

Course Outline

COURSE:	LAWS 4510 A – Privacy Law & Policy
TERM:	FALL 2013
PREREQUISITES:	fourth-year Honours standing and 1.0 credit from LAWS 2005 [1.0] (no longer offered), LAWS 2501, LAWS 2502
CLASS:	Day & Time: Wednesdays, 6:05-8:55 PM (September 11 th – December 4 th 2013) Room: Please confirm with Carleton Central for current room location.
INSTRUCTOR: (CONTRACT)	Louisa Garib, MA, LLB, LLM
CONTACT:	Office: In class or at an otherwise specified meeting place on campus Office Hrs: Wednesdays, 5:00-6:00pm – *in advance, by appointment* Telephone: 613-992-5239 - during regular work hours (9am-5pm). Email: Louisa_Garib@carleton.ca

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

Pregnancy obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

Religious obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

Academic Accommodations for Students with Disabilities: The Paul Menton Centre for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or pmc@carleton.ca for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your **Letter of Accommodation** at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (*if applicable*). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (*if applicable*) at <http://www2.carleton.ca/pmc/new-and-current-students/dates-and-deadlines/>

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://www2.carleton.ca/equity/>

COURSE DESCRIPTION

This seminar course provides an in-depth look into privacy: privacy law and policy development; the privacy implications of information technologies and new business models; state encroachment into the private sphere; and regulatory efforts to protect privacy. Students will study privacy from philosophical, historical, legal, and policy perspectives. While rooted in the Canadian context, the course will also have a comparative international facet.

This course is intended primarily for upper year (4th year) students. Students do not necessarily require a background in law, public affairs or political science; however the course will include a considerable amount of reading, class discussion and critical thinking. Writing, research, analytical and communication skills will be emphasized. This is a seminar course. Students are expected to regularly participate and at times lead class discussions based on the weekly readings and privacy issues in the news.

The course syllabus may change to accommodate student/instructor requirements. Changes will be made with as much advance notice as possible. Please check CuLearn regularly for updates and additional information and materials and Carleton's current Undergraduate Calendar and Academic Schedule for relevant dates and deadlines: <http://calendar.carleton.ca/undergrad/> and <http://calendar.carleton.ca/undergrad/undergraduniversity/academicyear/>

REQUIRED TEXTS

None. All readings are either freely accessible online, will be provided by the Professor, in advance, or available via Ares.

Links to relevant video and audio resources, articles, news clippings and administrative decisions will be distributed to the class and/or posted to Carleton CuLearn in advance.

EVALUATION (NOTE: All components must be completed in order to get a passing grade.)

- **Class Participation/Group Discussion (20%)**
 - Weekly participation in group discussions, throughout the course.

- **Access to personal information assignment (10%) (3-5 pages) – TWO PARTS**
 - **PART1** - A copy of the written access request you have made to a municipal or provincial institution is due by **Week 2, Wednesday, September 18th**. You will be given a handout with instructions during the first class.
 - **PART 2** - Report on the process, summary of the institutional response and privacy analysis due by **Week 13, Wednesday, December 4th** at the last class
 - The Report should include whether you, as the requestor were satisfied with the institution's response. Why or why not? Were there any corrections to your personal information needed or other concerns? Did the institution respond to you within statutory deadlines and according to other statutory requirements?
 - The Report should reflect your analysis of the access process and outcome in terms of your perspective on how your personal information is collected, used, retained and potentially disclosed. The Report should also comment on your ability to access, correct and control your personal information.

- **Midterm Exam on Week 7, Wednesday, October 23rd (30%)**
 - An Exam Guide will be provided via cuLearn

- **Final Research Paper (16-20 pages) DUE Monday December 9th (40%)**
 - Students are strongly encouraged to discuss their final essay topic with me after the mid-term exam.
 - An Essay Guide will be posted on CuLearn

For both the mid-term exam and final paper, students should note the Law Department's Style Sheet at http://www1.carleton.ca/law/ccms/wp-content/ccms-files/legal_style_sheet.pdf

****Confirm what time the Department of Law & Legal Studies Office closes on Monday, December 9th to ensure that your final paper is stamped as being received by the due date.**** You are strongly encouraged to consult the Department's Drop Box Policy: http://www1.carleton.ca/law/ccms/wp-content/ccms-files/Drop_box_policy.pdf.

