

# THE ALLENS HUB FOR TECHNOLOGY, LAW & INNOVATION

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UNSW  
SYDNEY

## Annual Report

**FOR THE PERIOD 1 NOV 2017 – 31 DEC 2018**

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## 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, the industry, the legal profession, government, and civil society 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, 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 has secured three years of funding from Allens, and FLIP Stream (to operate within the Hub) has secured five years of funding from the Law Society of NSW.

This Annual Report covers the first 14 months 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.

## Directors' Reports

### Lyria Bennett Moses – The Allens Hub

The Allens Hub for Technology, Law and Innovation has had a very high energy first year. With a soft launch on 22 November 2017 and a formal launch on 14 March 2018, we commenced with a rush of establishment-related activities. We hired a part-time administrator and full-time research fellow, established a steering committee for governance and an advisory board for strategic advice and ideas. We have begun distributing a quarterly newsletter highlighting Hub events, activities, media mentions and publications. The Hub recently launched new [website](#) to replace the initial placeholder and is active on Twitter (@UNSWallensHub).

The foundation for our success is our members – researchers willing to engage with us on a variety of projects. There are currently 38 researchers and research students in addition to the core Hub team, mostly but not exclusively based in the Faculty of Law at UNSW, whose research intersects with the Hub's mission. Unlike research centres in some STEM disciplines, Hub members are not employed to engage exclusively on Hub projects. Thus, while some Hub members' research aligns perfectly with the Hub, other researchers are joining us as they work on shorter term projects or in relation to a distinct part of their research agenda. Nevertheless, collectively, our members have produced a wide array of publications in 2017 and 2018, and these are listed on page 16. We are also working on a range of activities to benefit members, including reading groups, opportunities to present works in progress, networks for mentoring, seed funding, and support for grant applications and other activities.

Our goal of mentoring junior scholars working at the intersection of technology, law and innovation extends beyond UNSW. On the day of our soft launch, 22 November 2017, the Hub hosted PhD researchers and early career academics working in the field for a one-day workshop. Junior scholars had the opportunity to present their work and receive detailed feedback from more senior scholars. In addition, three keynote speakers (Professor Gerard Goggin, Professor Janet Chan and Professor Graham Greenleaf) provided participants with insights into important theoretical, methodological and practical issues in this space.

The Hub has funded nine streams of research over the course of 2018 (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. Streams were launched earlier in the year after all Hub members were given a chance to pitch their ideas, outline a plan of activities for 2018 and make a budget request. While Stream Leaders were asked to keep me apprised of any major changes, they were given a great deal

of flexibility in how their Stream progressed. For example, a plan may have involved bringing a particular researcher out to UNSW, but funding may be diverted to other activities should the proposed visitor decline the invitation. Flexibility also ensures that research streams can adapt, as where the “Data as a Source of Market Power” stream devoted significant energy to the new Consumer Data Right proposal. Thus, the list of activities captured on page 12 differ slightly from what was pre-approved and some plans were postponed until 2019. Stream activities in 2018 were evaluated as part of the funding allocation for 2019, and we have a new stream coming on board. This iterative process helps ensure the Hub is supporting successful streams and introducing new topics as older questions are answered and newer ones arise.

On the activities front, it has been a busy year for the Hub. The full list of our activities is set out on page 12. The highlight has been our inaugural annual lecture, presented by Professor Mireille Hildebrandt on the topic of “The Magic of Data-Driven Regulation”. Those attending were encouraged to consider the importance of understanding the data-driven tools that are used in legal and regulatory technologies with a view to asking crucial questions about purpose, authorship, data, method, evaluation and contestability (of course, you can watch the full presentation [here](#)).

We also made six submissions on a variety of questions of importance to policy-makers, from access to digital assets on death to human rights and technology (see page 23).

The Hub has engaged with other entities and organisations on a variety of projects. For example, it partnered with UNSW Grand Challenges and the UNSW Faculties/Schools of Law, Built Environment, Computer Science and Engineering, Mathematics and Social Sciences to host the UN Special Rapporteur on the Right to Privacy’s consultation on Big Data/Open Data. The Data Justice stream is also working with researchers across UNSW, including in the Faculties of Medicine, Engineering, and Arts and Social Sciences. We will continue to grow both our internal UNSW networks and our relationships with partners around the world.

In addition to its research mission, the Hub has also partnered with UNSW Law on the education side. We contributed to the Faculty’s mini-curriculum review that recommended threading technology as a theme throughout the curriculum. We have also supported student innovation through the Global Legal Hackathon and the UNSW Law Society’s “Disrupting Justice” Hackathon. The Hub is affiliated with the Social Justice Internship at UNSW Law and has to date supervised three interns – Amanda Ho (visiting from Chinese University of Hong Kong) and Adam Lo and Daniel Fung (UNSW). Interns had the opportunity to work on a range of projects including the consultation with the UN Special Rapporteur on the Right to Privacy, the Hub’s submission to the Human Rights Commission, a research project for the Australian Council of Learned Academies, and FLIP Stream research. Our Semester 2 interns, Adam and Daniel also had an opportunity to spend a day at Allens.

Where we have blundered, we are “failing forward”. In particular, the budget process will in future better align with UNSW finance reporting processes and procedures. We have improved processes for selection and evaluation of research streams. We are still working on our new website and its integration with UNSW databases, including automated processes for consolidating Hub publications.

