



# **Fighting for Transparency in UK Higher Education: An Update From the Front Line**

Why I'm Pursuing Legal Action, What Happens Next,  
and How You Can Help Make a Difference

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## **Abstract**

This essay presents a personal and legal intervention into the crisis of governance in UK higher education. Drawing from my unique trajectory—from a Silicon Valley engineer to a legal researcher—I outline why I have launched formal legal actions against key public and private bodies, including Universities UK, Advance HE, GuildHE, Skilled Education Ltd, Times Higher Education, and the

Education Select Committee. At the heart of my campaign is a demand for transparency, fiduciary responsibility, and procedural fairness—principles increasingly absent from institutions entrusted with public money and democratic legitimacy. The essay provides a detailed account of the legal foundations for these actions, the deadlines imposed, and the consequences of non-compliance. It situates the crisis within the broader financial collapse of the sector, citing structural insolvencies, inflated tuition fees, and the misuse of public funds. It calls for democratic oversight and collective civic action as necessary counterweights to institutional opacity and policy capture. Readers are invited to engage, contribute, and support this grassroots campaign to build a higher education system that is financially sustainable, democratically accountable, and ethically governed.

## **Keywords**

higher education, UK governance, fiduciary duties, transparency, accountability, democratic oversight, student debt, administrative law, conflicts of interest, universities, Select Committee, public law, crowdfunding, institutional reform, Epistemic Clientelism Theory, fiduciary ethics, Freedom of Information, judicial review, public trust, governance integrity, financial sustainability, educational equity, grassroots advocacy

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# 1. Introduction: A Personal Commitment to Transparency

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My professional journey has been unconventional. Initially educated and trained as an Electronics Design Engineer, I spent nearly two decades immersed in the vibrant culture of Silicon Valley, designing high-performance analogue circuits and pushing technological boundaries. Silicon Valley taught me the profound value of bold experimentation, creativity, and the humility that accompanies frequent failure. There, failure wasn't shameful; it was a critical part of the learning process. I learned to accept my own limits, my ignorance, and the fundamental truth that no matter how expert we become, ignorance exists at every level of knowledge. The only real failure, I came to believe, was refusing to admit when I was wrong.

My career took an unexpected turn when I participated directly on a defence team in a serious criminal trial. That exposure to the law in action awakened something in me—a profound curiosity about justice, accountability, and governance. Determined to understand these matters more deeply, I enrolled as a mature student in an LL.B programme, later progressing into advanced studies of governance at postgraduate level.

Yet I approached my legal education differently: I was not merely reading law, I was already an engineer and scientist by training, accustomed to dissecting complex systems and diagnosing their faults. Applying these analytical skills, I began examining the institutional structures of UK higher education. This interdisciplinary lens revealed troubling patterns: entrenched opacity, governance failings, and practices that appeared incompatible with the foundational principles of accountability and transparency essential in a democratic state.

My research eventually produced significant breakthroughs in governance theory. I developed the Fiduciary Epistemic Framework and the Epistemic Clientelism Theory (ECT), through which I identified deep-seated fiduciary breaches and epistemic injustices permeating the governance of universities. I could not simply ignore the gravity of what I observed—the erosion of transparency, accountability, and fairness within institutions meant to uphold the highest standards of public trust.

Today, driven by the same ethos of bold experimentation and uncompromising integrity that defined my engineering career, I am committed to fighting institutional opacity. My goal is straightforward yet critical: to ensure that students, academics, and the public receive the transparency, honesty, and accountability they unquestionably deserve from the governance of UK higher education. We urgently need an education system that is free of graft, genuinely sustainable, and financially fair. Despite students facing exorbitant tuition fees—the highest in Europe—UK universities are increasingly going broke, left and right. This paradox is both unacceptable and unsustainable, underscoring precisely why radical transparency and democratic accountability are so crucial.

## 2. Quick Recap: What Has Happened So Far?

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Over recent months, I have formally initiated legal actions targeting influential governance bodies within UK higher education. These actions are grounded explicitly in established legal principles, statutory duties, and administrative law, prompted by significant evidence of governance failings and breaches of public trust.

