

## Philippa Lawson: interview

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ANON: As a consumer advocate, how do you think the anonymity project can increase privacy protection for consumers?

PIPPA LAWSON: At a minimum, the anonymity project can raise consumer awareness about important issues related to anonymity, identity and authentication. It can also influence the development of law and policy affecting online privacy and authentication. Canada is in the midst of developing and reforming its privacy laws and policies. The federal privacy legislation is scheduled to be reviewed in a couple of years, and provinces are considering adopting their own new legislation. At the same time, industry associations and multi-stakeholder groups are developing codes of practice in these areas. This project is thus very timely

ANON: What is CIPPIC? As a collaborator on the Anonymity Project, what role can CIPPIC play in enhancing privacy protection in an online environment?

PIPPA LAWSON: CIPPIC stands for Canadian Internet Policy & Public Interest Clinic. It is not a traditional legal clinic in that we are not limited to client-based advocacy and our focus is not access to justice. Rather CIPPIC takes on cases and issues itself. At CIPPIC, we identify important technology-related issues on which a critical voice is missing, and give voice to that interest. We seek to assist policy makers in finding balanced solutions to problems involving technology and the law. We also provide information to the public through our website.

CIPPIC students necessarily do a lot of research, but our main goal is advocacy. We raise public awareness of issues, rights and ways in which consumers can protect privacy online. CIPPIC's work on law reform and enforcement of existing privacy legislation can add to the work being done in the Anonymity Project. For example, we recently intervened in a lawsuit where the Canadian Recording Industry Associate (CRIA) sought the identity of ISP subscribers allegedly engaged in file sharing. CIPPIC explained to the court the value of online anonymity and why the court should apply a high standard when determining whether the plaintiff has made out a case for disclosure of subscriber identity. The issue here was not just copyright infringement but online privacy. The standard for disclosing a user's identity should be high. After all, anonymity is a means of promoting free speech.

CIPPIC also educates the public about privacy and anonymity. Our goal is to provide information to ordinary consumers who need to understand what their rights are. Our growing experience in this area could assist the Anonymity Project to mobilize and disseminate information pertaining to privacy and anonymity.

ANON: How does anonymity affect consumer transactions online?

PIPPA LAWSON: Online anonymity frees individuals to behave in ways that they might not otherwise. Sometimes the behaviour is bad and other times it is good. Many times, the behaviour involves engagement in communications and information exchange that benefits not only the individual but society generally. We need to make sure that we are protecting socially beneficial activities and communications when going after bad behaviour online.

The ability of consumers to be anonymous online can also help discipline companies &ndash; i.e., limit their collection of personal information to that which is necessary for the online transaction. There is a big industry right now in personal data. Companies are looking at ways in which to collect and use information about individual consumers. If they can authenticate without getting personal details then we have a friendlier marketplace where consumers have true choice about how much they disclose about themselves. Jacqui Burkell is looking at this from the perspective of the individual

computer user. CIPPIC is working on what the actual market place practices are in terms of consumer profiling and the availability of personal information online.

ANON: What are some competing policy rationales for attenuating a consumer's anonymity online?

PIPPA LAWSON: anonymous online interaction can protect undesirable illegal behaviour. We all want the police to catch criminals but we also want to protect an individual's privacy. The law enforcement concern has intensified in the fight against terrorism. In a commercial context, there are technical challenges in developing user friendly authentication technologies that do not require personal identification of individuals. But we need to limit the collection of personal information wherever possible, since once personal information is collected, it may be accessed, shared, or used for other purposes.

ANON: How can the Access To Information user's guide that CIPPIC is working on in conjunction with Stephanie Perrin, EPIC and IPC/Ontario be used by citizens and everyday people interested in privacy advocacy?

PIPPA LAWSON: the ATI user guide will be a tool for an activist citizen. It could assist a citizen to use privacy legislation to gain access to information that an organization has about oneself. The ATI user could also be used to access information about the government. A citizen, for example, may want to gain information about government expenditures or the number of complaints received by a particular agency. The ATI user guide will provide such a citizen with the instructions and tips on how to accomplish this.

ANON: How will the consumer glossary of privacy concepts/materials synthesize/accommodate the varying views on privacy and related concepts?

PIPPA LAWSON: we are trying to pick terms that are relevant to issues on anonymity, identity and authentication. The idea is to scan literature and provide differing perspectives and views with some context instead of coming up with a perfect definition. It is a challenging task, but will be useful to anyone working in this area.

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