

What are the legal, professional and ethical issues raised by this case study?

You should read the study carefully, and prepare in advance for the written examination. In the examination you will be asked to answer a number of short questions relevant to those issues. You should demonstrate that you are aware of the key issues and understand that you know where to go for further information or advice.

Students can take with them into the examination up to two single sheets of A4 paper with notes (hand written or typed), plus an annotated copy of the case study. You are not expected to be a lawyer, but you are expected to present clear arguments and point to relevant sources of information and legislation

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When second year law students Pat and Les got back to their shared apartment after lectures they were both flattered and a little surprised to notice two identical, individually addressed and hand delivered envelopes on the doormat containing a personal invitation to join the VIP list for free entry and a welcoming drink at Sampan a glitzy, up-market club which had recently opened in Bournemouth.

"It would be really good to go somewhere different for a change" said Pat, "and we can use that new luxury coach service I heard about through that mailing list we had joined to get a club discount card through Facebook." The card had arrived in the post just days after they had signed up for it. It had been a bit of a waste of time so far. All the offers were for clubs which were at least an hour's travel away, although they had said there would be coach shuttles in the future. Seemed like they had got that bit sorted now thought Pat, "I'll go online now and reserve us two seats".

Over in the CS labs, another second year, Chris, was just finishing off a software engineering coursework. As soon as that was handed in, and after this evening's Hampshire BCS meeting, there was another more exciting project to work on. Chris was a hard working undergrad who had taken out student membership of the BCS soon after joining the computer science degree course. The degree was accredited, and people had emphasised that being in the BCS would be important to a young professional.

Finances had been tight for Chris during the first year, so it had been really useful to pick up a contact for some programming work through an anonymous advert posted on the notice board in the school coffee room. Chris had been really pleased when Facebook released their API and had been playing around with ideas for a really neat application. So the work was ideal, the contact had described a fairly simple spec, had asked for some insights into what would appeal to university students, and then struck a very generous deal.

It was all very casual, nothing in writing, but the pay was quite good and as well as getting cash in hand payments from 'Mr Big' when they met at a local pub, there was an option of getting free travel and entry to some glitzy out of town night clubs once a month, although Chris really preferred the Dungeon in Bevois Valley. Chris had thought about asking 'Mr Big' a bit about his business but when they met had thought it better just to do the work and take the money. After all, it was only a simple application which let the application owner build contact lists by harvesting a small amount of information from people who agreed to the terms on conditions of the app. What was the harm in that?

According to 'Mr Big', it looked like the application was a real success, and now he wanted similar applications, but targeting different groups of people like stay at home mums and newly retired people who led active social lives. Well if that was what the customer wanted, thought Chris, its all good for experience, my CV and my bank balance.

Chris was not the only student to have their mind on their part-time work while finishing off some coursework ready for hand-in. Over in the Politics department, Jo was planning to do a little out of hours admin work for a business contact made via another an anonymous printed advert posted on the notice board in the school coffee room.

The tasks were quite simple, post adverts for club nights and late night travel deals on notice boards around the university, and about once a week print out invitations to events. At the same time, print off a load of labels, and then hand deliver the invitations to addresses in Portswood and Bevois Valley. Jo had noticed that the invitations were all to events out of Southampton, and it seemed a bit disloyal to the local clubs in one way, but then again, it was always good to go to a new venue, especially if it was particularly glitzy. Jo did not know how 'Mr Big' managed to get the mailing lists, but that was his business. After all there was nothing wrong with hard working students getting a chance to have a really good time.

It was all very casual, nothing in writing, but the pay seemed quite good, it covered an hourly rate, plus all the expenses, and each time they met 'Mr Big' handed over a new list on a memory stick as well as the cash in hand payment. There was an option of getting free travel and entry to any one of the clubs once a month. Last time they met he had mentioned that there might be more, new work but targeting new audiences with different products. Something about daytime events on a similar model for newly retired people and stay at home mums. Maybe that new laptop was going to be a reality...

Along the south coast various club owners had been particularly impressed by a new marketing contact (actually 'Mr Big') who had approached them directly and offered a package deal on publicity. As well as the usual flyers, this person was offering a 'gold standard' service selling them the use of mailing lists targeting high spending students in neighbouring university towns. He had a network of students who distributed his publicity, and delivered personal invitations for key events. The club owners weren't sure where he got the lists, didn't really need to know, what was important was that it seemed to be working. Numbers were up, takings too, He seemed very full of himself, said business was going well, and he was looking to expand and target new audiences, but had promised them that they were his most important clients. Maybe he was a bit of a 'wide boy', a flashy dresser with lots of talk, but he delivered.

A few weeks later Chris was in the bar having a drink with a couple of mates and overheard some posh law students telling a tale of woe. They had received this free invite to a really glitzy club in Bournemouth, drinks of arrival, top VIP list entry. It had been a brilliant evening, no worries about transport because of the new night time shuttle they had booked through Facebook, but when they had got back to their apartment, the place had been burgled, they had lost money, jewellery, their cameras, laptops, iPods, a new plasma TV and Bose sound system plus their cash cards and credit cards which they had carefully left behind because they thought it was safer only to take cash to the club. They started talking about the legal issues.