How is participation graded? (20%)

I will be looking for a number of things when I evaluate student participation throughout this seminar course:

- 1) **Consistent Participation.** Does the student attend class, and when they do, do they participate?
- 2) **Preparedness.** Has the student done the reading and brought the reading and notes to class?
- 3) **Quality of comments.** Did the student contribute to the overall flow of discussion, make
- 4) comments that were informed by the readings and the issues at hand, move the conversation forward, use examples from the readings to help back up their points?
- 5) **Initiative and responsiveness.** Did the student both initiate dialogue and engage in the
- 6) dialogue initiated by others?
- 7) **Quality of listening.** Did the student listen to others, follow up on other students' comments, ask questions of classmates?

DEPARTMENTAL POLICY AND PROCEDURE:

Deferred Final Examinations and Final Assignments (including final papers/essays)

A student who is unable to write a scheduled final examination, or complete a final take-home assignment (0.5 credit/one term course), because of illness or other circumstances beyond his/her control, or whose performance on the examination has been impaired by such circumstances, may, on application to the Registrar's Office, be granted permission to write a deferred final exam or assignment with proper documentation. **Your instructor cannot grant you a deferral of a Final Assignment.**

Applications for deferred final assignments must:

- be made in writing to the appropriate Registrar's Office no later than 5 business days after the date of the examination or the last day of classes; and
- be fully supported in the case of illness by a medical certificate or by appropriate documents in other cases (e.g. bereavement documentation).
- Medical documents **must** specify the date of the onset of the illness, the (expected) date of recovery, and the extent to which the student was/is incapacitated during the time the exam or assignment was to be prepared. For further information see: <http://www1.carleton.ca/registrar/special-requests/deferral/>

Granting of a deferral requires that the student has performed satisfactorily in the course according to the evaluation scheme established in the Course Outline (excluding the final exam for which deferral privileges are requested). Reasons for denial of a deferral may include, among other conditions, a failure to (i) achieve a minimum score in the course before the final examination; (ii) attend a minimum number of classes; (iii) successfully complete a specific task (e.g. term paper, critical report, group project, computer or other assignment); (iv) complete laboratory work; (v) successfully complete one or more

midterms; or (vi) meet other reasonable conditions of successful performance. Consult Carleton's Undergraduate Calendar and Schedule for 2013-2014 for academic and administrative deadlines: <http://calendar.carleton.ca/undergrad/> and <http://calendar.carleton.ca/undergrad/undergraduniversity/academicyear/>

Important Note: Plagiarism on Exams, Papers and Class Assignments

Each student's assignment, exam answers and final paper must be exclusively his or her own work product. All work must be done independently; no group work or consultation other than class discussion is permitted. Students are not permitted to discuss the exam questions and possible answers with each other, with the exception of discussion supervised by the Instructor.

Carleton's Academic Integrity Policy: <http://www1.carleton.ca/studentaffairs/academic-integrity/> . For further instructions and warnings on issues such as prerequisites, assignments and grading (including the Department's policy on plagiarism), students should consult the Law Department's *Policy and Procedure Statement* and the relevant pages in the University's *Undergraduate Calendar* <http://calendar.carleton.ca/undergrad/>

STUDENT SERVICES:

The **Student Academic Success Centre (SASC)** <http://www1.carleton.ca/sasc/> can provide you with help learning how to research and write a solid academic paper. The Writing Tutorial Service is located on the 4th Floor MacOdrum Library. For more information see <http://www1.carleton.ca/sasc/writing-tutorial-service/>. You are strongly encouraged to avail yourself of these helpful resources, particularly if you feel that you need to develop your research and writing skills.

MY POLICY:

Reasonableness: The "Reasonable Person Principle" applies throughout this seminar course. This principle is simply that a reasonable request made in a reasonable fashion shall be reasonably handled by reasonable persons. Let's all be "reasonable people" working on the same team to make this a positive learning experience.

