

Call for Submissions to the *University of New South Wales Law Journal* Issue 37(2):

### **Communications Surveillance, Big Data and the Law**

The *UNSW Law Journal* is currently welcoming submissions for Issue 37(2). The issue will comprise both a general component and thematic component. The topic for the thematic component is: ‘Communications Surveillance, Big Data and the Law’.

Surveillance regulation and practices has been drawn into the spotlight in the aftermath of Edward Snowden’s revelations about the extent of the US National Security Agency’s secret collection and access of communication records and data. The global furore and responses highlight the various areas of legal policy and the competing stakeholder interests affected by surveillance. Related to this is the use of big data analytics on surveillance material in conjunction with other data sets to reveal hidden behavioural patterns and intentions.

Accordingly, submissions may critically address any legal implications associated with hackers, corporations, and/or governments collecting, retaining, or using people’s communications, including the metadata. Comparative and interdisciplinary approaches are also welcome, provided they adopt a primarily legal focus. This topic is by design open-ended. Authors may wish to consider, but are not limited to, issues such as:

- the need to review or reform existing legislation and practices to address the threats and challenges of communications surveillance in the digital age;
- mass surveillance in the terrorism context;
- how the ad hoc practices of global communications surveillance and sharing arrangements could and should be internationally regulated;
- the effects a Bill of Rights or Charter of Rights might have on regulating or curtailing communications surveillance;
- cloud computing and confidentiality, such as how confidential is confidential information sent to the cloud;
- the infringement of the rights to freedom of expression, opinion, and privacy and the indirect risks posed to democracy arising from state surveillance;
- the conflict between privacy, security, and confidentiality laws based on consent with big data ideas;
- the legal challenges to the viable continuation of anonymous internet communications;
- the interaction of antidiscrimination laws with the practical implementation of big data analytics;
- the imposition of mandatory data retention over telecommunication records;
- the data access and security issues that arise from data retention;

- the intelligence/evidence continuum in criminal investigation and prosecution;
- the admissibility of surveillance material in criminal and civil proceedings;
- the implications for fair trials and the protection of defendants' rights;
- the monitoring of welfare recipients;
- the consequences arising from social media providers changing their terms of use; and
- the tension between state surveillance, regulation and censorship.

The submission deadline for the thematic component of Issue 37(2) is 15 March 2014. Publication is set for the third quarter of 2014. In addition to submissions exploring the matters of the thematic component, authors are welcome to submit on any topic for the general component. Any changes to these deadlines will be indicated on the website at <http://www.unswlawjournal.unsw.edu.au/>.

To be considered for publication, articles must be between 7000 and 12 000 words in length (excluding footnotes). The style guide for the *Journal* is the third edition of the Australian Guide to Legal Citation, available online at <http://www.law.unimelb.edu.au/files/dmfile/FinalOnlinePDF-2012Reprint.pdf>, as supplemented by the *Journal's* 'Additions', available at <http://bit.ly/GzFMHq>.

The *Journal* is an independent, peer reviewed publication. Although all submissions received are subject to rigorous peer review, decisions as to publication remain at the discretion of the Editor, in council with the Executive Committee of the *Journal*. Please also note that the *Journal* does not accept articles that have been or will be published elsewhere, either in identical or substantially similar form. If articles are posted on online repositories, such as SSRN, they should be removed at the time of submission to ensure the anonymity of the peer review process.

If you are interested in or have any queries about submitting an article for Issue 37(2), please contact the *Journal* at [law.journal@unsw.edu.au](mailto:law.journal@unsw.edu.au). It would be greatly appreciated if you could give some early indication of your proposed topic or area of research, if you do intend to submit an article. If you are aware of a colleague producing original research in this field, please feel free to pass on this call.

Yours sincerely,

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Issue Editor 37(2)

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