



# UCL

# UCL CENTRE FOR ETHICS & LAW ANNUAL REPORT 2020/21





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## The UCL Centre for Ethics and Law

The Centre works at the interface between law and ethics. Its members are particularly interested in the relationships between ethics and the professions; law, ethics and business; innovation, technology and ethics and ethics and risk. Our work draws on law, philosophy, psychology and practice. In doing this we bring together academics, policy makers, practitioners and business leaders to discuss ethical dilemmas in business and professional life. It is through teaching, research and publications we provide thought leadership.

## Introduction

**This note sets out some of the activities of the Centre in the latter half of 2020 and first five months of 2021.**

**Clearly, the Centre, like everyone, has faced challenges during the course of the current pandemic. Nevertheless, it has continued with a programme of online meetings and seminars with Faculty staff still publishing material relevant to the Centre and its work.**

## Our Sponsors and Advisory Board

**As ever, we are especially grateful to our sponsors: BAE Systems, Norton Rose Fulbright.**

**And special thanks are due to our Advisory Board members for their advice and support:**

**Joanna Talbot,**  
Chief Counsel, Compliance and Regulation,  
BAE Systems plc

**Patrick Bourke,**  
Partner, Norton Rose Fulbright LLP

**Dr Danae Azaria,**  
Associate Professor UCL

**David Barr,**  
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**Professor Barnali Choudhury,**  
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**Dr Anna Donovan,**  
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and Professor in Laws, UCL

**Mark Serföző,**  
General Counsel & Company Secretary,  
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**Professor Kevin Toh,**  
Professor of Philosophy of Law, UCL

**Dr Michael Veale,**  
Lecturer in Digital Rights and Regulation, UCL

**Professor Hse-Yu (Iris) Chiu,**  
Director of the Centre for Ethics and Law, UCL

**Dr Alan Brener,**  
Lecturer (Teaching) and Deputy Director  
of the Centre for Ethics and Law, UCL

**We also thank our Honorary Associates  
for working with us in our research and  
public engagement:**

**Paul Gilbert,**  
LBC Wise Counsel, LawBook Consulting Limited

**Maddalena Neglia,**  
FIDH and Visiting Associate, CEL

**Roger Barker,**  
Corporate Governance consultant, Governomics Ltd

**Anna Triponel,**  
Business and Human Rights consultant,  
Triponel Consulting Ltd

## Personnel and other Changes 2020/21

Professor Dame Hazel Genn QC, Professor of Socio-Legal Studies and former Dean of the Faculty of Laws, UCL has had to stand down from the Advisory Board following her appointment as UCL Vice-President (External Engagement & Advancement) and her recent appointment by the Lord Chancellor to the Expert and Advisory Panel for the Independent Review of Criminal Legal Aid.

HSBC have decided to end their sponsorship of the Centre following a number of business changes at the bank.

## Programme of Public and Stakeholder Engagement

The Centre continues to engage with a variety of projects in law and ethics, having a strong focus on business, finance, professional, law and governance issues, but also widening out to social ethics and criminal law as well. We continue to engage closely with the UCL Centre for Criminal Law, the UCL Centre for Access to Justice, the Global Governance Institute, external networks such as the Institute of Advanced Legal Studies, Centre for Banking and Financial Law, National University of Singapore, the Bar Association for Commerce, Finance and Industry. We maintained a programme of stakeholder engagement and public events in 2020-21 in spite of challenges from the ongoing restrictions.

The ongoing restrictions meant that our programme had to be offered entirely online. Our workshops, seminars and conferences continue to be marketed effectively by our Events Team who have an extensive corporate, practitioner and stakeholder mailing list. We observe increased numbers of registration and attendance at every event, perhaps indicating that online engagement is a welcome phenomenon.

Expenses for public and stakeholder engagement have also decreased substantially save for fixed overheads and administrative cost. There is also a more systematic way for the Events Team to collate event feedback. We have received positive feedback for popular and well-attended events such as the workshop on the Future of the Annual General Meeting for Companies held in September 2020.