Reading: You will be given reading assignments associated with each class. You should finish the readings **before** coming to class in order to effectively participate and engage in a meaningful discussion with your colleagues. LAWS 4510A is a 4th year seminar class, not a lecture course.

Seminar participation: A seminar is a group of people who come together to discuss a particular topic. The topic of this seminar course is privacy law and policy. While your past lecture classes likely tended to emphasize canvassing a topic through lectures and readings, this seminar will emphasize intense reading of a variety of books and articles followed by group discussion about questions and themes that arise from the materials and ideas that resonate with your classmates. There will be no lectures in this class. This class is about what *you* think, after having read the materials and engaging your colleagues about what *they* think.

ADVICE FOR SUCCESS IN THIS COURSE:

- 1) **Read** the course outline.
- 2) **Read** the seminar readings.
- 3) **Make notes** as you read.

- 4) **Come to class.**
- 5) **Engage** in discussion when you are in class.
- 6) **Listen and be respectful of others.** In order to create a productive learning environment, you are expected to treat all comments and questions with respect and civility.
- 7) **Take chances and speak your mind**, even (especially!) when you disagree with others or with your Instructor. Ask questions when you are confused or curious about something — chances are that you are not alone.
- 8) **Check cuLearn regularly** – it's where readings, instructions, the course syllabus and other course materials are posted and updated
- 9) **Communicate** with me via my **Carleton.ca** email address listed in the syllabus. You can also always call me at my office during regular business hours (613-992-5239) and leave a message. I will endeavour to return your phone call within 48 hours. You can always speak to me before or after class or arrange for an appointment.
- 10) **Identify concerns or needs ASAP and get the help you need** – take control of the situation. Don't let things get out of hand and try to address issues at the last minute or after the fact. As your Professor, I will do my best to help you.

Cheating/Plagiarism is considered a very serious offense. **Please don't do it.** Concern about cheating and plagiarism creates an unpleasant environment for everyone. If you cheat or plagiarize, you risk losing your position as a student in your programme and the university - and **I have zero tolerance for it.** The Department's policy on cheating is to report any cases to the Department Chair. What follows afterwards is not fun for anyone. It's not worth it. Just do the work, and put it in your own words. Be assured that I do take the time to carefully read all of your exams and assignments.

MID-TERM - WEEK 7 (Wednesday, October 23, 2013) ACCOMMODATION & DEFERRALS

You must pass the mid-term in order to pass the course. Paul Menton Students should request exam accommodation a minimum of two weeks in advance. You are strongly encouraged to make arrangements sooner. Deferrals will only be granted for medical reasons. Contacting your Instructor via phone and/or email and obtaining documentation should be done in a timely manner and:

- be fully supported in the case of illness by a medical certificate or by appropriate documents in other cases (e.g. bereavement documentation).
- Medical documents **must** specify the date of the onset of illness, that the student was/is incapacitated **during the time the exam** was to be written, and the expected date of recovery. (See <http://www1.carleton.ca/registrar/special-requests/deferral/> as a guide)

ANTICIPATED COURSE SCHEDULE (Wednesday evenings, 6:04-9:04)

Important Dates:

- **First Class:** Wednesday, Sept 11th - ATIP Assignment HANDED OUT
- **Fall Break – NO CLASS:** October 28-November 1, 2013
- **Last Class:** Wednesday, December 4th - ATIP Assignment DUE

- **Access to (personal) information assignment:**
 - Hand in copy of written access request made on Wednesday, **September 18th**
 - Report due by Wednesday **December 4th** at the last class
- **Mid-Term Exam:** Wednesday, October 23rd 2013
- **Final Essay:** DUE Monday, December 9th 2013 (Last day for handing in term work and the last day that can be specified by a course instructor as a due date for term work for fall term courses.)