The conclusion of our first full year of operations has provided an important opportunity to take stock and reflect on achievements and lessons learnt. We look forward to continuing to enrich academic and policy debates at the intersection of technology, law and innovation over the coming years.

### 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 who joined us from Wollongong Law School.

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. The topic was presented at the Law Society's FLIP conference to over 400 attendees. The topic was also the subject of presentations to the Law Society's FLIP Inquiry Series – Behind the Buzz Words, NSW Young Lawyers and other organisations. Further presentations are planned for 2019 as the FLIP stream seeks to raise lawyers' awareness of the opportunities and challenges in relation to AI and legal practice, including regulatory and ethical implications. A primer on Artificial Intelligence and the Legal Profession will be published by the Law Society in 2019.

The other topics researched in 2018 were:

- Unbundling of legal services
- Legal project management
- Lawyer wellbeing and the impact of technology and innovation

The first two were presented at the Law Society's FLIP conference and then the subject of subsequent articles. The lawyer wellbeing topic gave rise to two papers that were presented as part of a one day conference at UNSW that was supported by FLIP stream and the UNSW Law School and at the Wellness in Law Forum in Melbourne.

## Our People

### Hub and Flip Stream staff

The following staff have been appointed

- Associate Professor Lyria Bennett Moses, Hub Director from 1 November 2017
- Professor Michael Legg, Director of FLIP Stream from 1 November 2017
- Dr Justine Rogers, Deputy Director of FLIP Stream from 1 November 2017
- Ms Katrina Brookland, Administrator (initially 0.4 FTE, currently 0.6 FTE) from 4 December 2017
- Dr Monika Zalnieriute, Hub Research Fellow from 1 February 2018
- Dr Felicity Bell, FLIP Stream Research Fellow from 3 April 2018
- The Hub and FLIP Stream have supervised three interns this year. Winter break Amanda Lo; Semester 2 Daniel Fung and Adam Yu.

### Advisory Board

The Allens Hub advisory board was formed this year to provide high-level advice. It consists of 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. The board meets twice a year.

The first meeting occurred on 14 March and included discussions on the following points:

- The first meeting the hub decide on what to focus on and what was the framework for this?
- What additional areas should the hub pursue over the next three years?

The second meeting occurred on 30 October; it helped clarify and focus our statement of purpose, as well as providing a range of concrete suggestions relating to current research projects, including FLIP Stream.

### Steering Committee

The Allens Hub steering committee was formed this year and consists of six members who meet four times a year. It 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. There is a separate reporting line from the FLIP Stream Director to the Law Society of New South Wales. The first four meetings occurred on 20 Feb, 30 May, 4 Sep and 4 Dec.

The following were approved by the steering committee:

- Strategic Plan 2018-2020
- Communications Plan
- Annual Plan 2018
- Budget 2018; preliminary budget 2019
- Research Streams (selection of research streams; process for selection of research streams going forward)

## Affiliated Researchers

The Hub currently has 38 researchers affiliated with it. They are:

Name	Research
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 data analytics, particularly in national security and law enforcement
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
Caroline Compton	data science and its impact on humanitarianism and international development
Simone Degeling	equity and digital technologies
Marc de Leeuw	law and biology, including synthetic biology
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
Jessica Hudson	equity and digital technologies
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
Lesley Land	information security and management
Michael Legg	technology in litigation and dispute resolution; future of legal profession
Kayleen Manwaring	eObjects and Internet of Things; information technology and consumer protection; cyber security and corporate governance; network neutrality
Louise Malady (no longer at UNSW)	regulation of digital financial services
Alana Maurushat (no longer at UNSW)	cybersecurity; cybercrime; data governance; artificial intelligence
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
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
David Vaile	data governance; cloud computing
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**

The Allens Hub completed its first full year of operations on 31 October 2018. This Annual Report covers its first 14 months of operation (to 31 December 2018); it is intended that future reports will cover a 12-month period. The Hub’s Annual Plan for its first year of operations was built around 7 pillars, commencing with Establishment and leading out to 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.



Pillar	Goal	Measure	Outcome of each item as pertains to Detailed action plan
Establishment	Complete tasks associated with establishing new Hub	Complete by 30 June 2018; Move to Level 1 by 31 August 2018.	<ul style="list-style-type: none"> <li>• Staff hired</li> <li>• Contract finalised with Law Society of NSW &amp; 1st annual topic confirmed as Artificial Intelligence and the Legal Profession</li> <li>• Steering committee &amp; advisory board finalised</li> <li>• Logos, branding and banners for events developed for Hub and FLIP Stream</li> <li>• Developed policy and evaluation framework for research streams</li> <li>• Establish student internship program within Hub (via Social Justice Internships)</li> <li>• Prepared three-year Strategic Plan, Annual Plan and Communications Strategy</li> <li>• Office move delayed due to flooding issues.</li> </ul>
Community building	Ensure the Hub meets the needs of its members	Recruit and retain 30 Hub members across UNSW (total number; individual membership will vary)	<ul style="list-style-type: none"> <li>• Recruited 38 (current) Hub members from UNSW Law and other Faculties</li> <li>• Established meetings every two months with all Hub members and affiliates</li> <li>• Established email distribution list to keep members apprised of opportunities and activities</li> <li>• Provided opportunities that encourage researchers interested in issues at the intersection of technology, law and innovation to join the Hub (either permanently or for the duration of a particular research project).</li> <li>• Encouraged co-authorship, mentoring and collective projects</li> <li>• Ongoing discussion around topics and planning for reading groups.</li> <li>• Provided opportunities to discuss current projects at members' meetings (round the table, posters, work in progress presentations).</li> </ul>
Communications	Establish communications channels for Hub in line with Communications Policy	All communications channels established and in operation by 31 October 2018; specific metrics in communications plan	<ul style="list-style-type: none"> <li>• Created place holder website – <a href="http://www.allenshub.unsw.edu.au">www.allenshub.unsw.edu.au</a> A new, permanent, website is currently under development</li> <li>• Created Twitter account - @UNSWallensHub</li> <li>• Established newsletter. Four created, designed &amp; distribute by end of 2018</li> <li>• Established annual report</li> <li>• Promoted research by Hub members on topics related to technology, law and innovation, using website, Twitter, newsletter.</li> <li>• Engaged in relevant Twitter debates and shared information about opportunities (eg conferences, workshops, etc) via Twitter</li> <li>• Over 25 media mentions (of Hub and Hub members with Hub affiliation) for example opinion pieces, expert interviews, events – have occurred in 2018.</li> </ul>



