

# Contact Tracing Apps and the Need for Legal Safeguards

<https://osf.io/preprints/lawarxiv/yc6xu/>

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# Coronavirus Safeguards Bill, 13.4.20 v 1 ; 6.5.20, v 9

1. No one shall be penalised for not having a phone (or other device), leaving house without a phone, failing to charge phone, turning off Bluetooth, etc

2. No one shall be compelled to install a symptom and contact tracing app, or to share messages of their status on such an app on request (eg to an employer or insurer or university)

- EITHER with only very few exceptions specified by Sec of State
- OR allowed but subject to, and justified by, transparency, legitimacy, necessity and proportionality tests.

3. Deletion. Personal data collected by apps must be deleted as soon as possible, or at latest after 28 days (anonymized?)

4. Immunity “certificates” : not to become internal passports for anyone but police; no discrimination / exclusion on basis unless allowed by proportionality analysis above (?)

5. Coronavirus Safeguarding Commissioner to review safeguards in emergency laws, appropriate tribunal to hear individual complaints (on top of ICO)

# What happened next..?

- App only part of a wider ecology of data collection: manual tracing, data dashboard (3 months later; still no app)
- Same as it ever was : scams more likely to cause privacy leakage than actual app/track and trace?
- National apps vs private in-office apps?
- Becoming part of an infrastructure of post COVID-19 workplace hyper surveillance (Zoom, WFH, IoT wearables etc)
- Immunity certificates and “the Science”