Dates I will **not** be available via phone or e-mail:

Evening of Friday September 13 until Monday September 16th, 2013. You will be informed of any other dates in advance

<p>Week 1: Sept 11</p> <p><i>Somebody's Watching Me, Rockwell I always feel like / Somebody's watching me / And I have no privacy</i></p>	<p>Course Introduction, Expectations, ATIP Assignment</p> <ul style="list-style-type: none"> ➤ Resource: CIPPIC's Access to Information Manual - See Section II: Access to Personal Information http://www.idtrail.org/index.php?option=com_content&task=view&id=284&Itemid=88 ➤ Tom Chivers, "The Get Out Clause, Manchester stars of CCTV Many people are uncomfortable with the march of the surveillance state – but a Manchester band has used it to their advantage," <i>The Telegraph</i>, May 2008 http://www.telegraph.co.uk/news/newstopics/howaboutthat/1938076/The-Get-Out-Clause-Manchesters-stars-of-CCTV-cameras.html
<p>Week 2: Sept 18</p> <p><i>Cowardly Custard, King Creosote Did you just have me wired/ Keeping a tab on my motion/ I've a notion we're through/ I'm more than a little bit tired/ Tired of all of your snooping/ And it's to be good riddance</i></p>	<p>What is Privacy? Privacy as a Legal & Philosophical Concept: <i>An examination of privacy from various perspectives: the relationship between the individual and society; privacy, identity and autonomy; privacy as a human right; the role of privacy in mediating the relationship between the individual and state; the role of privacy in a democracy.</i></p> <ul style="list-style-type: none"> ➤ George Orwell, <i>Nineteen Eighty-Four</i>, 1949 (Part 1, Ch. 1) http://ebooks.adelaide.edu.au/o/orwell/george/o79n/ ➤ <i>R. v. Tessling</i>, 2004 SCC 67, [2004] 3 S.C.R. 432 http://scc.lexum.org/en/2004/2004scc67/2004scc67.html ➤ Bruce Schneier, The Eternal Value of Privacy, WIRED Magazine, May 18, 2006 http://www.wired.com/politics/security/commentary/securitymatters/2006/05/70886 ➤ Jane Bailey, Privacy As a Social Value, April 24, 2007, The Anonymity Project IDTrail Blog http://www.idtrail.org/index2.php?option=com_content&do_pdf=1&id=673
<p>Week 3: Sept 25</p> <p><i>Mother, Pink</i></p>	<p>Why Privacy isn't Everything: Critical Privacy Perspectives</p> <p><i>Is Privacy Passé? For Old People? Dead? Why Individual Privacy Isn't Everything: gender and privacy; group privacy; cultural and communitarian concepts of privacy;</i></p>