Pillar	Goal	Measure	Outcome of each item as pertains to Detailed action plan
Engagement	Establish informal networks with other researchers (across disciplines, institutions) as well as relevant sectors as per Strategic Plan. Engage with sponsors, clients and the legal profession.	Establish dialogue with all potential partners by 31 October 2018; Activities involve other faculties/entities as applicable; Sponsors sense connection with Hub and relevance to their activities.	<ul style="list-style-type: none"> <li>• Engaged with Sponsors, participated in conferences, events, as opportunities arose. Through these, engaged with industry/clients and the legal profession.</li> <li>• Continued to engage with broader UNSW Law academic community, particularly in the context of revising the curriculum to take account of new technologies; FLIP Stream research on innovations in the practice of law is informing curriculum developments.</li> <li>• Established informal networks across UNSW with aligned Centres/Schools/Faculties, in particular:             <ul style="list-style-type: none"> <li>○ 2 joint Hub / Grand Challenge events</li> <li>○ Engaging directly with diverse researchers (eg FASS, CSE, Medicine, Business, Built Environment, Energy, Gilbert + Tobin Centre for Public Law, Australian Human Rights Institute)</li> </ul> </li> <li>• Established links with community legal centres and others working on access to justice through a Law Society hosted workshop on “technologies for access to justice”.</li> <li>• Leveraged UNSW partnerships, both regionally and internationally, to form connections with related researchers.             <ul style="list-style-type: none"> <li>○ Participated in workshop with Hong Kong University</li> <li>○ Hub research fellow Monika Zalnieriute has recently built and strengthened international connections during trips to Hong Kong, Panama, Colombia, Peru, Chile and Vanuatu.</li> <li>○ Ongoing discussions with PLuS partner universities and centres at ASU and KCL</li> </ul> </li> <li>• Reach out to known aligned Centres/Institutes internationally. Initial email sent by Hub Director, with responses and follow ups continuing.</li> <li>• Encouraged subscription to newsletter and following on Twitter</li> <li>• Engaged with UNSW students around Hub themes             <ul style="list-style-type: none"> <li>○ Student event on innovation in legal practice</li> <li>○ Sponsorship of Sydney leg of Global Legal Hackathon</li> <li>○ Re-established UNSW Hackathon in partnership with UNSW Law Society (Hub Director on open panel and judging panel)</li> </ul> </li> <li>• Engaged with sponsors:             <ul style="list-style-type: none"> <li>○ Participate in Allens and Law Society events (on invitation)</li> <li>○ Invited Allens and Law Society to Hub events (as appropriate)</li> <li>○ Create connections between Allens and research streams (through lunch event at Allens in October 2018)</li> </ul> </li> <li>• Inaugural Annual Lecture on 13 December 2018. Professor Mireille Hildebrandt and topic is “The Magic of Data Driven Regulation”.</li> <li>• Engaged with start-up community through FLIP Stream and Law Society of NSW as well as Hackathons; will continue to explore opportunities.</li> </ul>

Pillar	Goal	Measure	Outcome of each item as pertains to Detailed action plan
Research	Establish this area of research as an area of strength at UNSW Law	By 31 December 2018, establish “ground metrics” for publication and impact in these areas and develop growth plan.	<ul style="list-style-type: none"> <li>Established initial research streams</li> <li>In collaboration with Library, enhanced efficiency of collecting data on Hub-related publications and citations of Hub-related publications has begun. Special reporting has been set-up whereby affiliated researchers can tag their publications to the Hub. Reports are downloaded quarterly, and related documents are placed on the Hub website.</li> <li>Given the broad range of research and researchers, it is difficult to develop quantitative metrics for research in the area of technology, law and innovation. We have therefore adopted a qualitative approach, focussing on tracking not only volume of research, but also quality factors such as importance, timeliness.</li> <li>Encouraged publications within research streams (given lead time, no specific target for 2018).</li> <li>Encouraged high impact activities within research streams including events, submissions, presentations, media interviews, and talks.</li> <li>Publish according to research dissemination plan in Strategic Plan. Hub related publications have appeared in the media, submissions to law reform, the Hub’s quarterly newsletter, workshops, lectures, panels, Law Society Journal</li> <li>Ran 13 workshops and seminars</li> <li>Participated in international and national conferences as relevant to Hub research interests.</li> </ul>
Impact	Establish Hub’s reputation for sound policy advice in areas of expertise.	2-4 submissions on topics related to Hub’s research streams per year	<ul style="list-style-type: none"> <li>Monitored opportunities to make submissions to parliamentary committees, law reform processes, government departments.</li> <li>Submissions on page 23 below</li> <li>Will measure impact of policy engagement over time (citations in reports, legislative change in line with recommendations). No directly measurable impact to date.</li> </ul>
Funding	Put Hub in a good position for grant applications in 2019.	At least 2 grant applications by 30 June 2019 involving Hub research streams.	<ul style="list-style-type: none"> <li>Applied for consultancies and paid teaching opportunities in response to opportunities. <ul style="list-style-type: none"> <li>Teaching: The steering committee approved for Hub research fellow Monika Zalnieriute to teach in S1 on the subject of Surveillance, Security and Democracy, with funds to be used by Monika for Hub research;</li> <li>Consultancy: Provided services to the National Transport Commission on the privacy and data protection regulatory framework for C-ITS and AV systems. Funds used to pay David Vaile as consultant and to support research activities of participating researchers (Lyria Bennett Moses and Monika Zalnieriute)</li> </ul> </li> </ul>

