National Data Library

In 2019, we wrote an piece that predicted the consequences of a data debacle on government, potentially [some of the new government's initiatives](). A report examining [how the current Government collapsed]() and lost the 2029 election looks prescient, and is in that context that the NDL exists.

The National Data Library can be good, can be safe, and it must be transparent. Where it is any of those things is unclear, but that isn't enough for all government sharing to retain public confidence. The NDL can not have design flaws that make catastrophe inevitable, even if that catastrophe doesn't happen until after current decision makers have rotated on to their next roles.

Even if the NDL, in whatever form, is entirely controversy free, the projects of government that are controversial / toxic / etc will continue and the public won't draw a distinction. The [cognitive dissonance of the Civil Service's digital silo]() that digitisation has no consequences and the innocent people who go to jail as a result are a cost of technology should be temporary at best.

The only way the Library can maintain confidence is through absolute transparency on all data within and absolute transparency on all projects using it.

The public will likely view all government data sharing initiatives, including NDL and non-NDL projects, as a single entity. This means that any perceived distinction between the two may be lost in the broader narrative of government data sharing. For instance, if DWP gains access to everyone's mental health medical notes on UC through an NDL project, it will likely be seen as just another example of government overreach into personal lives. Unless there are strong rules and safeguards in place to prevent such abuses,[1] the distinction between NDL and non-NDL projects may not matter much to the general public.

Civil servants can say "not my problem" to toxic projects, but the toxicity will shlosh around Whitehall unless the NDL rules are cast iron and absolutely transparent. Then, differences between NDL and outside have no distinction.

Lax rules only help criminals and cheats, those who can't make a business work honestly so cheat on data before they cheat on their taxes (and still get lauded by [AI thought leaders]()). This government's belief in utopianism through technology and AI means anything will be sacrificed if the claimed gain is economic growth. Any speculative project can claim to be justified on the basis of speculation, and if the public interest test becomes only about economic growth,[2] then the lessons of the Liz Truss administration have not been learnt.

The initial uses of ["smart data"](https://)[3] can be seen as a broad goal, but but it's crucial that all aspects are assessed in order to build trust in the system. A trustworthy library cannot rely on technology designed with [backdoors]() allowing untrustworthy actors to keep their actions

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[1] DWP may claim it is entirely within the rules, the public will see NDL as the problem.
[2] Or, as in clause 66-68 of the [Data Abuses Bill](), is removed entirely unless the topic is public health…
[3] Smart data is addressed in a different note

secret from those who run the institution. Suggestions that the NDL should use research outputs from HDRUK "DARE" project will undermine trust in the entire NDL because those systems are untrustworthy by deliberate design.[4] Sockpuppets may emerge claiming DARE's solution is trustworthy, neglecting to mention that they and DARE are line-managed by HDR itself – a classic astroturf operation attempting to get[5] data without proper governance.[6] NHS England's research, despite being framed as a push poll,[7] reveals public sentiment is overwhelmingly negative (20% positive, 57% negative, and 20% hadn't thought about it). Yet DHSC and HDRUK press on regardless (largely relying on their own astroturf PPIE which tells them what they want others to hear)

The NDL will need a coherent position for people who don't want their data to be in the library. The use of legal fictions and silos to circumvent responsibilities erodes public trust, as it creates confusion about what is required or allowed. To maintain confidence, the NDL should provide straightforward options for those who want to keep their data private, without the particular legal double dealing and kafka-esque contradictions some departments impose.

The NDL has choices to make. medConfidential hope the NDL recognises all consequences better than the "digital service design" attempts of the last decade which gave innocent people criminal records. Open Banking advocates claim it has done many good things, but it is also used by landlords to creep on their tenants. It may be *you* do what you can, knowing it is not everything, in the hope that even if it is not enough, it will make whatever comes after the NDL better. But you are responsible for the consequences of *your* compromises.

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[4] See the 2022 links on the last page of our summary look at HDR.
[5] DARE's leadership (currently on secondment from HDR) will likely (again) argue that it's outrageous for medConfidential to suggest DARE is part of HDRUK. Paragraph two of the DARE privacy policy and the DARE terms and conditions shows they are one organisation.
[6] DHSC has not yet explained how their "regional SDEs" will be sustainable beyond a race to the bottom of governance, transparency and accountability beyond constant supplies of additional funds.
[7] But less of a push poll than they originally wanted it to be.