**Our work streams are as follows:**

### **CORPORATE GOVERNANCE, TECHNOLOGY AND COMPLIANCE**

An important issue during the pandemic for many corporations was the change needed for the conduct of general meetings, a key forum for shareholders to exercise their corporate governance roles. Corporate reporting deadlines were postponed in order for companies to take stock of salient information, and while companies were asked to report fairly and transparently to shareholders, much uncertainty occasioned in relation to how material information was to be framed and conveyed. Further, many annual general meetings became a virtual affair. Some may regard the pandemic as providing a stimulus for annual general meetings to be updated by technology, yet others may query how consistent this is with the legal framework that enshrines procedural standards which are the norms of shareholder protection. The Centre invited a distinguished panel with representatives from International Corporate Governance Network, The Institute of Directors, practice and academia to discuss the Future of Annual General Meetings. This Panel Discussion, held on 22 September 2020 was attended by over 160 stakeholders, including the Financial Reporting Council.

The importance of technological changes in corporations has also been heightened during the pandemic. The Centre invited Professor Davide Ravassi, expert in technology and organizational change at the UCL School of Management to discuss the challenges and best practices of organisations faced with new technology choices. This lunchtime seminar held on 10 November 2020 was attended by over 40 stakeholders and Centre academic member Dr Michael Veale acted as discussant.

Professor Iris Chiu has also, in view of her expertise on emerging technologies and corporate governance, been appointed to act as co-Chair of the Working Group on Emerging Technologies and Corporations, set up under the auspices of the Institute of Directors Centre for Corporate Governance.

On the continuing importance of corporate compliance research to the Centre, we are proud to showcase Dr Alan Brener's newly published book on *Strategies for Compliance* (Routledge 2021). Alan also launched the book in his Double Book Launch event on 10 May 2021 which was well attended by just under 60 stakeholders from all over the world. Alan also spoke at The Bar Association for Commerce, Finance and Industry (BACFI) on 25 March 2021, on the role of the professional employee in business and the ethical issues posed. His talk included considering personal responsibility of employed lawyers for good corporate governance and ensuring that those that raise concerns

are heard and the problems they identify are acted upon.

Finally, under this work stream, we were pleased to have hosted Dr Radha Ivory, University of Queensland on 10 December 2020 to discuss a recent high profile empirical research and publication discussing settlements of foreign bribery cases. The paper considered how the international anti-corruption treaties had created an almost universal requirement that States sanction legal persons for the crime of foreign bribery. However, the vast majority of corporate foreign bribery cases are 'settled' between governments and firms. In her analysis of key anticorruption instruments and treaty body reports, it appears that there is a dearth of express rules on settlements in international law but there is a qualified implicit endorsement of domestic settlement laws and practices. Dr Ivory considered whether the international regime should move towards common standards for the use of settlements.



## TRANSPARENCY IN EXTRACTIVE INDUSTRIES

Following the CEL EITI Roundtable held at UCL Laws in 2018, which discussed significant progress on revenue transparency in the extractive industries and the challenges ahead, the 2016 EITI Standard, which outlines the requirements applicable to countries implementing the EITI as well as the EITI Articles of Association, has been revisited. The 2019 EITI Standard was published in March 2019, launched in June 2019 at the Paris Global Conference, and has been fully effective from 1 January 2021.

Feedback gathered from stakeholders has helped address ambiguities in the 2016 EITI Standard, introduce more clarity and reflect good practices in implementing countries. Furthermore, flexibility has been introduced to make implementation less burdensome and encourage countries to strengthen disclosures where it counts addressing national priorities. Key improvements are set out here below:

- Systematic disclosures. The 2019 EITI Standard requires more timely, reliable and regular disclosures. Changes also recognise the key role of the multi-stakeholder groups in ensuring that disclosures are in line with the 2019 EITI Standard and encourage companies to disclose annual financial statements.

- Project-level reporting. The 2019 EITI Standard requires the disclosure of disaggregated payment and revenue data to establish what the state receives from each individual extractive project.

- Contract transparency. EITI reporting should describe what contracts key to understanding the fiscal terms of a project and the revenues collected by the state exist and the government's policy and actual practice. Contracts entered into, signed or amended from 1 January 2021 are required to be made public. For work plans covering 2020, the multi-stakeholder groups are expected to include plans to disclose contracts.

