



# Computer Law & The International Journal of Technology Law and Practice Security Review

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# Computer Law and Security Review – The International Journal of Technology Law and Practice

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# Computer Law and Security Review – The International Journal of Technology Law and Practice

**Editorial January 2009**

## Ring in the changes – a quarter century of CLSR

This issue of the journal marks the start of my 25th year as Editor that, when launched in 1985, did not induce much expectation that in 2009 I would still be at the helm of a publication now read in more than 90 countries. The fact that this is true is due primarily to the quality of contributions built up over the years from both the academic and practitioner communities and the global links with authors that I have been privileged to establish over this long period. In both sectors some outstanding scholarship exists that has contributed to the development of the subject and to the growing and relevant field of law that it is today. When the journal commenced in the mid 1980's I was both editor and co-creator of the publishing company that produced it. It was at a time when the subject area was still struggling to find its definition. Certain computer law related issues had appeared, for example, within the areas of intellectual property, data protection and so-called 'computer crime', but the subject as a whole was still rooted in the concept that it was nothing more than a 'Law and' subject; in this case 'Law and Computers'. Some academic snobbery also existed at that time and I still remain unsure of the exact moment when 'Law and Computers' became 'Computer Law' and the inherent recognition, in that transposition of the words, that it was now a field of law in its own right.

From that tentative start came some rudimentary jurisprudence and harmonisation of law within the European Union and out of that, and the exploitation of information technology, the digital economy and ultimately the expansion of the Internet into all our lives. The result today is the ubiquitous computer that can be found in more places than we probably know or care to imagine. Computer Law therefore remains just as valid a name to define the subject area as any other fashionable title that may come and go over time. Not everything has been swallowed up yet within the nomenclature of 'Internet Law'.

I am delighted that **The Computer Law and Security Report** has been ever present over this formative period as the subject developed and that it has made the contribution that it has. I am equally proud of the fact that Elsevier Ltd has been the publisher since 1991. This association with what is now the world's largest online legal publisher has enabled **CLSR** to be placed in all its 24 volumes online within the Scencedirect database and consequently made available to more than 17 million potential readers. Scencedirect is a powerful online resource and **CLSR** has benefitted to the tune of more than 50,000 downloads of its papers in the first half of 2008 alone.

So now to the changes. Some months ago I decided, in consultation with the publisher, that a full scale review of the journal, its image, content and position in the field was necessary. As an academic in a major UK university, with academic responsibility in my School for research quality and profile, I have been acutely aware of the 'revolution' taking place in the legal publishing world in which the academic quality and reputation of the individual publication is crucial to attracting the best material and ergo securing the reputation of both the author and, where this applies, the employing School or University. Many parts of the legal academic world are now looking at journal rankings to determine which are the leading journals in their respective fields and it is to these publications that the best writing will be drawn, as required by the Research Councils that often fund the research. Driven by these trends I felt that it was time that the title of the journal reflected its status – hence the new title – '**Computer Law and Security Review – The International Journal of**



**Technology Law and Practice**'. No one who has yet to come across the publication in hard copy or online, or who has yet to investigate the robust peer review arrangements now in place, will ever again likely observe the title and construe from it that it is some sort of newsletter! Replacing the word 'Report' for 'Review' is critical to quelling any such misunderstandings, while retaining the global recognition of the acronym '**CLSR**' as the brand leader in its field.

I also recommended to Elsevier that, since the new title by definition prohibited the continued existence of a 'Report' Correspondents Panel, it was incumbent upon me to disband that group. Having done so I decided the correct approach would be to form an Editorial Board and Professional Board as separate entities, each with their own respective responsibilities for those parts of the legal community that they represent. The Editorial Board will additionally fulfil the primary role of directing the journal in its overall development and direction. I am delighted that some of the leading academics and practitioners in the field have consented to participate as members of the two new boards. My thanks of course go to all those who, in some cases over many years, faithfully served in their capacities as Report Correspondents and are no longer involved..

To mark these developments a change of cover was also called for and I am very pleased with the new design that now fronts the journal. It is the fifth such cover change in its history. Attention has also been paid to rights issues and the growing need for authors to be free to place their published work on pre-print servers and employer's websites. Elsevier has always taken a supportive position on this and to the fundamental need for knowledge transfer, so it will be clear to any potential author when he/she visits the **CLSR** website that this is both supported and provided for in the copyright licence and broader policies relating to their intellectual property. This ensures wider access while, at the same time, offering authors the opportunity to publish in a high quality peer reviewed publication and fast-tracked via the powerful resources of ScienceDirect straight to a global audience.

Evidence of the success of **CLSR** in its strategy and development is currently demonstrated by the provisional A grade achieved by **CLSR** in the Council of Australian Law Dean's 2008 ranking exercise of more than 1400 legal journals worldwide. **CLSR** has been provisionally placed in the top 5%-20% of publications alongside, for example, the US based Technology Law journals emanating from University of California, Berkeley and Harvard University. This is very good news. Based on this success, and in order to facilitate more space for submission of quality papers, I have also decided, after 24 years, to end the **CLSR** Briefing column of news and comment on recent developments from around the world. Faster and more detailed sources of regular UK news and comment are now available, so I am pleased to report that from 2009 **CLSR** will place a link on its website to one of these, viz. the OUT-LAW legal news site, dealing with IT and eCommerce issues, produced by the international law firm Pinsent Masons LLP. This will now add online access to such news material in support of the three ongoing columns representing the backbone of **CLSR** news reporting – EU update by Baker & McKenzie LLP, European national news by Herbert Smith LLP and Pacific Rim news by Lovells LLP.

