

# Transforming Cities with AI: Law, Policy, and Ethics

## Information Law and Policy Centre

Friday 23 November 2018  
Institute of Advanced  
Legal Studies





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# Information Law and Policy Centre's Annual Lecture and Conference 2018

## Transforming Cities with AI: Law, Policy, and Ethics

Friday 23rd November 2018

Promises abound that technologies and systems using artificial intelligence (AI), like machine-learning techniques, could play a major role in developing safer, more sustainable, and equitable cities, creating paragons of democracy. AI-based technologies have already made positive contributions to the collection and analysis of data that benefit us all daily. These include how we communicate and travel, the increasing speed and depth of medical research through enhanced pattern recognition, and insights from traffic flows enabling more tailored and environmentally-friendly transport systems that will contribute to more sustainable and efficient cities.

There are concerns, however, that the development and governance of cities based on 'Big Data' and complex processes of automated decision-making, like wide-scale use of facial recognition, the tracking of wearables, and predictive analysis, mark the beginning of an entrenched encroachment on the individual's autonomy, liberty, and privacy. This apprehensiveness persists alongside recognition that the effective, lawful, and ethical governance of these systems could serve the public interest, including AI-driven systems (predictive policing) which could be used to prevent crime and ensure public safety.

At the ILPC's Annual Conference, policymakers, practitioners, industry, civil society, and leading academic experts will address and examine the key legal frameworks and policies relevant to the governance and regulation of AI-driven systems that are changing our daily interactions, communications, and relationships with the public and private sectors.

These debates and conversations will examine how best to realise the potential societal benefits of AI through digital innovation and open data whilst also respecting the individual's rights to privacy, due process, and equality. For instance, key to effectively protecting these rights is the development of legal and technical systems that are designed and governed with the aim of addressing, instead of perpetuating, existing gender, racial, or ideological biases within society.

Relevant governance regimes under review will include the UK Data Protection Act 2018, which implemented both the EU General Data Protection Regulation (GDPR) and the EU Police and Criminal Justice Data Protection Directive, the UK Human Rights Act 1998 which requires that any data processing by the State must be compatible with the European Convention on Human Rights, and the UN's international framework for corporate social responsibility – the Sustainable Development Goals. All of these frameworks share the aim of protecting and ensuring compatibility with key governance principles of fairness, transparency, and accountability.

# Conference Programme

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<b>9.30am – 10.15am</b>	<b>Registration and Coffee</b>
<b>10.15am – 10.30am</b>	<b>Welcome and Opening Remarks</b> <i>(Council Chamber)</i> <b>Jules Winterton</b> (Director, Institute of Advanced Legal Studies) <b>Dr Nóra Ní Loideáin</b> (Director and Lecturer in Law, Information Law and Policy Centre, Institute of Advanced Legal Studies)
<b>10.30am – 11.00am</b>	<b>Annual Lecture</b> <i>(Council Chamber)</i> Speaker: <b>Baroness Onora O’Neill</b> (Crossbench Member of the House of Lords and Board Member of the Centre for the Future of Intelligence, University of Cambridge)
<b>11.00am – 12.30pm</b>	<b>Keynote Panel</b> <i>(Council Chamber)</i> Speakers: <ul style="list-style-type: none"><li>• <b>Tony Porter</b>, Surveillance Camera Commissioner</li><li>• <b>Helena Vrabec</b>, Palantir</li><li>• <b>Peter Wells</b>, Head of Policy, Open Data Institute</li><li>• <b>Professor Alan Winfield</b>, Professor of Robot Ethics, University of the West of England [TBC]</li></ul> Discussant: <b>Silkie Carlo</b> , Director, Big Brother Watch Chair: <b>Dr Nóra Ní Loideáin</b> , Director and Lecturer in Law, Information Law and Policy Centre
<b>12.30pm – 1.15pm</b>	<b>Lunch</b>
<b>1.15pm – 1.30pm</b>	<b>Layers of London Project</b> <i>(Council Chamber)</i> <b>Presentation and Video</b> Seif El Rashidi (Project Manager: HLF ‘Layers of London’ Project, Institute of Historical Research)
<b>1.30pm – 2.45pm:</b>	<b>Parallel Panels (Panel 1 &amp; 2)</b> <i>Panel 1: AI and Transport (Council Chamber)</i> <ul style="list-style-type: none"><li>• <b>Maria Cristina Gaeta</b>, PhD Candidate in Law, Research Centre of European Private Law, University of Naples ‘GDPR and Automotive: The Issue of Data Protection in self-driving Cars’</li><li>• <b>Professor Roger Kemp</b>, University of Lancaster ‘Regulating the Safety of Autonomous Vehicles using Artificial Intelligence’</li><li>• <b>Freyja Van den Boom</b>, PhD Candidate, Bournemouth University ‘Vehicle Data Access in the Context of Smart Cities’</li><li>• <b>Perry Keller</b>, Reader of Media and Information Law, King’s College London ‘Urban Information Governance in the European Union and China: Is the experience different?’</li></ul> Discussant: <b>Dr Catherine Easton</b> , Reader in Law and Technology, University of Lancaster Chair: <b>Dr Rachel Adams</b> , Early Career Researcher, Information Law and Policy Centre

