



Alla Submission on Artificial Intelligence: Australia's Ethics Framework - A Discussion Paper

31 May 2019

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Dear Sir/Madam,

AllIA Submission on Artificial Intelligence: Australia's Ethics Framework - A Discussion Paper

Thank you for the opportunity to provide feedback to the Department of Industry, Innovation and Science's paper *Artificial Intelligence: Australia's Ethics Framework 2019*.

AllIA members support a broad and inclusive discussion on AI and ethics and its application to the design, development and operation of AI-based products and services. However, this needs to be balanced against the premature development of new AI governance and regulatory frameworks. Our members are in agreement with the position in the discussion paper that consideration should be given first to whether existing regulatory regimes can also be applied to AI.

AllIA members agree that AI products and services can be a significant contributor to Australia's continued economic growth and societal well-being. Consequently, members support the creation of a regulatory environment that will empower Australian industries to innovate and deploy AI solutions.

Key Challenges

AllIA maintains that the three primary challenges faced by Australian businesses in developing high-quality AI products and services are:

1. Access to the relevant skills required for AI;
2. A legislative framework that strikes the right balance between compliance and fostering innovation. For example, members want a non-complex tax incentive that support AI research, development and commercialisation of AI products and services, and
3. Building citizen trust and confidence in AI products and services.

Read against this backdrop, the proposed ethics principles and tools only address one facet of the challenge posed by AI. Consequently, AllIA looks forward to working with the coalition government on the challenges relating to supply of digital skills, fostering innovation through regulation and building citizen trust in AI products. This will help to ensure that "the potential for AI to increase our well-being; lift our economy; improve society by, for instance, making it more inclusive; and help the environment by using the planet's resources more sustainably" is realised (Discussion paper, p3).

AI products and services are not constrained by geographic boundaries. Consequently, as Australian SMEs develop and seek overseas markets for their AI products and services and Australians (citizens and business), it is important to ensure that any AI framework, principles and tools are consistent with International standards and guidelines.

AllIA through its members looks forward to continued dialog with Government on AI and ethics and other challenges being posed by the development of AI products and services.

About the AIIA

The Australian Information Industry Association (AIIA) is Australia's peak member body for the digital industry. AIIA is a not-for-profit organisation that has pursued activities since 1978 to stimulate and grow the digital ecosystem, in order to create a favourable business environment and drive Australia's social and economic prosperity.

AIIA does this by providing a strong voice in representing its members' policy priorities, creating a sense of community through events and education, fostering collaboration between industry and government, and curating compelling content and relevant information.

The AIIA National Board and its State Councils embody the diversity of the Australian digital economy, encompassing large Australian businesses, multinationals, and small and medium sized businesses.

AIIA's members include organisations such as Apple, Adobe, Cisco, Deloitte, DXC, Gartner, Google, IBM, Infosys, KPMG, Lenovo, Microsoft, Oracle, Optus, Qlik, Salesforce and Telstra, national companies such as Australian Data Centres, Canberra Data Centre, Data#3, KTM Capital, Information Professionals, Technology One, and Small to Medium Enterprises including Silverstone Edge, SME Gateway and Zen Enterprise and start-ups such as OKRDY.

While AIIA's members represent around two two-thirds of the technology revenues in Australia, more than 90% of our members are SMEs.

Encl. Attachment A - Questions for Consideration - AIIA Responses.

AIIA agrees for its response to be made public.

Your sincerely,

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Attachment A

Questions for Consideration – AIIA Responses

1. Are the principles put forward in the discussion paper the right ones? Is anything missing?

The principles put forward in the discussion paper correlate with those developed by a variety of governments, academic and industry groups around the world, including principles already in place within some AIIA member organisations. However, what is missing from the principles is a clear connection to current Australian policies and legislative framework.

For instance, the proposed principles use the term ‘private data’ which is not defined in Australian privacy legislation. However, the Commonwealth Privacy Act 1988 uses the term “personal information.” Therefore, the term “personal information” as defined in the Privacy Act should be used and tested first before the introduction of new terms. Any new terms will need to be clearly defined for consistency in interpretation and application. See further comments below on definition of terms.

Additionally, details about the frequency and process for updating the principles would also be useful.

2. Do the principles put forward in the discussion paper sufficiently reflect the values of the Australian public?

This question assumes that there is a clear benchmark for what constitutes “value of the Australian public”.