Pillar	Goal	Measure	Outcome of each item as pertains to Detailed action plan
			<ul style="list-style-type: none"> <li>• Through research streams, explore opportunities for ARC schemes (especially Discovery and Linkage). This is ongoing. One Linkage application has been submitted in the Platform Cooperatives stream.</li> <li>• Participated in development of InData CRC (successor to D2D CRC), with goal of getting Hub researchers involved as Key Researchers. Stage one applications submitted in July 2018; unfortunately unsuccessful.</li> <li>• Worked with relevant Futures bids to secure funding for additional appointments to strengthen Hub's expertise in these areas. The UNSW Digital Grid Futures Institute was successful in its bid for funding; details of the Hub's involvement subject to ongoing discussions.</li> </ul>

### FLIP Stream

FLIP Stream has produced a comprehensive Discussion Paper on the Annual Topic for 2018, Artificial Intelligence and the Legal Profession, and associated Glossary of terms. The Discussion Paper has explanations of different AI technologies and how they are being used in the delivery of legal services, as well as the advantages and disadvantages of these tools. FLIP Stream are working on a number of related projects, including on AI and wellbeing (whether AI has the potential to improve lawyers' wellbeing), AI and regulation - what lawyers will need to navigate new relationships with IT professionals to make sure they meet their ethical obligations; clients with lawyers using AI; and whether the professional bodies need to modify regulatory regime for lawyers or legal practices using AI. FLIP Stream are also looking at issues such as lawyers' work, NewLaw, online dispute resolution, and change management, including through original empirical research. FLIP Stream will be engaged in a number of events in the latter part of the year related to these themes.

## Challenges

- The core hub team were unable to consolidate on level one of the law building due to flooding in the assigned offices. The move of the Hub director and Hub and FLIP Stream research fellows has been postponed until remedial investigation and building work is complete. The timeframe for this is unknown. The Hub administrator moved to the open plan area of level 1 before other delays became apparent.
- Development of a new and more innovative website was delayed due to resourcing issues within UNSW. The website is now complete and was launched on 6 December 2018
- The establishment of thorough metrics for tracking UNSW research on technology, law and innovation is unable to occur until there is more historic data available. The focus this year has been on procuring publications data through existing channels to avoid additional administrative work for Hub members and this work is still ongoing. The development of tailored qualitative approach to tracking change over time is a work in progress, but the aim is now to provide qualitative, rather than quantitative reporting.

## Research Streams Reporting

The steering committee approved the following research streams for 2018:

- **Data Justice**, examining the consequences for justice of data-driven technological developments.
- **FinTech**, looking at the legal implications of a variety of technology-driven developments in finance.
- **Data as a source of market power**, asking whether control of data can create market power, and exploring implications.
- **Technology for migrant worker protection and access to justice** exploring digital technology initiatives designed to prevent exploitation and improve recruitment and working conditions for migrant workers.
- **Data protection and surveillance** looking at implications of new informatics and analytics techniques.
- **Platform co-operativism** looking at emerging legal models for cooperatives' use of digital platforms.
- **Cybersecurity research and training** engaging in cross-disciplinary research to develop models to solve pressing cybersecurity problems and advance current understanding in the field (lead researcher left UNSW in 2018, so stream is on hold).
- **Hybrid life and legal personhood** exploring the changing concept of legal personhood in light of new "hybrid" entities (eg AI/robots).
- **Reinventing intellectual property** exploring stretching of IP concepts and categories, in particular the impact of new technologies.
- **The FLIP Stream annual topic for 2018: Artificial Intelligence and the Legal Profession**

## Events

The Allens Hub were involved in and/or hosted the following events during 2017 - 2018:

- **22 Nov 2017** Lyria Bennett Moses and Janet Chan (Data Justice stream lead) present at a Machine Learning Meetup @Google (**Data Justice**)
- **24 Nov 2017** Hub and FLIP Stream collaborations announced, and Hub supports Junior Scholars Forum event
- **30 Nov - 1 Dec 2017** Lyria Bennett Moses and Janet present on Big Data and Cybersecurity (virtually) at Emergent Technologies Workshop in Cardiff