*Panel 2: AI, Decision-Making, and Trust (IALS Lecture Theatre)*

- **Dr Edina Harbinja**, Senior Lecturer in Law, Aston University, University of Hertfordshire 'ZombAIs Revisited: Changing Laws to Enable the Use of Intelligent Agents in Legal Interpretation and Representation'
- **Dr Jędrzej Niklas**, London School of Economics and Political Science 'Algorithms meet Institutions. Accountability of Automated Decision-Making in the Context of Public Services'
- **Matthew Jewel**, PhD Candidate in Law, University of Edinburgh 'A Strategy for Distrust: Trust, Distrust and Aversion in the Smart City'
- **Dr Yseult Marique**, University of Essex, University of Speyer, & Dr Steven Van Garssen University of Hasselt, University of Antwerp 'Public-private Relationships and Smart Cities. Opportunities and Challenges for Innovation'

Discussant: **Professor Alan Winfield**, University of the West of England

Chair: **Peter Coe**, ILPC Research Associate, Anthony Collins Solicitors LLP

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**2.45pm – 3.00pm**

**Coffee and Refreshments** (*Conference Room*)

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**3.00pm – 4.30pm**

**Parallel Panels (Panel 3 & 4)**

*Panel 3: Automated due process? Criminal Justice and AI (Council Chamber)*

- **Chief Supt David Powell**, Hampshire Constabulary, & Christine Rinik, University of Winchester 'Policing, Algorithms and Discretion: A Critical Commentary on the Proposed Expansion of Algorithm-Assisted Decision-Making within Policing Underpinned by Comments of Prospective Users'
- **Dr John McDaniel**, Senior Fellow in Policing and Criminal Justice, University of Wolverhampton 'Evaluating the Potential Impact of Artificial Intelligence on Police Decision-Making Processes'
- **Dr Nóra Ní Loideáin**, Information Law and Policy Centre, IALS 'Augmented Powers require Augmented Safeguards: Predictive Policing and Oversight under the EU Criminal Justice and Police Data Protection Directive'
- **Marion Oswald**, Senior Fellow in Law, University of Winchester 'Old Laws for New (algorithmic) Tricks: How Administrative Law can guide our Algorithm-Assisted Future'

Discussant: **Alexander Babuta**, Research Fellow, RUSI

Chair: **Sophia Adams Bhatti**, Director of Legal and Regulatory Policy, Law Society of England and Wales

