

## DEFINITION OF “PRIVACY” COMPETITION

The Law Commission received some interesting definitions of privacy in our Chocolate Fish Competition for the best definition. The winner of the competition was Wellington barrister Steven Price. His definition does not really tell us what privacy is. That is what is so clever about it. It was:

“Privacy is what people believe they have lost when they complain about their privacy being infringed.”

Other definitions received include the following:

- “I have a definition of “Privacy” for you, unfortunately because of privacy laws I am unable to divulge it to you.”
- “Privacy is a trusting relationship involving the users, operators, owner, and designer of a system. A system is said to offer privacy if its users trust that knowledge of their identities and activities will be revealed, or otherwise used, both competently and with a sense of fiduciary obligation, by the owners, operators, and other users of that system.”
- “Privacy is anything I don’t want others to know, except those others I choose or allow to know.”
- “A (qualified) right to be left alone.”
- “Privacy is the right to sell exclusive coverage of your birth, marriage, meltdown and/or funeral to the highest bidder.”
- “Privacy: is the act of exercising Private Rights. Private Rights are those things about yourself which do not affect others and which you want no one else to know about.”
- “A person’s ability to control or conceal data about themselves from other people.”

- “Privacy is a limited ability to determine who may know what things about you. The extent of privacy is influenced by the actions of the individual and the operation of the law. Individuals can increase their privacy by limiting the contact they have with the rest of the community or they may increase contact with the community and forgo some privacy. The law reduces and protects privacy. It requires the provision of information, often in order to trigger benefits (to legally drive, to receive accident compensation), and restricts the use of information provided. Once lost privacy cannot be regained, in many instances the passage of time will reduce the on-going harm arising from a loss of privacy.”
- “Privacy is an abstract idea with the properties of quicksilver, it moves rapidly and unpredictably. Often invoked, hardly ever defined, one person’s heartfelt claim of a loss of privacy is often matched to another’s claim to the right to know.”
- “Privacy is the last refuge of those with nothing worth knowing, by invoking privacy they can maintain the illusion there might be something there ...”
- “Privacy is the mechanism allowing people to go about their ordinary business free of unwanted and unreasonable attention and free of prurient interest that may cause actual cost or embarrassment, it is a means of protecting lawful interests and dignity.”
- “Privacy is an idea that should never be written about because every sentence written begets another ten, it is a law-drafters dream.”
- “Privacy is a loose construct enabling the flows of information necessary for social, commercial and governmental intercourse without everyone knowing or being able to know the business of everyone else or at least a fair chance that this will be true most of the time. It ranges from informal understandings with only moral force to legal obligations backed by the organs of the state.”
- “The right of citizens in a democratic society to decide to whom they reveal their personal information.”

A chocolate fish in an appropriate wrapping is being despatched to Steven Price.