trust** over this period. In 1996, this was twelve percentage points (48% - 36%) while seven years later, in 2003, the difference had more than doubled to twenty five percentage points (55% - 30%).

Over the same period, the level of **'don't knows'** remained constant at 15%.

### 2.11. Credit reference agencies

On average across the European Union, 53% of those polled **did not trust** credit reference agencies to use personal information in an acceptable way. This figure is a two percentage point improvement on 1996 but still accounts for more than half of EU citizens polled.

In 2003, the **least trusting** nations were Greece and the UK (62%), closely followed by France (61%). At the other end of the spectrum, was Finland where only 30% of those polled held this negative opinion.

In fact, Finland was the only country in the 2003 survey where more than half of those polled (54%) actually **trusted** credit reference agencies regarding data protection issues.

### 2.12. Mail order companies

Although their image has improved slightly over the past seven years, mail order companies' use of personal information is still **not trusted** by two-thirds (68%) of EU15 citizens and this figure rises to 75% in France.

### 2.13. Non-profit organisations

Although their credibility with respect to data protection has improved over the past seven years, opinion across the European Union, in 2003, is equally divided as to whether non-profit organizations use personal information in an acceptable way.

While the **trust** factor is accepted by 41% of EU citizens, this conceals figures as low as 31% in Greece and as high as 54% in Portugal. The Greek figure has fallen sharply from 39% in 1996, while Germany has seen a substantial increase in the trust quotient from 29% to 42%.

There are high '**don't know**' figures in the UK and Ireland where a quarter of those polled did not express an opinion. While the Irish figure in this regard has shown a sharp fall from the 33% recorded in 1996, the British figure moves against the EU15 trend by showing an increase from 21% to 25%.

### 2.14. Market and opinion research companies

Market and opinion research companies were **trusted** with personal data by 43% of EU15 citizens polled in 2003 – a four percentage point decrease on comparable figures from 1996.

The highest level of **trust** was observed in Denmark at 56% although this figure is itself substantially lower than the 66% recorded in 1996.

At the other end of the scale, only 34% of the Irish poll **trusted** these organizations with personal data and this figure also shows a fall of fourteen percentage points over the seven-year period.

### 3. VIEWS ON DATA GATHERING AND PRIVACY OF INFORMATION

#### 3.1. Data gathering

Nine out of ten EU citizens **tended to agree** that they should be informed why organizations are gathering their personal data and whether these are being shared with other organizations.

In Ireland, this sentiment had the approval of 96% of those polled and, apart from Austria (82%) and Luxembourg (83%), no other EU Member State returned a figure of less than 88%.

#### 3.2. The law and data protection

76% of Finns **tend to agree** that their country has a high level of personal data protection provided by the law and only 8% had no opinion on the matter. In Portugal, on the other hand, only 31% of those polled **tended to agree** with this proposition and more than one-third (37%) of those in the Portuguese poll did not express an opinion.

Making up the 46% EU15 average of those **tending to agree** are three countries (Finland, Sweden and Denmark) where the figures exceed 60% and three countries (Greece, Spain and Portugal) where the maximum figure is 33%.

The above cases tend to show a potential north-south divide on this matter. Taking the same three countries and looking at their reactions to the '**don't know**' question, we find that the northern group (Finland, Sweden and Denmark) have an average '**don't know**' figure of 14% while the southern group (Greece, Spain and Portugal) have an average '**don't know**' figure of 31%.

Other data from individual countries which are noteworthy are the 34% '**don't know**' figures in Ireland and Spain and the very high (46%) proportion of Greeks who **tended to disagree** with the proposition.

#### 3.3. Awareness of personal data protection

When asked as to whether they felt that people's awareness about personal data protection in their country was low, on average, more than two-thirds of EU citizens (70%) **tended to agree** that it was.

As was seen on numerous occasions in other results of this survey, this average EU15 figure conceals a spread of opinion ranging from 57% in Austria to 83% in France.

The same spread of opinion is also seen in the constituent figures making up the EU15 average of 15% of those who **tended to disagree** with the statement. Amongst these figures are figures of 9% or less from Ireland, France and Portugal and figures of 27% in Austria and Finland.



### 3.4. The Internet

Virtually two-thirds (64%) of EU15 citizens polled **tended to agree** that they were worried about leaving personal information, such as their name, address, date of birth on the Internet.

There was, however, no discernible pattern (e.g. north/south divide, level of Internet connectivity) between the five countries (Sweden, Greece, Ireland, the UK and the Netherlands) where this figure reached 72% or more.

At the other end of the scale, low concern was expressed in Portugal where only 43% of those polled **tended to agree** with this statement.

Amongst the '**don't knows**' which averaged 16% across the European Union were a wide range of figures from 24% in Portugal to 5% in Sweden.

### 3.5. National legislation

On average, across the European Union, one-third of those polled (34%) **did not know** whether their national legislation could cope with the issue of personal information on the Internet. This figure reached 50% in Portugal and 48% in Spain compared with 19% in Finland and 25% in the Netherlands.

Overall, the largest grouping across the EU were the 41% who **tended to disagree** with this proposition but, again, this average figure hides variations as extreme as 61% in Sweden and 23% in Spain.

### 3.6. Data transfer

Making up the 82% EU15 average who **tended to agree** with the statement that organizations that keep personal information should not be allowed to transfer these without the owner's consent were 90% of Finns but only 73% of the Spanish and 72% of the Portuguese respectively. In addition, these last two countries had very high levels of '**don't knows**' with 20% being recorded in Spain and 19% in Portugal compared with an EU15 average of 11%.