- **1 Dec 2017** Lyria Bennett Moses presents at UNSOMNIA 2.017 @ UNSW on the trouble with discipline-specific thinking on. Broadcast on Ockham's Razor
- **6 Dec 2017** Lyria Bennett Moses presents on the new Hub to the UNSW Law Advisory Council
- **7 Dec 2017** Lyria Bennett Moses featured on QUT panel "We Need to Talk about AI" (**Data Justice**)
- **Feb 2018** UNSW, UTS and OSF co-hosted a global convening in London; discussion paper for a report to be released Aug 2018 – Tech for migrant workers stream was involved (**Technology for Migrant Workers**)
- **7 Feb 2018** Lyria Bennett Moses on panel at Western Sydney University "Shaping the Future while Delivering Today"
- **12 Feb 2018** Lyria Bennett Moses and Bronwen Morgan, Platform Co-operativism Stream lead, speaks at UNSW Blockchain Futures Symposium (**Platform Co-operativism**)
- **21 Feb** Platform co-op stream provided oral evidence to the Senate Select Committee on the Future of Work and Workers (**Platform Co-operativism**)
- **23-25 Feb 2018** Hub sponsors Sydney leg of Global Legal Hackathon @UNSW.
- **28 Feb 2018** Lyria Bennett Moses speaks at AI and Regulation in Rome (remotely) (**Data Justice**)
- **3 Mar 2018** at the UNSW 'Future of Asia' Alumni Summit, Lyria Bennett Moses kicks off the first law-organised panel on 'Technology and Innovation: What is most needed in the 21st Century'
- **14 Mar 2018** Hub and FLIP Stream officially launched, at Allens law firm
- **19 Mar 2018** Data Justice team's first planning meeting (**Data Justice**)
- **11 - 12 Apr 2018** Kayleen Manwaring presents 'Protecting consumers against manipulation in the context of emerging technologies' at the British and Irish Law Education and Technology Association Conference: Digital Futures: places and people, technology and data, University of Aberdeen, UK
- **9 May 2018** Hub holds its first book launch: Sharing Cities: Activating the Urban Commons (**Platform Co-operativism**).
- **28 May 2018** Hub hosts the seminar: Data and Human Rights (**Data Justice**)
- **5 Jun 2018** Hub hosts its first workshop: Data Justice in the Age of Big Data & AI (**Data Justice**, with one talk from **Legal Personhood and Hybrid Life**)
- **18 Jun 2018** Hub collaborates with NSW Law Society to run the workshop: Technologies for Access to Justice (**FLIP Stream; Technology for Migrant Workers**)
- **15 – 17 Jun 2018** Monika Zalnieriute speaks at Meridian 180 Global Summit - Digital Humanity: Risks and Opportunities; Hong Kong
- **25-28 Jun 2018** Monika Zalnieriute speaks at 62nd International meeting of the Internet Corporation for Assigned Names and Numbers (ICANN 62)
- **16 Jul 2018** Presentation at "query:data" Consumer Data Conference, hosted by Consumer Policy Research Centre (**Data as a Source of Market Power**)
- **24 - 27 Jul 2018** Hub co-sponsors UN Special Rapporteur on Right to Privacy International Consultation on Big Data-Open Data in Sydney plus student event at UNSW (**Data Protection and Surveillance**)
- **12 July 2018** – New Australian Law Journal column on "Technology and the Law" edited by Lyria Bennett Moses and Anna Collyer is announced
- **13-16 Aug 2018** Monika Zalnieriute speaks at the Asia Pacific Internet Governance Forum, Porta Villa, Vanuatu

- **17 Aug 2018** – Hub hosts “Chat” event at UNSW with Frank Pasquale and Julia Powles regarding data privacy, ethics, justice, algorithmic governance and more (**Data Protection and Surveillance; Data Justice**)
- **21 Aug 2018** Lyria Bennett Moses facilitates Autonomous Vehicles roundtable, run by Allens law firm
- **27 Aug 2018:** Talk: Legal Personhood in Postgenomic Times: plasticity, rights and Relationality (**Legal Personhood and Hybrid Life**)
- **27 August 2018** Presentation at Conference: Brave New Law: Legal Personhood and the biosciences, University of Sydney (**Legal Personhood and Hybrid Life**)
- **28 Aug 2018** – Hub hosts talk from Phil Macnaughton on Responsible innovation beyond borders: Prospects and challenges
- **30 Aug 2018** Lyria Bennett Moses speaks at the National Community Legal Centres conference
- **1 Sep 2018** Lyria Bennett Moses and Sarah Logan present at the 4S Sydney conference; Marc de Leeuw was the Organizer & Chair of two panels on Legal Personhood and the Biosciences (**Legal Personhood and Hybrid Life**)
- **7 Sept 2018** Talk: Law in the Age of Algorithmic Hybridization: *Should Robots be Legal Persons?* UNSW Biopolitics Network Symposium (**Legal Personhood and Hybrid Life**)
- **11 Sept 2018** Monika Zalnieriute and Lyria Bennett Moses present at UNSW Law Staff Seminar
- **13-16 Sep 2018** Lyria Bennett Moses on opening and judging panels for UNSW student hackathon
- **Oct 2018** Workshop with eight future industry partners (**Platform Cooperativism**)
- **5 Oct 2018** Lyria Bennett Moses presents at National Family Law Conference (**Data Justice**)
- **9 Oct 2018** The 9th Annual Baxt Lecture and Panel, “Competition Policy for the Matchmaker Economy: Insights from the New Economics of Multisided Platforms” (**Data as a Source of Market Power**)
- **12 Oct 2018** UniSA & ACCC Competition Law & Economics Workshop 2018 (**Data as a source of market power**)
- **17 Oct 2018** Stream leads have relationship building lunch with Allens partners
- **18 Oct 2018** Enabling cooperative platform economies – Research partners workshop (**Platform Cooperativism**)
- **24 Oct 2018** Hub hosts morning tea at UNSW Law (with research posters)
- **26 Oct 2018** Talk: Biolegality: A Critical Intervention Griffith Law School Seminar Series (**Legal Personhood and Hybrid Life**)
- **3 Nov 2018** Lyria Bennett Moses chairs Festival of Dangerous Ideas talk on End of the World (As we know it)
- **13 Nov 2018** Hub stream leads judge internal Allens debate on ‘Robots are legal persons’ (**Legal Personhood**).
- **14-16 Nov 2018** Hub research fellow Monika Zalnieriute speaks on two panels at The International Conference on Cyberlaw, Cybercrime & Cybersecurity 2018, New Delhi, India
- **17 Nov 2018** release of the report Transformative Technology For Migrant Workers co-written by stream lead Bassina Farbenblum (**Technology for Migrant Workers**)
- **26 Nov 2018:** Sarah Logan and Janice Gray participated in roundtable on Digital Assets After Death (NSW Law Reform Commission)
- **4 Dec 2018** Lyria Bennett Moses presents to the Organised Crime and Counter Terrorism conference on ‘Artificial intelligence and data analytics in the criminal law’ (**Data Justice**)
- **6 Dec 2018** Annual General Meeting of the Australian medical and scientific Pharmaceutical Professionals Association (APPA), (**Data as a source of market power**)
- **13 Dec 2018** Hub’s inaugural annual lecture held. Guest speaker Mireille Hildebrandt
- **14 Dec 2018** Hub supports the workshop Making Waste, Talking Trash