So, accommodating all these changes, **CLSR** embarks upon its second quarter century with a special celebratory issue of the journal in which papers have been especially commissioned to explore the theme of privacy, data protection and information policy in an online world. Some excellent contributions have been submitted from authors located in all the key domains from which **CLSR** attracts its material. Here's to the future and the next quarter century!



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## Guide for Authors

The **Computer Law and Security Review (CLSR)** [www.elsevier.com/locate/clsr](http://www.elsevier.com/locate/clsr) is an international journal of technology law and practice providing a major platform for publication of high quality research, policy and legal analysis within the field of IT law and computer security. Published six times a year the journal provides a robust peer reviewed medium and policy forum for dissemination of knowledge and discussion, supported by a powerful Editorial and Professional Board and an editor of more than 25 years specialist experience in the field.

**CLSR** is provisionally ranked A in the 2009 Council of Australian Law Deans ‘Excellence for Research in Australia’ rankings of more than 1,400 law journals worldwide. Approximately 3% of journals were ranked A\* followed by a further 11% in the A category. The criterion for acceptance in Tier A requires the majority of papers to be of “very high quality” likely to “enhance the author’s standing, showing that they have real engagement with the global research community and that they have something to say about problems of some significance”. No other technology law journal from Europe has achieved this status, placing CLSR on a par with similar journals from Harvard University and UC Berkeley, USA.

**CLSR** is accessible to a wide range of academics, researchers, libraries and organisations in the public and private sectors as well as professional legal and IT practitioners and businesses in more than 90 countries. It is available on ScienceDirect [www.sciencedirect.com](http://www.sciencedirect.com), the world’s foremost provider of electronic scientific information available to more than 17 million subscribers

Its authors come from leading academics, international specialists and early career researchers from many of the most renowned research centres and universities in the world. Contributors are also located in the major international law firms, specialising in technology law, who provide essential comment and analysis built upon widespread experience of applying IT law in practice. **CLSR** further welcomes policy analysis from legal specialists, the judiciary, professional and business organisations operating in IT and from those with regulatory responsibilities for information and communications technology from both the public and private sectors.

**CLSR** publishes refereed academic and practitioner papers on topics such as Web 2.0, IT security, Identity management, ID cards, RFID, interference with privacy, Internet law, telecoms regulation, online broadcasting, intellectual property, software law, e-commerce, outsourcing, data protection, EU policy, freedom of information, computer security and many other topics. In addition it provides a regular update on European Union developments, national news from more than 20 jurisdictions in both Europe and the Pacific Rim.

Original ideas may be discussed in advance with the editor to clear the ground for a submission. All papers are then peer reviewed by relevant experts and feedback given whether or not a paper is accepted or returned for further work. There is no usual length for a paper although submissions will normally be between 6,000-12,000 words. Papers of a higher word length may also be submitted subject to negotiation with the editor. This may involve splitting the paper into two parts when necessary. Opinion pieces concerning policy, legislation or case law of a minimum of 2000 words and upwards will also be considered. The editor's policy, however, is to try and accommodate contributions of all sizes above the minimum threshold where length is dictated by the needs of the subject matter.



Papers should be submitted in Times Roman “11” and single spaced with an abstract of 100-150 words, keywords and the author’s email address and affiliation. Main headings and sub-headings should be numbered e.g. 1.; 1.1. ; & 1.1.1. respectively. Figures, photographs and tables should be supplied separately. Figures should be good resolution computer-generated graphics or clearly printed black and white line drawings. Technical terms which may be unknown to parts of the readership should be clearly explained.

References or endnotes, rather than footnotes, should be provided. Endnotes should be numbered consecutively and should contain full details of sources – author, title of publication, name of publisher, place, date etc. In the case of articles the title, volume and page number of the journal should be supplied. All cases must be fully cited.

The submission of a paper for peer review will imply that the author(s) have not already submitted the article to another publication or widely published in that form elsewhere. Any issues raised by this can be discussed with the editor at the time of submission. Papers should be submitted, in Word format either direct to the Editor at [s.j.saxby@soton.ac.uk](mailto:s.j.saxby@soton.ac.uk) or via the Elsevier Editorial System website at <http://ees.elsevier.com/clsr/>. Older versions of Acrobat PDF files should not be sent as this format does not permit addition of comments during peer review or editing in preparation for publication. The editor will endeavour to complete peer review process within a period of two to three weeks. Further information about peer review processes is available from the **CLSR** website. Once accepted the publisher will supply the author with a licence for approval. It should be understood that Elsevier supports open access for authors’ material including placement on electronic pre-print servers. See further: <http://libraryconnect.elsevier.com/lcp/0402/lcp0402.pdf>

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