

# LAWS90028 Privacy and Regulation of Surveillance

<b>Credit Points:</b>	12.5
<b>Level:</b>	9 (Graduate/Postgraduate)
<b>Dates &amp; Locations:</b>	2015, Parkville This subject commences in the following study period/s: March, Parkville - Taught on campus.
<b>Time Commitment:</b>	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: The pre-teaching period commences four weeks before the subject commencement date. From this time, students are expected to access and review the Reading Guide that will be available from the LMS subject page and the subject materials provided by the subject coordinator, which will be available from Melbourne Law School. Refer to the Reading Guide for confirmation of which resources need to be read and what other preparation is required before the teaching period commences.
<b>Prerequisites:</b>	None
<b>Corequisites:</b>	None
<b>Recommended Background Knowledge:</b>	Applicants without legal qualifications should note that subjects are offered in the discipline of law at an advanced graduate level. While every effort will be made to meet the needs of students trained in other fields, concessions will not be made in the general level of instruction or assessment. Most subjects assume the knowledge usually acquired in a degree in law (LLB, JD or equivalent). Applicants should note that admission to some subjects in the Melbourne Law Masters will be dependent upon the individual applicant's educational background and professional experience.
<b>Non Allowed Subjects:</b>	None
<b>Core Participation Requirements:</b>	The Melbourne Law Masters welcomes applications from students with disabilities. The inherent academic requirements for study in the Melbourne Law Masters are: The ability to attend a minimum of 75% of classes and actively engage in the analysis and critique of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and to critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact the Disability Liaison Unit: <a href="http://www.services.unimelb.edu.au/disability/">www.services.unimelb.edu.au/disability/</a>
<b>Contact:</b>	For more information: Email: <a href="mailto:law-masters@unimelb.edu.au">law-masters@unimelb.edu.au</a> ( <a href="mailto:law-masters@unimelb.edu.au">mailto:law-masters@unimelb.edu.au</a> ) Phone: +61 3 8344 6190 Website: <a href="http://www.law.unimelb.edu.au/masters">www.law.unimelb.edu.au/masters</a> ( <a href="http://www.law.unimelb.edu.au/masters">http://www.law.unimelb.edu.au/masters</a> )
<b>Subject Overview:</b>	This subject examines the relationship between surveillance and privacy, with a particular focus on the challenge of regulating new surveillance technologies and protecting informational privacy. Beginning with a brief overview of the history of identification and mass surveillance (such as census-taking, record-keeping, as well as passports and identify cards), the subject focuses on how the law in countries such as the Australia, the UK and the US has been used to protect privacy rights and restrict the use of overly intrusive surveillance techniques by the state and private sector.  Principal topics include: <ul style="list-style-type: none"> <li># An overview of the history of surveillance, with a particular focus on the relationship between state surveillance and governance</li> <li># A detailed examination of different conceptions and justifications of individual privacy (including a critical analysis of the idea that there should be a free-standing right to privacy)</li> </ul>

	<ul style="list-style-type: none"> <li># A critical examination of how various forms of state and private sector surveillance are regulated in Australia, the UK, and the US</li> <li># A close examination of the regulatory challenge posed by emerging surveillance technologies, including various forms of biometric surveillance, data mining, and communications interception</li> <li># Discussion and debate about the legal and philosophical limits of privacy, focusing on such questions as whether there should be a right to privacy in public spaces or a general right to online anonymity</li> <li># A critical examination of the prospects for law reform in the areas of surveillance and privacy in Australia, the UK, and the US.</li> </ul>
<b>Learning Outcomes:</b>	<p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> <li># Have an advanced understanding of the history of surveillance, and critical appreciation of the sociological, and political relationship between surveillance and individual privacy</li> <li># Have an advanced understanding of how privacy has been legally framed and understood in Australia, the UK, and the US</li> <li># Have a sophisticated appreciation of the challenges posed by new surveillance technologies to traditional legal conceptions of privacy</li> <li># Have a detailed understanding of the legal regimes for the regulation of state and private sector surveillance in Australia, the UK, and the US</li> <li># Be able to critically examine, analyse, interpret and assess the different approaches to the regulation and restriction of surveillance in Australia, the UK, and the US</li> <li># Have the cognitive and technical skills to independently examine, research and analyse existing and emerging legal issues relating to surveillance and privacy</li> <li># Have the communication skills to clearly articulate and convey complex information regarding the relationship between surveillance and privacy to relevant specialist and non-specialist audiences.</li> </ul>
<b>Assessment:</b>	10,000 word research paper (100%) (17 June) on a topic approved by the subject coordinator
<b>Prescribed Texts:</b>	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Details regarding any prescribed texts will be provided prior to the commencement of the subject.
<b>Breadth Options:</b>	This subject is not available as a breadth subject.
<b>Fees Information:</b>	Subject EFTSL, Level, Discipline & Census Date, <a href="http://enrolment.unimelb.edu.au/fees">http://enrolment.unimelb.edu.au/fees</a>
<b>Links to further information:</b>	<a href="http://www.law.unimelb.edu.au/subject/LAWS90028/2015">www.law.unimelb.edu.au/subject/LAWS90028/2015</a>
<b>Notes:</b>	This subject has a quota of 30 students. Please refer to the website <a href="http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format">www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format</a> ( <a href="http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format">http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format</a> ) for further information about the management of subject quotas and waitlists.