

Report

Enforcement Decision Panel Annual Report 2018/19

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1 Chairman's Foreword

Under the EDP Terms of Reference I am required to submit to the Board of the Authority an Annual Report on the activities of the EDP. This is my fifth and final report, my term of office expiring after a five year period on 30 May 2019. In my report for 2016/17 (<https://www.ofgem.gov.uk/publications-and-updates/enforcement-decision-panel-annual-report-201617>) I said that "over a period of almost three years, it is timely to look back on how the GEMA decision, to empower the EDP to exercise functions on behalf of GEMA and to bind it, has worked." I referred to our accountability to and within GEMA; to issues of efficiency and effectiveness; to the connection between enforcement and compliance; and to the future role of the EDP. In writing this report, I have looked back at what I wrote then, which provides a good overview of the role of the EDP, as I saw it then. In essence, and I hope with due objectivity, I thought that the new system adopted by GEMA of conferring an independent function on the EDP within the existing statutory framework was working well, giving stakeholders and the Board, and above all energy customers, confidence that the EDP engagement in enforcement would lead to better outcomes.

Rather than simply repeat what I said there, which remains valid and relevant, I would prefer to make this foreword more of a personal commentary on what I think has worked well over the past five years, identifying the constructive relationship between the members of the EDP and the case teams, which, in my view, contributes to the success of the Enforcement unit within GEMA.

There were two principal objectives in the establishment of the EDP. The first was the recognition that good regulatory practice required that those responsible for prosecuting a case, especially with a probable outcome of the imposition of penalties, should yield, in appropriate cases, the function of decision making to others, whether or not within the same organisation. The second was the experience of GEMA in 2012, in expecting a senior non-executive Director of the

Board to carry the responsibility of such a decision, in a contested case, and in then moving to find a solution that did not impose such a burden on a Board member, whose contributions should more efficiently be directed to policy and accountability of the Authority more generally.

Each of those objectives could have been met in different ways but GEMA decided on what, at first sight, involved some degree of risk to the Board's own accountability: namely entrusting to a new body, recruited from outside the Authority, the duty of decision making and, critically, making their decision the decision of the Authority. A less risky alternative would have been to have isolated some individuals within the organisation as a kind of decision making panel or to have made the decision of that panel or, the EDP, advisory only. Such a course would, probably, have improved the quality of the process to some degree. It would undoubtedly have removed a lot of the risk. Nevertheless, the Board took the decision that those objectives would best be served by the introduction of a new body, the EDP, which would be expected to achieve goals of excellence in decision making and thus enhance the reputation of the Authority. And that, necessarily, conferred a degree of independence on the EDP.

The efficient and accountable management of that independence within the past five years has been my principal responsibility as Chairman of the EDP. There are several aspects, each of which is indispensable to the retention of respect for the Authority, for it is to the Authority that we are primarily accountable. I would include the following: quality of decision making, in contested and Settlement Committee cases, by all EDP members; education and training, including knowledge of strategic and policy decisions of GEMA; excellent working relationships at all levels; transparency of processes; confidence in arriving at conclusions, even if they may differ from those of the case teams. And because those aims are shared by the Board of GEMA my task over the past five years has been immeasurably easier than were the atmosphere to have been cooler and doubts expressed as to our utility.

Over that period, with the exception of the current year, there had been no contested cases. But there were several cases brought to a Settlement Committee in which the EDP was part of the decision making panel, latterly two EDP members with one senior GEMA partner. The Annual Reports for the previous four years include all those cases, with references to the published penalty notices, where appropriate. I refer to them here, although we had no Settlement Committee decisions in the current year, because they illustrate all of the features to which I have referred.

The efficiency of any GEMA regulatory decision also depends upon the quality and dedication of the staff, even if they are not the ultimate decision maker. The EDP does not commence its own investigations. It is a referral body with defined and published Terms of Reference. Every reference to it, whether part of a process involving a settlement committee or a contested case, begins with some statement from the case team in which the team sets out the facts, its legal analysis relating to liability under a licence and, where appropriate, a recommended penalty. If there are statements made by the licensees relating to the investigation, they form a part of the file put before the Settlement Committee. The task of the Committee is to evaluate the reasoning through a process of examination of the file before arriving at its own conclusions, as to liability or fine. Over the past five years I can, from my own knowledge, say that questioning of the case team, which forms part of this process, is rigorous and conducted in the manner to be expected of individuals who are bound by the

same statutory duties. This cannot be achieved without respect on both sides, which I believe has been established. This is far from the derided “regulatory capture”. Neither EDP nor case team is captured by the other. It is the classic dynamic of those proposing and those deciding within the same framework of statute and policy.