<p>Floyd</p> <p><i>Momma's gonna check out all your girlfriends for you/ Momma won't let anyone dirty get through Momma's gonna wait up until you get in Momma will always find out where you've been</i></p>	<p><i>what is a "reasonable expectation" of privacy? The value of transparency and openness in the information economy and internet culture.</i></p> <ul style="list-style-type: none"> ➤ Amatai Etzioni, A Communitarian Perspective on Privacy, Connecticut Law Review, 32(3), 897-905 (2000) http://www.amitaietzioni.org/A279.pdf.pdf ➤ Anita L. Allen, "Nudity," Ch. 4 pgs 78-96 in <i>Unpopular Privacy: What Must We Hide?</i> Oxford University Press (2011) (review of Canadian cases) ➤ Jeff Jarvis, "What is Privacy?," Ch. 6 at pgs 93-113 in <i>Public Parts: How Sharing in the Digital Age Improves the Way We Work and Live</i>, Simon and Shuster, (2013) ➤ 7. "Privacy Beyond the Individual" in For Your Information: Australian Privacy Law and Practice (2008), Australian Law Reform Commission
<p>Week 4: Oct 02</p> <p><i>Big Brother, David Bowie</i></p> <p><i>Someone to claim us, someone to follow/Someone to shame us, some brave Apollo/Someone to fool us, someone like you We want you Big Brother, Big Brother</i></p>	<p>State Accountability: <i>Privacy Protections under the Criminal Code of Canada and the Charter against unwarranted search and seizure; Lawful Access and other Public Safety Legislation</i></p> <ul style="list-style-type: none"> ➤ Stanley A. Cohen, Ch. 2, "Privacy," pgs 9-48 in <i>Privacy, Crime and Terror: Legal Rights and Security in a Time of Peril</i> (Markham: LexisNexis Butterworths, 2005) ➤ <i>R. v. Tse</i>, 2012 SCC 16 READ ENTIRE UNANIMOUS DECISION http://scc.lexum.org/en/2013/2013scc16/2013scc16.html ➤ Michael Geist, Why Canadians Should Be Demanding Answers About Secret Surveillance Programs, June 08, 2013 http://www.michaelgeist.ca/content/view/6869/125/
<p>Week 5: Oct 09</p> <p><i>Watching the Detectives, Elvis Costello</i></p> <p><i>You think you're alone until you realize you're in it. Now fear is here to stay. Love is here for a visit. They call it instant justice when it's past the legal limit. Someone's scratching at the window. I wonder who is it?</i></p>	<p>Privacy and Civil Liberties vs. National Security and Public Safety: <i>Arar Inquiry; Security Certificate Cases; information-sharing oversight; border security; PRISM</i></p> <ul style="list-style-type: none"> ➤ Jennifer A. Chandler, "Personal Privacy versus National Security: Clarifying and Reframing the Trade-off" in Kerr, Lucock and Steeves, eds. <i>On the Identity Trail: Anonymity, Privacy and Identity in a Networked Society</i>, (Oxford Univ. Press, 2009) pp. 121-138 http://www.idtrail.org/files/ID%20Trail%20Book/9780195372472_kerr_07.pdf ➤ <i>Charkaoui v. Canada (Minister of Citizenship and Immigration)</i>, 2007 SCC 9 - READ EXCERPT ONLY at http://www.emp.ca/links/adminlaw/downloads/AdminLaw_11_c1_Charkaoui.doc from Ch 11, "The Limits of Administrative Law in the National Security State," Craig Forcese in <i>Administrative Law in Context</i>, Flood and Sossin eds., at http://www.emp.ca/links/adminlaw/ Link to full case: http://scc.lexum.org/en/2007/2007scc9/2007scc9.html ➤ Communications Security Establishment Commissioner's Annual Report 2012-2013 (Released August 2013) http://www.ocsec-bccst.gc.ca/ann-rpt/2012-2013/ann-rpt_e.pdf READ pages 9-40 ONLY

	<ul style="list-style-type: none"> ➤ Q&A: What is Prism, what does it do, is it legal and what data can it obtain? <i>UK Independent</i>, June 7, 2013 (Very short Q and A) http://www.independent.co.uk/news/world/americas/qa-what-is-prism-what-does-it-do-is-it-legal-and-what-data-can-it-obtain-8650239.html ➤ Apple on Customer Privacy and PRISM, June 17th 2013 (Short Bulletin) http://www.iphoneincanada.ca/apple/apple-issues-public-statement-on-customer-privacy-following-prism-scandal/
<p>Week 6: Oct 16</p> <p><i>Fear Not of Man, Mos Def</i></p> <p><i>You got a lot of societies and governments tryin to be God, wishin that they were God/ They wanna create satellites and cameras everywhere and make you think they got the all-seein eye</i></p>	<p>Privacy Protection - <i>The Civil Context: Privacy and trust; privacy and relationships; reputational and privacy harms; damages and compensation</i></p> <ul style="list-style-type: none"> ➤ Samuel Warren and Louis D. Brandeis, "The Right to Privacy," <i>Harvard Law Review</i> (1890) http://groups.csail.mit.edu/mac/classes/6.805/articles/privacy/Privacy_brand_warr2.html ➤ <i>Tipple v. Canada (Attorney General)</i>, 2012 FCA 158 (CanLII), READ PARAS 1-19 ONLY http://canlii.ca/t/frqw5 ➤ <i>Jones v. Tsiges</i>, 2012 ONCA 32 (CanLII), http://canlii.ca/t/fpnld ➤ Wendy Matheson, "Privacy Class Actions are here, but do we need them?" in <i>Canadian Privacy Law Review</i>, Volume 8 • Number 2 (Jan 2011) http://www.torys.com/Publications/Documents/Publication%20PDFs/AR2011-2.pdf
<p>Week 7: Oct 23</p>	<p>MID-TERM (In Class)</p>
<p>Fall Break October 28-November 1, 2013 - – NO CLASS October 30th</p>	
<p>Week 8: Nov 06</p> <p><i>Spying Glass, Massive Attack</i></p> <p><i>You move to the country/You live in the hills/ You invite all company/When you check it in the new spying glass/They want to know all your business</i></p>	<p>Survey Says....Privacy Polls and Policymaking: <i>Research into societal values and attitudes towards privacy and public policy.</i></p> <ul style="list-style-type: none"> ➤ H. Nissenbaum, "A Contextual Approach to Privacy Online," <i>Daedalus</i> 140 (4), Fall 2011: 32-48 http://www.amacad.org/publications/daedalus/11_fall_nissenbaum.pdf ➤ Public Opinion Surveys and the Formation of Privacy Policy, Oscar Gandy Jr. <i>Journal of Social Issues</i> Volume 59, Issue 2, pages 283–299, July 2003 http://www.asc.upenn.edu/usr/ogandy/JSIpublished.pdf ➤ Hoofnagle, Chris Jay, King, Jennifer, Li, Su and Turow, Joseph, How Different are Young Adults from Older Adults When it Comes to Information Privacy Attitudes and Policies? (April 14, 2010). Available at SSRN: http://ssrn.com/abstract=1589864 or http://dx.doi.org/10.2139/ssrn.1589864 ➤ 2011 Canadians and Privacy Survey, Final Report by Harris/Decima for The Office of the Privacy Commissioner of Canada http://www.priv.gc.ca/information/por-rop/2011/por_2011_01_e.asp