## FLIP Stream Events and Publications

- **14 Sep 2018** - Justine Rogers, Michael Legg and Felicity Bell involved in three presentations at the Law Society’s FLIP Conference (Lyria Bennett Moses also involved in two presentations)
- **16 Oct 2018** –Felicity Bell presents to NSW Young Lawyers
- **10 November 2018:** Lyria Bennett Moses presentation to Law Society of NSW Planning Conference **15 Nov 2018** –Michael Legg, Justine Rogers and Felicity Bell give two presentations at Wellbeing in a Changing World: The impact of technology and innovation on the legal profession, UNSW
- **6-8 Dec 2018** –Justine Rogers and Felicity Bell give two presentations at International Legal Ethics Conference, Melbourne
- **12 Dec 2018** – Michael Legg presents to Australian Government Solicitors on AI and the Legal Profession: Opportunities and Challenges
- **12 Dec 2018** – Felicity Bell presents at the Law Society’s FLIP Inquiry Series – Behind the Buzz Words – AI
- **14 Dec 2018** - Felicity Bell and Justine Rogers present at Law & Society Association Conference, Wollongong
- **15 February 2019** – Felicity Bell presents at Wellness for Law Forum, Monash Law Chambers, Melbourne

### Publications

- Michael Legg and Felicity Bell, ‘Insourcing – Implications for In-House Counsel and Private Practice Lawyers’ (2018) 45 *Law Society of NSW Journal* 70
- Michael Legg, ‘Recognising a New Form of Legal Practice – Limited Scope Services’ (2018) 50 *Law Society of NSW Journal* 74.
- Michael Legg and Felicity Bell, ‘Technology must be a tool, not used as a tutor’, *The Australian*, Opinion, 15 February 2019, 24

## Hub Communications

### Evaluating Success – As per the Hub’s communications strategy document

Communications Method	Evaluation Target	Result
Quarterly Newsletter	Has 50 email addresses on the distribution list for the first newsletter. Has 25 recipients open it Click through rate of 15-20%	As at 31 December 2018 three newsletters have been published online. The newsletter mailing list has 230+ subscribers As at 31 Dec 2018 an average of 40% of subscribers open it The average click through was 23%
Twitter	Has 200 followers by July 2018. Engagement rate with tweets 3%	Currently has over 332 followers and has made 322 tweets. Monthly engagement rate with tweets ranges 0.2%-2.5%. Will explore ways to improve on this.

Website	Metrics to be developed following consultation	A new website has been launched. Google analytics reporting has been developed for the site.
Media	The Hub appears in the media 10 times over a 12-month period	The Hub appeared in the media over 35 times, between its formation on 24 <sup>th</sup> November 2017 and 31 <sup>st</sup> Dec 2018
Research is being used in the public domain	We will collect and monitor this data in order to develop metrics over time. It is a complex area due to the variety of ways in which research is “used”.	Six submissions have occurred, to 31 <sup>st</sup> December 2018, encouraging policy engagement with Hub research.