Thus when the EDP was called on in 2017 to begin its first contested case, the npower /Advanced Meter Rollout case, I was confident that the case team would recognise the distinct function of the EDP as decision maker in what was a true “contest” between Ofgem and npower: on primary facts, on evaluation of those facts, on the legal principles to be applied to those facts, and on penalty, the four key issues in the case. The Enforcement Guidelines gave little guidance to the parties on how the EDP would manage its first contested case. But I was determined to ensure that there was full equality of arms as between the parties throughout the process, written and oral, before we made our decision in July 2018. On this, our first contested case, I chaired the Panel with Professor Amelia Fletcher and Mr Andrew Long. Throughout the entire process the Panel worked as a team.

In the event, as the EDP published decision shows (<https://www.ofgem.gov.uk/publications-and-updates/investigation-npower-s-compliance-its-obligations-under-electricity-supply-licence-standard-licence-condition-12>) the EDP agreed with most of the factual and legal analysis of the case team, as set out in their written pleadings and oral arguments, but differed from it in other respects, drawing different conclusions from the facts and adjudging the recommended penalty to be somewhat too high, but imposing a substantial penalty where npower had argued that it was free from liability and even if liable should pay only a small sum.

The EDP and senior Ofgem officials are now in discussions on lessons to be learned from the investigation and on whether it would assist licensees and Ofgem if the EDP were to agree a protocol for future cases.

The contested sectoral regulation case has always been seen by the Authority as a real test of whether the system is working well and meeting the expectations of the Authority and the market. But the EDPs functions are not confined to that. The most important of those are decisions under the Competition Act 1998, in which Ofgem has concurrent powers with the CMA, and the Regulation of Energy Market Integrity and Transparency Regulations (REMIT), concerned with unlawful manipulation of wholesale energy markets.

In respect of the Competition Act 1998, and before the EDP was established Ofgem brought proceedings against National Grid for a breach of Chapter II of the 1998 Act. From 2018 the EDP, for the first time, has been engaged in an investigation under Chapter I of that Act which began in 2016, when Ofgem exercised its powers of investigation in respect of possible anti-competitive agreements in the retail supply of electricity (<https://www.ofgem.gov.uk/publications-and-updates/investigation-whether-economy-energy-e-gas-and-electricity-and-dyball-associates-have-infringed-chapter-i-competition-act-1998-respect-suspected-anti-competitive-agreement>). When exercising its powers under the 1998 Act, in which, as I said, it has concurrent jurisdiction with the CMA, Ofgem and thus the EDP is required to take into account CMA Guidelines. At the date of this report the EDP has not completed its inquiry. When it does so, it will issue its decision, which will be that of the Authority.

No REMIT case has yet come before the EDP.

The EDPs Terms of Reference are not fixed. In the course of 2018, they were widened to cover the exercise of powers to confirm or revoke Orders respect of licence breaches. Several decisions have been made, summarised in the Activity

section of this report. In particular, the decision whether to confirm a Provisional Order requires a judgment as to whether, in its absence, an infringement would continue. The EDP is currently working with Ofgem to ensure that the combined roles are managed in an efficient and timely manner.

Looking ahead, Ofgem has been designated as a Competent Authority in respect of the Network and Information Systems Regulations 2018, under which it has enforcement powers. The EDP is ready to assume any responsibilities assigned to it by the Authority. It remains for the Board, looking further ahead, to decide what if any further activity should be added to the EDP's Terms of Reference, taking account of the wide areas of statutory duties and decisions required of the Authority.

Apart from its decision making function, the EDP has engaged on a regular basis over the past five years with senior Ofgem personnel on many aspects of policy relevant to the exercise of the EDP functions: including principle based regulation, distribution of the consumer redress elements of penalties and, more recently, the Supplier Licensing review. It has been a two-way process, the EDP being informed of likely changes in its area of responsibility, and being able to contribute through its experience of handling cases.

More specifically, in my role of Chairman, I have met the Chairman of the Authority regularly, to discuss matters of common interest.