*Panel 4: 'AI and Autonomy in the City' (IALS Lecture Theatre)*

- **Gianclaudio Malgieri**, Doctoral Researcher in Law and Technology, Free University of Brussels, Sant'Anna School of Advanced Studies of Pisa 'The Great Development of Machine Learning, Behavioural Algorithms, Micro-Targeting and Predictive Analytics has raised the Problem of "Mental Privacy": not a mere Protection of Private Life in Private Spaces, but a Protection of Cognitive Freedom (both in private and public spaces)'
- **Professor Andrew McStay**, Bangor University 'Intimacy and the Civic Body: Emotional AI, Smart Advertising and the City'
- **Joseph Savirimuthu**, Senior Lecturer in Law, University of Liverpool 'Standards as Imaginary Spaces of Risk in Smart Cities and the Internet of Things: Why this matters for the General Data Protection Regulation 2016'
- **Robert Bryan & Emily Barwell**, BPE Solicitors LLP 'Artificial Intelligence: Are we losing control?'
- **Joaquín Sarrión-Esteve**, Universidad Nacional de Educación a Distancia, Madrid 'Challenges presented by the Regulation of AI for Fundamental Rights Protection, with a Focus on AI-based City Governance'

Discussant: **Damian Clifford**, KU Leuven Centre for IT & IP Law (CiTiP)

Chair: **Dr Rachel Adams**, Early Career Researcher, Information Law and Policy Centre, IALS

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**4.30pm – 5.15pm**

**Plenary Panel: Reflections and Insights** (*Council Chamber*)

- **Marion Oswald**, Senior Fellow in Law, Head of the Centre for Information Rights, University of Winchester
- **Professor Hamed Haddadi**, Deputy Director of Research, Dyson School of Design Engineering, Imperial College London
- **Dr Laura James**, Cambridge Trust and Technology Initiative, University of Cambridge

Chair: **Dr Nóra Ní Loideáin**, Director and Lecturer in Law, Information Law and Policy Centre, IALS

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**5.15pm – 5.30pm**

**Closing Remarks** (*Council Chamber*)

**Julian Harris**, IALS Fellow, Managing Editor of Communications Law Journal

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**5.30pm**

**Drinks Reception**

# Chairs, Discussants and Speakers

**Dr Rachel Adams:** Dr. Rachel Adams is currently an Early Career Researcher at the Information Law and Policy Centre, Institute for Advanced Legal Studies, and a Research Specialist at the Human Sciences Research Council, South Africa. Rachel holds degrees in international human rights law (MPhil, UCT, 2011) and Jurisprudence (Ph.D., UCT, 2017). Dr Adams has previously held the position of Senior Researcher Civil and Political Rights at the South African Human Rights Commission. Her work and research spans human rights and constitutionalism, to artificial intelligence, gender, surveillance and transparency in the post-colony. Dr Adams is also an Editor for the *South African Journal on Human Rights*, an Associate Editor for the theme Law, Policy Development and Management Science for *Calabash: Journal of African Indigenous Knowledge Systems*.

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**Sophia Adams Bhatti:** Sophia is a public policy and regulation expert, having spent over 15 years in the regulatory and policy arena, working across a range of sectors, including legal services, financial services, economic regulation and healthcare. Sophia joined the Law Society in July 2016 where, as the Director, she leads the Society's legal and regulatory policy team with oversight for policy development across the full breadth of the justice system, engaging with policy makers in government, and partner agencies. Sophia is also a member of the winning team from the recent Online Courts Hackathon, having co-created the digital system known as CoLin.

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**Alexander Babuta:** Alexander Babuta is a Research Fellow in the National Security and Resilience studies group at the Royal United Services Institute (RUSI). His research focusses on the security applications of emerging technologies, particularly big data, artificial intelligence and machine learning. He also conducts research on a range of topics related to transnational organised crime and counterterrorism, on behalf of the UK Government, European Commission, private sector, and various other funders. He holds an MSc in Crime Science from University College London (UCL), where his dissertation explored the use of data science methods for police risk assessment of missing children. He also holds a bachelor's degree in Linguistics from UCL. Prior to joining the institute, Alexander worked for a Member of Parliament.



**Silkie Carlo:** Silkie Carlo is the Big Brother Watch's Director. Before joining Big Brother Watch, she was the Senior Advocacy Officer at Liberty where she led a programme on Technology and Human Rights and launched a legal challenge to the Investigatory Powers Act. She previously worked for Edward Snowden's official defence fund and whistleblowers at risk. She is a passionate campaigner for the protection of liberties, particularly in the context of new and emerging technologies. She has worked to uphold rights in the fields of state surveillance, policing technologies, big data, artificial intelligence and free expression online. Silkie is also an information security trainer and organises Cryptoparty London. She is the co-author of Information Security for Journalists.