### (1) Actions Against the Five Private Organisations

I have issued formal legal notices to five influential private organisations involved in UK higher education governance:

- Universities UK
- Advance HE
- GuildHE
- Skilled Education Ltd
- Times Higher Education

My notices demand explicit transparency and accountability based on several core legal obligations and principles:

#### (a) **Fiduciary Duties:**

These organisations have clear fiduciary responsibilities under common law and statutory duties applicable to charities and corporate entities (eg, Companies Act 2006, ss 171–177; Charities Act 2011, ss 178–182). I have explicitly requested disclosures demonstrating compliance with these duties—particularly the duty to avoid conflicts of interest (s 175 Companies Act 2006), to act in the interests of beneficiaries (students and staff), and to ensure accountability regarding the transparent and responsible use of resources.

#### (b) **Governance Integrity:**

My letters highlight potential governance failings that contravene both statutory requirements under the Charities Act 2011 (ss 1(1)(a), 14, 17) and corporate governance standards under the UK Corporate Governance Code 2018. Explicit transparency regarding decision-making processes and governance structures is required to comply fully with these provisions.

#### (c) **Equality Compliance (PSED):**

These bodies must comply explicitly with the Public Sector Equality Duty (PSED) under s 149 of the Equality Act 2010. Although primarily applicable to public authorities, this duty extends explicitly to private organisations exercising public functions or receiving public funds. My legal

notices demand clear evidence of how their policies and decision-making processes adhere explicitly to their obligations regarding equality, non-discrimination, and inclusive practice.

**(d) Data Protection and Procedural Fairness:**

Compliance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018 requires explicit transparency in data-handling procedures, particularly concerning institutional rankings, student performance metrics, and related assessments. My letters demand explicit disclosures confirming lawful data processing under Articles 5, 12–15, and 22 UK GDPR, as well as clear explanations of procedural fairness safeguards in decision-making processes involving automated or data-driven decisions (Article 22 UK GDPR).

These five private organisations must explicitly respond by 21 August 2025, addressing each identified legal obligation.

## **(2) Action Against Public Institution: The Education Select Committee**

Separately, I have issued a formal notice to the Education Select Committee, chaired by Helen Hayes MP, grounded explicitly in principles of administrative law, statutory duties of parliamentary committees, and standards established under public law jurisprudence.

**(a) Explicit Disclosure of Conflicts of Interest:**

My notice invokes established administrative law principles articulated clearly in case law, including *Porter v Magill* [2001] UKHL 67, [2002] 2 AC 357, explicitly requiring transparency regarding actual or perceived conflicts of interest to uphold public trust and procedural integrity. The principles of natural justice—particularly the rule against bias—require full and explicit disclosure of committee members’ interests.

**(b) Procedural Fairness and Administrative Transparency:**

Under principles of procedural fairness established in cases such as *R v Secretary of State for the Home Department, ex parte Doody* [1994] 1 AC 531 and further reaffirmed in *R (Osborn) v Parole Board* [2013] UKSC 61, the Education Select Committee must explicitly demonstrate that their procedures for selecting evidence, hearing testimonies, and making policy recommendations adhere to standards of fairness, rationality, and transparency under administrative law.

**(c) Duty to Public Accountability (Administrative Law):**

As a public body operating within the scope of parliamentary privilege and statutory oversight functions, the Education Select Committee is explicitly bound by principles articulated in landmark administrative law judgments such as *Council of Civil Service Unions v Minister for the Civil Service* [1985] AC 374 (the GCHQ case) and *R (Miller) v Prime Minister* [2019] UKSC 41. My notice demands explicit clarification demonstrating compliance with these established principles to ensure robust procedural accountability.

The Education Select Committee must respond explicitly by 8 August 2025, providing full disclosures regarding these administrative law requirements.

## **Access to Legal Documents and Further Details**

Copies of my formal letters, detailing each cited statutory provision and judicial authority, along with further explanations of governance concerns, are publicly accessible on my Substack, Scribd, and GitHub.

## **3. What's at Stake: Why This Matters to You**

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Transparency and good governance in UK higher education are not abstract ideals—they have direct consequences for educational quality, fairness in tuition fees, academic freedom, employment prospects, and the financial sustainability of universities themselves.

