

e-Portfolio Activity 1: What is Law?

Learning Outcomes

- Explore the challenges and opportunities of regulating and policing cyberspace.

Part 1

Skim read through Zeno-Zencovich's book; focus on the conclusion. When finished reading, consider whether Zeno-Zencovich convinced you of his argument. In particular, reflect on whether the approach of eliminating the conceptual distinction between legal systems can aid prevention and apprehension of cyber harm?

When considering (Gearty, 2019) we understand that law is fundamental to society thriving and allowing functionality. He continues that in a time whereby technology and personalities seem to guide or manipulate order in society, the literal words of law has tested time and still managed to adopt people to follow authority. The majority of nations use law to control people and protect people from harm. Law can be interpreted in many ways and loopholes which people should be aware of but (Gearty, 2019) celebrates the power of law for the good of society and not bear authoritative rule.

(Zeno-Zencovich, 2017) provides a multi-faceted perspective of eliminating the conceptual distinction between legal systems. The functioning of legal systems has become so complex that they are not only accustomed to society and the economy but driven to develop technological developments. Which leads us to consider can cyber harm be prevented or apprehended. As knowledge is developed

in the technological aspects of society, common terminology can be used providing a common language to spread across the community.

With the internet penetration rate rising, more people can support a knowledge of acting with preventable measures to stop cyber harm. Law is important as (Gearty, 2019) suggests however (Zeno-Zencovich, 2017) argues that social norms are governance rather than just authoritative commands. These social norms can ignore national or state boundaries and develop stronger ties internationally. From here regulations could be set to support apprehension of cyber harm by using an international social policy.

Part 2

In the UK, the government are addressing these issues but protecting data through UK GDPR, PECR and DPA (Department for Digital Culture Media and Sport., 2022). The National Cyber Strategy is aimed at creating a more resilient nation to be better prepared against cyber harm through an improved ecosystem, prosperous digital economy, developed cyber infrastructure, open and secure international order and disrupting and deterring adversaries (UK Cabinet Office, 2022). (Byrne and Marx, 2011) suggest the combination of hard and soft technology can support in mitigation of cyber harm.

Typical hard technology of physical crime prevention methods would be supported by threat assessments, facial recognition, communication monitoring and crime mapping of soft technology. This approach would lead to technology led policing and

in some respects technology has led society. Therefore law is necessary in society however society must adapt to understanding controllable factors in cyber policies to support the minimisation of cyber harm.

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<https://www.thebritishacademy.ac.uk/blog/what-is-law/> [Accessed 25 April 2019 2022].

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