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**Damian Clifford:** Damian Clifford is a doctoral researcher funded by Fonds Wetenschappelijk Onderzoek – Vlaanderen (FWO) at the KU Leuven Centre for IT & IP Law (CITiP). Upon joining CITiP Damian worked on FP7 and Horizon 2020 projects in the fields of *inter alia* Critical Infrastructure Protection and Cloud Computing. During this period Damian split his time between institutions by also working for the University of Antwerp. From the 1st of October 2015 Damian has been focused on his doctoral research as an FWO fellow. His PhD is entitled 'The Legal limits to the monetisation of online emotions' and examines the legal issues surrounding the monetisation of online behaviour and emotions and the nudging or manipulation of internet users. Damian has published in various international journals and has presented at several international conferences. He has won best researcher paper awards at the BILETA annual conference 2016 with his colleague Valerie Verdoodt and also won the Computer Law and Security Review Best Researcher Paper Award at the 2014 LSPI Conference for a paper he wrote with his colleague Yung Shin Van Der Sype.





**Peter Coe:** Peter is currently a Barrister and Associate at Anthony Collins LLP, where he leads the firm's Data Protection & Information Rights team. Peter specialises in data protection, information and privacy rights, defamation, the use of social media and media regulation. In addition, he is a Door Tenant and Associate Academic Member of East Anglian Chambers and Cornwall Street Chambers respectively. As well as being a practising lawyer, Peter is also a research-active academic. Having previously been a Senior Lecturer in Law at Aston University (where he taught Media Law and Criminal Law), in May 2018, he joined the Information Law & Policy Centre as a Research Associate. Peter's research falls within two distinct areas of Media Law: (i) social media's impact on free speech, media freedom and regulation, and (ii) defamation and the protection of corporate reputation. Peter has written widely on these areas for leading academic journals, such as *Northern Ireland Legal Quarterly*, *Legal Studies*, the University of Melbourne's *Media & Arts Law Review*, *Communications Law* and the *Journal of Business Law*. Peter has also presented his work at a number of national and international conferences and regularly writes for practitioner / media publications, including the *New Law Journal*, *Entertainment Law Review*, *The Conversation*, *Inform* and *The Independent*, amongst many others. Peter is a member of the Executive Committee of the Society of Legal Scholars and the Editorial Board of *Communications Law*.



**Dr Catherine Easton:** Dr Catherine Easton is a Reader in law and technology at Lancaster University. Her research interests focus upon internet governance, access to technology for disabled people, driverless cars, robotics, domain name regulation, intellectual property and human/computer interaction. Catherine previously held the role of Chair of BILETA and is currently working on a British Academy funded project to investigate how driverless cars can improve the lives of disabled people.



**Seif El Rashidi:** Seif El Rashidi is an ‘applied historian’ whose work involves preserving historic places, objects, and information, and enabling public engagement with them. He is currently the project manager of Layers of London, a digital engagement project run by the Institute of Historical Research and a range of partners. Layers provides the infrastructure for public engagement with the history of London, enabling an understanding of how the metropolis has evolved over time, and for institutions, community groups and individuals to share their own histories. Seif was previously the Magna Carta Programme Manager for Salisbury Cathedral, the coordinator of Durham World Heritage Site, and worked in urban conservation in historic Cairo.

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**Professor Hamed Haddadi:** Hamed is a Senior Lecturer (Associate Professor) and the Deputy Director of Research at the Dyson School of Design Engineering at The Faculty of Engineering, Imperial College London. He leads the Systems and Algorithms Laboratory and is an Academic Fellow of the Data Science Institute. He is also a Visiting Professor at Brave Software. He is interested in User-Centered Systems, IoT, Applied Machine Learning, and Data Security & Privacy. He enjoys designing and building systems that enable better use of our digital footprint, while respecting users’ privacy. He is also broadly interested in sensing applications and Human-Data Interaction.

