ANNUAL REPORT

The Allens Hub for Technology, Law and Innovation

For the period 1 January 2021 to 31 December 2021

Contents

About the Allens Hub

The Allens Hub for Technology, Law and Innovation is an independent community of scholars based at UNSW Sydney. As a partnership between Allens and UNSW Law, the Hub adds breadth and depth to research on the diverse interactions among technological change, law, and legal practice. The partnership enriches academic and policy debates and drives considered reform of law and practice through engagement with the legal profession, the judiciary, industry, government, and the broader community.

The Hub aims to be a global leader in solving legal problems and communicating solutions and ideas arising from technological innovation. It is a collaborative base for researchers across multiple disciplines and people across multiple sectors to engage with questions arising from technological change and innovation. The Hub seeks to be forward-looking, developing creative, well researched solutions to emerging – and yet to emerge – problems. It is developing a prominent national and international profile through its members who are active in academic, government, industry and public debates about regulatory and policy change in these areas.

New technology poses challenges which cannot be resolved solely by legal scholarship focused on particular technological contexts repeated across each field of disruption. We need to understand the challenges through a broader historical, legal and policy frame with close attention to developments in other jurisdictions and genuine cross-disciplinarily. This requires a strong culture of collaboration to build flexible and resilient legal and regulatory systems that accommodate ongoing change and encourage appropriate innovation while providing appropriate governance and oversight and promoting equality and inclusiveness.

The Hub originally secured three years of funding from Allens, and FLIP Stream (operating within the Hub) secured five years of funding from the Law Society of NSW. Despite delay in renewing Allens sponsorship at the early stages of the COVID-19 pandemic, we were able to secure an additional three years of sponsorship commencing June 2021. We look forward to continuing collaboration with Allens as we work together to enhance legal and policy discussions at the technological frontier.

This Annual Report covers the fourth full calendar year of the Hub's operations.

The Allens Hub benefits from a Steering Committee and Advisory Board and is grateful to members of each, listed in the Appendix.

Director's Reports

Lyria Bennett Moses – the Allens Hub

The COVID-19 pandemic has continued to affect the way we worked in 2021 as well as our ability to hold in-person events. We did manage one partially live event (the co-sponsored conference on *AI, Money and Power*, with a live event on 29 November 2021 at UNSW Sydney followed by online panels the following day). However, the focus was mostly online. Highlights included our Annual Lecture on *Rethinking Law, Regulation and Technology: Authority and Respect for Law 3.0* featuring Professor Roger Brownsword, two book events in November (*Battle of the Books* with two views of AI, robots, and law as well as the launch of FLIP Stream's book on *Artificial Intelligence and the Legal Profession*) and the launch of the Cyber Law Map hosted on AustLII. We also launched the Challenges for a Cyber-Physical World interdisciplinary seminar series, led by Dr Kayleen Manwaring. These sit on top of less public-facing activities that focus on thinking and understanding (such as the Data Justice Reading Group) or impact on policy and governance (including policy roundtables and the Director's participation in standards development). A full list of our events is on page 16.

We were also able to deepen our engagement in the policy process at state and federal level, not only through submissions but also through conversations at roundtables with government policy teams. This provided opportunities to discuss ideas rather than simply put forward a position; it also helped shape our recommendations.

We congratulate all Hub members who were successful in securing grant funding for important research. This includes former Hub fellow Dr Monika Zalnieriute who began work this year on her prestigious DECRA fellowship, everyone working on Cyber Security Co-operative Research Centre projects, as well as everyone continuing work on funded projects listed on page 26.

Research taking place in the Hub also impacts educational programs in the Faculty. This year saw the launch of a new course in partnership with the Faculty of Engineering on *Regulation for Cyber Security*.

We continue to welcome all researchers, in the Faculty of Law and Justice and throughout the university, with interests at the intersection of technology, law and innovation. There are currently 49 researchers and research students in the Hub, working to varying extents on Hub-related projects. Their Hub-related publications are listed from page 21.

The Hub's streams funding program was broad in 2021, due to carry-over funding from 2020. The Hub approved funding for eight streams for 2020, however funding was reduced for two streams and withdrawn for one, due to changing requirements as a result of COVID. We supported an additional four streams, some of which had funds remaining from 2019. These Hub research streams exist in addition to the FLIP Stream, which is funded by the Law Society of New South Wales under the leadership of Professor Michael Legg. Each Hub research stream has a Stream Leader who is responsible for the budget allocated to that stream (where relevant) and the activities of the Stream. The work of all research streams has adjusted over the course of 2021 as a result of the ongoing COVID-19 pandemic.

While the pandemic led to many changes, and the rollback of some plans, significant work was still done as highlighted in this report.

Michael Legg – the FLIP Stream

The Future of Law and Innovation in the Profession Research Stream (FLIP stream) was created in November 2017 with the entry into a collaboration agreement between UNSW and the Law Society of New South Wales.

The FLIP stream is comprised of a Director, Deputy Director and Research Fellow. The Deputy Director is Dr Justine Rogers, senior lecturer at UNSW Law and the Research Fellow is Dr Felicity Bell. In 2021 Associate Professor Marina Nehme joined FLIP Stream to lead the annual topic for that year and Dr Suzana Nashkova provided maternity leave cover for Dr Bell.

Research in the FLIP stream addresses the impact of technology and innovation on the legal profession. It builds on the work conducted by the Law Society of New South Wales that led to its ground-breaking Report on the Future of Law and Innovation in the Legal Profession (FLIP Report).

The research is organised around an annual topic and a number of smaller or longer-term research projects and responses to law reform and government inquiries.

In 2018 the annual topic was Artificial Intelligence and the Legal Profession. In 2019 the annual topic focused on Change leadership for lawyers. In 2020 the annual topic was The Sustainability of Law and Lawyers, with a focus on:

- technology and dispute resolution, especially the use of online or remote hearings due to the COVID-19 pandemic;

- legal design – process simplification and improvement; and

- cost and financing, with a focus on the billable hour and alternative fee arrangements.

In 2021 the annual topic was "The Future of the Legal Service Delivery – Sources of Innovation in the Legal Profession". FLIP Stream conducted interviews with 24 representatives from different types of legal enterprise for this research. Three substantive themes came to light:

(1) how innovation can be, and is, promoted through business structures;

(2) how it can provide value to clients; and

(3) how it is impacted and sustained by organisational culture.

Our People during 2021

Hub and Flip Stream staff

- Professor Lyria Bennett Moses, Hub Director

- Professor Michael Legg, Director of FLIP Stream

- Dr Justine Rogers, Deputy Director of FLIP Stream

- Ms Katrina Brookland, Administrator (0.6 FTE)

- Dr Susanne Lloyd-Jones, Cyber Security CRC Research Fellow

- Dr Felicity Bell, FLIP Stream Research Fellow

- Associate Professor Marina Nehme

- Dr Suzana Nashkova, FLIP Stream Research Fellow

- In 2021 the Hub supervised 4 interns: Vikki Zhang; Ashton Cook; Leon Delnawaz; and Bo (James) Yuan. Hub interns were supervised by Hub researcher Monika Zalnieriute and Director Lyria Bennett Moses, working as well with other Hub members on specific projects, including AI technology in legal education, digital constitutionalism, doughnut economics, the consumer data right and rules as code.

- In 2021, the FLIP Stream supervised three interns: Alex Man Nok Li in T1 and Wendy Zheng in T2; supervised by Associate Professor Nehme; and Checker McCarthy in T3 supervised by Dr Bell. Alex and Wendy worked on the Future of Legal Service Delivery project, a major research activity for FLIP in 2021. Checker worked on research related to lawyers' wellbeing, legal design, and artificial intelligence and lawyers' ethics.

Advisory Board

The UNSW Allens Hub advisory board provides high-level advice. It consists of 16–17 members representing the legal profession, technology, industry, academia, government, and policy. The board is intended as a high-level strategic reviewer and a sounding board to ensure that the Hub's projects are important, relevant and have the potential for practical and/or policy impact. It provides exposure to a range of perspectives.. Several members retired in 2021: Rebecca Lim; Warren Kalinko; Rachael Falk; Heather Moore; Gavin Smith; and Juliana Warner. The following members have been appointed to the board in 2021: Jacqui Downes; Jed Horner; Marina Yastreboff; Jonathan Hatch; and Janet Chan. Kate Jordan will join the board in 2022.