- State-owned enterprises. While state-owned enterprises playing an important role in managing the state's natural resources are increasingly

'mainstreaming' disclosures and publishing information through websites or annual financial statements, the 2019 EITI Standard addresses recurring challenges and the lack of clarity of certain EITI Requirements. From now on disclosure will also apply to joint ventures between the state and state-owned enterprises and cover loan details such as repayment schedule and interest rate as well as audited financial statements.

- Sale of the state's share of oil, gas and minerals. Implementing countries, state-owned enterprises and third parties selling on behalf of the government are now covered. Volumes and values sold should be disaggregated by sales contract (rather than by buyer). Disclosures on (i) the process for selecting buyers, (ii) sales contracts and (iii) any buying companies payments to the state for commodity purchases are also encouraged.

The 2019 EITI Standard is available at: <https://eiti.org/document/eiti-standard-2019>.

Francisco de la Peña leads on this work for UCL's Centre for Ethics and Law.

## SUSTAINABLE FINANCE

One of the key reforms in EU financial law which is being considered in the UK for implementation is in the area of sustainable finance in capital markets. Attention is being placed on investment intermediaries in retail mainstream as well as alternative investment funds and insurance-linked investment funds to deploy capital allocation for sustainable purposes. Professor Iris Chiu has keen interest in these developments and has convened a joint conference between the Centre and the Centre for Banking and Financial Law, National University of Singapore on 16 April 2021 to discuss the regulatory developments in the EU, international comparisons and the growth of the sustainable finance in Asia-Pacific. This conference will culminate in a volume of papers to be published in autumn by the European Business Organisation's Law Review. Professor Chiu spent a period of research visit at the National University of Singapore between 1 to 23 April 2021.

## BOOK LAUNCHES AND HIGHLIGHTING RESEARCH ACHIEVEMENTS

The Centre has supported a number of book launches to celebrate academic members' publications this year. It is heartening that academic members of staff have where possible remained relentlessly productive. Dr Alan Brener anchored a double book launch on 10 May 2021. The publications are:

*Housing and Financial Stability: Mortgage Lending and Macroprudential Policy in the UK and US.* This book focuses on the lack of housing in the UK and a number of other countries, and the effect on people and the threat posed to financial stability.

*Strategies for Compliance: Tools, Techniques and Challenges in Financial Services.* This book looks at important aspects of compliance and corporate governance and the role of business ethics and culture, and the importance of whistleblowing in preventing and detecting harm at an early stage.

The launch was chaired by Professor Rosa Lastra, Sir John Lubbock Chair in Banking Law, Centre for Commercial Law Studies, Queen Mary University of London, and the speakers included Professor Iris Chiu and Dr Anat Keller at the Dickson Poon School of Law at King's College London.

Professor Iris Chiu has also published a couple of books this year, with a launch held on 24 June 2021 for the Routledge Handbook of Financial Technology and Law. This Handbook contains nearly 30 chapters from various leading commentators on the developments on fintech in credit, insurance, investment, advisory, trading and crypto-markets, and is jointly edited with Professor Gudula Deipenbrock at HTW Berlin.

The Centre also jointly hosted a book launch with the Institute of Advanced Legal Studies, University of London on 17 December 2020. We showcased a new book by Dr Federico Della Negra, European Central Bank, on the private enforcement of remedies in EU financial law. The critical lack of harmonised enforcement rights was discussed during the launch.

## JUSTICE AND ETHICS - INJUSTICES CAUSED TO SUB-POSTMASTERS AND CROWN OFFICE EMPLOYEES BY THE POST OFFICE

We continue to engage with issues of justice and ethics more widely, as is reflected in our work streams too in legal professional reforms and criminal legal aid reforms. The recent case involving sub-postmasters of the Post Office who have been falsely accused of embezzlement is led by a number of barristers, one of whom is a PhD candidate at UCL Faculty of Laws supervised by Professor Iris Chiu.