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**Julian Harris:** Julian is the Managing Editor of *Communications Law* and also contributes to the journal. He began his working life as a reporter on a provincial daily newspaper before moving into legal publishing. Julian spent 10 years as a journal publisher for Longman Law, Tax & Finance, and worked for a similar period at the Institute of Advanced Legal Studies in the role of Senior Information Officer, where his duties included responsibility for a number of publications. He holds an LLB from Southampton University and currently works as a freelance.



**Dr Laura James:** Dr Laura James is Entrepreneur in Residence at the University of Cambridge Computer Laboratory, catalysing multidisciplinary research and activities around trust and technology, and also Technology Principal at Doteveryone. She has spent nearly twenty years exploring cutting edge internet technologies and turning them into useful products and systems, in technology and leadership roles in diverse contexts. Laura holds Master's and PhD degrees in Engineering from the University of Cambridge, and is a Chartered Engineer. She was VP Engineering at AlertMe, a connected home startup; on the management team at Evi, an AI startup acquired by Amazon to become Alexa; CEO of Open Knowledge International, a civil society network opening up information for all; and COO at CARET, delivering mission-critical innovative software for the University of Cambridge. Laura co-founded Makespace, a community workshop; Field Ready, an NGO meeting humanitarian need through local manufacturing; and the Digital Life Collective, a tech co-operative.

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**Dr Nóra Ní Loideáin:** Director and Lecturer in Law, Information Law and Policy Centre at the Institute of Advanced Legal Studies, University of London, and an Associate Fellow of the University of Cambridge Leverhulme Centre for the Future of Intelligence (LCFI). Nóra's research interests focus on governance, human rights, and technology, particularly in the fields of digital privacy, data protection, and state surveillance. Her forthcoming publications include her PhD from the University of Cambridge on the mass surveillance of citizens' communications metadata for national security and law enforcement purposes under European human rights law. This is the focus of her forthcoming monograph – *EU Data Privacy Law and Serious Crime* (Oxford University Press). Prior to her academic career, Nóra was a Legal and Policy Officer at the Office of the Director of Public Prosecutions of Ireland and clerked for the Irish Supreme Court.



**Baroness Onora O’Neil:** Onora O’Neill combines writing on political philosophy and ethics with a range of public activities. She comes from Northern Ireland and has worked mainly in Britain and the US. She was Principal of Newnham College, Cambridge from 1992-2006 and Hon Professor of Philosophy in the University of Cambridge. She was President of the British Academy from 2005-9, chaired the Nuffield Foundation from 1998-2010, and has been a crossbench member of the House of Lords since 2000 (Baroness O’Neill of Bengarve). She chaired the UK’s Equality and Human Rights Commission from 2012 to 2016, and served on the boards of the Medical Research Council and the Banking Standards Review until 2018. She lectures and writes on justice and ethics, and in particular on the work of Immanuel Kant. Recent publications also address questions about accountability and trust, justice and borders, the future of universities, the quality of legislation and the ethics of communication.

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**Marion Oswald:** Marion Oswald is the founder and director of the Centre for Information Rights and a Senior Fellow in Law at the University of Winchester. She is a solicitor (non-practising), with previous experience in legal management roles within private practice, international companies and UK central government. She has worked extensively in the fields of data protection, freedom of information and information technology, having advised on a number of information technology implementations, data sharing projects and statutory reforms. She publishes, advises and speaks on the interaction between law and digital technology and has a particular interest in the use of information and innovative technology by the public sector. She is a member of the National Statistician’s Data Ethics Advisory Committee, a member of the Royal Society Working Group on Privacy Enhancing Technologies and an executive member of BILETA.

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**Tony Porter:** Tony Porter was appointed Surveillance Camera Commissioner in March 2014. He has a combination of business and law enforcement expertise. He is an intelligence specialist (most recently within the financial sector) and retired senior police leader. His experience spans community and business engagement, international counter terrorism and serious and organised crime.