The board normally meets three times annually. However it met once during 2021 on 29 October, following the renewal of the sponsorship agreement. This year, the board focussed on:

- overview of recent and future FLIP Stream activities;
- three-year strategic plan 2022 – 2024; and
- annual plan for 2022.

Steering Committee

The Allens Hub steering committee consists of six members. The committee normally meets four times a year, but in 2021 met twice, following the signing of the new sponsorship agreement. The steering committee provides the primary mechanism through which both Allens and the Law Society of New South Wales can offer advice, direction and feedback concerning the Hub. It is also the Hub's primary governance body. There is a separate reporting line from the FLIP Stream Director to the Law Society of New South Wales. During 2021 the committee met on 26 August and 9 December. The following new members joined in 2021: Gavin Smith, Linda Buono, Justin Nolan and Aaron Quigley.

The steering committee is responsible for oversight of:

- annual plans and reporting;
- annual budgets, including allocations to research streams; and
- major activities

Affiliated Researchers

In 2021, the Hub currently had 49 members, being UNSW academic staff and PhD candidates:

Name	Research description
Felicity Bell	future of legal profession and impact of technology, professional ethics and regulation, family and children law
Lyria Bennett Moses	theories and approaches to law and technological change; legal and policy issues for automation and artificial intelligence; regulation for cyber security
Zofia Bednarz	Current research is focused on issues arising out of the use of AI- and Big Data-related technologies for providing retail financial services to consumers.
Kathy Bowrey	intellectual property; technology and culture/history/politics/philosophy
Ross Buckley	FinTech; blockchain; data technologies in banking
Philip Chung	legal information services; technology for access to justice
Janet Chan	data technologies; technology and organisational cultures; technology for access to justice
Roger Clarke	dataveillance; responsible data analytics; cybersecurity risk management; RegTech
Simone Degeling	equity and digital technologies
Bruce Duncan	Chinese and US data governance; cross-border data flows, user devices

Belinda Dunstan	social robotics, technology ethics, feminist technology theory, human rights/robot rights, responsive environments
Marc de Leeuw	Biolegalities, Artificial Intelligence, collaborative robotics, algorithmic hybridization
Anton Didenko	digital financial services, FinTech and RegTech
Bassina Farbenblum	technology for migrant worker protection and access to justice
Alexandra George	intellectual property
Tahlia Gordon	future of the legal profession
Janice Gray	water governance, digital asses
Graham Greenleaf	legal information services; data privacy and data governance; technology for access to justice
Michael Handler	intellectual property
Samuel Hartridge	privacy and data security law, civil liability for data breaches, and law enforcement and mass surveillance
Deborah Hartstein	law and political economy of the use of 'platform technologies' (e.g. data and algorithms) in Australian food retail
Jessica Hudson	equity and digital technologies
Danielle Hynes	social justice implications of ubiquitous datafication; imaginaries of the city
Vedna Jivan	professional legal practice
Fleur Johns	data governance and digital humanitarianism
Daniel Joyce	media law, human rights and data governance
Matthew Kearnes	STS; responsible innovations; public engagement
Matthew Keeley	online harms; technology use by children and young people
Katharine Kemp	digital financial services; competition law; data privacy
Dimity Kingsford-Smith	future of legal profession; online investing regulation
Zsofia Korosy	Law, technology, and the environment
Lesley Land	information security and management
Michael Legg	technology in litigation and dispute resolution; future of legal profession
Jayson Lamchek	redistributive justice and human rights; benefit-sharing in Big Data; digital taxation; data as labor; photo-interpretation reliability.
Kayleen Manwaring	eObjects and Internet of Things; information technology and consumer protection; cyber security and corporate governance; network neutrality
Jennifer Moore	health law
Bronwen Morgan	sharing economy and technology platforms
Rob Nicholls	technology platforms and competition law; technology for access to justice
Justine Nolan	business and human rights
Max Parasol	fintech

Michael Richardson	the intersection of affect, power and war through the lens of witnessing and testimony in culture, media and politics.
Justine Rogers	future of the legal profession; entry, socialisation and training; professional ethics and regulation
Nofar Sheffi	digital marketplace platforms; Terms of Service agreements; media theory and computer science
Alex Steel	technology in legal education, technology and criminal law
Simon Taylor	history and philosophy of science, biometrics, pattern recognition, artificial intelligence, sensor development, tacit knowledges, collaborative robotics, algorithmic deployment
Amelia Thorpe	planning, property and local government law, legal geography and urban studies
David Vaile	data governance; cloud computing
Marina Yastreboff	Marina is at UNSW Legal, but shares an interest in Hub research
Monika Zalnieriute	Information Policy and Internet Governance, human rights in the digital age, international data privacy law, and EU data protection law, data-driven discrimination, automation of government decision-making, LGBTI rights and feminist theory

Achievements – Hub

This Annual Report covers the period from 1 Jan 2021 to 31 December 2021. The Hub's Annual Plan for its third year of operations was built around seven pillars, including community, communications, engagement, research, impact and funding. Goals and Measures were outlined in the annual plan. These were intended as flexible and adaptable, to facilitate responses to new opportunities as they arise. The outcome of each of these, are set out in the table below.

The focus for 2021 was on renewing and enriching our relationship with our sponsor, impact on government policy, and supporting our members in the context of pandemic challenges.

Operation of core Hub team

| Community | Comms | Engagement | Research | Impact | Funding |

Pillar	Goal	Measure	Achievement
Enhance operations of core Hub team	Establish a new Hub fellowship, supporting UNSW researchers in the area of technology, law and innovation.	• Recruit first internal Hub fellow, to commence in 2022. • When possible, re-invigorate Room 303 as an active collaboration space for the core Hub team and other Hub	• Established new internal Hub fellow role; recruited for 2022. • Received funding for and appointed new Cyber Security Law and Policy

		members including PhD candidates and interns.	Fellow (commenced November 2021).
			• First annual planning meeting held with Allens; annual and quarterly meetings to continue.
			• Continuing to review and improve administrative and reporting processes.
			• Due to ongoing pandemic restrictions, we were not able to benefit from our shared physical space in 2021.
Community building	Hub meets the needs of its members, who gain real benefits from membership.	• Documented improvements to operations based on feedback from members, including in relation to new Hub fellow role. • Increased member attendance at Hub meetings and engagement of members with Hub events. • Stream lead updates at each member meeting to enhance cross-discipline engagement and reduce research overlaps	• Quarterly meetings held with Hub members; good online attendance. Stream leads now regularly presenting on activities at these meetings. • Members meetings and emails keep members informed of opportunities and enhance collaboration on research and policy submissions • . • Hub membership remains stable, with natural attrition below new members. • Support reading group in Data Justice Network.

			• Hub or Hub members participate in relevant UNSW Institutes (eg IFCYBER, creation of UNSW.ai)
Communications	Revise communications strategy based on what we have learnt over the past 3 years	• New communications strategy with measurable outcomes in place by October 2021.	• Creation of new communications strategy delayed, pending discussions with Allens. To be done early 2022. • UNSW website changed in 2021 to new platform; Hub website not yet affected. • Twitter account - @UNSWAllensHub used to promote events, research and other activities. • Three newsletters were produced. An average of 29% of subscribers opened the newsletters. The average click through was 6% • New branding for Hub launched following renewal of sponsorship.
Engagement	Be *recognised* by stakeholders as the Australian centre of scholarship in our field.	• Favourable recognition of Hub brand and Hub researchers at domestic and (for now, online) international conferences. • Media requests for comment on relevant issues. • Requests from relevant policy-makers to comment/participate on relevant issues. • Useful engagement with all stakeholders (including government participation in policy roundtables).	• Engagement with stakeholders. This year, focus on sponsor, government/policy-makers, members and interdisciplinary collaborators. • The Hub annual lecture, Rethinking Law, Regulation & Technology: Authority and Respect for Law 3.0, was held on 23 Nov. It attracted 204 registrations

