



The Legal Environment of Computing

• *Peter Knight and James FitzSimons, published by Addison-Wesley, 1990*

reviewed by Andrew McBurnie, formerly Director of Computing, Blake Dawson Waldron

This book is written for people working in the computer industry, and is intended to outline legal issues relevant to the industry. The authors say in their preface that their book is made up of the answers they have given many times in response to questions from people in the computer industry.

After briefly discussing computer technology, the introduction gives an outline of how the law works, explaining statute and common law, and the court system with its different jurisdictions. It is at this point that it becomes apparent that the book is targeting not only Australian professionals but is also aimed at the international market. It is not a detailed coverage of aspects of the law peculiar to Australia, but a general explanation of legal principles relevant to the computer industry mainly throughout the English speaking world, although the EEC and Japan are also mentioned. Computer professionals reading this book will learn about many legal basics long familiar to lawyers such as the legal principles covered by *Carlill v Carbolic Smoke Ball Co* and *Donoghue v Stevenson*.

There are some surprises in this book for those unfamiliar with the law. For example, in the chapter covering the important differences between an employee and a contractor, it is said that under certain circumstances an employer may sue an employee for negligent performance of duties. Other topics of major interest to computer professionals are copyright, computer contracts, negligence and data protection.

The book contains a selection of standard agreements, with commentary, which should be of great interest to computer professionals once they have digested the important chapter on contracts. As a computer professional, and not a lawyer, I think the book will assist people in deciding when they need a lawyer. The "Legal Environment of Computing" will make a useful addition to any bookshelf.

