



Bookends

New Canadian privacy newsletter

Privacy Files is a new publication devoted exclusively to privacy and data protection issues in Canada. *Privacy Files* reports on relevant legislative, judicial and corporate policy developments in Canada, on both the federal and provincial levels. For example, it has closely followed the development of the Canadian Standards Association's Model Code for the Protection of Personal Information. The newsletter has an attractive and readable layout, and is published ten times a year. It is written in English but also contains a two page summary of its articles in French. The newsletter is edited by Pierrrôt Péladeau, who also advises organisations about complying with Quebec's privacy law.

Privacy Files, Progesta Publishing Inc, 1788 d'Argenson Street, Ste-Julie (Quebec), Canada J3E 1E3. The annual subscription covers ten twelve-page issues and costs CAN\$417.30 and CAN\$444.43 in the province of Quebec. A foreign annual subscription is US\$343. Tel: + (1) 514 922 9151 or + (1) 800 922-9151 (toll-free in Canada and continental USA) Fax: + (1) 514 922-9152 E-mail: privacy.files@progesta.com

Legislating Privacy: Technology, Social Values and Public Policy

This book is by Priscilla Regan, Assistant Professor at George Mason University, formerly senior analyst at the Congressional Office of Technology Assessment. She examines the history of congressional policy-making in three key areas: computerised databases, wiretapping and polygraph testing. Although the policy problem was recognised early, it took years if not decades for Congress to address the problem.

Regan asks pertinent questions about why the issue of privacy, a cherished American value, did not spark public support and timely legislation. Part of the answer is in the traditional definition of privacy as an individual right, rather than a broader public and collective issue. The collective value of privacy, argues Regan, is due to the fact that "technology and market forces make it

increasingly difficult for any one person to have privacy unless everyone has a similar level of privacy."

She also maintains that the interests opposed to privacy protections were better organised and had greater resources and were therefore successful at weakening and delaying legislation.

This book would appeal to those interested in the US legislative history of privacy issues in recent decades. It has extensive appendices, notes and an index.

Legislating Privacy: Technology, Social Values and Public Policy by Priscilla M. Regan 310 pp. published September 1995, price US\$34.95 hardback ISBN 0-8078-2226-4 published by The University of North Carolina Press P.O. Box 2288 Chapel Hill NC 27515-2288, USA

Tel: + (1) 919 966 3561

Fax: + (1) 919 966 3829

Who Knows: Safeguarding Your Privacy in a Networked World

Dr Ann Cavoukian is the Assistant Commissioner (Privacy) of the Ontario Information and Privacy Commission. Don Tapscott is the co-author of an international best-seller: *Paradigm Shift: the new promise of Information Technology*

The book is in three parts. The first deals with the new technologies, internationally recognised privacy principles, fair information practices, a brief survey of the different types of privacy laws and codes, and the rise of surveillance.

The second looks at privacy on the information highway, and consumer, health and workplace privacy.

The third section looks to the future, in particular the technologies of surveillance including cryptography, biometric identification, government ID cards, geographic information systems and intelligent transportation systems.

The above sections of the book are aimed at the public but also provide good material for raising the awareness of employees when discussing the rationale for data protection laws. The challenges to privacy in society are often more clearly seen outside the context of an individual's daily work.



Chapter 11 (Why business should listen: Privacy makes good sense) is addressed to a business audience. The authors state that "although privacy protection has historically been viewed as an impediment to private enterprise... the opposite may be the case." Building privacy into business practises from the start may create customer loyalty. The authors illustrate this point by referring to the *Privacy Laws & Business's* 1994 annual conference theme, "Integrating Data Protection Law into Good Business Practice," and quote from Professor Joel Reidenberg's conference presentation illustrating the difference between a good and bad opt-out provisions.

The authors remind readers outside Europe and Quebec that business there "has not ground to a halt as a result of such laws." The chapter reviews the strengths and weaknesses of self-regulating voluntary codes, the merits of opt-out clauses and tailoring a privacy programme to the needs of customers. The experience of Quebec's privacy law and its coverage of the private sector is assessed both from the business

and regulatory viewpoints. The chapter concludes with step by step approaches towards a business privacy policy (see box).

The final chapter - A Call to Action - covers privacy impact assessments for organisations and gives 24 privacy tips on how individuals can find solutions to protect their privacy. "We have learned that we must speak up... and that there is no *one* answer."

The book is accessible to anyone interested in privacy and is written in a colloquial and clear style. The end notes are brief and the bibliography is extensive.

***Who Knows: Safeguarding your Privacy in a Networked World* by Dr Ann Cavoukian and Don Tapscott. ISBN 0-394-22472-8**
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E-mail address at JAB @ 10.ORG
The book will be published in the USA in August by McGraw-Hill.

Who Knows: Safeguarding Your Privacy in a Networked World

How to develop your own privacy policy

The following is an edited version of the book's helpful checklist, entitled, **External Focus: Customer Service, The 12 step privacy program to better business.**

1. Respect the privacy of your customers
2. All businesses should have a policy
3. Your privacy policy should be publicised
4. Tell your customers the primary purpose for collecting information on them
5. Get information directly from your customers
6. No secondary use without consent
7. Provide a clear, specific consent
8. Tell your customers the other purposes for which you want to use their information
9. Don't threaten to withdraw your services if customers don't agree to let you use their information for secondary purposes
10. Make your files open to your customers so they may gain access to information on them
11. Correct mistakes quickly
12. Listen to your customers' concerns

The book also features a further checklist entitled, **Internal Focus: The Organisational Culture.**