Research	Build on technology, law and innovation as an area of strength at UNSW Law.	• Link Hub publications to broader Hub strategy and stream objectives in annual report. • Continue to meet separate FLIP Stream research targets.	• $62,961 approved for seed funding for research streams. • New FOR code in law, science and technology will make it easier to index Hub-related research. • Two ALJ columns in 2021, on cyber security considerations when doing legal work at home and on the implications of the *ACCC v Google LLC (No 2)* case. • Outputs set out below at p21.
Impact	Build on Hub's reputation for sound, research-based policy advice in areas of expertise.	• 5+ submissions on topics related to Hub's research focus and streams during plan period • Documented impact from past submissions through policy-making process.	• Continued to run roundtables with policymakers in government on issues such as digital identity, data sharing, and cyber security. • 19 submissions in 2021 on a range of policy issues. Impact highlights: - The Hub was approached by the NSW Department of Customer Service to participate in a roundtable to contribute to a review of existing regulation on the Data Sharing Act review, feeding into the policy process. - The Hub was cited 13 times in the final report for the Inquiry into anti-vilification protections tabled in the Legislative Assembly. This was following its submission in

			Dec 2019, attendance at evidence hearings in May 2020'
			- The Hub was cited 35 times in the final report on Human Rights and Technology tabled in the Australian parliament by the Attorney-General on 27 May. This was following the Hub's submissions to the AHRC and participation in AHRC workshops.
			- The Hub and AUCSL were invited by the Govt Digital Transformation Agency to host a roundtable on digital identity. 97 participants registered for the event and it contributed to the department's legislative work around Australia's review of digital identity legislation
			- The Hub hosted a roundtable with the department of Home Affairs on the paper Strengthening Australia's Cyber Security Regulations and Incentives, contributing to ongoing development of policy in this important area.
			- The Hub was cited in the final report of the ACCC's digital advertising services inquiry. A copy of the ACCC's final report is here. This was following the Hub's submission to the ACCC's Ad Tech Inquiry interim report in February 2021

| | | | - The Hub and AUCSL were invited by the Govt Digital Transformation Agency to host a roundtable on digital identity. Approx. 90 participants registered for the event and it contributed to the department's legislative work.

• Director continued to work through Standards Australia with ISO/IEC JTC1 SC 42 on developing international standards for AI. Two standards are at FDIS stage 22989 and 23053 |
| Funding | Leverage the Hub to secure external research funding | • Focus on research streams with plans for future funding.
• Leverage co-leadership of law and policy theme to procure 2-3 funded research projects by December 2021 within Cyber Security CRC.
• New cyber security research fellow to commence in Hub before end 2021 | • Hub supported members in their funding applications. No new ARC grants in 2021, but significant new funding (over $500K) from Cyber Security Cooperative Research Centre. Current Hub member grants are listed on page 25. |

Challenges

- Cancellation of events, conferences, activities due to COVID-19 restrictions. In particular, the new regional Law and Technology Conference with partner universities (University of Western Australia, National University of Singapore, Tsinghua University) has not been organised due to restrictions on international travel.

- Delay and uncertainty, related to COVID-19, for sponsorship renewal

- Major workplace changes at UNSW in late 2020 meant we were working with new teams with fewer resources for many support functions in 2021.

- Due to timing of sponsorship renewal, there was no Hub research fellow in 2021.

- Due to timing of sponsorship renewal and related administrative load, most events and activities were held in the last third of the year. For COVID-19 related reasons, these were also difficult to advance plan.

Research Streams

Research streams for 2021 were as follows:

- **AI and Law:** Research Stream explores the relationship between various automation and inference techniques, popularly known as AI, and increasing technologization of decision-making in governments, courts, corporations and society.

- **Challenges for a Cyber-Physical World:** the stream's objective is to critically examine legal and other challenges for cyber-physical systems and connected devices.

- **Cyber security law and policy:** focusing on regional and trade issues for cyber security and surveillance technologies.

- **Data analytics and intellectual property:** considering the impact of new technologies on IP's foundational concepts and categories.

- **Data as a source of market power:** exploring the impact of control of data on market power and implications for competition law.

- **Data Justice Research Network:** clarifying both how data justice arises as a problem in need of addressing and how it can be defined, measured, and delivered in different social and organisational settings.

- **Data protection and surveillance:** investigating the nature and implications of developments in personal data informatics and analytics for the protection of individual, community, professional and public interests in data protection, privacy and confidentiality.

- **FinTech:** looking at the legal implications of a variety of technology-driven developments in finance

- **Greentech:** seeking to understand the web of law and policy concerning green technology ("green tech"), a broad term describing the recent emergence of products that seek to protect and/or repair the environment and foster more sustainable relationships between nature and society.

- **Hybrid life and legal personhood:** probing the changing concept of legal personhood in light of new "hybrid" entities

- **Platform co-operativism:** melds the tools of the digital economy with long-standing cooperative business models, opening opportunities for business model innovation that can better foster regenerative economic development, supported by creative legal models for enterprise and new modes of professional services. Examples include Fairbnb https://fairbnb.coop/ and Bhive: https://bhive.coop/, as well as broader frameworks such as Doughnut Economics https://doughnuteconomics.org/ that can catalyse opportunities to reshape the relationship between economic, social and environmental spheres

- **Right to Repair:** in recent years debate concerning the right to repair has emerged as a critical issue at the interface between law, technology and society.

- **Technologies and the Rule of Law:** in partnership with the Gilbert + Tobin Centre for Public Law, explores the relationship and tension between one of the most iconic social values – the rule of law – and an increasing reliance on automation in government decision-making.

- **The FLIP Stream annual topic for 2021 was: The Future of Legal Service Delivery**, which included an interview study of law firms, focusing on how legal business structures can support law firms' strategic and innovative goals; but also the beliefs and ideals underpinning the goals of innovative firms and how such firms also provide value to their lawyers as well as clients. An underpinning question was whether regulation hindered or facilitated innovation in law. The findings from the annual topic were presented at the Law Society's FLIP Conference in October.

Events

The Allens Hub was involved in and/or hosted the following in 2021.

- **10 Dec** - AI and Law stream lead Monika Zalnieriute presents at the ICON Public Law and Technology Scholars Networking event

- **9 Dec** – Hub Director speaks at Cyber Security Cooperative Research Centre / Data61 joint seminar on *Data Sharing Agreements: Contracts for Access to Personal Information in the Digital Age*

- **2 Dec** – Stream Lead, Kayleen Manwaring, organises and hosts the 3rd event in the Challenges for a Cyber-Physical World stream's seminar series: 'Right to Repair', presented by Prof Matthew Kearnes (Stream Lead, Right to Repair), Roberta Pala and A/Prof Paul Munro

- **1 Dec** - Challenges for a Cyber-Physical World Stream Lead Kayleen Manwaring presents 'Enforcement-in-a-box: computational implementation of private law rights' at the Australasian Consumer Law roundtable, Sydney Law School

- **29 & 30 Nov** – AI and Law stream holds the conference: Money, Power and AI: From Automated Banks to Automated States.

- **23 Nov** – Hub holds its annual lecture, featuring Dr Roger Brownsword – Rethinking Law, Regulation & Technology: Authority and Respect for Law 3.0

- **19 Nov –** Regen Sydney, who have been working with the Platform Cooperativism stream led by Bronwen Morgan, released a 20 minute TEDx Sydney Discovery Session film entitled 'What does Good Look like for Sydney?', featuring members of the Regen Sydney community who are leading the way to a regenerative, distributive economy. The film is now openly available at https://www.youtube.com/watch?v=NG5PgGCbpQY

- **17 Nov** – Hub Director speaks to Cyber Security Cooperative Research Centre annual symposium on her co-led theme of Law and Policy.

- **17 Nov** - Challenges for a Cyber-Physical World Stream Lead Kayleen Manwaring presents 'Safety not guaranteed: consumer protection for cyber security threats inherent in emerging technologies' at IFCYBER seminar series

- **17 Nov** - Data as a Source of Market Power co-stream lead Katharine Kemp presents E-commerce as a Vehicle for Inclusive Global Economy. In CUTS International "Competition, Regulation and Development" 7th Biennial Conference (https://www.youtube.com/watch?v=s_d6DTZK26c)

- **17 Nov** – Hub director chairs *Governing in the Internet Age*, a fireside chat with Minister Paul Fletcher MP organised by the Australian Society for Computers and Law.

