EVIDENCE GIVING MEETING #3

All Party Parliamentary Group on Artificial Intelligence
APPG AI

26 June 2017
5:30 – 7:00 pm
House Of Lords, Committee Room 4A

#appgAI
@BigInnovCentre
Main Focus

• Who owns our data?
• What can be done with our data?
• How should the legal systems adjust?
• A data charter?
• Data ad social contract (‘opt in’ unless you ‘opt out’, ‘fair use)
• Cyber security/hacking
Thought Leaders

- Sir Gordon Duff – Principal, St. Hilda’s College, University of Oxford
- Prof. Mark Skilton – Professor of Practice, Information Systems Management and Innovation, University of Warwick Business School
- Nicola Eschenburg – Global Head of Analyst Relations, BAE Systems
- Stewart Room – Partner and Global Data Protection Leader, PwC
- Clive Gringras – Head of Technology, Media, and Telecommunications, CMS Cameron McKenna Nabarro Olswang LLP
- Dr. Maria Ioannidou – Lecturer in Competition Law, Queen Mary University London
Sir Gordon Duff – Principal, St. Hilda’s College, University of Oxford

- Particularly interested in innovation in the health sector
  - Previously served as the Chairman of the Medicines and Healthcare Products agency
  - Implemented the largest well-curated clinical databases: records of over 20m people
- A key question we need to explore as we embark on the AI road is: how do we develop the security needed to bring public confidence about the safety of one’s data?
  - One solution is to anonymize data but in order to reap the full benefits data has to be de-anonymized often
- We need to understand how to manage data on a societal level
- Unpack the ethical negative about not using data for social purpose
Prof. Mark Skilton – Professor of Practice, Information Systems Management and Innovation, University of Warwick Business School

• Has written 3 research books on how 4IR is impact society
  • Latest book → “4th Industrial Revolution: Responding to the Impact of Artificial Intelligence on Business”
    • Identifies (a) current AI in business practices and (b) emerging patterns of AI use in business
  • 3 types of evidence:
    • Trend of neural networks modeling human behavior based on large data sets
    • Trend of automating machine behavior augmenting types of work
    • Trend of AI being used to monitor and respond to cyber attacks
• There is a need for a data charter with sensible guidelines on how to manage data
  • Data shouldn’t be stored in one place
  • We need options more than the current ‘opt in’ and ‘opt out’ solutions
• There is a need to create identity and liability to be ethically purposeful – who is reliable for certain outcomes?
• The APPG AI should explore where effective jurisprudence is going on?
We are seeing a growing trend to increasing connectivity through data – *society needs to understand who collects, owns, and uses this data?*

- There is a growing ethical and legal concern to this question as data is increasing deciding who possess power
- Ethics and legal are both self-enforced and politically enforced; they are also flexible and changeable terms

Current period characterized as a shift from financial capitalism → data capitalism

Regulation needs to be kept simple to reflect this fast-moving environment

The rights of citizens need to be consider → how does technology impact human rights?

Regulation is needed when technology doesn’t align with the ethics of a person

We need to provide society with mechanisms to decide whether they want their data to be used – ex. Opt in or opt out

Keep in mind that the user has responsibility over his/her actions and, hence, needs to understand what it means to give up data and how it will be used
We are living in a period of data capitalism, otherwise known as a data-driven economy

- Data is now considered one of the most valuable resources
- Big players (i.e. Google, Amazon, Facebook) are building economic models based on harnessing data

Consumers, or citizens, bear responsibility when engaging in a transaction where he/she gives data in return for a service

We should reflect on the current frameworks in place before implementing new policies

- There are several laws being enforced that can be applied to deal with these rising issues associated with AI
- APPG AI is key in getting all stakeholders to work together and to ensure the perspective of the consumer is heard

Consumers need to be educated about what rights they are giving away
Main question: where does data fit in the business and in the economy?

Most UK businesses have very low maturity levels around data capabilities
  - We need to find ways to make sure businesses use and manage data better
  - There is a lack of skill in data handling

Soft structures are the solution to raising awareness levels about ethical and legal matters concerning data

We need to analyze the current law to see if it fits the world with new emerging technology

Data needs to be put on the broader agenda

There is already an increasing trend for stakeholders to be engaged with ethical issues

Our reaction should not be changing existing legislature but establishing soft structure mechanisms to promote these ethical conversations
  - Business and academia can play a huge role in making sure these soft structures are established
Clive Gringras – Head of Technology, Media, and Telecommunications, CMS Cameron McKenna Nabarro Olswang LLP

- Law should be incrementally slow when it comes to technology
  - There should be more faith on current laws, judges, and policy
  - **We need to think of using existing regimes to govern people’s fundamental rights**
- Advises parliament to stay away from legislating because of three issues:
  - Equality of rights
    - A fundamental right is that you are not a victim – there should be a distinction between how your right is being violated
  - Definitional arbitrage
    - Too much legislation will create leeway in understanding of laws
  - Judiciary arbitrage
    - Other countries such as Canada and China are pushing ahead in investing in AI and will not have the same regulatory oversight as the UK
    - Software will flow in the UK regardless of how government acts
- Called for 2 actions:
  - GDPR has to be rethought as it prevents society from receiving the full benefits of these technology
  - Intellectual property rights should be loosened
Questions and Answers

1. What are the corporate aspects of data ownership?
   - Vertical restraints should be thought of very carefully
   - We need to take into account the issue of being dominant in the market and abusing your power
   - Some argue for a law that unpacks the use of data. We need a law that gives access rights and explanation rights for what is being used for

2. What is the role of privacy and the use of data?
   - People lack knowledge and awareness about how their data is being used
   - We need to establish new mechanisms for society to protect their privacy: a middle option to the ‘opt in’ and ‘opt out’ solution
   - Consumers need to take personal responsibility on how their data is used and managed

3. How should we be thinking of user rights? Is it possible to give consent every time data is shared?
   - There are different categories of data, not just personal data
   - We need more visibility and transparency in the process

4. What is the view on the risk of automating governance?
   - The issue of data being scaled up has to be addressed. Data is often collected for one purpose yet reused for a different purpose.
   - We need to deal with the issue of visualizing data in order to make it accessible to the general public
Key Takeaways

• We are living in a period of data capitalism
• Consumers do not know what their data can be potentially used for using this emerging technologies. There is lack of education. Stakeholders need to empower public to understand their rights.
• Intentions of the law are good but the practicalities for ethics can be improved.
  • Soft-structures have to be developed to make sure ethical conversations are surfaced.
• We need to create new standards on transparency in decision-making
• Data and AI will create more benefits for society, but society needs to know how to collect, use, and manage it properly