

2 October 2018

Australian Human Rights Commission
GPO Box 5218
Sydney NSW 2001

Via email: tech@humanrights.gov.au

Dear Sir or Madam

Human Rights and Technology

Chartered Accountants Australia and New Zealand welcomes the opportunity to provide a submission to the Australian Human Rights Commission on the Human Rights and Technology Issues Paper ("the Issues Paper").

We have focused our feedback on key areas where we consider we can add the most value. We recently released a paper "[Machines can learn, but what will we teach them? Ethical considerations around artificial intelligence and machine learning](#)", which includes insights and findings we consider are relevant to the Issues Paper.

Appendix A provides our detailed submission and Appendix B provides more information about Chartered Accountants Australia and New Zealand.

Key points

- We note that our immediate ethical challenge is to consider how best we can use technologies such as Artificial Intelligence (AI) to advance human well-being and how best we can prepare people for the changes.
- We consider that principles-based regulation accompanied by guiding principles would enable flexibility to keep pace with the rapid development of AI.
- We acknowledge that technology is rapidly changing and therefore identifying and responding to ethical challenges, including regulatory frameworks, will require a flexible and agile approach.

Should you have any queries concerning the matters discussed above or wish to discuss them in further detail, please contact Karen McWilliams via email at karen.mcwilliams@charteredaccountantsanz.com or phone (612) 8078 5451.

Yours faithfully,



Simon Grant FCA
Group Executive
Advocacy & Professional Standing
Chartered Accountants Australia and
New Zealand



Karen McWilliams FCA
Business Reform Leader
Advocacy & Professional Standing
Chartered Accountants Australia and
New Zealand

Appendix A

General Comments

As noted in our paper, "[Machines can learn, but what will we teach them? Ethical considerations around artificial intelligence and machine learning](#)", technologies such as AI have the potential to totally reshape our existing social landscapes as well as our economic order that brings with it serious ethical challenges. We support the Australian Human Rights Commission's major project on human rights and technology and note that the Issues Paper "explores the rapid rise of new technology and how it affects the human rights of everyone in Australia". As our paper notes, we are now at an ethical crossroads where we can stop and ask what can be learnt from the weaknesses of our current industrial system to help guide us as we design a new technology world. Failure to design to purposely challenge and remediate potential biases might deepen existing social divisions and concentrate technology benefits unequally among different sections of society.

As noted in our paper, collaboration within society (business, regulators, individuals and professions) will be needed to facilitate confidence and trust in new technologies. Our research has shown that in order to enable people to participate in a technology and AI driven economy, a transitional strategy will be required. For instance in business, at least three social interventions will be needed:

1. Upskilling to bring people up to speed with how best to integrate and work alongside AI.
2. Re-skilling to help people displaced by AI and technology to find alternative sources of income and meaning.
3. Reinvention to identify the social and cognitive skills and the education content that will enable the next generation to thrive in an AI and technology world.

We consider it important for society to understand that AI is not here to replace us. It has the potential to augment our abilities which could enable us to achieve greater efficiencies and to step up to higher levels of performance. The paper suggests: *'Our immediate ethical challenge is to consider how best we can use AI to advance human well-being and how best to prepare people for an AI world. We have a window of opportunity to step back and purposely design an AI world that ushers in a more inclusive global society and economic system than exists today.'*

Specific consultation questions

5.1 The role of legislation

We recommend that any legislation is principles-based and flexible to enable it to keep pace with the rapid changes in technology.

6.3 How should Australia protect human rights in this context?

(b) How are other jurisdictions approaching this challenge?

The need for a global agreement is essential as, without it, companies developing AI and other technologies may migrate from one jurisdiction to another as suits their commercial needs or where one country's regulatory framework is more accommodating than another's. We note in the Issues Paper that the Commission has been looking to overseas jurisdictions for regulations in this area. We suggest that further consideration is given to the five core principles within the guiding set of principles released by the UK's House of Lords as we consider it provides a good guide to the ethical dimensions of AI.

(c) Self-regulation, co-regulation and regulation by design

We note that the Issues Paper suggests self-regulation, co-regulation and regulation by design as possibilities to protect human rights as they relate to technology and AI. We acknowledge that technology is rapidly changing and therefore identifying and responding to ethical challenges, including regulatory frameworks, will require a flexible and agile approach to enable updates to reflect evolving issues. There will be reliance on partnerships ranging from industry to non-profit organisations and academics. A collaborative multi-stakeholder approach is therefore encouraged as outputs will more likely be fit for purpose and widely adopted.

Appendix B: About Chartered Accountants Australia and New Zealand

Chartered Accountants Australia and New Zealand is a professional body comprised of over 120,000 diverse, talented and financially astute members who utilise their skills every day to make a difference for businesses the world over.

Members are known for their professional integrity, principled judgment, financial discipline and a forward-looking approach to business which contributes to the prosperity of our nations.

We focus on the education and lifelong learning of our members, and engage in advocacy and thought leadership in areas of public interest that impact the economy and domestic and international markets. We are a member of the International Federation of Accountants, and are connected globally through the 800,000-strong Global Accounting Alliance and Chartered Accountants Worldwide which brings together leading Institutes in Australia, England and Wales, Ireland, New Zealand, Scotland and South Africa to support and promote over 320,000 Chartered Accountants in more than 180 countries.

We also have a strategic alliance with the Association of Chartered Certified Accountants. The alliance represents 788,000 current and next generation professional accountants across 181 countries and is one of the largest accounting alliances in the world providing the full range of accounting qualifications to students and business.