In conclusion, I reaffirm my strong belief that the EDP adds real value to the Authority's critically important functions as a regulator of the energy market. Indeed the Board of GEMA has confirmed its confidence in the EDP by appointing five new members, in addition to the three original members whose periods of office continue after May 2019.

I wish to express my thanks to all my colleagues, EDP members and the Secretariat, for the huge support they have given me, for their skills and dedication in the work assigned to them and for the collegial and friendly manner in which we have operated. The work is neither easy nor humdrum. It includes absorbing a mass of material at short notice and delivering decisions of great importance to the industry.

The Authority and the ultimate beneficiaries, the users of energy, demand no less.

1 About the EDP

- 1.1** The EDP has been in place since June 2014 to take Enforcement Decisions on behalf of the Gas and Electricity Markets Authority (GEMA).
- 1.2** The scope of the EDP includes enforcing breaches under the Gas Act 1986, the Electricity Act 1989, the Utilities Act 2000, the Competition Act 1998, the Enterprise Act 2002, the Business Protection from Misleading Marketing Regulations 2008, the Consumer Rights Act 2015 and the European Wide Regulation on Energy Market Integrity and Transparency (REMIT).
- 1.3** The EDP is involved in decision making in three main ways:
- Contest Panels.** If a case is contested by the party under investigation three members of the EDP will be selected by the Chair of the EDP to take the decision on liability and any penalty.
- Settlement Committees.** Two members of the EDP work alongside a member of the Ofgem Executive team (anyone who is at Director Level or above) to take decisions in Settlement Cases. The role of the SC is to give a settlement mandate to the Investigating team which is then offered to the party or parties under investigation. If a penalty is involved, it is discounted if the party settles the case.
- Criminal cases.** The Chair of the EDP, or any legally qualified member can take a decision on whether or not to commence a criminal prosecution.
- 1.4** In this reporting period, the EDP was chaired by John Swift QC. Other panel members were Amelia Fletcher, Andrew Long, Elizabeth France, Stuart McIntosh (April – Dec) and Trevor Jones.
- 1.5** The EDP welcomed five new panel members in December 2018. Megan Forbes, Dr Ulrikke Hotopp, Dr Philip Marsden, Peter Hinchliffe and Ali Nikpay. More information about each panel member can be found in the Annex.
- 1.6** Members of the EDP Secretariat were Wendy Watson (April – Aug), Stella Denny and Georgina Hunt.
- 1.7** The EDP is directly accountable to GEMA. The Chair of the EDP meets the Chair of GEMA regularly throughout each year, while the EDP annual report is presented by EDP members to a formal GEMA meeting once a year.

2 EDP Casework in 2018/19

Casework overview

2.1 The EDP members have been involved in two Ofgem cases this year.

Case	
Npower	EDP decided that npower was in breach of licence conditions relating to the five year roll out of advanced meters to classes of commercial customers and imposed a penalty of £2.4 million. There was no appeal.
Economy Energy Trading/E (Gas and Electricity)/Dyball Associates Ltd	Ofgem investigation into a possible breach of Chapter I of the Competition Act 1998 by two retail suppliers of energy, and a supplier of software services. No decision at the date of submitting this Report

2.2 The EDP have also been involved with decision making for Provisional Orders and proposed Final Orders during 2018/19 :

Case	
Npower	<p>Confirmation of a Provisional Order in November 2018. Revocation of the same order in March 2019. https://www.ofgem.gov.uk/publications-and-updates/npower-provisional-order</p> <p>A Provisional Order was issued to npower on 24 September 2018 following their refusal to comply with the direction requiring their participation in the Active Choice Collective Switch Autumn Trial. This was a breach of standard licence condition 32A.</p> <p>On 26 November 2018, the EDP confirmed the Provisional Order in order to secure future compliance.</p> <p>A proposal to revoke the Provisional Order was made on 4 March 2019, which the EDP, taking into account a report to it by the case team, confirmed. The consultation for this revocation ends on 15 April 2019.</p>
E Gas & Electricity	<p>Revocation of a Provisional Order in February 2019. https://www.ofgem.gov.uk/publications-and-updates/e-gas-and-electricity-ltd-provisional-order</p> <p>A Provisional Order was issued to E (Gas and Electricity) Ltd (EGEL) on 16 January 2019 to prevent the transfer of customers from Economy Energy (EE), which had ceased</p>

