

Editorial

Welcome to the second issue of 2018 of the European Journal of Law and Technology. In this issue we present two original research articles, followed by an insightful commentary and a book review.

The impact of digital metrics on the measurement of the quantity and quality of research is a relatively new phenomenon. But as is the case with many aspects of the introduction of digital methods to traditional analogue activities, not just the process but the nature of the activity changes significantly. Digital calls into question what we mean by 'impact'; 'measurement' is transformed; and both measurement and impact affect quantity and quality of research. Kees van Noortwijk's article on assessing the impact of legal publications discusses the part that 'content integration technology' can play in the automatic collection of citation data. Focusing on how legal publications in the Netherlands may be 'ranked', it provides an interesting perspective on the debates between more conventional bibliometrics, evaluative altmetrics and attempts to re-conceptualise the basis of both measurement and evaluations.

Van Noortwijk's article has implications for all of us writing and researching in the field of digital innovation, indeed in any research field. As several of us observed recently, corporate publishers are investing in tools that will metricise research output.^[1] Their intent is to sell tools for the capture and metricisation of the entire research lifecycle, and make it easier for research managers and institutions to track publications (and of course academic output). But as Charles Goodhart observed, when the results of measurement are adopted as goals to alter behaviour, such behaviour alteration affects the results of measurement. What we measure, how we measure it, and what we do with the results of those measurements are subjects of critical importance to society.

In our next article, Jingze Li has addressed the ever controversial topic of open source software and the link to standards setting. One of the main challenges raised is how to include open source software into such standards, when open source software often involves new ideas and concepts that can challenge existing standards. She proposes that standard setting organisations could change existing rules to design models that are more open to incorporating open source software. As Li argues, the interaction between open source software and standard setting also challenges the current IPR framework as applies by those organisations. Standard setting, with the references to IPR, poses a stable base which open source software can challenge. However, it is important that

standards do not stymie innovation, and to this end, the inclusion of standards that can work with new innovative open source software is something to be welcomed.

Andrew Cormack critiques the European Commission's draft e-Privacy Regulation and points out the problems it presents in the context of the role of network and information security in protecting personal data. Where personal data are held on networked computers such processes will depend on monitoring logfiles and network traffic. Cormack points out the potential inconsistency with the GDPR whereby organisations will be required to process data that is necessary for network and information security, whereas the draft e-Privacy Regulation would potentially mean that this would become unlawful or organisations other than network operators.

Finally, David Mangan offers a meticulous review of Daithi Mac Sithigh's book, *Medium Law*. We will include more book reviews in the next issue.

We hope you enjoy reading this issue. The editors would like to thank all the authors and reviewers for their contribution to this issue and, needless to say, our readers for supporting the work of the EJLT.

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[1] <http://paulmaharg.com/2018/11/29/no-entry-open-access-to-law-journals-and-case-law/>