<p>Week 9: Nov 13</p> <p><i>A Little Less Conversation, Elvis Presley</i></p> <p><i>A little less conversation, a little more action please/ All this aggravation ain't satisficing me/ A little more bite and a little less bark/ A little less fight and a little more spark</i></p>	<p>The Privacy Regulators: <i>Privacy Commissioners and data protection legislation in Canada; international privacy protection; idealism and pragmatism in privacy protection</i></p> <ul style="list-style-type: none"> ➤ David Elder, "Canada," in <i>Data Protection & Privacy</i>, European Lawyer Reference Series, Thomson Reuters, (2012) pgs 1-26 http://www.stikeman.com/2011/images/core/DP_Canada.pdf ➤ Ian Kerr, "Dreamin' Man: the role of idealism and pragmatism in privacy advocacy," Speech at the Performing at the Speed of Change Conference, 23 Jul 2008. Text and audio file available at: http://iankerr.ca/content/2008/07/23/dreamin-man-the-role-of-idealism-and-pragmatism-in-privacy-advocacy/ ➤ <i>The Economist</i>, "Privacy Laws: Private data, public rules," January 28, 2012 http://www.economist.com/node/21543489 ➤ Greenleaf, Graham, <i>Global Data Privacy Laws: 89 Countries, and Accelerating Privacy Laws & Business International Report</i>, Issue 115, Queen Mary School of Law Legal Studies Research Paper No. 98/2012. Available at SSRN: http://ssrn.com/abstract=2000034 (14 pages)
<p>Week 10: Nov 20</p> <p><i>Integral, Pet Shop Boys</i></p> <p><i>Everyone has Their own number/ In the system that/ We operate under/ We're moving to/ A situation/ Where your lives exist/ As information</i></p>	<p>Workplace Privacy: <i>"Quality Control," Drug Testing in the Workplace, Child Pornography Investigations and the Workplace; Negotiating privacy protection with "Little Brother."</i></p> <ul style="list-style-type: none"> ➤ <i>Communications, Energy and Paperworkers Union of Canada, Local 30 v. Irving Pulp & Paper, Ltd.</i> 2013 SCC 34 http://scc.lexum.org/decisia-scc-csc/scc-csc/scc-csc/en/item/13106/index.do READ the Majority ONLY paras 1-55 ➤ <i>R. v. McNeice</i>, 2013 BCCA 98 (CanLII), http://canlii.ca/t/fwd7w (19 pages) ➤ Kirstie Ball, "Categorizing the Workers, Electronic Surveillance and Social Ordering in the Call Centre." Ch. 10, pgs 201-222 in Lyon, D (ed) <i>Surveillance as Social Sorting</i>. London: Routledge (2002) ➤ Kiss, Simon and Vincent Mosco, "Negotiating Electronic Surveillance in the Workplace: A Study of Collective Agreements in Canada." <i>The Canadian Journal of Communication</i>, Vol. 30, No. 4 (December 2005). http://www.cjc-online.ca/index.php/journal/article/view/1671
<p>Week 11: Nov 27</p> <p><i>All Along the Watchtower, Jimi Hendrix</i></p> <p><i>All along the watchtower Princes kept the view/ While all the women came and went/ Barefoot servants</i></p>	<p>Big Data and Social Sorting: <i>Information technologies; the social and political impact of data analytics and predictive search on human behaviour; new business models; surveillance and discrimination.</i></p> <ul style="list-style-type: none"> ➤ Daniel Solove, <i>The Digital Person: Technology and Privacy in the Information Age</i>, NYU Press (2004) http://docs.law.gwu.edu/facweb/dsolove/Digital-Person/text.htm <ul style="list-style-type: none"> • Ch. 2, "The Rise of the Digital Dossier," pgs 13-26 • Ch. 3, "Kafka and Orwell: Reconceptualizing Information Privacy," pgs 27-55 ➤ A Conversation with Sandy Pentland: Reinventing Society in the Wake of Big Data (August 2012) Watch the Video or Read the Interview at: http://www.edge.org/conversation/reinventing-society-in-the-wake-of-big-data

