
Abstracts

The following are abstracts from the next issue of the Journal of Law and Information Science:

Public Sector Information : Towards a More Comprehensive Approach in Information Law?

Herbert Burkert

The EC is currently encouraging the commercialisation of public sector information to help improve the competitive position of European information providers. Public sector information is the object of various, often conflicting, interests which have found their legal expression in data protection, access to information, secrecy, copyright and competition law regulations. This framework is not without contradictions, nor has it reached a degree of uniformity that would be desirable within a common market. This situation exemplifies the need to develop a more stringent framework for, in this case, administrative information law. The normative elements for such a framework could be derived and integrated from the various sets of regulations already addressing public sector information. The difficulties in establishing such a body of law should not be underestimated nonetheless, because such an approach will have to transgress traditional boundaries between constitutional, administrative and civil law.

An Intestate Succession Adviser: Compartmentalisation and Creativity in Decision Support Systems

Lilian Edwards, University of Edinburgh

This article describes a practical working expert system in the do-

main of Scottish intestate succession law (SUCC), built using the rule based shell CRYSTAL (Intelligent Environments, UK) running in a PC environment, and used as a tutoring aid for Scots law students at Edinburgh University. Particular problems in expert system methodology suggested by the implementation of SUCC are analysed, especially the problems of compartmentalising a knowledge domain and how far to include in the knowledge base those aspects of the real world which act as pragmatic context to a legal area. Some general conclusions on the possible application of expert system technology to legal creativity are drawn.

Information Security - OECD Initiatives

The Hon. Justice Michael Kirby AC CMG

This article evaluates the initiatives of the Organisation for Economic Cooperation & Development (OECD) in relation to information security - a problem which has become increasingly urgent in light of the dangers created by the vulnerability of information systems, the increase in computer related crime and the inability of the international community to keep pace with the social implications of technology. The need for global collaboration to provide international solutions is stressed, in order that the political and cultural impediments which obstruct the achieving of international regulation might be overcome. Other attempts to tackle the problems of data security are also discussed, including the work undertaken by the Council of European Communities and by U.S. governmental agencies. The successes

of the OECD Guidelines on Privacy and the security standards adopted by MITI are seen as positive steps in the right direction, but should not lead to complacency, and for this reason the work of the OECD in this field is warmly welcomed.

New European Directions in Data Protection

Colin Tapper

This article examines the direction being taken by the European Community in response to increasing threats in the field of data protection. At present the Community appears to be on the brink of making significant changes in the form of its response to these perceived threats. It seems likely that the draft proposals will be fairly controversial. While there seems little immediate prospect of the enactment of amendments to the data protection laws of most European states, it is not too early for the potential impact of this initiative to be assessed, thereby giving an indication of the direction in which this branch of the law is likely to move in Europe - one which is likely to have an impact well beyond the boundaries of the Community.

Frontiers of Information Privacy in Australia

Greg Tucker

This article reviews the very sensitive and topical area of privacy known as personal information privacy or data protection, which covers one's personal details on subjects ranging from medical and police records to religious beliefs. The various models of regulation in opera-

Abstracts

tion throughout the world, and the principles governing these, are reviewed and the situation in Australia examined in greater depth. The author concludes that despite some considerable efforts, there is still some way to go before Australia can boast success in developing and unifying its data protection laws.

Expert System meets Hypertext: The European Conflicts Guide

Robin Widdison, Francis Pritchard and William Robinson

This article describes an attempt to integrate an expert system with a hypertext database of relevant primary and secondary text materials. The domain of law represented is that of the Brussels Convention 1968. Three dimensions of system development are addressed. With regard to the legal dimension, the choice of domain and the representation of both knowledge and data are considered. On the technological dimension, the selection of software development tools and problems associated with keeping knowledge and databases up-to-date are discussed. Finally, particular attention is paid to the 'Cinderella'

dimension of legal expert system development: the user interface.

Rationales for the Continued Development of Legal Expert Systems

John Zeleznikow & Daniel Hunter

This article looks at the development and enormous potential of legal expert systems and the problems which often arise due to a suspicious and ill-informed legal fraternity. Most lawyers find themselves uncomfortable with machines generally, and computers specifically. They are used to writing, reading and analysing human problems and

have little contact with technology, except where it affects a client or can be used to improve the efficiency of their practices. It is not hard to see that in more advanced uses of computer technology lawyers still struggle to understand fundamental concepts. Such an example is Artificial Intelligence (AI) and Expert Systems (ES). This article seeks to address some of the misconceptions which the legal profession apparently has about AI and its application to the Law. The area of AI and Law has not been sufficiently explained to legal practitioners and academics, a situation which this article hopes to address, along with providing a useful overview of the field.

Journal of Law and Information Science

Information for Subscribers

Subscription and general enquiries to the Journal of Law and Information Science should be directed to:

The Managing Editor,
Journal of Law and Information Science, Faculty of Law, University of Tasmania, Hobart Tasmania

ph: (002) 202 073, fax: (002) 238 163

Draft Transcript Standard Release

A draft Standard for computerised transcripts is now being distributed nationally for comment by interested persons. The draft has been produced by a working group sponsored by the Queensland Society for Computers and the Law. Represented on the working group were Auscript, the State Reporting Bureau, the Association of Litigation Support Managers and the Society.

It was presented to the National Conference of Reporting Service in Hobart by Mayee Warren of the

New South Wales Branch of the ALSM in April and has now been circulated to members of the judiciary, professional bodies and other interested persons.

As anyone who has tried to use text retrieval software knows, the variety of transcript formats has been a serious inhibition on the use of computerised transcripts. It has been necessary to reconfigure software each time there is a change in layout or format. This process is time con-

suming and costly, but must be undertaken to maintain consistency with the printed page.

The adoption of a national standard will, it is hoped, overcome these problems.

Any readers who would like a copy of the draft and/or to forward their views should contact Liz Broderick, at Blake Dawson Waldron, on (02) 258 6410.