Institute for Law and the Web (ILAWS)

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Background

Information security is frequently labelled as being:

“the safeguarding of the confidentiality, integrity, and availability of information.”

The Internet provides unprecedented levels of availability, but the risks associated with this can weigh heavily on the confidentiality and integrity of that information.

This compromise leads to three key areas of legal and policy interest:

1. Data Protection, Privacy and Identity
2. Standardisation and Proactive Regulation
3. Liability, Responsibility and Redress

Technological developments and increased access to information continue to challenge the legal and policy issues that these areas raise. Information security is therefore the key element to creating and securing consumer welfare and trust.

Data Protection, Privacy and Identity

Information security is a key component and provider of privacy and the creation of online trust.

The issues presented by information handling continue to grow, in particular given the growth in “cloud” storage and processing, and the growing trend to distribute information across multiple end user devices.

Recognising the provisions that are needed to ensure the security of privacy (data protection laws and electronic signatures), as well as the technologies and standards that can provide this, is a central role of the law.

Standardisation and Regulation

Whilst the quality of information technology systems are an essential ingredient for safety and security, the frequency of data breach occurrences and system defects demonstrate that self-regulation within the software industry has failed.

Private (civil) law can help address wrongs within individual cases, whilst a more proactive method of regulation is necessary to ensure that sufficient standards are met.

Standardisation can therefore function as a proactive tool for regulation.

Public Health Analogy

Attempts to sit in the middle of these different elements and consider how optimal security could be achieved over the Internet as a whole.

Cyberspace is a complicated set of interrelated entities, much like real life. The actions of one can therefore have wide ranging consequences for others.

Appropriate levels of regulation, liability and standards are required for each group on the Internet.

Current Projects

ILAWS is dedicated to research in Information Technology law. Activities include the editorship of Computer Law and Security Review (Elsevier) and International Conference on Legal, Security, and Privacy Issues in IT Law (LSPI) www.lspi.net (International Association of IT Lawyers)

ILAWS is currently engaged in two key research projects covering identity and trust:

• Super Identity Project
  • http://www.southampton.ac.uk/superidentity/
• OPTET (Operational Trustworthiness Enabling Technologies)
  • FP7 research project