

Portable Response: AHRC White Paper, 2019

1. What should be the main goals of government regulation in the area of artificial intelligence?

The most significant risk of unregulated artificial intelligence is developing biased (or discriminatory) technology. Without a diverse dataset and inclusive design principles, technology that affects important aspects of people's lives, either through automating decision-making or by filtering available choices, may not recognise cultural, linguistic, or economic diversity due to the lack of an inclusive sample. Further, digital tools may greatly advantage some members of society but not be available to those on the other side of the digital divide.

In order to mitigate these risks, government regulation should focus on ensuring new AI tools are developed so that no one is left behind, disadvantaged, or discriminated against. One example of this may be through regulating data input processes and developing standards around representative and inclusive collection of data.

Another goal of a regulator should be creating data commons to ensure cross-collaboration and transparency in development, as opposed to monopolistic and adversarial development practices.

Finally, an AI regulatory body should do more than ensure non-harm; it should also be anticipatory and proactive. To this end, a government regulator should foster the creation of multi-disciplinary regulatory teams who offer unique insights from academia, government, nonprofits, and the private sector in order to provide balanced, holistic,

and forward-thinking analysis of AI trends and risks. The voices of technology industry leaders who push for innovation should be balanced with academics and union leaders who understand the social impact of AI development on jobs, social interactions, and privacy measures, and who have a historic sense of the impact of rapid industrial development on democracy.

2. Considering how artificial intelligence is currently regulated and influenced in Australia:

(b) What are the gaps in the current regulatory system?

While the Office of the Australian Information Commissioner and state privacy regulatory bodies provide guidance on data privacy and notifications, as new ways to collect and manipulate personal data are developed, Australian technology companies require an authoritative voice in identifying forward-thinking policies around data privacy and human-AI interactions. For example, there needs to be greater clarity around data collection principles for non-sensitive information that has been collected for machine learning input, such as metadata being collected from photos even though the image isn't saved. Another significant risk is through the practice of re-identifying personal information from large data sets, which is an area that lacks determinative guidelines.

Another significant issue is that automated decision-making can create an accountability vacuum. Biased input can lead to biased outcomes, and without a regulator issuing guidelines and conducting investigations, the Australian public may be at risk of the unintended consequences of algorithmic bias. There need to be clear guidelines

around what kind of decisions should never be made by an algorithm.

3. Would there be significant economic and/or social value for Australia in establishing a Responsible Innovation Organisation?

Incorporating artificial intelligence into service delivery and the development of new technology has undoubted potential to bring huge economic value due to its ability to externalise costs and automate decision making. However, a responsible innovation organisation would be able to offer added social value by guiding the creation of a stable, organised, and purposeful innovation economy in Australia. Having a Responsible Innovation Organisation will help create public certainty around how AI is used, which in turn would help to normalise its use in market settings and increase its economic potential.

4. Under what circumstances would a Responsible Innovation Organisation add value to your organisation directly?

The circumstances in which a Responsible Innovation Organisation would be able to add value to our organisation is through ensuring risks are mitigated without impeding technical development and by enhancing public perception of AI technology.

At Portable, we develop technology for nonprofits and the justice sector that are aided by algorithmic decision making. A Responsible Innovation

Organisation that creates greater public understanding of how AI can be used responsibly to deliver effective, high-quality outcomes would aid us in delivering products to the market that people will want to use. Having clear standards and auditing processes would help us to provide public benefits by reducing misperception and fear of new technology. We would be able to provide increased clarity around how we develop AI tools by referencing authoritative guidelines and standards.

5. How should the business case for a Responsible Innovation Organisation be measured?

Similar to the last point, increasing public understanding of the use of AI and its benefits would offer significant social and economic value. A Responsible Business Organisation should focus on increasing innovation and uptake of new AI uses and projects in the industry through creating a responsible development ecosystem that has gained public trust.