- **16 Nov** – Hub director speaks at 2021 CIBEL Annual Keynote: *Who is holding the baby on digital assets?*

- **8 Nov** – Hub hosts the event Battle of the Books, discussing *Artificial Intelligence, Robots and the Law* by Michael Guihot and Lyria Bennett Moses and *We, the Robots b*y Simon Chesterman.

- **6 Nov** – Platform Cooperativism Stream Lead Bronwen Morgan chairs a [plenary panel on 'The Regen City Movement](): City, Regional and National Initiatives' at the fifth annual conference of the New Economy Network of Australia: a recording is available [here]()

- **4 Nov** – Hub Director on a panel at *Quantum & law – Legal & Ethical Questions for the Second Quantum Revolution* with Australian Society of Computers and Law and the Sydney Quantum Academy.

- **1 Nov** – Hub hosts the launch of FLIP Stream book *Artificial Intelligence and the Legal Profession*

- **25 Oct** – Hub director speaks at Standards Australia's *Critical and Emerging Technologies* event.

- **13 Oct** – Hub helps promote The Law Society of New South Wales FLIP Conference 2021

- **11 Oct** – Hub co-hosts Digital Identity roundtable with AUSCL and DTA

- **7 Oct** – Hub director speaks about artificial intelligence at the Australian Academy of Science / Australian Academy of Law: joint annual event

- **29 Sep** – Hub Director chairs UNSW Legal Hour with the panel of Dr Katharine Kemp (Hub member), Ms Valeska Bloch (Allens) and Ms Shoshana Shields (Google Australia).

- **24 Sep** – Data Justice stream runs a seminar on *Data Trusts*, including presentation by Hub director

- **21 Sep** – Hub helps promote CFIs Cloud Ethics event featuring Hub member Fleur Johns

- **16 Sep** – Stream Lead Kayleen Manwaring runs the 2nd event in the Challenges for a Cyber-Physical World stream's interdisciplinary seminar series: 'Artificial Intimacy' presented by Prof Rob Brooks

- **27 Aug** – Data as a Source of Market Power stream co-lead Katharine Kemp presents Regulation and Innovation in Digital Markets in Plenary Session, Law Council of Australia Competition & Consumer Law Committee Annual Workshop.

- **18 Aug** – Platform Cooperatives stream supports Regen Sydney – the first bite event

- **18 Aug** – Hub Director presents to Macquarie University on oversight of law enforcement intelligence

- **17 Aug** – Hub Director speaks at Australian Society for Computers and Law event *Ransomware Attacks – New Threats, New Laws*

- **16 Aug** – Hub hosts roundtable on Strengthening Australia's Cyber Security Regulations with the Department of Home Affairs

- **12 Aug** – Hub contributes to AUCSL roundtable on Strengthening Australia's Cyber Security Regulations with the Department of Home Affairs

- **11 Aug** - Hub supports AUCSL Townhall with Department of Home Affairs on Strengthening Australia's Cyber Security Regulations

- **23 Jul** – Hub co-hosts the event *Introduction to the Law of Nuclear Energy*

- **13 Jul** - Hub co-hosts Digital Identity roundtable with AUCSL and Digital Transformation Agency

- **9 Jul –** AI and Law stream lead Monika Zalnieriute presents *A Global Public Emergency: Pandemic and Mission Creep in India, South Africa and Chile,* in iCON Annual Conference (Online).

- **4 Jul** – Hub Director speaks at ALAA Conference on artificial intelligence and launches her co-authored book (with Michael Guihot) on *Artificial Intelligence, Robots and the Law*.

- **8 Jul** - Stream lead Kayleen Manwaring organises and hosts the 1st event in the Challenges for a Cyber-Physical World's seminar series: 'The Internet of Things in Australia: Social Impacts and Issues', presented by Prof Deborah Lupton

- **22 Jun** – Hub director speaks at the AI & Cyber for SME Growth Symposium on Regulation for Cybersecurity & AI

- **9 Jun** – Hub Director speaks LawTechJumpStartSyd on legal education around LawTech.

- **4 Jun** – Hub Director speaks at CCALR forum on *Digital Divide: Paper versus Paperless*

- **4 Jun** – Hub Director speaks at the Australasian Property Law Teachers Conference on data sharing (with Associate Professor Shiri Krebs).

- **31 May** – Hub Director speaks at the Symposium on Artificial Intelligence and Law (online in India)

- **19 May** – Hub Director speaks at UNSW IFCYBER seminar series on regulation for cyber security

- **19 Apr** – Hub Director speaks to Australian Information Industry Association on data and privacy issues

- **7 May –** AI and Law stream lead Monika Zalnieriute presents Transparency Washing. In Transparency in the Digital Environment Conference, organized by Center of Ethics, University of Toronto. Toronto, Canada.

- **14 Apr** - Hub Director speaks to UNSW students at an Experience UNSW Day workshop, about AI and the Law

- **14 Apr** – Hub Director speaks at Convo4 on Future of Law and Technology

- **25 Mar** – Hub co-hosts and Hub Director speaks at the launch of The Australian Cyber Law Map

- **24 Mar** – Hub hosts roundtable with NSW Government on its review of the NSW data sharing legislation

- **25 Feb** – Hub co-hosts the event AI for Social Good

- **2 Feb** – Hub co-hosts Rules as Code event

- **Monthly** - Data Justice stream ran the Data Justice Reading Group

- **Ongoing –** Hub Director participates in meetings for NSW Information and Privacy Advisory Committee and Standards Australia and International Standards Organisation (for AI standards).

Hub Communications

Evaluating Success – As per the Hub's communications strategy document and the end of

Communications Method	Metrics
Quarterly Newsletter	The newsletter mailing list currently has 1400+ subscribers Three newsletters were produced in 2021. An average of 29% of subscribers opened the newsletters The average click through was 6%
Twitter	The Hub's twitter account currently has over 760 followers and has made over 765 tweets
Website	Website engagement oscillates as people look at events and news. The website also operates as a useful repository for media mentions, events, submissions and updates. During 2021 4,701* sessions occurred on the Hub website. *Data provided from UNSW google analytics reporting. Period covers 1 Jan 2021 to 31 Dec 2021
Media	*Between 12 Jan 2021 and 12 Jan 2022 reference to the words 'Allens Hub' was mentioned in the media 30 times, including the coverage types listed below. This had a potential audience reach of 4,904,900. **Online:** 22 **Print:** 1 **Radio:** 7 *Statistics provided from UNSW Media Coverage report compiled on 12/01/2022. Period covers 12 Jan 2021 to 12 Jan 2022
Research is being used in the public domain	20 submissions were made by the Hub and its members between 1 Jan 2020 and 31 Dec 2020.

Publications

Because publication years are often fluid, the list includes 2020 publications not included in the 2020 annual report. It includes all 2021 publications.

Publications are organised by streams, briefly explaining the focus of publications this year. In addition, Hub members have explored a variety of other topics in the field, and those publications are also included under relevant topic headings. The publications as a whole embrace theoretical, empirical and doctrinal approaches and a wide variety of issues. Some of these look at the relationship of law, technology and innovation at a broad level, while most others engage with specific questions that arise in a particular context.

Data Justice Research Network

Publications all engage in critical analyses of aspects of using technology for the legal/justice system or the regulation of technologies. Publications by below relate to the impact of technology on policing, lawyering and social policy as well as a piece on drones.

(1)   Chan J (2021) 'The Future of AI in Policing: Exploring the sociotechnical imaginaries', in McDaniel J; Pease K (ed.), Predictive Policing and Artificial Intelligence (Routledge)

(2)   Chan, J Bi Li (2021) 'AI Redacted', digital text commissioned by Firstdraft and shown in the Soft Power online exhibition 26 October to 31 December 2021 https://firstdraft.org.au/soft-power-pages/ai-redacted-janet-bi-li-chan

(3)   Sanders C; Chan J (2021) 'The Challenges Facing Canadian Police in Making Use of Big Data Analytics', in Lyon D; Murakami Wood D (ed.), Big Data Surveillance and Security Intelligence The Canadian Case, UBC Press, Vancouver, pp. 180 - 194

(4)   Bennett Moses, L., valentine, k. & Chan, J. (2021). Data practices in a Web of Values: Reflections on the Gap between Ethical Principles and Data-Driven Social Policy. In Chan, J. & Saunders, P. (eds), Big Data for Australian Social Policy (Academy of Social Sciences in Australia) ch 7.

