

IX International Conference

Law via the Internet

Free Access, Quality of Information, Effectiveness of Rights

Florence, 30-31 October 2008

IAIN CURRIE

University of the Witwatersrand, Johannesburg

Problems of Privacy in Online Legal Materials

This paper has its origins in a practical problem: developing a set of guidelines for SAFLII for the protection of personal information in its online legal materials. While some jurisdictions have developed rules for dealing with this issue in relation to online provision of legal materials by *courts*, it is not clear that these rules and the principles underlying them apply precisely and without need for modification to organisations such as LIIs. Consideration must be given to the purpose for which personal data is collected and published. In the case of LIIs the purpose of providing public access to legal information mandates a different standard of personal data protection than the purpose of providing an official record of court proceedings and decisions.