## Hub Publications<sup>1</sup>

1. Arner, D.W., Barberis, J., & **Buckley, R.P.** (2017). FinTech, RegTech, and the Reconceptualization of Financial Regulation. *Northwestern Journal Of International Law & Business*, 37(3), 371-413. Retrieved from [http://gateway.webofknowledge.com/gateway/Gateway.cgi?GWVersion=2&SrcApp=PARTNER\\_APP&SrcAuth=LinksAMR&KeyUT=WOS:000417899400002&DestLinkType=FullRecord&DestApp=ALL\\_WOS&UsrcCustomerID=891bb5ab6ba270e68a29b250adbe88d1](http://gateway.webofknowledge.com/gateway/Gateway.cgi?GWVersion=2&SrcApp=PARTNER_APP&SrcAuth=LinksAMR&KeyUT=WOS:000417899400002&DestLinkType=FullRecord&DestApp=ALL_WOS&UsrcCustomerID=891bb5ab6ba270e68a29b250adbe88d1)
2. Arner, D.W., Zetsche D.A., **Buckley R.P.** & Barberis J.N. (2017) “FinTech and RegTech: Enabling Innovation while Preserving Financial Stability” *Georgetown Journal of International Affairs*, 18(3): 47-58
3. Arner D.W., Barberis J. and **Buckley R.P.** (2017) ‘FinTech and RegTech in a Nutshell, and the Future in a Sandbox’, (July 2017). CFA Institute, *Research Foundation Briefs: 1–20* (refereed), available at: <http://www.cfapubs.org/toc/rfbr/2017/3/4>
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9. **Bennett Moses, L.** & **Chan, J.** (2018). Algorithmic prediction in policing: assumptions, evaluation, and accountability. *Policing and Society*, 28(7), 806-822. doi:[10.1080/10439463.2016.1253695](https://doi.org/10.1080/10439463.2016.1253695)
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11. **Bennett Moses L., Johns F. & Joyce D.** (2018) 'Data associations in global law and policy', *Big Data & Society*, vol. 5, <http://dx.doi.org/10.1177/2053951718783438>

<sup>1</sup> Including some from 2017, noting difficulty of distinguishing pre- and post- launch publications. Hub members names and members of broader Data Justice stream in bold.

12. **Buckley, R., Zetsche, D., & Arner, D.** (2019). FinTech for Financial Inclusion: Driving Sustainable Growth. In J. Walker, Pekmezovic, & G. Walker (Eds.), *Sustainable Development: Harnessing Business to Achieve the SDG's through Financing, Technology and Innovation*. Wiley.
13. **Buckley, R., Arner, D., Zetsche, D., Zhao, B., Didenko, A., Park, C. -Y., & Pashoska, E.** (2019). Cryptocurrencies, Blockchain and ICOs: Policy and Regulatory Challenges of Distributed Ledger Technology and Digital Assets in Asia. In Brummer (Ed.), *Cryptoassets: Legal and Economic Perspectives*. Oxford University Press.
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19. **Chan, J., Johns, F., & Bennett Moses, L.** (2018). Academic Metrics and Positioning Strategies. In B. Ajana (Ed.), *Metric Culture Ontologies of Self-Tracking Practices* (pp. 177-195). Bingley UK: Emerald Group Publishing.
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### Hub member grants

ARC Discovery (commencing 2018) on Digital Humanitarianism (<http://datapolicy.law.unsw.edu.au/>) with Professor Fleur Johns, Associate Professor Wayne Wobcke and Research Associate Caroline Compton.

### CRC D2D reports co-authored by Hub members<sup>2</sup>

<sup>2</sup> Authors for each report vary. Hub affiliated authors on reports include L Bennett Moses, J Chan, A Maurushat, D Vaile. Reports are or will be made available at <https://www.d2dcr.com.au/rd-programs/law-policy/#reports> or by request to the D2D CRC team.

1. Data Technology and National Security: Comparative International Perspectives on Strategy, Policy and Law
  - a. Methodology Report
  - b. Australia Report
  - c. United Kingdom Report
  - d. Canada Report
  - e. Comparative Report
  - f. Select Bibliography
  - g. Technical References
  
2. Project B2: Information sharing and the National Criminal Intelligence System (NCIS)
  - a. Law and Policy Report
  - b. NCIS History Report
  - c. Interview Report
  - d. Focus Group Report
  - e. Final Report
  
3. Project B4: Using 'Open Source' Data and Information for Defence, National Security and Law Enforcement
  - a. Legal Report
  - b. Interview Report for Research Question 3
  - c. Interview and Focus Group Report for Research Question 4
  - d. Survey Report for Research Question 4
  - e. Final Report

## Completed PhDs

1. Jones S.L. (2017) *The Parallel Interface: National Security and Communication Regulation in the Era of Convergence and Global Terrorism*. (Kathy Bowrey/Derek Wilding)

## Hub Submissions (including joint submissions)

- Bennett Moses, L., Vines, P., Gray, J., Logan, S., & Manwaring, K. (2018). *Submission to NSW Law Reform Commission concerning digital assets upon death or incapacity*. Retrieved from <https://www.lawreform.justice.nsw.gov.au/Documents/Current-projects/Digital%20assets/Submissions/DI04.pdf>
- Alexandra George, *Submission concerning digital assets upon death or incapacity*, NSW Law Reform Commission Inquiry into Access to Digital Assets Upon Death or Incapacity (24 June 2018). <https://www.lawreform.justice.nsw.gov.au/Documents/Current-projects/Digital%20assets/Preliminary%20submissions/PDI15.pdf>
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- Yu, A., Lo, A., Bennett Moses, L., Clarke, R., Farbenblum, B., Joyce, D., . . . Zalnieriute, M. (2018). *Response to Issues Paper on Human Rights and Technology*. Retrieved from <https://tech.humanrights.gov.au/sites/default/files/inline-files/70%20-%20The%20Allens%20Hub%20for%20Technology,%20Law%20and%20Innovation.pdf>