(5)   Chan, J. & Saunders, P. (eds), Big Data for Australian Social Policy (Academy of Social Sciences in Australia, 2021)

(6)   Fish, Adam, and Michael Richardson. (2021) "Drone Power: Conservation, Humanitarianism, Policing and War." Theory, Culture & Society, July 26, , 02632764211022828. https://doi.org/10.1177/02632764211022828.

Fintech

Publications address a broad range of cutting-edge technology-driven legal and regulatory issues in finance.

Publications and reports address a broad range of cutting-edge technology-driven legal and regulatory issues in finance.

(7)   Buckley, R. P., E Avgouleas and Arner, D. W., 'Three major financial crises: what have we learned?' in Daniel Cash and Robert Goddard (eds), Regulation and the Global Financial Crisis: Impact, Regulatory Responses, and Beyond, Routledge, 2021, 19-43.

(8)   Buckley, R. P., Zetzsche, D.A., Arner, D. W. & Veidt, R., 'FinTech, financial inclusion and the UN Sustainable Development Goals', Iris Chiu & Gudula Deipenbrock (eds), *The Routledge Handbook on Financial Technology and the Law*, Routledge, 2021, 247-272.

(9)   Arner, D. W., Buckley, R. P., Dahdal, A. M. and Zetzsche, D.A., 'COVID-19, Digital Finance and Existential Sustainability Crises: Opportunities and Challenges for Law and Regulation in the 2020s', (2021) 33 *National Law School of India Review*, 384-416.

(10)   Zetzsche, D.A., Annunziata, F., Arner, D. W. & Buckley, R. P., 'The Markets in Crypto-assets Regulation (MICA) and the EU Digital Finance Strategy', (2021) 16 (2) Capital Markets Law Journal, 203-225.

(11)   Zetzsche, D.A., Buckley, R. P. & Arner, D. W., 'Regulating Libra', (2021) 41 Oxford Journal of Legal Studies, 80-113.

(12)   Buckley, R. P., Arner, D. W., Zetzsche, D.A., Didenko, A.N. and van Romburg, L.J. 'Sovereign Digital Currencies: Reshaping the Future of Payments and Money', (2021) 15(1) Journal of Payments Systems and Strategies 7-22.

(13)   Buckley, R. P., Zetzsche, D.A., Arner, D. W. & Tang, B.W., 'Regulating Artificial Intelligence in Finance: Putting the Human in the Loop', (2021) 43(1) Sydney Law Review 43-81.

(14)   B Mercurio, Buckley, R. P. & Fu, E., 'The Legitimacy of Controlling Capital Flows During a Retreat from Globalisation', (2021) 70 International and Comparative Law Quarterly, 59-101.

(15)   Didenko, A.N., 'A Better Model for Australia's Enhanced FinTech Sandbox' (2021) 44(3) *UNSW Law Journal*, 1078-1113 Links: SSRN, UNSW LJ.

(16)   Zetzsche, D.A., Buckley, R. P., Arner, D. W. & Didenko, A.N., 'Liabilities Associated with Distributed Ledgers: A Comparative Analysis' in Madir (ed), FinTech: Law and Regulation (2nd edition) (2021) Edward Elgar. Link: Edward Elgar.

(17)   Didenko, A.N. and Buckley, R. P., 'Central Bank Digital Currencies: A Potential Response to the Financial Inclusion Challenges of the Pacific—Risks and Opportunities', Issues in Pacific Development Policy Brief No. 3 of 2021, Asian Development Bank, August 2021, 1-39, available here.

(18)   Arner, D. W., Buckley, R. P., Zetzsche, D.A., Charamba, K., and Sergeev, A., 'A Principles-based Approach to the Governance of BigFintechs', forthcoming report as part of the initiative of UNDP and UNCDF entitled, 'Towards an Inclusive, SDG-Aligned Governance of Global FinTech Platforms (BigFintechs)', June 2021. UN Technical Paper 3.3 … June 16, 2021, available here.

(19)   Arner, D. W., Buckley, R. P., Zetzsche, D.A., Selga, E.K. and Consiglio, R., 'Innovative Regulatory Approaches Toolkit', toolkit for the Alliance for Financial Inclusion (AFI), March 2021, 1-45, available here.

Data as a Source of Market Power

Publications in this stream concern competition and consumer law issues, particularly in the context of digital platforms, electronic markets, data practices, and algorithm-driven collusion.

(20)   Nicholls, R. (2020). Algorithm-Driven Collusive Conduct. In D. Healey, M. Jacobs, & R. Smith (Eds.), Research Handbook on Methods and Models of Competition Law (1 ed., pp. 138-166). Cheltenham, England: Edward Elgar.

(21)   Kemp, K. (2021). 'Causation in Misuse of Market Power Claims under the Competition and Consumer Act 2010 (Cth)'. Australian Business Law Review, 29, 208-229.

(22)   Kemp, K. (2021). 'Why Use Consumer Protection Regulation to Target Misleading Representations about Privacy? The Australian Case Against Google.' Communications Law Journal – The Journal of Computer, Media and Telecommunications Law, 26(4).

(23)   Kemp, K. (2021, November 19). Competition Policy Challenges in the Digital Era: The Race to Regulate. In Competition Policy Challenges in the Digital Era. Centre for Global Business, Monash University.

(24)   Clarke, R. (2021). 'Research opportunities in the regulatory aspects of electronic markets.' Electronic Markets. doi:10.1007/s12525-021-00469-0

(25)   Clarke, R. (2020). 'Researcher perspectives in Electronic Markets.' Electronic Markets, 30(1), 15-27. doi:10.1007/s12525-020-00408-5

Data Protection and Surveillance

Publications address a range of contemporary issues in digital surveillance, metadata retention and access, and data privacy more broadly. This year, there was a particular focus on issues around COVID, particularly the government's COVIDSafe app.

(26)   Greenleaf, G., & Kemp, K. (2021). Australia's 'COVIDSafe' law for contact tracing: an experiment in surveillance and trust. International Data Privacy Law. doi:10.1093/idpl/ipab009

Platform Co-operativism

Publications help widen the conversation about the legal and regulatory dimensions of how technology can help to develop innovative business models that foster more sustainable trajectories for economic development.

(27)   Morgan, B., Thorpe, A., & Cooper, D. (2021). The hopeful edges of power: Radical governance and acting 'as if'. Griffith Review, 73, 233-245. doi:10.25904/1912/4266

Hybrid Life and Legal Personhood

(28)   These publications examine the impact of hybrid formations on the relation between life, technology, and law. They focus on cognitive systems where natural and artificial intelligence operations seem to synthesize, troubling the fundamental differentiation between things and persons. Through Marc De Leeuw's Visiting Fellowship at the Institute for Advanced Study, Princeton (US) and Simon Taylor's involvement in Histories of AI: Genealogy of Power at Cambridge (UK) they are co-ordinating interdisciplinary workshops and publications with scholars across these cohorts to expand and advocate core stream outputs on cognitive assemblages and its impact on law and legal institutions. Taylor, SM, Gulson, KN and McDuie-Ra, D (2021) 'Artificial Intelligence from Colonial India: Race, Statistics, and Facial Recognition in the Global South', Science, Technology, & Human Values doi/10.1177/01622439211060839

(29)   Taylor, S. (2021). 'Dirty Software' (2021) Commissioned text for *Termite Economies* by Dr Nicholas Mangan. Edited by Nicholas Mangan and Ziga Testen. bomdiabooks.de ISBN: 978-3-943514-81-0

(30)   George, A. (2022). Will AI Invent the Next Generation of Patentable Inventions?. Australian Law Journal, 15-18.

AI and Law

Publications deal with legal issues around AI and automation including rule of law, data protection and/or human rights, often approaching issues from an international law, legal theory and/or doctrinal perspectives.