The responses to the consultation paper, provided they cover a broad cross section of diverse interest groups in Australia, will provide a good starting point to answer this question. However, this will only be a starting point. The question also assumes that values of the Australian public do not change and evolve over time. The referendum on the same sex marriage suggests otherwise.

AIIA members also note that while the concept of ‘AI for a fairer go’ is appealing, members caution against the use of such cultural specific terms.

3. As an organisation, if you designed or implemented an AI system based on these principles, would this meet the needs of your customers and/or suppliers? What other principles might be required to meet the needs of your customers and/or suppliers?

In the absence of any principles, AIIA members have developed their own sets of AI ethics principles which continue to evolve as do their AI products and services. In other words alternative principles are already in place to meet the needs of customers and ensure consistency in AI products in an organisation.

For example, many of these AIIA member principles have a strong focus on creating trust which goes beyond general measures of ‘transparency’ principles - see for example [Microsoft’s bot guidance](#) which focuses on gaining trust, [IBM’s developer principles](#) include the notion of ‘explainability’—where AI should be designed for humans to easily perceive, detect, and understand the AI’s decision processes; and Google’s (currently) seven [principles](#) which have been promoted to garner trust in the ultimate end user of the AI service.

AllIA members are currently working with [JTC1 - Joint Technical Committee 1 / SC 42¹](#), the joint committee of the International Organization for Standardization (ISO) and International Electrotechnical Commission (IEC), to bring countries together to work on international standards relevant to AI. Therefore, international standards, rather than principles, are viewed as a key component to meeting customer needs and provide them with a level of consistency across AI products.

- 4. Would the proposed tools enable you or your organisation to implement the core principles for ethical AI? AND**
- 5. What other tools or support mechanisms would you need to be able to implement principles for ethical AI?**

The suggested tools assume organisations do not have internal bespoke tools already in place for implementing principles for ethical AI. User research and in some instances employee feedback, tools and processes have already been put in place to implement core principles of ethical AI by some of our large member organisations. Therefore, the proposed tools may be a useful resource rather than a critical enabler for implementing ethical AI and should not be viewed as the only pathway for implementing core principles for ethical AI in Australia.

AllIA members also note that it is unclear who should have custodianship of those tools. How will the tools be managed and what is the frequency with which they will be up-dated so as to ensure they do not become out of date.

¹ <https://www.iec.ch/>

6. Are there already best-practice models that you know of in related fields that can serve as a template to follow in the practical application of ethical AI?

Historically ethics in Australia for professionals has been regulated by relevant industry professional bodies. For example, law societies in each state and territory regulate the framework for ethics for legal professionals registered in their states. Therefore, in the Australian context, consideration should be given to how effective these professional bodies have been in measuring and setting up ethical standards for their profession and what are the lessons to be learnt from these models already in existence in Australia.

In addition, some of the larger organisation AIIA members have well developed and tested frameworks for ethical development and implementation of AI driven systems and services.

The [Institute for Ethical AI & Machine Learning](https://ethical.institute/index.html)² is a UK based research organisation who have developed a significant body of work in applying a principle-based approach to practical machine learning applications. They have published a series of eight ethical principles for machine learning and demonstrate practical application of the principles through a series of case studies.

The group has also developed an AI procurement framework setting out a series of templates that align to the ethical principles as well as an ‘explainability’ framework to support the conduct of bias reviews through data analysis, model evaluation and production monitoring in machine learning systems. The frameworks are open source and evolving. Therefore, these are also good models to consider.

7. Are there additional ethical issues related to AI that have not been raised in the discussion paper? What are they and why are they important?

The discussion paper focuses on “narrow AI” which performs a specific function, rather than “general AI” which is comparable to human intelligence across a range of fields and is not seen as a likely prospect by 2030. Therefore, it is unclear whether there will be a different set of ethical principles to apply to general AI than narrow AI. Consequently, AIIA recommend that the discussion paper should, at a minimum, acknowledge the broader range of AI definitions and provide clarity on the scope of the application of proposed principles.

The discussion paper also considers ‘discrimination impact assessments’ as one possible measure to address hidden bias and discrimination in AI. These could be considered as the equivalent of ‘privacy impact assessments’ and represent best practice for AI implementation.

Similarly, ‘Algorithmic Impact Assessments’ (AIAs) can be used to assess the potential impact that an AI system will have on the public and could be regarded as best practice. They are already being used internationally to assess automated decision systems used by governments.

There is also scope within the Australian framework to explore new consent models for organisations wishing to reuse personal data.

² <https://ethical.institute/index.html>