

**Building Capabilities for Growth** 

#### **Responsible AI – From Principles to Governance**

Tuesday, November 26, 2019

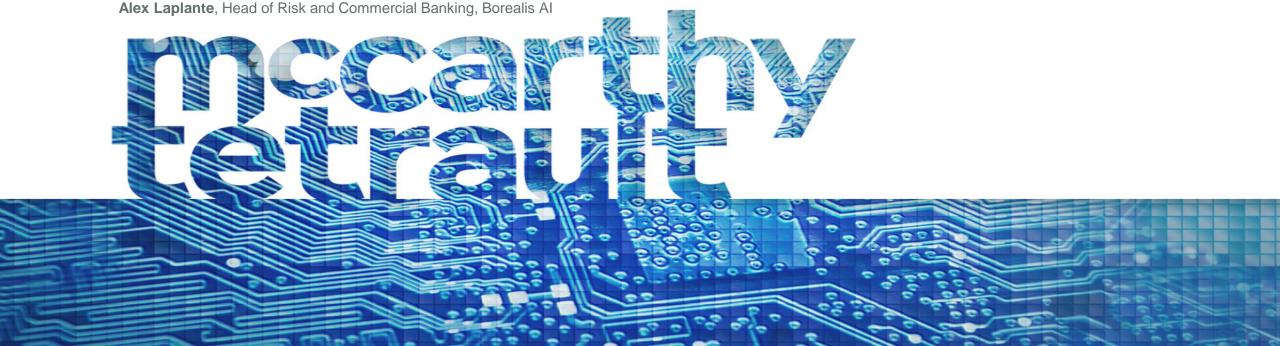
Jennifer Reynolds, President & CEO, Toronto Finance International

Charles Morgan, Partner, McCarthy Tétrault LLP

Christine Ing, Partner, McCarthy Tétrault LLP

Naresh Mudunuru, AVP Enterprise Machine Learning, TD Bank

John Colthart, General Manager, MindbridgeAi

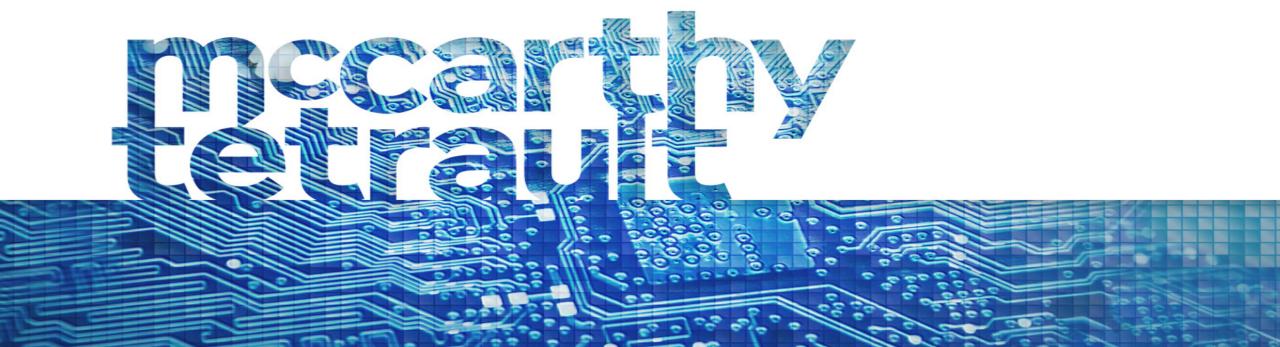




**Building Capabilities for Growth** 

#### **Taking Responsibility for Responsible Al**

**Charles Morgan Partner, McCarthy Tétrault LLP** 

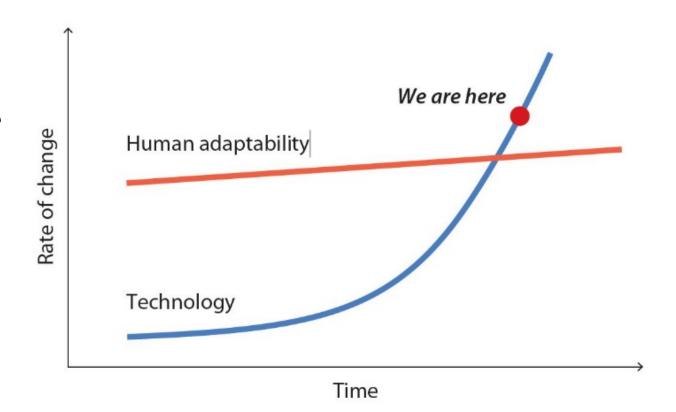


#### **Presentation**

- Context
- Principal Sources of Inspiration
- The Principles

### Context

- Cambridge Analytica
- Microsoft's Future Computed
- Thomas Friedman's Thank You for Being Late



