



Protection and breach of personal data

Figure 1 — Number of complaints over personal data protection

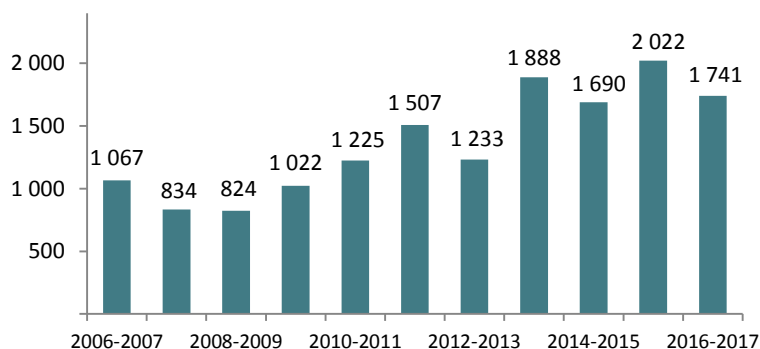


Figure 2 — Distribution of complaints by sector

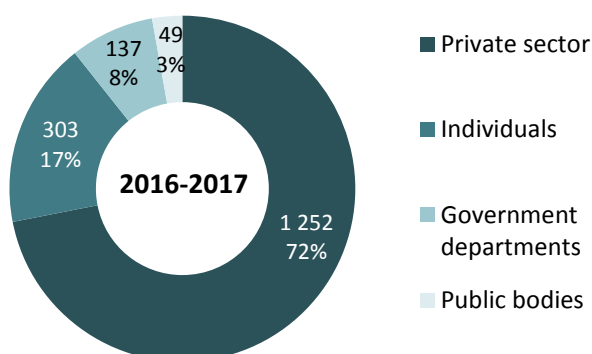
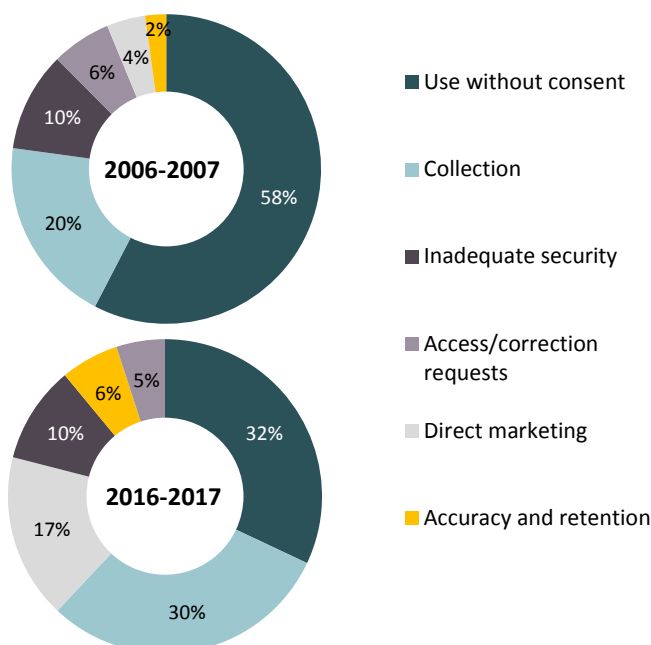


Figure 3 — Nature of personal data protection complaints



Highlights

- In line with growing concerns across the globe on personal data protection, Hong Kong witnessed a general uptrend in the number of personal data protection complaints filed to the Office of the Privacy Commissioner for Personal Data ("PCPD"). Over the past 10 years, such complaints have increased by a total of 63% to 1 741 in 2016-2017 (**Figure 1**).
- More specifically, the private sector was the most complained sector over personal data protection, accounting for 72% of all complaints filed to PCPD in 2016-2017. Within the private sector, the banking and finance industry was subject to most complaints, due to its retention of a large database of their clients. For individuals and government departments, they took up 17% and 11% respectively of such complaints (**Figure 2**).
- Analyzed by the nature of the complaints, "use without consent" remained the largest category, accounting for 32% of the caseload in 2016-2017, though its relative share was down from 58% in 2006-2007. Complaints over "collection" of personal data has picked up significantly over the past decade, with its relative share rising from 20% to 30%. Likewise, complaints over "direct marketing" has also registered an upsurge, with its relative share more than quadrupling from 4% to 17% within a decade (**Figure 3**).