	<p>trading, to EGEL. Had these transfers been completed it would have frustrated the Supplier of Last Resort (SoLR) process and the transfer of all former customers of EE to Ovo.</p> <p>On 25 February 2019 Ofgem recommended that the Provisional Order be revoked as it had been established that the transfers from EE to EGEL had been cancelled and EGEL had sent suitable communications to affected customers to explain the situation, which the EDP, taking into account a report to it by the case team, confirmed.</p>
<p>URE</p>	<p>Notice of proposal of a final order in February 2019. https://www.ofgem.gov.uk/publications-and-updates/ure-final-order</p> <p>The case concerned URE’s failure to pay their Renewables Obligation. Ofgem made a Final Order requiring payment by 31 March 2019 which the EDP, taking into account a report to it by the case team, confirmed.</p>
<p>Avro</p>	<p>Notice of proposal of a final order in February 2019. https://www.ofgem.gov.uk/publications-and-updates/avro-final-order</p> <p>Following an EDP decision on 6 March, the Authority published, on the 8 March, a notice of proposal to issue a final order on Avro Energy Ltd for its continued failure to become a Data Communications Company (DCC) User long after the compliance deadline of 25 November 2017; the final order requires Avro to become a DCC User by 25 July and imposes a sales ban – to protect smart meter customers who might otherwise switch to Avro and lose smart meter functionality - on Avro from 26 May until they can demonstrate they are a DCC User.</p>

Comparison to previous years

2.3 No references have been made to a Settlement Committee in 2018/19. The Contested Decision is that referred to in Table to 2.1 above.

Year	No. Settlement decisions	No. Contested decisions	Total Penalty and Redress
2018/19	0	1	2,400,000
2017/18	1	0	260,000
2016/17	2	0	14,000,000
2015/16	8	0	52,790,000
2014/15	11	0	65,700,001

3 EDP Quarterly meetings

3.1 The EDP meets quarterly to discuss a range of policy and enforcement issues and to discuss lessons learned from closed cases. The EDP also receives updates relating to generic organisational issues. These are valuable sessions to the EDP members who appreciate the involvement of Senior Ofgem staff and the opportunity to discuss and learn about policy issues affecting the organisation.

John Swift QC
Chairman, Enforcement Decision Panel
GEMA

12 April 2019

3.2 Annex – EDP Members’ Biographies

The EDP members bring a wide pool of expertise and experience covering the law, economics, public administration, financial services, and ombudsmen services and also have direct experience of enforcement decision making at other regulators including Ofwat, the FCA and the Pensions Regulator.

Here is more information about each of them:

John Swift QC – Chair of the EDP

John Swift QC has combined private practice with public sector regulation over the whole of his professional career. He has appeared as Leading Counsel, for regulators and the private sector, in several of the key cases in the UK and EU in which Courts have tested the legality of decisions of regulators, such as the Competition Commission and the European Commission.

From 1993 to 1998 he was Rail Regulator, appointed under the controversial Railways Act to promote the interests of passengers in a new and complex network of relations between train companies. From 2009 to 2016 he was a member of the NHS Cooperation and Competition Panel and then adviser to NHS Improvement (formerly Monitor) established to promote the interests of patients for NHS funded services and an independent member of Ofwat’s Case Work Committee since 2014. In February 2017 he was appointed to the Pension Regulator’s Determination Panel, which makes decisions relating to pension law breaches and uses its powers upon application or to address problems arising within the scheme.

His background is that of a stevedoring family in Liverpool, with his further education at Oxford University and the School of Advanced International Studies, Bologna. He lives in South Oxfordshire, where he is also a Parish Councillor.

Amelia Fletcher

Amelia Fletcher is Professor of Competition Policy at the Centre for Competition Policy at the University of East Anglia and a Non-Executive Director at the Competition and Markets Authority, the Financial Conduct Authority and the Payment Systems Regulator. She is also a policy advisor to Which? and a member of the Oxera Economic Council...

Amelia has extensive experience in competition and consumer policy. She was Chief Economist at the Office of Fair Trading (OFT) between 2001 and 2013, where she also lead the OFT’s Mergers and Competition Policy teams, as well as acting as a case Decision Maker. Before this, she was an economic consultant at Frontier Economics (1999-2001) and London Economics (1993-1999).

