

Legal & Ethics

- Internet law is a new and exciting area of expertise. Because the Internet is of such extreme public interest, certain battles, such as the dispute over adult-oriented material, are bound to take a decade or more. All Netizens should keep up with the latest legislation.
- Finally, perhaps a word of caution here would be wise: If you are planning to undertake some act upon the Internet and you are unsure of its legality, get a lawyer's opinion. Not just any lawyer, either; talk to one who really knows Internet law. Many attorneys may claim to know Internet law, but the number that actually do is small. This is important because the Information Superhighway is like any other highway. You can get pulled over, get a ticket, or even go to jail.

Computer Crime

- Hard to predict for the following reason
- Low computer literacy among lawyers, police agents, jurors, etc.
- Tangible evidence like fingerprints and physical clues may not exist
- Forms of asset different
 - Is computer time an asset?
- Juveniles
 - Many involve juveniles

Computer Crime related laws

- Freedom of information act
 - Provides public access to information collected by the executive branch of the federal government
- Privacy act of 1974
 - Personal data collected by government is protected
- Fair credit reporting act
 - Applies to private industries – e.g., credit bureaus
- Cryptography and law
 - France: no encryption allowed (to control terrorism)
 - US, UK, Canada, Germany:
 - Control on export of cryptography; but they are published!

Ethic

- An objectively defined standard of right and wrong
- Often idealistic principles
- In a given situation several ethical issues may be present
- Different from law

Law

- Described by formal written documents
- Interpreted by courts
- Established by legislatures representing all people
- Applicable to everyone
- Priority determined by laws if two laws conflict
- Court is final arbiter for right
- Enforceable by police and courts

Ethics

- Described by unwritten principles
- Interpreted by each individual
- Presented by philosophers, religions, professional groups
- Personal choice
- Priority determined by an individual if two principles conflict
- No external arbiter
- Limited enforcement

Ethical Reasoning

- Consequence-based

- Based on the good that results from an action

- Rule-based

- Based on the certain prima facie duties of people

Individual vs Universal

Ethic example

- Privacy of electronic data
 - “gentlemen do not read others’ mail” - but not everyone is a gentleman!
 - Ethical question: when is it justifiable to access data not belonging to you
 - One approach: Protection is user’ s responsibility
 - Another: supervisors have access to those supervised
 - Another: justifiably compelling situation

Code of Ethic

- IEEE professional codes of ethic
 - To avoid real or perceived conflict of interest whenever possible, and to disclose them to affected parties when they do exist
 - To be honest and realistic in stating claims or estimates based on available data
- ACM professional codes of ethics
 - Be honest and trustworthy
 - Give proper credit for intellectual property

computer users should abide

- Thou shalt not use a computer to harm other people.
- Thou shalt not interfere with other people's computer work.
- Thou shalt not snoop around in other people's computer files.
- Thou shalt not use a computer to steal.
- Thou shalt not use a computer to bear false witness.
- Thou shalt not copy or use proprietary software for which you have not paid.
- Thou shalt not use other people's computer resources without authorization or proper compensation.
- Thou shalt not appropriate other people's intellectual output.
- Thou shalt think about the social consequences of the program you are writing or the system you are designing.
- Thou shalt always use a computer in ways that insure consideration and respect for your fellow humans.

Assignment

- How about legal & ethic in Indonesia?
 - Summarize UU ITE
- What is IDSIRTI and its role?