### **The Current Crisis in the Higher Education Sector**

The higher education sector in the UK is currently experiencing widespread financial instability. Approximately 40 per cent of UK universities now operate with unsustainable deficits, triggering widespread restructuring programmes, staff redundancies, and reduced institutional stability {The Times 2024}. According to Phil Baty, Chief Global Affairs Officer at Times Higher Education, the financial pressures facing universities represent 'one of the biggest financial scandals universities have faced' {The Times 2024}.

UK higher education significantly impacts the economy, contributing approximately £265 billion in 2021–22, representing about 8.6 per cent of GDP, surpassing sectors such as agriculture, forestry, fishing, mining, and defence combined {Tortoise Media 2024}. However, recent government policies have worsened financial pressures, with anticipated funding cuts for 2025–26 estimated at £1.4 billion due to fee caps, pension deficits, and regulatory burdens {Universities UK 2024}.

International student fees have increasingly become a lifeline for UK institutions. Income from non-EU students rose sharply from £4.7 billion in 2016–17 to £8.9 billion in 2022–23, now constituting approximately 22 per cent of total university revenue. However, this revenue stream is precarious, with only around 32 pence in every pound translating into surplus, highlighting the sector's financial vulnerability {Institute for Fiscal Studies 2024}.

### **The Cost of Corruption and Financial Mismanagement**

The consequences of financial mismanagement and fraudulent practices within higher education governance are substantial. A recent case revealed that £7.1 million was lost to fraudulent student loan

claims linked to franchised institutions, from a total of £22 million flagged for investigation, although £14.9 million of that sum was blocked before disbursement {The Times 2024b}.

The overall burden of student debt currently exceeds £260 billion, averaging approximately £26,000 per student. In many institutions, student loan repayment rates fall below 10 per cent, exacerbating long-term financial challenges for taxpayers, who ultimately bear the cost of unrecoverable loans. This situation calls into question the sustainability of high-tuition-fee courses that often deliver limited economic returns for graduates {The Times 2024c}.

## **Direct Impact on Students, Staff, and Society**

The implications for students, academics, and the public are clear. When institutions mismanage resources or fail to address fraudulent activities promptly, students face higher tuition fees, staff experience redundancies and pay cuts, and taxpayers are left covering the financial shortfall.

Poor governance also leads directly to reduced educational quality, with institutions implementing drastic cost-cutting measures such as increased class sizes, reduced support services, and fewer academic resources. This decline in quality undermines both student outcomes and public trust in higher education.

Moreover, institutions operating without transparency become inaccessible to proper scrutiny, weakening accountability mechanisms and potentially eroding academic freedom. Transparency is not merely an ethical obligation; it is a practical necessity to safeguard educational integrity, institutional stability, and public trust in the higher education sector.

## **Transparency as the Foundation of Accountability**

Transparency enables accountability. Without explicit disclosure of governance decisions, financial dealings, conflicts of interest, and procedural safeguards, it becomes impossible for students, staff, and the broader public to hold universities accountable. Accountability requires clear, verifiable information. The pursuit of transparency, therefore, is critical—not just morally, but to preserve the quality, fairness, and sustainability of UK higher education.

## **4. Upcoming Deadlines: Who Must Act, and When**

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Several critical deadlines are fast approaching, each representing a significant turning point in the fight for transparency and accountability within UK higher education governance. These deadlines are not arbitrary—they are informed by clear statutory and administrative obligations and represent essential opportunities for responsible institutions to demonstrate compliance with fundamental legal standards.



## **(1) Education Select Committee (Deadline: 8 August 2025)**

The Education Select Committee, chaired by Helen Hayes MP, must explicitly address concerns outlined in my formal notice served under principles of administrative fairness and transparency. Specifically, the Committee must:

- **Disclose Potential or Actual Conflicts of Interest**

Committee members must explicitly disclose any affiliations or interests with universities, commercial entities, or other organisations that could compromise impartiality. This requirement is grounded in principles established in *Porter v Magill* [2001] UKHL 67, which emphasises that actual or perceived conflicts must be transparently addressed to ensure procedural integrity and maintain public confidence.

- **Demonstrate Procedural Transparency and Fairness**

The Committee must explicitly outline how it selects witnesses, reviews evidence, formulates policy recommendations, and upholds procedural fairness. This standard aligns explicitly with established administrative law principles articulated by the *Supreme Court in R (Osborn) v Parole Board* [2013] UKSC 61 and the earlier foundational judgment *Council of Civil Service Unions v Minister for the Civil Service* [1985] AC 374 (GCHQ case). Both cases stress the explicit duty of public institutions to uphold procedural fairness and transparency.

