

SPECTRUM



Computers and the law

Pirates and buccaneers in computerdom

As computers become a part of everyday life, a body of law is evolving to protect the use of these devices. Although computers continue to develop and become more and more refined, they are still vulnerable to "break-ins" or illegal access. The law has attempted to keep

pace with these new developments in order to protect the information stored in computer databases.

Unauthorized Use of Computers

It is a serious criminal offence to gain the use of

a computer without proper authorization. To illegally gain access to a computer may result in a jail term of up to ten years. To fraudulently gain access to the University computer without paying for the time can result in legal prosecution as well as University disciplinary

action.

Copying Computer Programs

It is legal to copy a computer program only if it is to be used by the person who owns the original program. Such copying is permitted so

that the owner of the program can have a copy for back-up in case something happens to the original or in case he or she has to alter or modify the program to meet his or her needs. It is illegal to copy or "pirate programs for financial gain. When the person who has copied the program for his or her own use is no longer entitled to have lawful possession of the original program, he or she must also destroy the copy.

Mischief

Mischief is defined as the damage or destruction of property of another or rendering that property useless, inoperative or dangerous. It is possible to destroy or alter data stored on a computer so the Federal Government has made amendments to the Criminal Code to include mischief to computers. It is an offence to destroy or alter data or to obstruct, interfere or interrupt any person in lawful use of the data.

Mischief with regard to the use of computers is most commonly found in the form of the "computer virus". This problem occurs when alterations are made to the functioning of a computer system. These alterations may be of such a nature that they become progressively worse, and may be very difficult to correct. Mischief in the form of tampering with computers and data is a criminal offence which carries a maximum punishment of a ten-year jail term.

This column is intended to be used as a guide only. It is not meant to be a replacement for professional legal advice. If you require any additional legal advice or legal counselling, please contact a lawyer.



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