

## The Right to be Forgotten debate has just begun

April 13, 2018, will go down in history as significant because of a judgment passed in the Royal Court of Justice in London. Justice Mark Warby ruled in favour of a businessman who wanted Google to remove search results about his past criminal conviction. Mr Warby said that the businessman had shown remorse and that information about his crime and punishment had become “out of date, irrelevant and of no sufficient legitimate interest to users of Google search to justify its continued availability”.

Those in favour of the Right to be Forgotten argue that it can be used when the information about an individual in the public domain is no longer relevant and when it does not really serve any purpose. But, who is to decide this? In the case cited, the court has taken a decision. What about similar cases in the future? Google, reports claim, has received more than two million similar requests, since the European Union court of justice ruled in 2014 that irrelevant data could be erased.

The judgment is unlikely to have an immediate effect on similar pleas around the world, but it definitely charts the future course for this debate.

At one level, the right to be forgotten throws up complicated questions — and many of them disturbing. Is it right, and more important safe, to block or erase past records from public access? By upholding the right to be forgotten and expunging search links is the freedom of expression and the freedom of press being infringed upon? Lawyers representing Google said that the “right to be forgotten” ruling was “not a right to rewrite history or ... tailor your past...”.

At another level, it reinforces faith in the concept of reformatory justice and that once a convict has served her time she should no longer be associated with that past crime. It hinges on the belief that prisons are correction and reformation centres, rather than institutions where the rejects of society are locked up. The London verdict is within the provisions of the Rehabilitation of Offenders Act 1974, which states that the burden of past crimes must not haunt ex-offenders for the rest of their lives.

The verdict of April 13 is yet another example of the complications of the digital era.

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