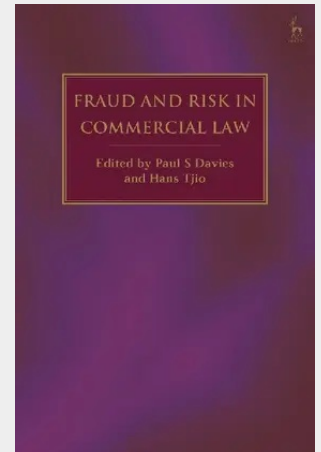


Fraud and Risk in Commercial Law

This book focuses on contemporary problems related to fraud and risk in commercial law. It has been said by some that we are in a 'golden age of fraud'. In part this has been caused by globalisation, technological changes and the financialisation of business. This has resulted in the creation of automated linkages with integrated supply chains and the creation of systemic risks, which have been exacerbated by new forms of intangible assets like tokens and their ease of movement. While regulation has ebbed and flowed given the desire of governments to generate economic growth, as well as the distrust of their coercive powers, the courts have sought to strike a balance between considerations such as commercial certainty and fairness. The book provides an analysis of key contemporary issues on the theme of fraud and risk in commercial law, including: technology and fraud, secondary liability and 'failure to prevent' economic crime, abuse of business entities, insolvency and creditor protection, injunctions and other orders, cross-border issues, the relationship between regulation and private law, and solutions for policy makers.

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