

Aspects of Privacy Law: Essays in Honour of John M. Sharp. Edited by DALE GIBSON. Toronto: Butterworths, 1981. 443 p. ISBN 0-409-83340-1. \$46.95.

This collection of essays is dedicated to the memory of John MacLaren Sharp, Director of the Legal Research Institute at the University of Manitoba, 1969-1973, and Chief Research Officer to the Manitoba Law Reform Commission. John Sharp died in 1976 at age 35. His death robbed Canada of a fine mind which had only begun to delve into the myriad issues involved in the subject of privacy law. He left uncompleted a project on privacy undertaken with the assistance of the Canadian Bar Association's Foundation for Legal Research. His colleagues at the University of Manitoba have carried the project to completion with the publication of this volume which includes contributions from leading privacy law scholars in Canada.

The essays range over a wide variety of topics. Included are pieces on the philosophical basis for personal privacy; the legal underpinnings of privacy law in Canada; various types of legislative protection; the federal Protection of Privacy Act (interception of private communications); particular privacy problems such as the confidentiality of medical records and appropriation of personality; and the interface between freedom of information legislation and the right to privacy. The choice of topics and structure of the book reflect, not surprisingly, an orientation to the legal scholar and professional. It is chocked full of case citations and legal argument which, at times, makes for tough sledding for the layman in search of an introductory treatment of the topic. This is not, however, a criticism of the volume itself, which, for the most part, is excellent, but rather a comment on the dearth of more general literature in Canada on the subject of personal privacy.

This book is a landmark effort in tackling the issue of privacy in this country. For that reason alone, despite the difficulty encountered in reading legal argument, it should be obligatory reading for all archivists. While *Aspects of Privacy Law* does not deal with all the privacy issues which are of interest to the archival community, it is a good place to start any consideration of the subject. Three essays are of particular interest. H. Patrick Glenn's "The Right to Privacy in Québec Law" discusses the question of public interest as it relates to the publication of personal information. The specific case involved a documentary film where an individual was filmed *au naturel* without his consent or knowledge. In another article, Dale Gibson discusses regulation of the "Personal Reporting Industry", including possible constraints on data collection and the question of obtaining consent from informants. The third piece is Ronald Coke's "Freedom of Information: Proposals, Prototypes and Prospects" which presents an overview of the legal basis for such legislation in a parliamentary system and its impact on privacy rights.

At present, archivists may look askance at privacy issues. Privacy, however, is rapidly attaining a political dimension as the information society becomes a reality. Individuals are becoming more and more insistent that they have some control over how information about themselves is stored, used and disclosed, regardless of whether it is held by public or private institutions. This insistence is manifesting itself in various pieces of privacy and data control legislation. In turn this legislation will have increasing impact on how and what archives can collect and how such information can be made available to researchers. In short, it involves archivists directly in problems associated with privacy law. *Aspects of Privacy Law* provides a base from which archivists can begin to appreciate both the complexities and pervasiveness of the subject of personal privacy.

Unfortunately at the exorbitant cost of \$46.95 this excellent volume will be found in libraries more often than on the reference shelf of individual readers.

Peter Gillis
Task Force on Privacy and Access
to Information
Treasury Board Canada