(31)   Zalnieriute, M., Bennett Moses, L., & Williams, G. (2021). The Rule of Law "By Design"? Tulane Law Review, 95(5), 1063-1101.

(32)   Zalnieriute, M. (2021). Burning Bridges: Facial Recognition Technology and Public Space Surveillance in the Modern State. Columbia Science and Technology Law Review, 22(2), 284-307.

(33)   Zalnieriute, M. (2021). "Transparency-Washing": The Corporate Agenda of Procedural Fetishism. Critical Analysis of Law, 8(1), 39-53.

(34)   Zalnieriute, M., & Churches, G. (2021). Rejecting the Transatlantic Outsourcing of Data Protection in the Face of Unrestrained Surveillance. Cambridge Law Journal, 80(1), 8-11.

(35)   Zalnieriute, M., Bennett Moses, L., & Williams, G. (2021). Automating Government Decision-Making: Implications for the Rule of Law. In Technology, Innovation and Access to Justice Dialogues on the Future of Law (pp. 91-111). Edinburgh University Press.

(36)   Zalnieriute, M. (2021), 'Incitement to Violence' in L. Belli, N. Zingales and Y. Curzi (eds), Glossary of Platform Law and Policy Terms, FGV Direito Rio, Brasil, 165-167

(37)   Zalnieriute, M. (2021), 'Violence (Cyber)' in L. Belli, N. Zingales and Y. Curzi (eds), Glossary of Platform Law and Policy Terms' FGV Direito Rio, Brasil, 319-320.

(38)   Zalnieriute, M. and Bell, F. (2021), 'Technology and Judicial Role' in G. Appleby and A. Lynch (eds.), The Judge, the Judiciary and the Court, Cambridge University Press, 116 – 142.

(39)   Bennett Moses, L., Oboler, A., & Parnaby, L. (2021). Tracking Violent Extremism Online and the Challenge of Open-Source Intelligence. Gnet (2 June 2021) https://gnet-research.org/2021/06/02/tracking-violent-extremism-online-and-the-challenge-of-open-source-intelligence/

(40)   Zalnieriute M, 2021, How Public Space Surveillance is Eroding Political Protests in Australia, Verfassungsblog | On Matters Constitutional, https://verfassungsblog.de/os3-eroding-protests-aus/

(41)   Amankaviciute S; Pringle H; Zalnieriute M, 2021, Sexist Abuse Undermines Women's Political Voices, Broad Agenda, https://www.broadagenda.com.au/2021/sexist-abuse-undermines-womens-political-voices/

(42)   Zalnieriute M, 2021, A Dangerous Convergence: The Inevitability of Mass Surveillance in European Jurisprudence, EIJL: Talk, https://www.ejiltalk.org/a-dangerous-convergence-the-inevitability-of-mass-surveillance-in-european-jurisprudence/

(43)   Zalnieriute M, 2021, Procedural Fetishism and Mass Surveillance under the ECHR: Big Brother Watch v. UK, Verfassungsblog | On Matters Constitutional, https://verfassungsblog.de/big-b-v-uk/

Technologies and the Rule of Law

The main output from this stream is an edited collection which was the product of a stream workshop held in June 2020.

(44)   Boughey, J. and Miller, K (eds), The Automated State: Implications, Challenges and Opportunities for Public Law (Federation Press, 2021)

(45)   Bennett Moses, L., Boughey, J. & Crawford, L.B. (2021). Laws for Machines and Machine-made Laws. In Boughey, J. and Miller, K (eds), The Automated State: Implications, Challenges and Opportunities for Public Law (Federation Press, 2021) 232.

Challenges for a cyber-physical world

Cyber-physical systems and connected devices have become essential in industries from manufacturing and healthcare to agriculture and environmental management, to smart homes and cities. This change brings with it some significant benefits for society. However, they also expose individuals and societies to a number of risks, ranging from disclosure of private information, unwanted surveillance, physical injury, harassment and stalking, safety, interoperability and other defects, exacerbation of existing inequalities by a growing 'digital divide', discrimination and barriers to the right to freedom of expression. Alongside this sociotechnical change has come the potential for 'regulatory disconnection', that is, where existing regulatory frameworks become disconnected from societal expectations due to the new things, behaviours and relationships made possible by these technologies. This stream is designed to investigate some of the potential areas of regulatory disconnection.

(46)   Manwaring, K & Clarke, R (2021) 'Is your television spying on you? The Internet of Things needs more than self-regulation', Computers and Law: Journal for the Australian and New Zealand Societies for Computers and the Law, vol. 93, 31 - 36

(47)   Hall, C & Manwaring, K 'Intimate details of the IoT' (2021) Privacy Law Bulletin 18(7) 138-42

(48)   Hall, C & Manwaring, K 'An evolving regulatory landscape for the Internet of Things' (2021) Internet Law Bulletin

(also see (41) and (43) below – these are joint works between the two streams)

Right to Repair

In recent years debate concerning the right to repair has emerged as a critical issue at the interface between law, technology and society. Commencing in 2021 this stream the current and in-progress outputs of the stream address the intersections between repair practices in specific contexts and the wider legal and regulatory debate concerning the need to reflect rights to repair in contemporary intellectual property and consumer law. Current work in this space has focused specifically on debate concerning the right to repair in Australia, contributing to public commentary and consideration of a series of proposals made by the Productivity Commission, with additional detailed work focused particularly on repair practices engaged in the off-grid solar market.

(49)   Kearnes, M., Manwaring, K., Munro, P., Pala, R., & Samarakoon, S. (2021). 'The Productivity Commission has released proposals to bolster Australians' right to repair. But do they go far enough?' The Conversation (3 December).

(50)   Munro, P. G., & Samarakoon. S., (2021) The Afterlife of Solar (NTRO, UNSW / Story x Design, 2021).

(51)   Kearnes, M; Manwaring, K; Morgan, B, Munro, P; Pala, R; Samarakoon, S, 'What does a right to repair tell us about our relationships with technology' Sway post published in UNSW Allens Hub for Technology, Law & Innovation Newsletter December 2021 (https://sway.office.com/UcxPwfO63l48kZLI?ref=Link)

GreenTech

In 2020 the Hub's Greentech stream was established. It stemmed from interest by Allens to fund a 'top-down' stream. During 2020 the stream initiated discussions with the Environmental Law Group, UNSW of possible foci and outputs. Conversations were also initiated with Allens around possible foci (e.g. hydrogen), and alignment with Allens' targeting net zero goals. In 2022, we will launch a report covering electric vehicles, hydrogen energy, renewable energy storage and waste to energy. The report is intended to be an accessible coverage of key regulatory issues on these four green techs. The aim will be to draw out some common lessons across the four areas for regulation, sustainability and justice.

Miscellaneous

(52)   Clarke, R., Davison, R. M., & Jia, W. (2020). Researcher perspective in the IS discipline: an empirical study of articles in the basket of 8 journals. Information Technology and People, 33(6), 1515-1541. doi:10.1108/ITP-04-2019-0189

(53)   Clarke, R. (2020). Asimov's laws of robotics: Implications for information technology: Part 2. In Machine Ethics and Robot Ethics (pp. 43-52). doi:10.4324/9781003074991-4

(54)   Clarke, R. (2020). Asimov's laws of robotics: Implications for information technology: Part 1. In Machine Ethics and Robot Ethics (pp. 33-41). doi:10.4324/9781003074991-3

(55)   Johns, F., Compton, C., Lamchek, J., & Nicholls, R. (2021). 'Fibre in the Coral Sea or Message in a Bottle?'. In Pearls and Irritations Public Policy Blog. Sydney: John Menadue. Retrieved from https://johnmenadue.com/fibre-in-the-coral-sea-or-message-in-a-bottle-whos-interests-are-we-serving/

(56)   Johns, F. (2021). Centers and peripheries in a world of blockchain: An introduction to the symposium. AJIL Unbound, 115, 404-407. doi:10.1017/aju.2021.67

(57)   Johns, F. (2021). Modeling Pandemic. In D. Fassin, & M. Fourcade (Eds.), Pandemic Exposures Economy and Society in the Time of Coronavirus (pp. 385-403). Chicago: Hau Books. Retrieved from https://haubooks.org/wp-content/uploads/2021/12/Fassin-Fourcade-PANDEMIC-EXPOSURES-2021.pdf

(58)   Johns, F. (2021). Governance by Data. Annual Review of Law and Social Science, 17, 53-71. doi:10.1146/annurev-lawsocsci-120920-085138

(59)   Johns, F. (2020). Shadowboxing: the Data Shadows of Cold War International Law. In M. Craven, S. Pahuja, & G. Simpson (Eds.), International Law and the Cold War (pp. 137-158). Cambridge University Press.

