

Stream 2: Constitutional, Legal and Policy Aspects

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Stream 2: Constitutional, Legal and Policy Aspects The second stream will address the legal and policy questions raised and implicated by anonymity and authentication, online and off. A central consideration is the role played by the Canadian Charter of Rights and Freedoms. Do the rights to freedom of expression, association and mobility include the ability to remain anonymous or refuse biometric data collection? What are the reasonable limits to anonymous expression in a free and democratic society in an age of global terrorism? Does the right to life, liberty and the security of the person or the right to be secure against unreasonable search and seizure guarantee a space for anonymous interaction?

Often the levers that influence a choice between technological architectures are buried in standards, or law enforcement specifications, as opposed to legislation. Researchers, led by Marc Rotenberg, will investigate the policy surrounding technologies that authenticate. Is it necessary to regulate the design, development and use of various technologies? Do policy makers need to play a direct role in standards setting, such as in the design of biometric devices or RFID chips? In addition to traditional legal scholarship, we will develop resources and tools to help public interest groups and the public use privacy and access to information law effectively, and learn how law intersects with technology.

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