Failure by the Education Select Committee to respond explicitly and substantively by 8 August 2025 will trigger escalatory actions, potentially including formal regulatory complaints to the Parliamentary Commissioner for Standards and the preparation of a judicial review application challenging procedural legitimacy.

## **(2) Universities UK, Advance HE, GuildHE, Skilled Education Ltd, Times Higher Education (Deadline: 21 August 2025)**

Separately, the five influential private governance organisations—Universities UK, Advance HE, GuildHE, Skilled Education Ltd, and Times Higher Education—have until 21 August 2025 to explicitly respond to their respective formal notices. Their responses must comprehensively address the following:

- **Compliance with Fiduciary Duties (Charities Act 2011; Companies Act 2006)**

Explicit demonstration of compliance with fiduciary duties is required, notably those codified in sections 171–177 of the Companies Act 2006, and sections 178–182 of the Charities Act 2011. Institutions must transparently demonstrate how they are avoiding conflicts of interest (particularly under s 175 Companies Act 2006), ensuring responsible stewardship of resources, and safeguarding the interests of students, academic staff, and the public.

- **Governance Integrity and Accountability (UK Corporate Governance Code 2018)**

These organisations must explicitly confirm adherence to the UK Corporate Governance Code (2018), particularly principles related to transparency of board decisions, effectiveness of

governance structures, and clarity of accountability mechanisms. The absence of robust governance controls compromises not only institutional integrity but also the wider reputation and viability of the UK higher education sector.

- **Equality Compliance under the Public Sector Equality Duty (Equality Act 2010, s 149)**

Given these organisations' influence on policy and their public funding links, they must explicitly demonstrate compliance with the Public Sector Equality Duty under s 149 of the Equality Act 2010. Specifically, organisations must clearly illustrate how their policies and practices proactively promote equality, prevent discrimination, and foster genuine inclusion.

- **Data Protection and Procedural Fairness (UK GDPR and Data Protection Act 2018)**

Explicit transparency about data collection, storage, processing, and utilisation is required, in line with Articles 5, 12–15, and 22 of the UK GDPR, and provisions under the Data Protection Act 2018. Particular emphasis is placed on the transparent use of data for institutional rankings, student metrics, and automated decisions affecting academic or financial outcomes for students and staff.

Failure by these private organisations to explicitly and substantively respond by the 21 August 2025 deadline will trigger regulatory complaints to relevant oversight bodies, including the Charity Commission, Equality and Human Rights Commission (EHRC), Information Commissioner's Office (ICO), and Companies House. Preparations for judicial review will follow if responses are inadequate or incomplete.

## **Importance of These Deadlines**

These explicit deadlines are not mere formalities—they represent essential milestones in ensuring that influential governance bodies uphold their fiduciary, administrative, and statutory obligations. Failure to respond transparently and fully will constitute a significant breach of public trust, inviting formal regulatory investigations, judicial scrutiny, and potentially profound institutional reputational damage. Conversely, explicit compliance with these transparency requirements represents a critical opportunity to restore public trust, safeguard educational quality, and reinforce ethical governance across the UK higher education sector.

## **5. The Importance of Collective Action and Your Role**

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While my personal commitment to pursuing transparency and accountability in higher education governance remains steadfast, real and lasting change cannot be accomplished by one voice alone. History consistently demonstrates that meaningful institutional reforms are achieved through collective, engaged action—when individuals, united by shared democratic values, actively demand transparency, fairness, and genuine accountability from institutions that wield substantial influence over our lives.

In higher education, this democratic process requires the involvement of everyone affected: undergraduate and postgraduate students, academic and support staff, researchers, parents, and taxpayers. Universities and governance organisations should not be allowed to operate as closed or self-serving entities; they must be answerable to the democratic society that funds them, legitimises their authority, and relies upon their integrity.

Students experience first-hand how governance decisions affect their tuition fees, the quality of their education, and their future opportunities. Academics and support staff witness daily how opaque governance structures create inequitable working conditions, employment insecurity, and restrictions on academic freedom. Citizens and taxpayers have an equally legitimate interest in ensuring that public resources—funded ultimately by their contributions—are managed transparently, ethically, and effectively.

