



Call for Submissions to the *University of New South Wales Law Journal* Issue 41(3)

‘Vulnerability and the Law’

The *UNSW Law Journal* is currently welcoming submissions for Issue 41(3). In accordance with our new publication structure, this Issue will only contain a thematic component. This Issue’s theme is ‘Vulnerability and the Law’.

One of the primary responsibilities of the law is to protect and defend the vulnerable. It is therefore unsurprising that the topic of vulnerability intersects with both international and domestic law in a broad range of areas, from discrimination law, criminal law, equity’s focus on unconscionable conduct and administrative law and its interactions with immigration and welfare recipients, to ethics and theoretical concepts including issues of access to justice.

The topic of vulnerability is a particularly significant one at the present time given the number of current or recently-completed governmental and law reform commission inquiries into issues related to vulnerability. These include the Royal Commissions into Institutional Responses to Child Sexual Abuse and the Protection and Detention of Children in the Northern Territory, Commonwealth parliamentary inquiries into whistleblower protections and establishing a modern slavery Act, the Australian Law Reform Commission’s investigations into incarceration rates of Aboriginal and Torres Strait Islander peoples and elder abuse, and other law reform reviews of the *Guardianship Act 1987* (NSW) and legislative discrimination on the grounds of sexual orientation, gender identity or intersex status.

In light of this, the *Journal* invites contributions that explore the interaction between vulnerability and the law. There are three main aspects to this thematic, the first taking a more theoretical approach to the topic of vulnerability, and the second and third focusing more on the practical application of the law.

First, the *Journal* invites submissions to consider how the law defines vulnerability. Authors may wish to consider, but are not limited to, addressing such issues as:

- the degree of uniformity (if any) in how vulnerability is considered across disparate areas of law;
- how the law does or should address intersectional experiences of disadvantage;
- to what extent defining groups as vulnerable is helpful to those groups;
- the legal notion of capacity;
- comparison of the merits of models of vulnerability, for example the impacts of social as opposed to medical models of disability being used in legislation;
- consideration of who should have the responsibility to protect various vulnerable groups; and

- the history of vulnerability in law.

Secondly, articles may consider how the law does or should protect those it has classified as vulnerable. Authors may wish to consider, but are not limited to, issues such as:

- the policy balance between paternalism and care;
- the *parens patriae* jurisdiction of courts;
- guardianships and powers of attorney;
- the effectiveness of inquiries, commissions and law reform in addressing vulnerability, for example, an evaluation of the impact of the *Mental Health (Forensic Provisions) Amendment Act 2013* (NSW), or the implementation of ‘children’s champions’ in child sexual assault cases;
- previously under-addressed areas of vulnerability, including the issues of elder abuse or adolescent family violence;
- the operation of section 18C of the *Racial Discrimination Act 1975* (Cth);
- developing issues in bioethics.

Thirdly, the *Journal* invites submissions that consider how the law also operates to exacerbate circumstances of vulnerability or marginalisation. Submissions could address, but would not be limited to, issues such as:

- impacts of broader policies or particular laws on vulnerable groups;
- the effects of certain policies around drug use;
- the impact of automated Centrelink debts;
- revisiting the impacts of Australian and international refugee law; and
- issues with access to justice and the complexity of the justice system.

The submission deadline for the thematic Issue 41(3) is **1 March 2018**. Publication of Issue 41(3) is set for late September 2018. The *Journal* also accepts submissions on any topic for our general Issues. Submissions for the general component will be considered on a rolling basis, and will be published in a forthcoming Issue of the *Journal*. Any changes to these deadlines will be indicated on the *Journal*’s [website](#).

The *Journal* is also now accepting submissions for a new, entirely online publication due to launch in October 2017 – the *UNSW Law Journal Forum*. The *Forum* aims to promote discussion and debate by publishing short, scholarly pieces that make a timely contribution to legal scholarship in Australia. Such pieces could include essays, case comments, legislation comments, article responses, book reviews, and audio-visual recordings. The *Forum* is not a blog and will be subject to peer review and the same rigorous editing process as articles published in our print publication. Pieces accepted for publication will be hosted on the *Journal*’s redesigned website, as well as being available on all the major databases that currently host articles published in the *UNSW Law Journal*. Detailed information about the *Forum*, accepted submission formats, editing and the publication process is available online at the *UNSW Law Journal* [website](#).

Articles for the print publication of the *Journal* must be between 7000 and 13 000 words in length (excluding footnotes). Pieces for the *Forum* must be less than 5000 words or 30 minutes in length. The style guide for the *Journal* is the current edition of the *Australian Guide to Legal Citation*, available [online](#), and as supplemented by the

latest edition of the *Journal*'s '[Additions](#)'.

The *Journal* is an independent, peer-reviewed publication. Although all submissions received are subject to peer review, decisions as to publication remain at the discretion of the Editor, in council with the Executive Committee of the *Journal*.

The *Journal* does not publish 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 for Issue 41(3), please contact the *Journal* at law.journal@unsw.edu.au. If you intend to submit an article, it would be greatly appreciated if you could provide some early indication of your proposed topic or area of research. We strongly encourage you to pass on this call for submissions to any colleagues, research network or organisations who may be interested in making a submission.

Yours sincerely,

Veronica Sebesfi
Editor, Issue 41(3)

3 October 2017