## Principal Sources of Inspiration

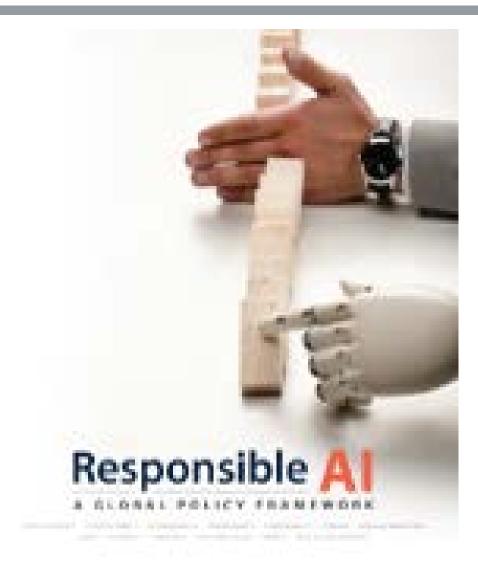
- > Principles are based in part on a growing consensus:
  - Accountability
  - Human-centered approach
  - Limiting biases
  - Explainability
- Inspired by
  - The Future Computed
  - Montreal Declaration Responsible AI
  - European Commission High-Level Expert Group on Al's Ethics Guidelines for Trustworthy Al
  - Singapore's Proposed Model Al Governance Framework

#### The Contributors

- 54 contributors
- 16 countries
- 5 continents
- 27 law firms
- Academics (Oxford, MIT, Berkeley, McGill)
- Industry representatives (Google Deepmind, Thomson Reuters, National Bank, ABB)

## The Principles

- 1. Ethical Purpose and Societal Benefit
- 2.Accountability
- 3. Transparency and Explainability
- 4. Fairness and Non-discrimination
- 5. Safety and Reliability
- 6. Open Data and Fair Competition
- 7.Privacy
- 8.Al Rights and Intellectual Property







## Principle 1: Ethical Purpose and Societal Benefit

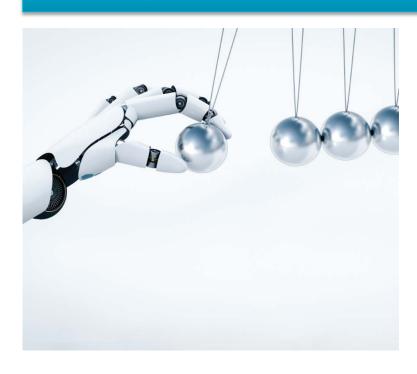


Organisations that develop, deploy or use AI systems should require the purposes of such implementation to be identified and ensure that such purposes are consistent with the overall ethical purposes of beneficence and non-maleficence, as well as the other principles of the Policy Framework for Responsible AI.

## Principle 1: Ethical Purpose and Societal Benefit

- > The critical threshold question: "to what end?"
- ➤ We assessed four specific areas of great societal impact, where AI will likely have direct and potential unintended consequences:
  - Work & Employment
  - Ecology and the environment
  - Warfare & conflicts
  - Democratic life
- ➤ Implications for financial institutions:
  - > Al Impact Assessments should include consideration of broader social impact.

## Principle 2: Accountability



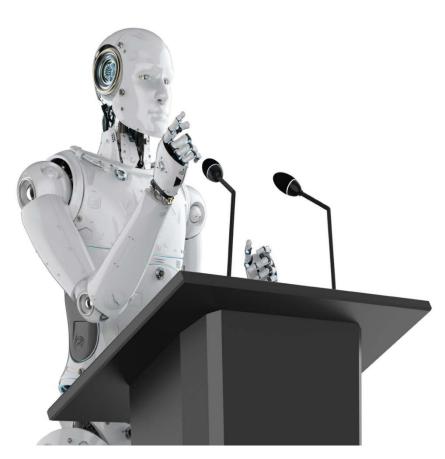
Organisations that develop, deploy or use AI systems shall respect and adopt the eight principles of this Policy Framework for Responsible AI (or other analogous accountability principles).

In all instances, humans should remain accountable for the acts and omissions of AI systems.

## Principle 2: Accountability

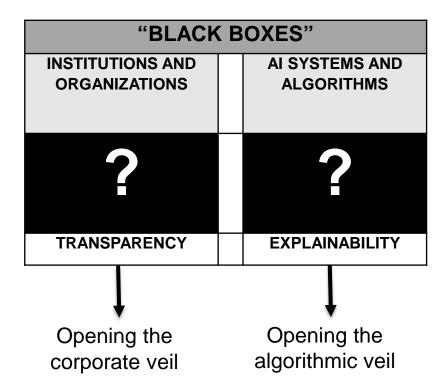
- ➤ Human-centered approach has a counterpoint: human accountability
- > Redress the potential for "accountability gaps" that might arise as a result of AI implementation
  - Granting legal personality to AI systems:
  - •Revisiting the logic of liability shield for internet intermediaries
- Implications for governance for financial institutions
  - Chief Data Officer
  - Al Impact Assessment
  - Processes for confirming data readiness and data security
  - •Human in the loop design

