



Artificial Intelligence: Australia's Ethics Framework

Submission by the Australian Communications Consumer Action Network to the Department of Industry, Innovation and Science
Public Consultation

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About ACCAN

The Australian Communications Consumer Action Network (ACCAN) is the peak body that represents all consumers on communications issues including telecommunications, broadband and emerging new services. ACCAN provides a strong unified voice to industry and government as consumers work towards availability, accessibility and affordability of communications services for all Australians.

Consumers need ACCAN to promote better consumer protection outcomes ensuring speedy responses to complaints and issues. ACCAN aims to empower consumers so that they are well informed and can make good choices about products and services. As a peak body, ACCAN will represent the views of its broad and diverse membership base to policy makers, government and industry to get better outcomes for all communications consumers.

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1. Executive Summary

ACCAN thanks the Department of Industry, Innovation and Science (DIIS) for the opportunity to provide a response to the Artificial Intelligence: Australia's Ethics Framework Public Consultation.

As Australia's peak consumer organisation in the telecommunications sector, ACCAN has a keen interest in how new and emerging technologies impact on the lives of consumers. ACCAN supports a robust and vibrant technology sector which provides innovative solutions to consumer needs. However, ACCAN is critically aware of how unintended outcomes from new technology can have profound consequences for consumers.

The rapid adoption and implementation of artificial intelligence (AI) systems and machine learning (ML) has raised questions about consumer privacy and safety, while at the same time creating many benefits. ACCAN applauds the Government in taking a measured approach to AI with its focus on prioritising an ethical framework to guide innovation. ACCAN considers the principles outlined in the discussion paper, if implemented in the development and application of AI, will provide the necessary safeguards. ACCAN also considers the tools outlined in the discussion paper are adequate to ensure that the principles are embedded into AI and ML applications.

Therefore, ACCAN's response to the discussion paper questions will focus on balancing consumer safeguards in light of advancing business and economic opportunities made possible by AI.

2. Discussion paper questions

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

As noted in the discussion paper, Australia has a number of human rights instruments – both domestic and international – which have been developed to promote and protect our rights, values and social norms. There are also a number of legislative and regulatory frameworks in place to protect consumers against unethical behaviour by businesses, institutions and governments. The ethical principles outlined in the discussion paper reflect the purpose and intent of these instruments and reinforce the Australian ethos of a fair go.

While ACCAN agrees that creating new protections for AI technology specifically is not called for, the implementation and compliance of these existing safeguards have not always served Australians well. Examples abound indicating how the lack of compliance has negatively impacted consumers. For example, the computer algorithm recently used by the Government (also known as Robo-Debt) incorrectly identified many people as having outstanding Centrelink debt, and the recent Royal Commission into the Banking Sector identified examples of data-driven practices which unfairly impacted consumers.

ACCAN's position therefore is that the principles outlined in the discussion paper are appropriate for an ethical framework guiding the implementation of AI; however without appropriate and adequate compliance and enforcement procedures these principles will not in themselves provide the necessary consumer protections and safeguards.

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

As stated in the previous response, ACCAN is of the opinion that the principles outlined in the discussion paper are the appropriate principles for the Australian context. However, there are a number of questions about how it is possible to ensure that these principles are supported in a global context.

Question 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?

As a member-based consumer organisation representing the interests of all telecommunications consumers, including vulnerable consumers such as people with disability, culturally and linguistically diverse consumers and seniors, ACCAN endeavours to implement and operate within a framework which embraces many of these principles. Trust, transparency and accountability are key aspects of ACCAN's ability to represent consumers within the sector. As such, ACCAN is of the opinion that organisations – be they businesses,

governments or institutions – that adopt these principles in any AI or ML applications would provide outcomes which were both productive and ethically sound.

Question 4: Would the proposed tools enable you or your organisation to implement the core principles for ethical AI?

ACCAN is of the view that the tools outlined in the discussion paper, if implemented across all aspects of AI and ML development and application, would ensure that the outcomes of the applications would provide both social and economic benefits. ACCAN considers that consultation with consumers in all stages – data collection, process development, testing and implementation – is required to ensure that AI and ML applications result in fair and ethical outcomes. Recent history shows us that business alone oftentimes fails to consider consumer outcomes when developing new systems.

Question 5: What other tools or support mechanisms would you need to be able to implement principles for ethical AI?

As indicated above, ACCAN considers that the voice of consumers' needs to be included in all aspects of AI. This is particularly important in cases where there will be limited human interaction in the decision-making aspect of AI applications.

Question 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?

The principle of Inclusive Design – primarily in the context of ensuring technology and systems are usable for people with disability – is a sound framework which could be used in the context of AI. Inclusive Design has seven core principles which indicate how best to ensure that new technologies are developed in a way that includes consumer input, testing and review. When implemented in the development of new technologies, the resulting technologies are in large part usable and accessible for all people regardless of ability. A similar framework that incorporates and implements the principles outlined in the discussion paper in the development of AI applications, while supported by the toolkit for ethical AI, could ensure that AI has these broad-based beneficial outcomes.