On 7 June 2021 the Centre for Ethics and Law held an online event on 'Justice for Sub-postmasters in the Post Office case: Lessons for Criminal Justice, Ethics and Corporate Control and Governance'. The importance of the issues raised by the deplorable actions of the Post Office to prosecute innocent sub-postmasters was evident in the passion and expertise of the panel of speakers and by the fact that almost four hundred people signed up to attend the event.

The facts, which have been widely reported, record actions by the Post Office being labelled by, among others, the Criminal Cases Review Commission, as 'an affront to the public conscience'.

The result is that over some twenty years several hundred sub-postmasters and Crown Office employees were wrongly convicted of theft and false accounting and many were imprisoned. Hundreds of thousands of pounds have been incorrectly and improperly taken by the Post Office from these individuals. The result is that many lives have been destroyed with a number of those falsely accused dying; one reportedly by their own hand.

Many of the facts came out in two sets of Parliamentary Select Committee hearings and two major court cases. The most recent of these was a Court of Appeal decision in April this year to quash the convictions of thirty-nine former Post Office workers. On 19 May, 2021, Paul Scully, a government minister, announced that there would be an independent inquiry under the provisions of the Inquiries Act 2005 under the chairmanship of Sir Wyn Williams.

The expert panelists, three of whom had provided pro bono representation in the recent court cases to former Post Office workers, gave their trenchant views and answered a range of questions provided by the audience. This included concerns expressed about the apparent poor corporate governance and culture at the Post Office. There was also criticism of the deleterious role of the Post Office as both an investigator and criminal prosecutor, since not only did the appellants not receive a fair trial based on IT evidence, but that it was also unfair to try them. The Post Office allegations were based on systematic errors pointing to fundamental issues with the computer systems, and the investigation and prosecution process.

Other speakers questioned the actions of Post Office general counsel and other in-house and external legal advisers, the position of ICL/Fujitsu, and separately, the sponsoring government department. Possible issues remain unresolved in relation to inadequacies in the risk assessment and reporting arrangements within the Post Office, and the role of its internal audit function. These are key questions underpinning the apparent defective culture and ethics within the Post Office, evidenced by, among other things, fundamental failings in the understanding of disclosure requirements in criminal cases.

More broadly the cases indicated an apparent lack of experience of judges and the corporate board in understanding technology and the use of computer sourced information as evidence in court.

The event has been recorded and is available to the public on the [Justice for Sub-postmasters in the Post Office case event page](#):

Further, a number of speakers have generously given us their speech texts and these are available here:

### Nick Gould's speech

<https://www.linkedin.com/pulse/law-lawyers-life-death-post-office-scandal-1999-2021-nick-gould/?trackingId=HKG7KUFyqgpjE0KKxgm9AQ%253D%253D>

### Paul Marshall's speech

<https://www.linkedin.com/in/paul-marshall-7626b6151/detail/recent-activity/shares/>

### Useful resources to consult regarding the case, see:

*Hamilton and ors. v Post Office Ltd* [2021] EWCA Crim 577. <https://www.bailii.org/ew/cases/EWCA/Crim/2021/577.html>

*Bates and ors. v Post Office Ltd ('Horizon Issues')* Rev 1 [2019] EWHC 3408 QB. <https://www.bailii.org/ew/cases/EWHC/QB/2019/3408.html>

*Bates and ors. v Post Office Ltd ('Common Issues')* [2019] EWHC 606 QB. <https://www.bailii.org/ew/cases/EWHC/QB/2019/606.html>

*Post Office Ltd v Castleton* [2007] EWHC 5 QB. <https://www.bailii.org/ew/cases/EWHC/QB/2007/5.html>

*Recommendations for the probity of computer evidence*, Marshall, Christie, Ladkin, Littlewood, Mason, Newby, Rogers, Thimbleby, Thomas, *Digital Evidence and Electronic Signature Law Review* 18 (2021) 18 <https://journals.sas.ac.uk/deeslr/article/view/5240/5083> (The published version of a paper submitted to the Under Secretary of State for Justice in November 2020.)