Your involvement in this democratic effort can take many meaningful forms:

- Read, engage with, and share the formal letters and essays I have published. Being informed is essential to exercising democratic oversight, enabling you to confidently advocate for reform.
- Raise awareness within your communities and networks, actively questioning institutional decisions that lack transparency or appear undemocratic. Public awareness generates pressure that institutions cannot easily ignore.
- Contact your MPs and public representatives, explicitly highlighting governance failures and demanding their proactive intervention. Remind them that ensuring democratic accountability within higher education is their responsibility.
- Amplify this campaign publicly, using social media, academic discussions, and public forums to reinforce the democratic demand for accountability. Each voice contributes to building the sustained pressure required for meaningful reform.

Fundamentally, this effort is about far more than transparency alone—it is about reclaiming democratic oversight from organisations that have drifted towards undemocratic practices and opacity. These institutions must understand clearly that their legitimacy and authority are contingent upon democratic accountability. Without collective vigilance and action, we risk allowing these organisations to evade scrutiny, perpetuate abuses of power, and ultimately weaken the democratic fabric of our society.

By joining this collective democratic endeavour, you help ensure that institutions entrusted with public resources and responsibilities remain truly accountable to those they are meant to serve. Together, we have the power—and democratic duty—to rein in undemocratic practices, restore institutional accountability, and ensure that our higher education system genuinely reflects and respects democratic values and principles.

## **6. Funding This Fight: How You Can Help**

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At present, my advocacy and legal actions to hold UK higher education institutions accountable are entirely self-funded, conducted independently without institutional backing or external sponsorship. This independence has allowed me to challenge powerful interests without compromise or restraint; however, it is not sustainable indefinitely.

As the scope of my efforts expands—encompassing formal notices, regulatory complaints, and potential judicial review proceedings—the financial and personal burdens have inevitably grown. Effective advocacy and legal challenges require significant resources, including specialist legal expertise, extensive research, and administrative support. To maintain momentum and continue holding influential organisations accountable, I am actively exploring crowdfunding and similar mechanisms as means of supporting this essential democratic work.

Your involvement and support can directly influence the outcome of this campaign. If the principles of transparency, accountability, and democratic oversight within higher education resonate with you, please consider signalling your willingness to contribute financially or help build wider public support. Every expression of interest, every commitment, no matter the scale, strengthens our collective ability to challenge entrenched institutional opacity.

Crowdfunding is more than just financial support—it is also a powerful statement. It publicly demonstrates that the fight for transparency and democratic accountability within higher education is broadly supported by individuals who refuse to remain passive in the face of injustice or abuses of power.

Together, through collective generosity and shared commitment, we can sustain and intensify this critical campaign. Your support is genuinely transformative—not just in enabling the fight itself, but in sending a clear message to higher education institutions and governance bodies that citizens demand genuine accountability and democratic governance.

## **7. Closing Thoughts: Building the Higher Education System We Deserve**

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Despite considerable challenges, meaningful reform in higher education governance remains entirely achievable. History teaches us that entrenched power and opacity can be effectively challenged through sustained, collective, and democratic action. Each incremental step towards transparency, accountability, and fair governance is a crucial victory that strengthens public trust, fosters true academic freedom, and enhances educational excellence.

Our universities should be places of openness, inquiry, innovation, and integrity—public institutions accountable to democratic principles and transparent governance. It is within our collective power to ensure that universities honour their foundational promise to society. The path ahead is difficult, but

every act of democratic vigilance brings us closer to the fair, accountable, and ethical higher education system we all deserve.

Ultimately, this campaign is about reclaiming higher education governance for its rightful beneficiaries: students, academics, and society at large. Together, we can demand—and achieve—true democratic accountability and transparency. Together, we can build the higher education system that reflects our collective values, our democratic aspirations, and our shared vision for a fairer society.

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## My Mission

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I seek no alliances with political or institutional orthodoxies. My sole commitment is to epistemic authenticity, ethical autonomy, and democratic accountability. My aim remains ethical dialogue and principled collaboration, grounded in fiduciary duties to truth, epistemic fairness, and authentic democratic discourse.

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## Licence

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## Revision History

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Version	Description of Changes	Epistemic Impact	Date
—	Initial release	None	2025-07-31

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