She has a DPhil and MPhil in economics from Nuffield College, Oxford. She is a member of the Council of the Royal Economic Society and of the European Commission’s Economic Advisory Group on Competition Policy. In 2014 she was awarded an OBE for services to competition and consumer economics.

Elizabeth France

Elizabeth France is Chair of the Security Industry Authority. She is also Chair of the Police Advisory Board for England and Wales, Deputy Chair of the Regulatory Decisions Committee of the FCA and the Enforcement Decisions Committee of the Payments Systems Regulator.

Elizabeth was a non- executive Director of the Serious Organised Crime Agency (2005-2010), Chair of the Office for Legal Complaints (2009-2014) and a member of British Transport Police Authority (2010-2018).

Elizabeth began her career in the Home Office in 1971 leaving to become Data Protection Registrar in 1994 (she was appointed Information Commissioner in 2001). In 2002 she was appointed Chief Ombudsman and Chief Executive of Ombudsman Services Ltd.

Elizabeth has been awarded honorary doctorates by the Universities of De Montfort, Loughborough and Bradford and is a Fellow of Aberystwyth University (where she completed her term as Pro Chancellor in 2018). In June 2002 she was awarded a CBE, for services to data protection.

Trevor Jones

Trevor Jones has gained over 30 years' experience in the Financial Services industry at businesses including Barclays Bank and Lloyds Banking Group. He has held a number of senior roles including the leadership of Risk, Financial Crime, Compliance, Audit and Finance functions, as well as shaping the business by driving the Governance and Compliance agendas for UK banks.

He has held a number of positions on Boards and chairing committees tasked with shaping compliance for large financial institutions. Having seen the regulatory landscape change over his career, he founded a consulting service specialising in the provision of compliance and risk advice to banking and insurance companies. He lectures on compliance. Trevor works for the Bank Leumi UK, in Compliance

Andrew Long

Andrew Long is an experienced regulatory decision maker and judge.

He previously chaired the Regulatory Decisions Committee of the Financial Conduct Authority and now chairs the Determinations Panel of the Pensions Regulator. He is also a Panel Chair for the Access Disputes Committee (of the regulated rail industry)

He was a Deputy District Judge of the High Court and County Court for fifteen years and has been a Judge of the First Tier Tax Tribunal since 2009. He was formerly a Board member of the Solicitors Regulation Authority where he chaired one of its principal committees. He has written extensively on regulatory law, including part of a major textbook on financial services regulation. His main career was as a partner at Pinsent Masons solicitors, where he led the financial services regulation practice.

Stuart McIntosh (Apr-Dec)

Stuart McIntosh is a member of the FCA's and the PSR's Competition Decision Committees, a member of the PSR's Enforcement Decisions Committee, a senior adviser to KPMG's Economics and Regulatory Practice (on issues in the Communications Sector), and a member of the ManSat Advisory Board.

Between 2008 and 2014 Stuart was Group Director, Competition, at Ofcom, the UK Communications Regulator, and an executive member of the Ofcom Board. Stuart was responsible for Ofcom's work relating to the economic regulation of the telecommunications, broadcasting and postal sectors in the UK, dispute resolution (between companies in the communications sector) as well as Ofcom's work under the Competition Act.

Prior to Ofcom, Stuart held senior executive or partner positions in several major organisations including IBM, PricewaterhouseCoopers and British Telecom. Stuart began his career as a member of the UK Government Economic Service. Stuart holds a BSc and an MSc in Economics, both taken at the London School of Economics.

Dr Ulrike Hotopp

Dr Ulrike Hotopp is Director of Live Economics Ltd a research based economic consultancy. She is a member of the CMA panel and the Regulatory Board for UK and Ireland at RICS. She holds an honorary professorship at the University of Kent. Until October 2018 Ulrike was Vice President at the UK Evaluation Society. Ulrike has a PhD in Economics from the University of Sussex. She worked as a Civil Servant for the Government Economic Service between 2000 and 2016. In her last role she was Chief Economist and Director for Analysis at DEFRA. Other roles included Deputy Director for Strategic Analysis at the then Department for Energy and Climate Change.