too	<ul style="list-style-type: none"> ➤ Gandy Jr., O. H. Data Mining, Surveillance, and Discrimination in the Post- 9/11 Environment Presentation at IAMCR, Barcelona (2002) http://www.asc.upenn.edu/usr/ogandy/iamcrdatamining.pdf (18 pages)
<p>Week 12: Dec 04</p> <p><i>Santa Claus is Coming to Town, Perry Como</i></p> <p><i>He sees you when you're sleeping/ He knows when you're awake/ He knows if you've been bad or good...</i></p>	<p>Future of Privacy Law and Privacy: <i>Challenges of Genetic Privacy; Brain Privacy and Bodily Emanations; Artificial Intelligence and Privacy; Nano-surveillance; Continuous Capture. The Right to be Forgotten</i></p> <ul style="list-style-type: none"> ➤ Ryan Calo, "Robots and Privacy" (April 2, 2010) in <i>Robot Ethics: The Ethical and Social Implications of Robotics</i>, Patrick Lin, George Bekey, and Keith Abney, eds., Cambridge: MIT Press, Forthcoming. Available at SSRN: http://ssrn.com/abstract=1599189 (19 pages) ➤ Kerr, Ian R., Aoki, Cynthia and Binnie, Max, "Tessling on My Brain: The Future of Lie Detection and Brain Privacy in the Criminal Justice System" (2008). <i>Canadian Journal of Criminology and Criminal Justice</i> 50:8. Available at SSRN: http://ssrn.com/abstract=1299291 (17 pages) ➤ DNA Database Case: <i>Ragnhildur Guðmundsdóttir vs. The State of Iceland</i>, Icelandic Supreme Court No. 151/2003 http://epic.org/privacy/genetic/iceland_decision.pdf (10 pages) ➤ Jeffrey Rosen, "The Right to Be Forgotten," February 13, 2012, 64 STAN. L. REV. ONLINE 88 http://www.stanfordlawreview.org/online/privacy-paradox/right-to-be-forgotten (13 paragraphs) ➤ George Orwell, <i>Nineteen Eighty-Four</i>, 1949 (Part 3 Ch. 6 - Last Chapter) http://ebooks.adelaide.edu.au/o/orwell/george/o79n/ <p>LAST CLASS – Hand in ATIP Assignment, Discussion of responses.</p>
<p>Monday, December 09 2013</p>	<p>Final Paper DUE</p> <p>Confirm what time the Department of Law & Legal Studies Office closes to ensure that your paper is stamped as received by the due date. See Department's Drop Box Policy: http://www1.carleton.ca/law/ccms/wp-content/ccms-files/Drop_box_policy.pdf</p>