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More and more data breaches and complaints are received by the data protection officer - Kugelmann: "Pandemic needs data protection" A good two years after the General Data Protection Regulation (GDPR) came into effect, the number of complaints, reports and inquiries about data protection issues in Rhineland-Palatinate continues to increase. More and more data leaks are reported to the State Commissioner for Data Protection and Freedom of Information in Rhineland-Palatinate (LfDI). "While the number was 105 in 2018 and 319 in 2019, there were already 388 data leaks by private and public bodies in the first eight months of this year reported," says Professor Dieter Kugelmann. A far-reaching data breach occurred at the technical works in Ludwigshafen: According to their own statements, TWL discovered on April 20, 2020 that criminals had stolen the data of 150,000 customers and 1,300 employees from internal systems. Kugelmann emphasizes: "To this day, the LfDI has received numerous inquiries and tips from those affected who are afraid for their data, which is now said to be on the Darknet. Investigations into the hacker attack are still ongoing: In particular, it is still being checked whether the TWL informed those affected in good time."The number of complaints about actual or suspected data breaches and the number of consultations have established themselves at a high level. While 704 complaints were filed against public and private bodies in 2018, there were 1005 in 2019. In the first eight months of this year, the number was 772. In 2020, the LfDI also provided 570 consultations and opinions. Kugelmann emphasizes: "The past few months have been dominated by the corona pandemic and digitization. There was and always is an immense need for advice on which technical applications and processes are data protection compliant. Pandemic needs privacy. Since mid-July we have been dealing with the judgment of the European Court of Justice, according to which the EU-U.S. Privacy Shield is invalid. Data transmission to countries outside the EU is thus becoming more difficult and demanding. The LfDI plans to convene a round table with representatives of the Rhineland-Palatinate economy on the ECJ ruling in December of this year." One focus of the "Best of Data Protection 2020" press conference was on cases related to the corona pandemic, in particular the recording of contacts in restaurants and other establishments. Since April, the LfDI has received around 40 complaints and notices of (suspected) data protection violations and 55 inquiries of a general nature from citizens and contact recording agencies. The LfDI has sent around 30 legal notices to restaurants, among others, because the data was not recorded correctly. Several administrative procedures have also been opened. In an obvious case of abuse, a 16-year-old who visited a restaurant in Mainz and gave her contact details was written

to via WhatsApp while she was still visiting the restaurant, asking if she could meet up after the restaurant visit. In another case, a state authority (the supervisory and service directorate ADD) did not observe data protection in the context of telephone conferences: Since the participants in different meetings were each given the same PIN, an unauthorized person could dial into a switching conference of a staff council committee The LfDI is regularly contacted by prospective tenants who lodge a complaint because landlords, housing managers and brokers require very extensive information from prospective tenants. At this early stage, it is only permitted to collect contact data. In this context, the LfDI issued a warning to the real estate company GAG Ludwigshafen. The GAG had requested extensive financial information from an elderly lady who had been a reliable tenant for many years because she was interested in a new apartment. In a bizarre case, a law firm in the Palatinate acted with gross negligence: They confused two people, did not check the data and therefore sent a bailiff to someone who was completely uninvolved.

The handout for the press conference with further information and other cases can be found here.

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