(60)   Joyce, D. (2021). From the Martens clause to the CNN factor: Is the impact of media and public opinion on law-making discernible?. In H. Krieger, & J. Püschmann (Eds.), Law-Making and Legitimacy in International Humanitarian Law (pp. 404-421). Edward Elgar. doi:10.4337/9781800883963.00037

(61)   Bednarz, Z., & Manwaring, K. (2021). Insurance, Artificial Intelligence and Big Data: can provisions of Chapter 7 Corporations Act help address regulatory challenges brought about by new technologies?. Australian Journal of Corporate Law, 36(3), 216-239.

(62)   Bednarz, Z., & Manwaring, K. (2021) "Keeping the (Good) Faith: Implications of Emerging Technologies for Consumer Insurance Contracts" Sydney Law Review 43(4) 455-487

(63)   Bednarz, Z., & Manwaring, K. (2021). Risky Business: Legal Implications of Emerging Technologies Affecting Consumers of Financial Services. In M. Zalucki, & D. Szostek (Eds.), Internet and New Technologies Law. Nomos.

(64)   Manwaring, K., Kemp, K., & Nicholls, R. (2021). (mis)Informed Consent in Australia (Report for iappANZ, 31 March 2021). Sydney: UNSWorks. doi:10.26190/7sk3-0w49

Hub member grants

- Fleur Johns, Australian Research Council Future Fellowship 2021-2025 (FT200100656), 'Diplomatic Knowledge, Disasters and the Future of International Legal Order' (AUD$951,471)

- Lyria Bennett Moses, Cyber Security Cooperative Research Centre (2021-2024) for Cyber Security Law and Policy Theme (AUD $495,000 to UNSW).

- Lyria Bennett Moses, Cyber Security Cooperative Research Centre (2021-2022) for project on *Data Sharing: Clarity in Contracting* (AUD $12,000).

- Social Sciences and Humanities Research Council (Canada), Partnership Development Grant (2017-2020; extension through 2021 due to COVID-19) on Conceptions of Police Intelligence: Building a Cross-National Comparative Analysis of Practices and Frameworks with Professor Janet Chan, Professor Lyria Bennett Moses and partners from Wilfred Laurier University, York University, Victoria University Wellington.

- ARC Linkage Academy Special Project (2018-2020; extension through 2021) on The Use of Big Data for Social Policy: Benefits and risks with Professor Janet Chan

- ARC Discovery (2020-) on Realising big data's potential to address social and health inequities with Data Justice Network members Niamh Stephenson and Claire Vajdic.

- Lyria Bennett Moses involved in project on Data in Professional Sport, funded by Minderoo Tech & Policy Lab, based at University of Western Australia (2020-2021).

- ARC DECRA, 'AI Decision-Making, Data Privacy and Discrimination Laws' (Monika Zalnieriute) (2021-2024) awarded $426,530

Hub Submissions 2021 (including joint submissions)

(1)   Bennett Moses, L., Buckland, R., Di Marco, B. J., Didenko, A., Habibi Gharakheili, H., Manwaring, K., Modini, J, Nicholls, R, Phair, N, Taylor, SM, Zhao, S. (2021). Submission on Australia's cyber security regulations and incentives. http://www.allenshub.unsw.edu.au/news/submission-strengthening-australias-cyber-security-regulations-and-incentives

(2)   Zhao, S., Nicholson, K., Bennett Moses, L., & Zalnieriute, M. (2021). Submission to Inquiry on Australian Government Digital Identity Legislation Position Paper. Retrieved from http://www.allenshub.unsw.edu.au/sites/default/files/inline-files/20210716%20AUSCL%20and%20Allens%20Hub%20Submission%20-%20Australian%20Government%20Digital%20Identity%20Legislation%20Position%20Paper_1.pdf

(3)   Zalnieriute, M., & Bennett Moses, L. (2021). The Rule of Law and Counter-Terrorism, Submission to the Thematic Report for the 76th Session of the General Assembly (2021) http://www.allenshub.unsw.edu.au/news/submission-rule-law-and-counter-terrorism

(4)   Bennett Moses, L., Johns, F., Land, L., Vaile, D., Zalnieriute, M., Yastreboff, M., Zhao, S, Nicholson, K, de Sousa, T, Whitty, M. (2021). Submission into Inquiry into Data Availability and Transparency (Consequential Amendments) Bill 2020. Retrieved from https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3807026

(5)   Bennett Moses, L., Land, L., Zalnieriute, M., Zhao, S., Nicholson, K., de Sousa, T, Sisson, S., Tani, M, Zlatanova, S, Leach Scully, J, Brown, G . Krebs, S. (2021). Submission: Australian Data Strategy Discussion Paper. http://www.allenshub.unsw.edu.au/news/submission-australian-data-strategy

(6)   Bennett Moses, L and Manwaring, K, (2021) Submission on the exposure draft of the Privacy Legislation Amendment (Enhancing Online Privacy and Other Measures) Bill 2021 (Online Privacy Bill)

(7)   Bennett Moses, L, Taylor, SM, Zhao, S, Nicholson, K, de Sousa, T, (2021) Submission to Phase 3 consultation – Trusted Digital Identity Bill package http://www.allenshub.unsw.edu.au/news/submission-phase-3-consultation-trusted-digital-identity-bill-package

(8)   Bennett Moses, L, Zalnieriute, M, (2021) Submission to Inquiry into Privacy and Personal Information Protection Amendment Bill 2021 http://www.allenshub.unsw.edu.au/news/submission-inquiry-privacy-and-personal-information-protection-amendment-bill-2021

(9)   Bennett Moses, L, Zalnieriute, M, Nicholls, R, Yastreboff, M, Di Marco, B, (2021) Submission to Inquiry into Critical Infrastructure Asset Definition Rules http://www.allenshub.unsw.edu.au/news/submission-inquiry-draft-critical-infrastructure-asset-definition-rules

(10)   Bennett Moses, L, Bowrey, K, Denawaz, L, Hartridge, S, Johns, F, Vaile, D, Zhou, W, Zhao, S, Nicholson, K, Submission to Digital Advertising Services ('AdTech') Inquiry http://www.allenshub.unsw.edu.au/news/submission-digital-advertising-services-inquiry-interim-report

(11)   Kemp, K. (2021). Submission to the Attorney-General's Department in response to the Online Privacy Bill Exposure Draft.

(12)   Kemp, K. (2021). The Absence of Competition in the Privacy Terms of Online Marketplaces: Submission in Response to the ACCC General Online Retail Marketplaces Issues Paper, Digital Platform Services Inquiry. Retrieved from https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3905693

(13)   Zalnieriute, M. (2021). "Technology and the Courts: Artificial Intelligence and Judicial Impartiality", Submission to Australian Law Reform Commission Review of Judicial Impartiality. http://www.allenshub.unsw.edu.au/news/submission-review-judicial-impartiality

(14)   Zalnieriute, M. (2021). 'AI in Higher Education', Submission to UNESCO Institute for Information Technologies in Education.