Protection and breach of personal data (cont'd)

Figure 4 — Complaint cases related to the use of ICT

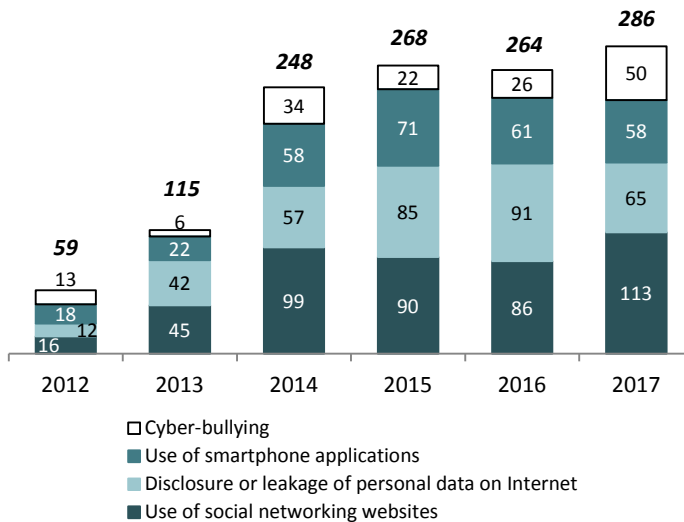


Figure 5 — Number of data breach notifications to PCPD

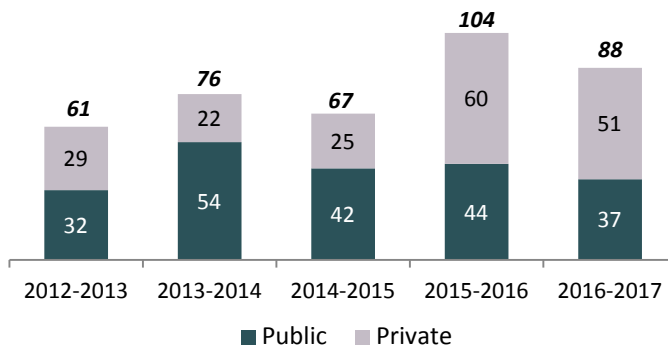


Figure 6 — Number of people affected by the reported data breaches

Financial year	Number of notifications	Number of people affected
2012-2013	61	17 451
2013-2014	76	114 275
2014-2015	67	77 409
2015-2016	104	854 476
2016-2017	88	3 859 338*

Note: (*) In 2017, the Registration and Electoral Office ("REO") lost two computer laptops containing data of 3.78 million voters of geographical constituencies.

Highlights

- Due to widespread use of information and communications technology ("ICT"), the number of ICT-related complaints has surged by 380% to 286 cases during 2012-2017. Of these, personal data complaints arising from the use of social networking websites was the largest category, accounting for 40% in 2017. It was followed by disclosure or leakage of personal data on the internet (23%), use of smartphone apps (20%) and cyber-bullying (17%)(**Figure 4**).
- Apart from ICT-related complaints, the security of personal data held by users is another area of concerns. There is no statutory requirement for personal data users to report data breaches caused by for example hacking or storage device loss to PCPD, though they may notify PCPD under a voluntary mechanism. Over the past five years, these reports have risen by 44% to 88 cases in 2016-2017. The private sector accounted for 47% of all notified breaches during the five years, while the public sector accounted for 53% (**Figure 5**).
- The number of people affected by the breaches also rose from about 17 000 in 2012-2013 to about 850 000 in 2015-2016 and further to nearly 3.9 million people in 2016-2017 (**Figure 6**). While the drastic rises were due to individual breaches involving massive personal data, PCPD also attributed the rising trend to increasing willingness of local organizations to report breaches. In response to all these breaches, PCPD conducted compliance checks for each of all these users and provided advice and recommendations.

Data source: Latest figures from the Office of the Privacy Commissioner for Personal Data.

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