

TechLaw Chat – Episode 8

Episode 8 of [Matthew Lavy](#) and [Iain Munro](#)'s podcast series, TechLaw Chat, is now available.

This episode, titled “At the AI’s discretion”, looks at the recent Supreme Court decision in *Braganza v BP Shipping Ltd* [2015] UKSC 17 which held that exercising a discretion rationally involves (i) taking the right things (and only the right things) into account, and (ii) avoiding a decision that no reasonable decision-maker could have reached. Matthew and Iain then explore how those principles might operate in the context of a discretion exercised automatically by a machine learning algorithm. They do so in the context of a fraud detection algorithm and an online farmers’ market somewhere in East Anglia.

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