# Principle 3: Transparency and Explainability



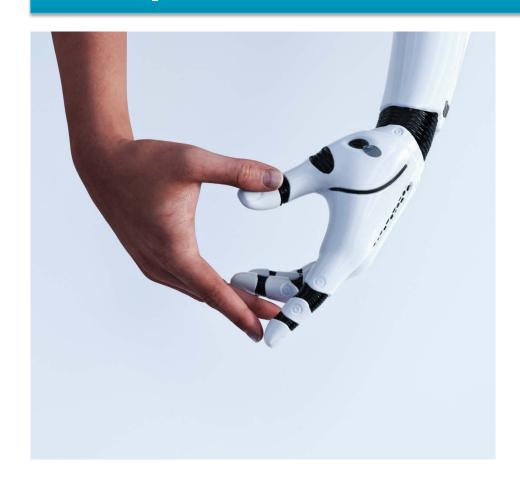
Organisations that develop, deploy or use Al systems shall ensure that, to the extent reasonable given the circumstances and state of the art of the technology, such use is transparent and that the decision outcomes of the Al system are explainable.

## Principle 3: Transparency and Explainability



- > Essential to reinforce accountability
- Essential to develop trust in the fairness of outcomes by general public (ultimate consumers)
- Parallel to administrative law principles of natural justice and fairness obligations
- ➤ Intensity of the obligations will vary depending on the sensitivity of the information and the criticality of the decision outcomes
- Implications for financial institutions:
  - "explainability by design"
  - > capacity to audit results

## Principle 4: Fairness and Non-Discrimination



Organisations that develop, deploy or use AI systems shall ensure the non-discrimination of AI outcomes, and shall promote appropriate and effective measures to safeguard fairness in AI use.

## Principle 4: Fairness and Non-Discrimination

- ➤ Data bias (conscious and unconscious)
- ➤ Algorithmic bias (conscious and unconscious)

#### English-Turkish-English

He is lazy	O tembel
O tembel	She's lazy

She is smart	O akıllı
O akıllı	He's smart

#### English-Finish-English

He is a nurse	Hän on sairaanhoitaja
Hän on sairaanhoitaja	She's a nurse

She is an engineer	Hän on insinööri
Hän on	He is an
insinööri	engineer

- ➤ Implications for Financial institutions:
  - •ensure diversity on research teams
  - •focus on data readiness
  - •« neutral » data may in fact hide implicit bias
  - •fairness/non-discrimination "by design" is necessary but insufficient
  - •must also monitor outcomes to test for unintended discriminatory outcomes (feedback loop)

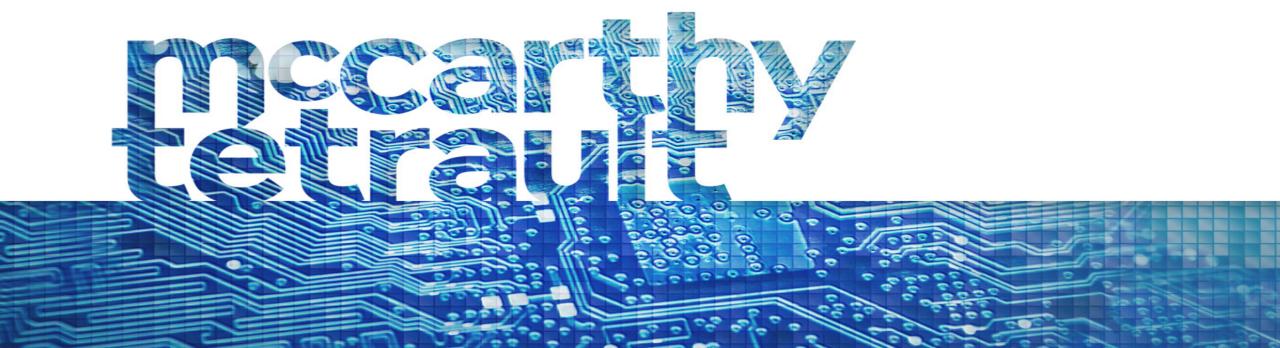
#### Conclusion

- Al will almost certainly have an enormous societal impact
- > The rate of change and development is both exhilaration and alarming
- The time is now, in the relative infancy of AI development, to establish solid guideposts for the responsible development, deployment and use of AI systems
- > The issues call out for active participation by a broad range of stakeholders
- The Responsible AI public consultation process is underway ... we encourage comments and feedback on the draft framework



**Building Capabilities for Growth** 

#### **Questions? Comments?**





**Building Capabilities for Growth** 

This program is eligible for up to 2 Substantive Hours under the Law Society of Ontario's mandatory CPD Regime.