- Senate Inquiry on the Future of Work and Workers  
[https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Future\\_of\\_Work\\_and\\_Workers/FutureofWork/Submissions](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Future_of_Work_and_Workers/FutureofWork/Submissions) (number 56).
- Kemp K. and Nicholls R., Submission to the Australian Treasury on the Treasury Laws Amendment (Consumer Data Right) Bill 2018 - Exposure Draft, 7 September 2018, (Hub members submission, but not formally Hub affiliated)  
[https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3150138](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3150138)

## Financial Summary

### Law, Innovation and Technology Hub - Financial Summary

for Period November 2017 - December 2018 LTD

	Budget		Notes	Actual	
	Year 1 (Nov17-Dec18)			Year 1 (Nov17-Dec18)	
<b>Revenue</b>					
Sponsorship (Allens)	\$	260,000	1	\$	520,000
Interest	\$	-		\$	10,671
UNSW Law Contribution	\$	50,000		\$	100,000
Carry forward	\$	-		\$	-
<b>TOTAL REVENUE</b>	\$	<b>310,000</b>		\$	<b>630,671</b>
<b>Costs</b>				\$	-
PEOPLE COSTS (Excluding Other People Cost and People Cost for Research Stream)	\$	183,800		\$	182,546
<b>TOTAL PEOPLE COSTS</b>	\$	<b>183,000</b>		\$	<b>182,546</b>
<b>NON-PEOPLE COSTS</b>					
<b>ANNUAL EVENT COSTS</b>					
Contribution to launch event from Hub budget	\$	5,000		\$	11,738
Speaker: airfare, accommodation, etc	\$	6,000		\$	10,791
Catering (100 people at \$30 per head)	\$	3,000	2	\$	-
Misc (e.g. printing, dinners)	\$	2,000		\$	115
<b>RESEARCH STREAM</b>				\$	-
Seed funding of up to \$10,000 per stream for research streams (eg for research assistance, workshops, conference travel)	\$	50,000	3	\$	13,203
Responses to opportunities	\$	7,000		\$	1,672
<b>MARKETING</b>				\$	-
e.g. logo design, signage, promotional materials, launch event	\$	5,000	4	\$	3,890
<b>STAFF TRAVEL</b>				\$	-
1 domestic conference each (researcher and director) and ad hoc travel	\$	2,500		\$	1,584
<b>RELOCATION COSTS</b>				\$	-
Relocation costs	\$	8,000	5	\$	15,564
<b>TOTAL NON PEOPLE COSTS</b>	\$	<b>88,500</b>		\$	<b>58,557</b>
<b>TOTAL COSTS</b>	\$	<b>271,500</b>		\$	<b>241,103</b>
<b>CLOSING BALANCE (Total Revenue - Total Costs)</b>	\$	<b>38,500</b>		\$	<b>389,568</b>

#### Notes

- Income increased with conservative CPI of 1%; Income of \$260K for Year 2 has been received
- Catering cost of \$6,529.09 paid in 2019 for 150 pax to attend annual event
- Unspent Stream funding including the following: (a) \$22,110 unspent funding rolled over for use in 2019 (b) \$10,000 unspent by the Cybersecurity Research & Training as stream, Alana Maurushat left UNSW, (c) \$2030 unallocated
- High budget in Yr1 for logo design and set up costs
- Relocation Costs includes Fringe Benefits Tax consequences

Certified Correct to Ledger:



Anna Polykarpou, Law Finance Business Partner  
20.02.2019



## Appendix

### Steering committee (2018)

**Lyria Bennett Moses** – Director of the Hub

**Michael Legg** – Director of FLIP Stream

**Anna Collyer** – Head of Innovation at Allens

**Michael Tidball** – CEO of the Law Society of NSW

**Justine Nolan** – Associate Professor in the Faculty of Law at UNSW Sydney and Associate Dean (Academic)

**Maurice Pagnucco** – Professor of Computer Science and Engineering, Deputy Dean (Education) of the Faculty of Engineering and Head of the School of Computer Science and Engineering at UNSW

### Advisory board (2018)

Daniel Petre	Co-founder and Partner, <a href="#">AirTree Ventures</a>
Doug Humphreys	President, <a href="#">The Law Society of New South Wales</a>
George Williams	Dean, <a href="#">UNSW</a> Law
Graham Greenleaf	Professor of Law & Information Systems, <a href="#">UNSW</a>
Jonathon Horan	Partner, <a href="#">Linklaters</a>
Ian McGill	Partner, <a href="#">Allens</a>
John FitzGerald	General Counsel & Company Secretary, <a href="#">AGL</a>
John Price	Commissioner, <a href="#">Australian Securities and Investments Commission</a>
Stephen Burley	Honorable Justice, <a href="#">Federal Court</a>
Katrina Johnson	Associate General Counsel & Head of ACAP Legal, <a href="#">Uber</a>
Lyria Bennett Moses	Director, Allens Hub for Technology, Law and Innovation
Maria Milosavljevic (retired end 2018)	NSW Government Chief Information Security Officer (GCISO)
Michael Legg	Flip Stream Director, <a href="#">UNSW</a>
Michelle Price	COO, <a href="#">AustCyber</a>
Narelle Clark	Pavonis Consulting
Rebecca Lim	Group Executive, compliance, legal & secretariat, <a href="#">Westpac</a>
Warren Kalinko	CEO, <a href="#">Keypoint Law</a>