

CURRICULUM VITAE

Sarah Green

CURRENT AND RECENT EMPLOYMENT

Head of Digital Assets and Trade Finance, D2 Legal Technology 2024-present
Professor of Private Law, University of Bristol

Commissioner for Commercial and Common Law 2020 – 2024
Law Commission of England and Wales

As the Law Commissioner for Commercial and Common Law, I was responsible for ensuring that the commercial law of England and Wales remains fit for purpose and reforming it where necessary. Most of my recent work has involved making legal changes in order to accommodate emerging and emergent technologies, particularly those based on Distributed Ledger Technology and Web3. I have therefore been responsible in recent years for advising the Government on how to deal with Smart Contracts, with producing a Report for the judiciary, for users and for legal advisers that explains how the law needs to respond to digital assets (from cryptocurrencies to NFTs and has already been cited in US Congress and US Bankruptcy Court), and with reviewing the law on Decentralised Autonomous Organisations. Most notably, I led the project that culminated in the passing of the Electronic Documents Act 2023, which allows for the first time electronic versions of trade documents to have the same validity as their paper counterparts. This puts the UK at the head of the G7 on this and has garnered the interest of other jurisdictions to follow suit. This statute has been estimated by the International Chamber of Commerce to be worth around £23 billion to the UK economy and \$10 trillion worldwide. The Law Commission works on the basis of consultation, so each of these projects has meant that I have worked very closely with companies and organisations that use (or want to use) electronic documents, with those who build the platforms, with those who insure them and those who advise them. This means that I am very familiar not only with the legal requirements that the Act now contains, but also with the needs, concerns and objectives of those that they affect.

From speaking in Parliament at All Party Parliamentary Groups and to House of Lords Committees, I have extensive experience of representing organisations in the public domain, with the Law Commission having an especially high public profile. I have given evidence several times as the principal witness at a Special Public Bill Committee in the House of Lords, addressed ministers at a Treasury roundtable, and regularly discussed legal reforms with the senior judiciary, from the High Court to the Supreme Court. I have a very significant network of relationships across the public and private sector: legal, commercial, governmental, academic and parliamentary. I sit on the UK Jurisdiction Taskforce, the Commonwealth Secretariat's Working Group on Legal Reform and Digitisation, LawTechUK and the The Digital Commonwealth Council. In 2023, I won both the International Chamber of Commerce's Award for the Individual Who Has Made the Greatest Contribution to the Digitalisation of Trade and the Outstanding Achievement Award at the British Legal Technology Awards. In 2022, I was placed on the Women in Fintech Power List and on Bloomberg's "Who to Watch" Crypto List.

PREVIOUS APPOINTMENTS

Professor of Private Law, University of Bristol 2017-2020

Professor of Obligations, University of Oxford 2010-2017

Articles Editor, Oxford Journal of Legal Studies 2014-2020

Lecturer, University of Birmingham 2001-2010

IT Consultant, Accenture 1999-2001. Accelerated promotion, 2000

EDUCATION

Msc Industrial Relations	Saïd Business School, University of Oxford	1999-2000
MA Jurisprudence First Class Honours	Balliol College, Oxford	1995-1998

AWARDS, HONOURS AND DISTINCTIONS

- International Chamber of Commerce Award for the Individual Who Has Made the Greatest Contribution to the Digitalisation of Trade (2023)
- Outstanding Individual Achievement Award, British Legal Technology Awards (2023)
- Women in Fintech Power List (2022)
- “Who to Watch” Crypto List, Bloomberg (2022)

LAW REFORM

Smart Contracts	Produced Advice to Government
Electronic Trade Documents	Produced Electronic Trade Documents Act 2023 - principal witness to the Special Public Bill Committee
Digital Assets	Produced Final Report and Advice: Draft Bill February 2024
Intermediated Securities	Produced Scoping Paper for Government
Conflict of Law Rules for Digital Assets	Produced Call for Evidence, Scoping Paper February 2024
Review of Arbitration Act 1996	Produced Final Report, Draft Bill. Introduced into the House of Lords, February 2024 – I was principal witness to the Special Public Bill Committee
Decentralised Autonomous Organisations	Call for Evidence, forthcoming June 2024

CURRENT MEMBERSHIP OF BOARDS/COMMITTEES

- UK Jurisdiction Taskforce – a body chaired by the Master of the Rolls and made up of members of the judiciary, government and legal practice, tasked with ensuring that the Law of England and Wales remains fit for purpose in the digital age

- Commonwealth Secretariat's Working Group on Legal Reform and Digitisation – an international body, set up with a view to sharing with other commonwealth jurisdictions the knowledge and experience of the Electronic Trade Document legislation that I implemented in England and Wales
- LawTechUK – a national board dedicated to the promotion and facilitation of legal tech throughout the United Kingdom
- The Digital Commonwealth – an international body, with a remit to provide thought leadership in the digital economy across the globe

I also co-chaired (with Lord Justice Fraser) the Industry Working Group on Electronic Execution of Documents; a Ministry of Justice body tasked with increasing the use of electronic documentary execution in both the private and the public sphere. Our Final Report was published in 2023.

SELECTED RECENT LECTURES AND APPEARANCES

- *Time for a Tertium Quid?* Current Legal Problems, UCL
- *Law and Sausages: Confessions of a Law Commissioner* Halsbury Law Society Annual Lecture, Merton College, Oxford,
- *In Conversation with the Law Commissioner on Digital Assets* Official Monetary and Financial Institutions Forum,
- *How Common Law Systems Supports the Development of Digital Assets* International Swaps and Derivatives Association Annual Forum Keynote
- Electronic Trade Documents Bill Special Public Bill Committee Principal Witness, House of Lords
- Arbitration Act 1996 Amendment Bill Special Public Bill Committee Principal Witness, House of Lords
- *Why We Need the Electronic Trade Documents Act* Trade Finance Distribution Initiative
- *Opening up the International Dispute Resolution Toolbox: are Existing Methods Fit for Purpose?* London International Disputes Week
- *The Law and Digitised Assets* Keynote, Manchester Law and Technology Conference
- *The Law Commission's Proposals on Digital Assets* Keynote, Annual Crypto in Disputes Conference

BOOKS (AUTHORED)

- *Causation in Negligence* (Hart, 2014) (Shortlisted for Birks Prize for Outstanding Legal Scholarship) **Cited with approval by Lord Toulson in *Williams v Bermuda Hospitals Board* [2016] AC 888 at [31], and by Lord Dyson MR in *Carder v University of Exeter* [2016] EWCA Civ 790 at [41]**
- *The Tort of Conversion* with John Randall QC (Hart, 2009) (Shortlisted for the Inner Temple Book Prize 2011) **Cited with approval by Moore-Bick LJ in *Your Response Ltd v Datateam Business Media* [2014] EWCA Civ 281 at [27].**
- *Tort Law* (Hart, 1st edition 2021, 2nd edition 2024) with Jodi Gardner
- *Tort Law, Cases and Materials* (Hart, 2024) with Jodi Gardner.

BOOKS (EDITED)

- *Illegality after Patel v Mirza* (Bloomsbury, 2018) with Alan Bogg.
- *Private Law Implications of Cyber-Currencies* (OUP, 2018) with David Fox. **Cited by Senator Cynthia M. Lummis in US Congress, 2022)**