Stephen Mason and Daniel Seng (eds.) *Electronic Evidence* 4th Edition, Institute of Advanced Legal Studies for the SAS Humanities Digital Library, School of Advanced Study University of London 2017, [https://humanities-digital-library.org/index.php/hdl/catalog/book/electronic\\_evidence](https://humanities-digital-library.org/index.php/hdl/catalog/book/electronic_evidence) (5th edition forthcoming 2021).

The Law Commission presumption concerning the dependability of computer evidence, Ladkin, Littlewood, Thimbleby, Thomas, *Digital Evidence and Electronic Signature Law Review* 17 (2020) 1. <https://journals.sas.ac.uk/deeslr/article/view/5143>

'*Robustness of software*', Peter Ladkin, *Digital Evidence and Electronic Signature Law Review* 17 (2020) 15. <https://journals.sas.ac.uk/deeslr/article/view/5171/5036>

*English law's presumption that computer systems are reliable: time for a rethink?* Paul Marshall, *Butterworths Journal of International Banking and Financial Law*, 7 (2020) 433.

[https://cornerstonebarristers.com/cmsAdmin/uploads/jibfl-marshall-english-law-s-evidential-presumption-that-computer-systems-are-reliable-time-for-a-rethink-jul-2020-1-\(1\).pdf](https://cornerstonebarristers.com/cmsAdmin/uploads/jibfl-marshall-english-law-s-evidential-presumption-that-computer-systems-are-reliable-time-for-a-rethink-jul-2020-1-(1).pdf)

BBC Radio 4, 11-part Podcast by Nick Wallis, *The Great Post Office trial* <https://www.bbc.co.uk/programmes/m000jf7j/episodes/downloads>

*The Guardian* Podcasts on Janet Skinner's experience, by Anushka Asthana and Richard Brooks

<https://www.theguardian.com/news/audio/2021/may/10/exposing-the-great-post-office-scandal-part-1>

<https://www.theguardian.com/news/audio/2021/may/11/the-post-office-scandal-part-2>

*The harm that judges do – misunderstanding computer evidence: Mr Castleton's story*, Paul Marshall, *Digital Evidence and Electronic Signature Law Review* 17 (2020) 25.

<https://journals.sas.ac.uk/deeslr/article/view/5172/5037>

*English judges prefer bankers to nuns: changing ethics and the Plover bird* Paul Marshall (2019) 8 JIBFL 505 [https://www.appgbanking.org.uk/wp-content/uploads/2020/02/English\\_judges\\_prefer\\_bankers\\_to\\_nuns\\_chang.pdf](https://www.appgbanking.org.uk/wp-content/uploads/2020/02/English_judges_prefer_bankers_to_nuns_chang.pdf)

*The Hearsay Rule in Civil Proceedings* 1993 Law Com. No. 245.

*Evidence in Criminal Proceedings Hearsay and Related Topics* 1997 Law Com. No. 216.

The importance of all these issues and the current inquiry reinforce the need for further events, which the Centre looks forward to hosting, as more concerns are identified and made public.



## INDEPENDENT REVIEW OF LEGAL SERVICES REGULATION

The two-year Independent Review of Legal Services Regulation (IRLSR), supported by the Centre for Ethics and Law, concluded in June 2020 with the submission of the final report to the Lord Chancellor. The 320-page report was prepared by Professor Stephen Mayson, Honorary Professor at UCL Laws, and included both long-term and short-term recommendations for regulatory reform.

The long-term recommendations were offered in the spirit of suggestions for whenever the timing might be right for more substantive reform rather than in any expectation that this would be in the near future. The short-term recommendations are, however, a reflection of the more immediate pressures on both consumers and providers resulting from the Covid-19 pandemic. They include proposals for a public register of currently unregulated providers, with associated requirements for a minimum level of professional indemnity insurance and access to redress from an ombudsman.

The report attracted widespread coverage in national and professional media. It was the focus of a half-day seminar in September 2020 convened by the Westminster Legal Policy Forum on the future of legal services in England and Wales. At the Forum, senior officials from the Ministry of Justice said that they had found the final report ‘a thought-provoking piece of work’. In relation to the report’s short-term recommendations of a public register for currently unregulated providers and access for their clients to the ombudsman, Clare Hayes (Deputy Director of UK Legal Services at the Ministry of Justice) said that ‘we do think those are really interesting proposals’. The Ministry of Justice confirmed that they wanted to explore the potential gains and benefits of short-term reform, balanced against the risks and costs of any change.