### 3.7. Other countries' legislation

When asked whether they felt that other countries' data protection laws are as effective as those in the EU, one of the more significant aspects of the responses to this question was the high level of '**don't knows**' recorded which average out at 44% across the EU.

This '**don't know**' factor reaches half those polled in Ireland and the UK and as much as 56% of the Spanish sample.

Amongst those **tending to agree** were a very high percentage of Finns (77%) and 55% or more of Swedes, Austrians, Luxembourgers and Dutch.

At the other end of this scale were countries, such as Spain (37%) and Portugal and the UK (40%).

## **4. KNOWLEDGE OF LEGISLATION AND DATA PROTECTION PRACTICE**

### **4.1. Independent authorities**

The level of knowledge about the existence of independent authorities monitoring the application of data protection laws, hearing complaints from individuals and imposing sanctions on law breakers was low across the European Union and two-thirds (68%) of EU citizens **were not aware** of their existence.

### **4.2. Access to data**

On average, only 32% of EU15 citizens had **heard** of laws granting individuals access to personal data held by others and the right to correct or remove data which are inaccurate or have been obtained unlawfully. However, this figure included numbers as disparate as 13% in Greece and 53% in Italy.

The 32% of the total poll who had **heard** of this right were then asked whether they had ever exercised it and only a very small percentage (7%) had done so.

### **4.3. Identity and purpose**

Amongst the 42% of EU15 citizens who were **aware** that those collecting personal information are obliged to provide individuals with certain information such as their identity and the purpose of the data collection were wide variations on a country-by-country basis.

In Italy and Sweden, the figures were 60% or above while in Austria, Portugal and Luxembourg, the figures did not exceed 24%.

### **4.4. Opt-out**

Virtually half (49%) of EU15 citizens polled had **heard** about the right to opt-out, i.e. to object to the use of personal information for the purpose of direct marketing.

However, as in many previous instances in this report, there is a wide variation in the figures on a country-by-country basis. While this knowledge was claimed by 73% of the Finnish poll and 61% in Sweden, the figure was only 31% in Spain, 32% in Luxembourg and 33% in Portugal and Greece.

The 49% average across the European Union was made up of 46% of the females polled and 52% of the male sample.

Only 36% of those who had left school at age 15 had **heard** of this opt-out clause as opposed to 64% of those who had studied to age 20 or beyond.

#### 4.5. Consent

On average, across the European Union, 49% of citizens had **heard** of the need to provide agreement for someone to use their personal information and their right to oppose some uses compared with the 42% who had **not heard** of this.

However, these broad averages, once again, hide major differences between countries.

Accordingly, while 67% of Finns had **heard** of this legislation and 29% had **not heard**, the figures are reversed in Portugal where those who had **not heard** of the right made up 67% of the poll and only 29% had **heard** of it.

Nearly two-thirds of managers (66%) were **aware** of the need to obtain agreement as opposed to just 40% of house persons and 42% of the retired.

### 5. TOOLS FOR THE PROTECTION OF DATA PRIVACY

72% of EU citizens had **never heard** of the tools or technologies designed to limit the collection of personal data when people use the Internet but, yet again, this average figure hides substantial variations by country. In Greece, the figure rises to 81% while in more computer-literate Sweden the figure is only 58%.

In all these cases, however, the figures for those who have **heard** of the tools but have **never used** them should perhaps be aggregated with those who **have not only heard of these tools but already use them** to give a fuller picture. Accordingly, in Sweden, this total 'knowing' and 'using' figure is 38%, while, in Greece, it is only 13%.

Focusing on this small group of people who have **heard of and used these tools** shows that three countries are relatively well advanced in this area. Against an EU15 average of 6%, figures of at least twice this magnitude are seen in Sweden (14%), Denmark (13%) and the Netherlands (12%).

The 18% of the total poll who had heard about these tools but had never used them were then asked why.

The first two most cited reasons were based upon concerns over technology.

The prime reason cited by 30% of this group was that they **would not know how to use them**. This was the situation affecting 35% of Greeks and 34% of Germans, Spaniards and Italians in contrast to only 16% of the Irish.

A second technological reason concerned the **inability to install them on a computer** and was quoted by 21% of the poll. This was the most common reason claimed by 33% of Dutch people as opposed to only 9% of Greeks.

## **6. THE FIGHT AGAINST TERRORISM AND THE MONITORING OF COMMUNICATIONS**

### **6.1. Telephone monitoring**

40% of the EU15 sample believed that the **monitoring of telephone calls should be allowed for those suspected of terrorist activities**. Within this figure, a strong line was taken by Finland (58%) and this view was also held by 53% of Swedes.

The second most popularly held view (33% of the poll) took the view that telephone calls should not be monitored as the **rights of individuals must always be respected**. Keen to defend the citizen's right were 48% of Greeks and Austrians and 45% of the Irish.

These two views cover 73% of the EU15 sample.

A third option where the monitoring would take place **under the supervision of a national judge** received strong support in Denmark (22%) and was an option favoured by 14% of the total poll.

### **6.2. Internet monitoring**

In a technological extension to the telephone monitoring question, the issue of monitoring Internet use was reviewed.

Overall, the main response from 40% of those polled was that **monitoring should only take place on those suspected of terrorist activities**. This figure is identical to that in the previous question on telephone monitoring. High figures were noted in Finland (55%) and Sweden (51%).

However, there was less support for the **rights of the individual** when related to the Internet than the telephone and, accordingly, only 25% of the EU15 considered this to be the stance that should be taken. This view, however, generated particularly strong support in Greece (41%) and Austria (40%).

**Monitoring under the supervision of a judge** was a solution favoured by 24% of Danes and 18% of Germans compared with an EU15 average of 14%.