(15)   Zalnieriute, M. (2021). Open Justice and Technology: Courts, Tribunals and Artificial Intelligence. Submission to the NSW Law Reform Commission Open Justice Review (2021)

(16)   Zalnieriute, M. (2021). Protests and Public Space Surveillance: From Metadata Tracking to Facial Recognition Technologies. Submission to the Thematic Report to the 50th Session of the UN Human Rights Council

(17)   Zalnieriute, M. (2021). From Data Retention to Facial Recognition Technologies: Counter-Terrorism Implications for Human Rights and the Rule of Law. Submission to the Thematic Report for the 76th Session of the General Assembly, 2021

(18)   Zalnieriute, M. (2021). Gender Justice and Freedom of Expression: From Public Spaces to Digital Platforms and Facial Recognition Technologies. Submission to the Thematic Report on the Right to Freedom of Opinion and Expression and Gender Justice for the 76th session of the General Assembly, http://www.allenshub.unsw.edu.au/news/submission-gender-justice-and-freedom-expression-un-special-rapporteur

(19)   Amankaviciute, S., Pringle, H., & Zalnieriute, M. (2021). Freedom of Expression of Women in the Public Sphere: From Objectification to Technology Facilitated Sexual Violence. Submission to the Thematic Report for the 76th Session of the General Assembly http://www.allenshub.unsw.edu.au/news/submission-freedom-expression-women-public-sphere-un-special-rapporteur

See also Didenko, A.N., 'Australia Needs a Better Model for Its Enhanced Fintech Sandbox' (submission to the Select Committee on Australia as a Technology and Financial Centre). 28 June 2021. Link: Parliament of Australia.

FLIP Stream Events and Publications

Publication	Authors	Date
Article – 'Legal Project Management: Projectifying the Legal Profession' (2021) 2(2) *Law, Technology and Humans* https://doi.org/10.5204/lthj.1610	Justine Rogers, Peter Dombkins & Felicity Bell	8 February 2021
LSJ article – 'How to future proof your firm with effective Alternative Fee Arrangements' (2021) 76 *Law Society of NSW Journal* 79	Michael Legg	2021
LSJ article – 'The pros and cons of different types of fee arrangements' (2021) 74 *Law Society of NSW Journal* 82	Michael Legg	2021
Article – 'The COVID-19 Pandemic, the Courts and Online Hearings: Maintaining Open Justice, Procedural Fairness and Impartiality' (2021) *Federal Law Review*	Michael Legg	15 February 2021
Article – 'Part of the Future': Family Law, Children's Interests and Remote Proceedings in Australia during COVID-19' (2021) 40(1) *The University of Queensland Law Journal* 1	Felicity Bell	February 2021
Article – 'The Courts, the Remote Hearing and the Pandemic: From Action to Reflection' (2021) 44(1) *UNSW Law Journal* 126	Michael Legg & Tony Song	January 2021
Presentation - 'The Future of Legal Fees', Law Society of NSW FLIP Regional Seminar, Parramatta	Michael Legg	23 April 2021
Podcast – Interview re Legal Project Management for 'The Legal Ops' podcast (https://www.legalops.fm/home/legal-project-management-projectifying-the-legal-profession)	Justine Rogers & Peter Dombkins	19 May 2021
Presentation – Alternative Pricing - Moderated by Law Society NSW president Juliana Warner, with panellists Tomoyuki Hachigo, Elizabeth Harris and Tessa van Duyn (Reported in Lawyers Weekly)	Michael Legg	25 August 2021
Legal Design: A brief reference guide	Felicity Bell & Checker McCarthy	October 2021
Article – 'Lawyers Working From Home: A Technological and Social Experiment' (2021) 2 *Juriste* 46 (Special edition on Living in a Digital World)	Michael Legg	2021
LSJ article – 'Balancing Legal Project Management with lawyers' professional obligations'	Justine Rogers & Peter Dombkins	1 September 2021

	Primer – The Future of Legal Service Delivery	Marina Nehme & Felicity Bell	October 2021
	Law Society 2021 FLIP Conference FLIP Stream presented: - The Future of Legal Service Delivery: Marina Nehme & Felicity Bell - Online dispute resolution and remote hearings: Michael Legg - Technological Competency: data and algorithm driven services, cyber risk and AI: Michael Legg - Matter Management and Communication: Justine Rogers, Craig Emery & Peter Dombkins - Client-centred design: Felicity Bell & Laura Vickers		13 October 2021
	Book Launch – *Artificial Intelligence and the Legal Profession* (Hart Publishing, 2020). Launched by Burley J with commentary from Julian Webb and Beth Patterson	Michael Legg & Felicity Bell	1 November 2021
	Presentation – 'Legal Regulation in a Changing World', 2021 Conference of Regulatory Officers (CORO)	Michael Legg	8 November 2021
	Presentation – 'Online justice: An opportunity to get closer to the litigant?', Learning from Abroad – Remote Hearings in Europe and beyond, Dutch Council for the Judiciary	Michael Legg	11 November 2021
	Article - 'The Use of Technology (and Other Measures) to Increase Court Capacity - A View from Australia' (2021) 8(2) *International Journal on Online Dispute Resolution* 102	Felicity Bell, Michael Legg, Joe McIntyre & Anna Olijnyk	
	LSJ article – 'Evaluating Witnesses in an Online Court'	Michael Legg & Eryn Newman	1 December 2021
	Article – 'Transforming the Legal Profession: An interview study of change managers in law' (2022) *Legal Studies* https://doi.org/10.1017/lst.2021.43	Justine Rogers & Felicity Bell	14 January 2022

Financial Management Report

Management Report

YTD For December 2021	Note	2021	2020
REVENUE		**$**	**$**
Sponsorship (Allens)	1	276,788	0
Interest		(96)	2,694
UNSW Law Contribution			
UNSW G&T Contribution			
TOTAL REVENUE		**276,692**	**2,694**
EXPENSE			
People Costs		72,896	173,685
Contract & Consulting Services			
Entertainment			
Marketing			560
Consumables		1,364	4,166
Travel			1,121
Equipment Non capitalised			
Other Expenses			
Stream Funding	2	41,206	35,221
Internal Expense			4,780
TOTAL EXPENSE		**115,866**	**219,414**
Operating result for the period		**160,826**	**(216,720)**
Carried Forward Balance	3	**150,254**	**366,974**
Retained Funds Surplus/(Deficit)		**311,080**	**150,254**

Notes to Statement

1 Received June 2021 for the period to June 2022

2 Several portions of stream funding were transferred back to the hub central budget following cancellation
   of activities due to COVID

3 This carryover is high for two reasons. (1) Includes funds received year ahead for spending up to June the
   following year; (2) Underspending during 2021 due to uncertainty around sponsorship renewal.

Certified correct to Ledger:
14.02.2022

Anna Polykarpou
Finance Manager
UNSW Business and UNSW Law & Justice

Appendix

Steering committee 2021

- **Aaron Quigley -** Deputy Dean (Education) of the Faculty of Engineering and Head of the School of Computer Science and Engineering at UNSW

- **Gavin Smith** – Allens partner

- **Justine Nolan** - Director, Australian Human Rights Institute, UNSW Law & Justice

- **Linda Buono** - Head of Member Insights & Engagement, The Law Society of NSW

- **Lyria Bennett Moses** – Director of the Allens Hub, for Technology, Law and Innovation

- **Michael Legg** – Director of the FLIP Stream

Advisory board 2021

- **Andrew Lynch** - Dean Faculty of Law & Justice, UNSW

- **Gavin Smith –** Partner Allens (retired-mid 2021 and transitioned to Hub steering committee)

- **Jacqui Downes** - Partner, Allens (joined mid-2021 following retirement of Allens partner Gavin Smith)

- **Janet Chan** - Emeritus Professor, UNSW Law & Justice

- **Jed Horner** - Head of Government Relations & Advocacy, Stone & Chalk/AustCyber

- **Jonathan Hatch** - Senior Adviser, Innovation Hub, ASIC

- **Jonathan Horan** - Partner, Linklaters

- **Juliana Warner** – President, The Law Society of New South Wales (retired end of 2021)

- **Katrina Johnson** - General Counsel, WiseTech Global

- **Lyria Bennett Moses -** Director, Allens Hub for Technology, Law and Innovation

- **Marina Yastreboff –** President, Australian Society for Computers and Law

- **Michael Legg** - Flip Stream Director, UNSW

- **Rachael Falk** - CEO, Cyber Security Cooperative Research Centre (retired end of 2021)

- **Rebecca Lim** - Group Executive, compliance, legal & secretariat, Westpac (retired mid 2021)

- **Stephen Burley** - Honourable Justice, Federal Court

- **Warren Kalinko** - CEO, Keypoint Law (retired end of 2021)