Ali Nikpay

Ali Nikpay is a partner at Gibson Dunn & Crutcher and head of its competition practice group in London. He has more than 20 years of EU and UK merger control, antitrust and litigation experience in both the private and public sectors. He has been described in an editorial by the UK's leading broadsheet, the Daily Telegraph, as "one of the world's preeminent experts in European competition law"; by Chambers 2018 as "brilliant strategically and tactically, and is a great advocate"; and by Legal 500 2016 as "technically outstanding" and "very effective". In 2017, The Financial Times named Ali among the Top 10 Innovators in Europe at the 2017 FT European Innovative Lawyer Awards, which recognized the "ten original legal thinkers in a fast moving world". In 2010 he was identified as one of The Lawyer's "Hot 100".

During his time at the UK competition Authority, Ali held a number of important positions including Senior Director of its Cartels and Criminal Enforcement division, Senior Director for Merger Decisions and Senior Director of Policy International (in which capacity he interacted with senior officials at agencies in the US, the EU, Japan, South Korea, Australia, Canada etc). He was also a member of the authority's highest decision-making organ, its Executive Committee.

He has also served on the Confederation of British Industry's Competition Panel and on several occasions appeared before the House of Lords Select Committee on the European Union.

He is co-editor of "Faull & Nikpay: The EU Law of Competition," which was described by European Competition Law Review as "... the best single volume work dealing with EU competition law that is available. He serves on the editorial boards of the following journals: "European Competition Law", "World Competition", "Antitrust Enforcement Review" and "Competition Law International". Ali is a Visiting Lecturer at University of Oxford and was a Visiting Fellow at the London School of Economics and Political Science (LSE). In 2012, he authored an article "UK cartel enforcement: past, present, future", which was nominated by the Global Competition Review for an award.

Dr Philip Marsden

Dr Philip Marsden is Deputy Chair of the Bank of England's Enforcement Decision Making Committee, and a member of the Case Decisions Committee, the Enforcement Decisions Committee and the Regulatory Decisions Committee at the Financial Conduct Authority and the Payment Systems Regulator.

Philip is also Professor of Law and Economics at the College of Europe, Bruges, teaching the core LL.M. competition course and is co-founder and General Editor of the European Competition Journal, and the Oxford Competition Law case reporter series.

For ten years Philip held various roles at the UK competition authority, first as member of the Board of the Office of Fair Trading, then as Inquiry Chair and Senior Director, Case Decision Groups, at the Competition and Markets Authority, where he decided on Phase II mergers, market investigations and antitrust cases, post-SO. He was also a Board member of the Channel Islands Competition and Regulatory Authorities. He was also Senior Research Fellow at the British Institute of International and Comparative Law, and Director of its Competition Law Forum. In private practice he worked at major law firms in Toronto, Tokyo and London.

A competition official and prosecutor early on in his career, for the last 30 years Philip has also acted as independent counsel, specialising in advice to firms in the fast-moving consumer goods and high technology sectors, and to governments on competition agency effectiveness and decision-making.

Philip earned his doctorate in law from the University of Oxford.

Peter Hinchliffe

Peter Hinchliffe is a barrister with significant experience of making independent decisions in a legal or regulatory environment. He was Deputy and Acting Chair of the Regulatory Decisions Committee of the FCA and is a member of the Determinations Panel of The Pensions Regulator and a member of the Financial Reporting Council's Case Management Committee. He sits as a tribunal judge in the General Regulatory Chamber and in other jurisdictions.

Peter is chair of the Behavioural Insights Trustee Company and an experienced non-executive director and charity trustee. He has previously held non-executive roles in HM Treasury and with regulators in the telecoms and legal services sectors. Peter was Lead Ombudsman for insurance at the Financial Ombudsman Service until 2010 and has spoken

and written extensively on consumer issues. Prior to that he held senior management positions in the technology and charity sectors

Megan Forbes

Megan Forbes has over 25 years of experience as a senior regulator and public lawyer across various industry sectors, including financial services, energy and healthcare. Formerly Deputy Chief Executive at the General Pharmaceutical Council, she has also held senior executive leadership positions in the Financial Conduct Authority, Ofgem and has been Deputy Council to the Speaker of the House of Commons. She was director for strategy and delivery for the enforcement division at the Financial Conduct Authority and was Ofgem's partner for enforcement, leading a major transformation of the approach to enforcement. Prior to that as deputy director she advised Government ministers on public law in relation to nuclear power, renewable energy, company investigations, information law and export controls. Megan has a Masters in European Law from the Université de Paris II; and has been a solicitor since 1993.

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