**Helena Vrabec:** Helena works for Palantir's privacy and legal teams, and she is a visiting fellow at Yale Law School (Information Society Project) and Leiden Law School (Centre for Law and Digital Technologies - eLaw). Since January 2018 to June 2018 Helena was a resident fellow at Yale ISP. Before coming to Yale, she worked 3 years as a researcher and PhD candidate at Leiden Law School (the Netherlands). During the years in Leiden she was also a European Commission privacy and ethics expert, and gave lectures on privacy law for students and legal professionals. Prior to that, she worked as a privacy advisor for Ernst & Young in Amsterdam. Helena regularly publishes in peer-reviewed journals on the topics in relation to data protection, big data and law & technology, and gives talks at national and international conferences. For her academic achievements, she was awarded several academic grants and awards, among others the Fulbright prize. Helena holds a Master's degree in Law from the University of Ljubljana (2013) and an LLM from Tilburg University (2014).

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**Peter Wells:** Peter Wells is Head of Policy at the Open Data Institute (ODI). Before joining the ODI, he worked in a voluntary role to organise an independent review of digital government policy for the UK Labour Party and worked for Open Addresses Limited to experiment with creating a collaboratively maintained open address register for the UK. Previously Peter spent 20 years working with telecoms businesses and regulators in multiple countries. He's a big fan of Blackpool FC and he was once told he had impeccable taste in music.

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**Alan Winfield:** Alan Winfield is Professor of Robot Ethics at the University of the West of England (UWE), Bristol, UK, and Visiting Professor at the University of York. He received his PhD in Digital Communications from the University of Hull in 1984, then co-founded and led APD Communications Ltd until taking-up appointment at UWE, Bristol in 1992. Alan co-founded the Bristol Robotics Laboratory where his research is focused on the science and engineering of cognitive robotics; current projects are focused on robots with simulation-based internal models and multi-robot systems in critical environments.



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- The default position of this conference is that of a public 'on-the-record' event which can be reported on Twitter.
- Please tweet using the conference hashtag to ensure your tweets can be seen by everyone following the event on Twitter and so that tweets can be easily collated into a conference archive.
- You may post photos taken at this event.
- Please attribute comments clearly and accurately: begin tweets of a presentation with either the name or the initials of the speaker so that those following on Twitter can recognise whose ideas are being represented.
- You may like to use the speaker's Twitter handle (e.g. @noraniloideain) in order to connect with them. As a speaker, you may wish to display your Twitter handle so that others can connect with you.
- In exceptional circumstances, a session chair, speaker or other attendee might ask for a comment to be regarded as "non-attributable", "on background", or "off the record".
- Please pay attention at all times in order to respect the wishes of those speaking at the conference and only tweet in accordance with their wishes. In particular, please do not continue to tweet if you have been asked to stop.
- Please respect the speakers and those in attendance by ensuring your devices sounds are switched off.
- Twitter is a public medium so please uphold the highest standards of collegiality and professionalism.

# Notes

The **Information Law and Policy Centre (ILPC)**, based at the Institute of Advanced Legal Studies, launched in spring 2015. The Centre's mission is to undertake, promote, and facilitate, cross-disciplinary scholarship and research in the area of information law and policy, domestically and internationally, in collaboration with a variety of organisations within the public and private sectors, and civil society.

The Institute of Advanced Legal Studies (IALS) was founded in 1947 as a national academic institution serving all universities through its national legal research library.

Its function is to promote, facilitate, and disseminate the results of advanced study and research in the discipline of law for the benefit of persons and institutions in the UK and abroad. Its areas of speciality include arbitration and dispute settlement, company law, comparative law, economic crime, financial services law, legislative studies and law reform, and the legal profession and delivery of legal services.

The Director of the Institute of Advanced Legal Studies is Jules Winterton.

The **School of Advanced Study** is the UK's national centre for the support and promotion of research in the humanities. Located at the heart of the University of London in Bloomsbury, the School provides an unrivalled scholarly community in which to pursue postgraduate study and research. Students learn from leading specialists in their fields, hone their research skills in highly regarded training programmes, expand their knowledge through an extensive calendar of events, and become part of a worldwide network of humanities scholars. Funding opportunities include AHRC-sponsored London Arts and Humanities Partnership studentships, SAS studentships, and a number of subject-specific bursaries and awards.

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### **Information Law and Policy Centre**

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