In December 2020, the Competition and Markets Authority (CMA) completed its promised review of the progress made since its legal services market study in 2016. In its report, the Authority said: “The IRLSR provides a detailed assessment of how an alternative regulatory regime could work. We are broadly supportive of its proposals, which build on the concerns we identified in the Market Study.... The



major development in the area of wholesale reform has come from the IRLSR which, led by Professor Stephen Mayson, builds upon our Market Study findings. The IRLSR makes a number of long-term recommendations aimed at creating a level playing field for legal services and enhancing consumer protection through targeted and proportionate regulation that takes account of risk, burden and cost. As part of this proposal, all providers of legal services, whether qualified or not, would be subject to registration and regulation on the basis of risk. The report also recommends that the primary objective for the regulation of legal services should be promoting and protecting the public interest and that there should be an independent, single, sector-wide regulator of legal services. In the short-term, the IRLSR recommends unregulated providers be brought within a form of registration.”

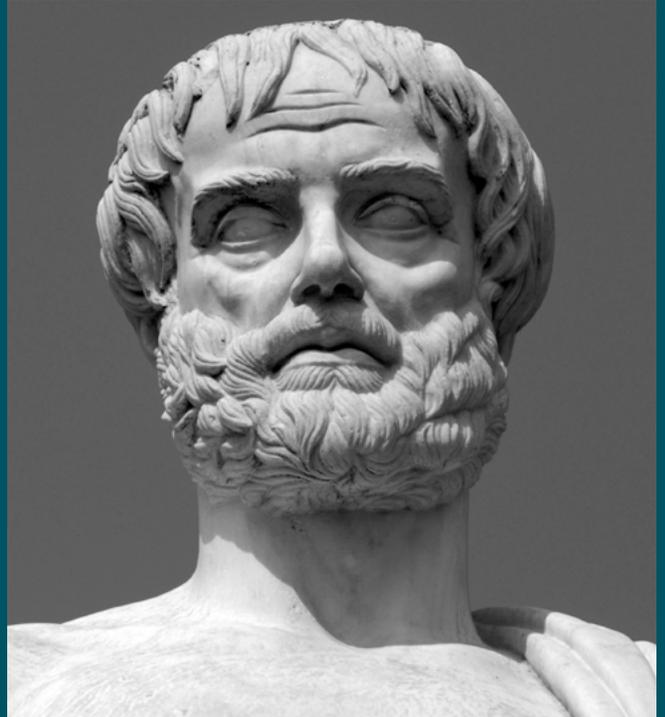
The CMA concluded that a wholesale review by the Ministry of Justice of the current framework for legal services should still be carried out, in line with the recommendation in the 2016 Market Study. However, recognising that such a review is unlikely in the near future, the CMA also presses for some shorter-term steps, the first of which adopts the IRLSR principal short-term recommendations of a mandatory public register of currently unregulated providers combined with access to redress for consumers.

## INDEPENDENT REVIEW OF CRIMINAL LEGAL AID

In January 2021 the Ministry of Justice announced the appointment of a panel of experts to support Sir Christopher Bellamy QC (Chair) to undertake an Independent Review of Criminal Legal Aid. This review will examine the long-term sustainability of the criminal legal aid system. Two members of UCL CELs, Professor Dame Hazel Genn (UCL Vice-Provost International and Advancement, Director of the UCL Centre for Access to Justice and Professor of Socio-Legal Studies at UCL Laws) and Professor Stephen Mayson, have been appointed by the Lord Chancellor to the Expert and Advisory Panel for the Independent Review of Criminal Legal Aid. This Review will consider the criminal legal aid system in its entirety, and will examine whether it:

- provides high quality legal advice and representation
- is provided through a diverse set of practitioners
- is appropriately funded
- is responsive to user needs both now and in the future
- contributes to the efficiency and effectiveness of the Criminal Justice System
- is transparent and resilient
- is delivered in a way that provides value for money to the taxpayer.

