

PREFACE

The rapid growth of the Internet, coupled with new business practices and new efforts by government to deploy technology for law enforcement and the administration of programs, has raised far-reaching questions about the future of privacy.

Central to many of these debates is the role of law. To what extent can the law safeguard the right of privacy in an era of rapidly evolving technology? What competing interests must be considered? What is the appropriate role of the courts and the legislatures? These questions are not new, but they have acquired greater urgency as the law is asked to evaluate an increasingly complex array of privacy matters.

For lawyers, this rapid growth has raised both new challenges and new opportunities. In the private sector, attorneys now routinely advise business clients about the development of privacy policies, compliance with privacy statutes, and privacy regulations in new markets. Attorneys litigate on behalf of clients who believe that their privacy has been violated, while others defend against these allegations. State attorneys general have become leading champions of privacy rights. Policymakers in government evaluate new legislative proposals both to expand and to limit privacy claims. Legal advisors on trade policy, technology development, consumer protection, and national security all consider privacy issues in the course of their work. Clearly, information privacy has emerged as one of the critical legal subjects in the modern era.

This text aims to provide a comprehensive and accessible introduction to the legal, social, and political issues involving information privacy. The text begins with a broad introduction to the conceptual underpinnings of information privacy. It sets forth clearly and concisely the range of laws that address information privacy, and it discusses the basic policy issues that inhabit the field. The text then examines the legal and policy implications of the growing accumulation and use of financial data. The next chapters examine the regulation of consumer data and the expanding legal requirements for data security. We have included extensive notes and commentary and have integrated cases and statutes with theoretical and policy perspectives. To facilitate discussion and debate, we have included excerpts from commentators with a wide range of viewpoints. Technical terms are clearly explained.

When selecting cases, we have included the leading cases as well as endeavoured to provide a solid historical background and a timely and fresh perspective on the major privacy issues facing lawyers in the twenty-first century. Important majority opinions are followed by equally important dissents.

A Note on the Casebook Website. We strive to keep the book up to date between editions, and we maintain a web page for the book with downloadable updates and other useful information. We invite you to visit the website:

<https://informationprivacylaw.com>

A Note on New Changes to the Book. We made many changes and updates to the book but have retained its basic organizational structure and pedagogical style. Specific changes and additions to the book are documented in the Teacher's Manual.

A Note on the Editing. We have deleted many citations and footnotes from the cases to facilitate readability. The footnotes that have been retained in the cases have been renumbered.

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