

(v) **Notification of Adverse Decisions** "A general requirement, whenever an adverse decision was made, to notify the person affected and to inform him of his rights" was rejected as unnecessarily costly. [1397]

(vi) **Logging** The desirability of requiring record-keepers to log all uses and disclosures of personal information was rejected as "not warranted by the present dangers of inappropriate access or improper disclosure". The possibility of logging being required in particular areas by use of the regulations power in the Draft Bill is noted. [1402]

## 6. THE EMERGENCE OF INFORMATION PRIVACY PRINCIPLES

In explaining the influence of previous formulations of information privacy principles on its recommendations, the Commission states:

"The most significant formulations are the guidelines recommended by the Council of the Organisation for Economic Co-operation and Development (OECD) and the Council of Europe Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (Council of Europe Convention). In Australia, the New South Wales Privacy Committee (NSWPC) has prepared draft guidelines relating to information processing practices. These and other attempts suggest that there are a number of fundamental themes that underlie all statements of information privacy principles. These themes can be made explicit. The Commission, drawing primarily on the OECD guidelines, has formulated [the 10 Information Privacy Principles]". [1195]

The OECD guidelines, which were adopted by the Council of the OECD in 1980, arose at the end of "the privacy decade of law reform and legislative activity" [648]. The extent to which the OECD guidelines reflect the information privacy laws of Europe and North America enacted during the 1970's, and the numerous reports of inquiries during that decade, is catalogued by the Commission [603]. The earliest legislation and reports containing influential sets of principles were the US *Fair Credit Reporting Act*, 1970, the 1973 Report of the US Department of Health, Education and Welfare, *Records Computers and the Rights of Citizens*, Sweden's *Data Act*, 1973 and the US *Privacy Act*, 1974. Parts of the NSWPC guidelines of 1977 were clearly influenced by these early models, and their similarity in content to the OECD guidelines, noted by the Commission [638], is therefore not surprising.

The Commission's Information Privacy Principles may therefore be seen at least as much as part of what the Commission calls an 'emerging pattern' concerning information privacy [586], and not only as based on the OECD guidelines.

## CENTRE FOR THE STUDY OF LAW & TECHNOLOGY

The University of New South Wales has announced the establishment within the Faculty of Law of a Centre for the Study of Law and Technology. A major objective of the Centre will be to encourage research into the legal issues posed by information technology. It is intended that the Centre be a co-operative venture between UNSW and other individuals and institutions with an interest in the area. To this end, there are plans to establish an Advisory Committee and also formalise links between the Centre and other law schools. In 1984-1986, it is intended that the Centre will be engaged in two major research projects, the first dealing with the issues posed by "information as property" in taxation, crime, and intellectual property areas and the second relating to the legal issues posed by computerised financial services.

**World Congress:** the Centre is at present planning a World Congress on Law and Technology to be held in Sydney in 1986. The major focus of the Congress will be on medico-legal issues and on information technology.

**CAI:** a third activity in which the Centre will be involved is the development of computer assisted teaching of law. UNSW is at present formalising an affiliation between the Centre and a Harvard Law School/University of Minnesota Law School joint venture on computer aided teaching of law. The UNSW Law Faculty is making available to the Centre some IBM-PCs. It is intended that there will be a gradual build up of the number of micros in the faculty so that a computer teaching laboratory can be established within the next 18-24 months. The Centre is currently evaluating a number of authoring packages. At the present time, a McGraw-Hill program called an Interactive Authoring System (written for the IBM-PC) appears to be the most promising. Over the next 12 months, the Centre will be working with a number of teachers on the Faculty to produce some video-interactive computer tutorials on evidence law. Using this experience, the Centre hopes to assist other law teachers to develop computer aided materials in their own disciplines (e.g. contract, commercial law, etc.), and to offer tutorials and perhaps network facilities to other law schools throughout Australia.

The Centre is not intended to be an "in house" group. Already it is actively seeking participation from other academics, institutions and third parties.