This is the latest step in the Criminal Legal Aid Review, forming part of wider work to ensure criminal defence remains an attractive career for practitioners now and in the future. The Independent Review is planned to complete later in 2021.



## Other Engagements by CEL Members

**Professor Iris H-Y Chiu**, along with colleagues from the University of Birmingham and University of Reading, spoke at a British Academy workshop on 30 October 2020 regarding the analysis of financial regulation reforms during the Covid-19 pandemic.

**Professor Iris H-Y Chiu** gave a presentation on her work for the European Central Bank, on mobilizing the central bank digital currency, at the Blockchain Symposium: Revenge of the State, California Western School of Law, 15 February 2021.

**Professor Barnali Choudhury gave a presentation on reforming the International Investment Treaties for Human Rights.** This was in the context of the European Consultation on Human Rights and Investment Treaties for the United Nations Working Group on Business and Human Rights, 10 December 2020

**Professor Barnali Choudhury spoke on preventing business-related human rights abuses: the key to a sustainable future for people and planet**, at the Human Rights in International Investment Law, United Nations – Business and Human Rights Forum, United Nations, 16-18 November 2020.

**Dr Anna Donovan spoke at the Westminster Law School's, 'Legal skills for future lawyers'** seminar, 22 October 2020, and the **Legal Geek, 'Educating for impact'** event, 13 October 2020.

**Professor Kevin Toh**, Professor of Philosophy of Law, presented a paper at the **'Law for Groundhogs', Barcelona Law and Philosophy Colloquium**, Department of Law, Universitat Pompeu Fabra, 13 November 2020.

**Kevin Toh**, Professor of Philosophy of Law, presented a paper on **'An aesthetic conception of extrinsic final values'**, at the Department of Philosophy, University of California, Santa Barbara, February 2021.

**Kevin Toh 'Implicit Law'**, Institute of Law, Politics and Philosophy, University College London, March 2021.

**Kevin Toh 'Implicit Law'**, Legal Philosophy Colloquium, Postgraduate Program in Law, Universidade Federal de Minas Gerais, Belo Horizonte, Brazil, April 2021.

**Kevin Toh, 'Law, Morality, Art, the Works'**, Law and Philosophy Workshop, University of Chicago, Chicago, Illinois, May 2021.

## Publications

### PROFESSOR BARNALI CHOUDHURY

Articles and Book Chapters:

Dodge v. Ford Rewritten in Usha Rodrigues et al. (eds), *Feminist Perspectives on Corporate Law* (Cambridge University Press, 2021) (Forthcoming)

Sustainable Corporate Responsibility and the World Trade Organization in Leonie Reins et al. (eds.), *Encyclopaedia of Trade and the Environment* (Edward Elgar, 2021) (Forthcoming)

Human Rights Provisions in International Investment Treaties and State Contracts in Stephan Schill et al. (eds.), *Human Rights and International Investment Law* (Edward Elgar, 2021) (Forthcoming)

The Code of Capital – Effects on Developing Countries, *Indian Journal of International Economic Law* (Forthcoming 2021)

The Gray Rhino: Climate Change as Systemic Risk, *Berkeley Business Law Review* (Forthcoming 2021)

Human Rights in International Investment Law, *European Yearbook of International Economic Law* (Forthcoming 2021)

#### Online pieces:

Human Rights in International Investment Law, *The South Centre* (Jan 2021)

#### Media:

Board Diversity: Lessons for Germany, *Neue Zürcher Zeitung* (January 2021)

### DR ALAN BRENER

Strategies for compliance - tools, techniques and challenges in financial services, (Routledge, 2021)

### PROFESSOR IRIS H-Y CHIU

More Paternalism in the Regulation of Consumer Financial Investments?: Private Sector Duties and Public Goods Analysis, (2021) *Legal Studies*, forthcoming

Building out the crypto-economy: a proposal for central bank digital Euros, (2021) 46 *European Law Review* 435

With Andreas Kokkinis and Andrea Miglionico, Debt expansion as ‘relief and rescue’ at the time of the Covid-19 pandemic: insights from the legal theory of finance, (2021) 28 *Indiana Journal of Global Legal Studies* 29

With Ernest Lim, Managing corporations’ risk in adopting artificial intelligence: a corporate responsibility paradigm, (2021) 20 *Washington University Global Studies Law Review*, 347

With Andreas Kokkinis and Andrea Miglionico, Relief and rescue: suspensions and elasticity in financial regulation, and lessons from the UK’s management of the Covid-19 pandemic crisis, (2021) *Stanford International Policy Review* 24; abridged version in (2021) *Washington University Journal of Law and Policy* 63

With Ernest Lim, Technology vs ideology: how far will artificial intelligence and distributed ledger technology transform corporate governance and business?, (2021) 18 *Berkeley Business Law Journal* 1

Decrypting the trends of international regulatory competition in crypto-finance, (2020) *European Journal of Comparative Law and Governance* 1-40

With Roger Barker, Examining the Wates Principles for large private companies as a social contract for business-society relations, (2020) *International and Comparative Corporate Law Journal* article no. 3

With Roger Barker, Investment management and stewardship, in Dionysia Katelouzou and Daniel Puchniak (eds.), *Cambridge research handbook of global stewardship*, (Cambridge University Press, 2020)

Taking stock of securities and fund-raising in the EU and UK, (2020) 41 *Company Lawyer* 201-206

**DR ANNA DONOVAN**

Publications: Reconceptualising corporate compliance: responsibility, freedom and the law (Hart, 2021) (forthcoming)

**Responses/contributions:**

Interviewed by the Law Commission as part of the digital assets project, as a panel member of LawtechUK, and chair the education taskforce

**DR LUCINDA MILLER**

'Ethical clauses' in global value chain contracts: exploring the limits of freedom of contract, in Magda Raczynska and Paul Davies (eds.), *Contents of commercial contracts: terms affecting freedoms*, (Hart, 2020)

**PROFESSOR KEVIN TOH**

Legal positivism and metaethics, in Patricia Mindus and Torben Spaak (eds.), *The Cambridge companion to legal positivism*, (Cambridge University Press) (forthcoming)

Law and collectivity, in Teresa Marques and Chiara Valentini (eds.), *Collective action, philosophy and the law*, (Routledge), (forthcoming)

With François Schroeter and Laura Schroeter, A new interpretivist metasemantics for fundamental legal disagreements, (2020) *Legal Theory*, Vol. 26, 62-99

**Dr Michael Veale**

With Wouter Lueks and others, Decentralized Privacy-Preserving Presence Tracing, *Journal article*; 2021; *Proceedings on Privacy Enhancing Technologies*

With Frederik Zuiderveen Borgesius, Adtech and Real-Time Bidding under European Data Protection Law, *Journal article*; 2021; *German Law Journal*

With Chris Marsden and Ian Brown, Disinformation and digital dominance: Regulation through the lens of the election lifecycle, in Marc Moore and Damian Tambini (eds.), *Dealing with digital dominance*, (Oxford University Press, 2021)

With Jef Ausloos, Researching with data rights, (2021) *Technology and Regulation*, 136-157

With Ian Brown, Cybersecurity, (2020) *Internet Policy Review*, 9 (4)

With Carmela Troncoso and others, Decentralized privacy-preserving proximity tracing, (2020) *IEEE Data Engineering Bulletin*, 43, 36-66

With Carmela Troncoso and others, Decentralized privacy-preserving proximity tracing: overview of data protection and security, (2020) DP-3T, <https://github.com/DP-3T/documents>

The Guardian, 1 July 2020, Privacy is not the problem with the Apple-Google contact-tracing toolkit

With Sylvie Delacroix, Smart technologies and our sense of self: going beyond epistemic counter-profiling, in Mireille Hildebrandt and Kieron O'Hara, (eds.), *Life and the law in the era of data-driven agency*, (Edward Elgar, Cheltenham, 2020)

Sovereignty, privacy, and contact tracing protocols, in Linnet Taylor, Aaron Martin, Gargi Sharma and Shazade Jameson, (eds.), *Data justice and Covid-19: global perspectives*, (Meatspace Press, London, 2020)



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