

# Fair Trade Algorithms?

## A provenance-y provocation

**Michael Veale @mikarv**

*Supporting Algorithm Accountability  
using Provenance*

King's College London  
12 July 2018

Department of Science, Technology,  
Engineering & Public Policy  
University College London





- ▶ **Accountability:** ‘It was the algorithm, not me!’
- ▶ **Competition:** Centralisation of power
- ▶ **Control:** Using data to make and sell models without permission
- ▶ **Dignity:** Kafkaesque ‘computer says no’
- ▶ **Discrimination:** Machines re-producing and reinforcing biases
- ▶ **Manipulation:** Microtargeting, censorship and democratic effects
- ▶ **Oversight:** Intransparency preventing scrutiny
- ▶ **Privacy:** Inference of especially sensitive data
- ▶ **Safety:** Critical systems (e.g. cars, security)

- **General Data Protection Regulation**
  - Automated decisions, art 22
  - Information rights, arts 12–15
  - ‘Supercomplainant’ system, art 80
  - Lawful basis for processing, art 6
  - Special category data, art 9
- **Equality Act 2010 (UK)**
- **Draft ePrivacy Regulation**
- **Competition Law, Labour Law, Product Liability [...]**



@mikarv

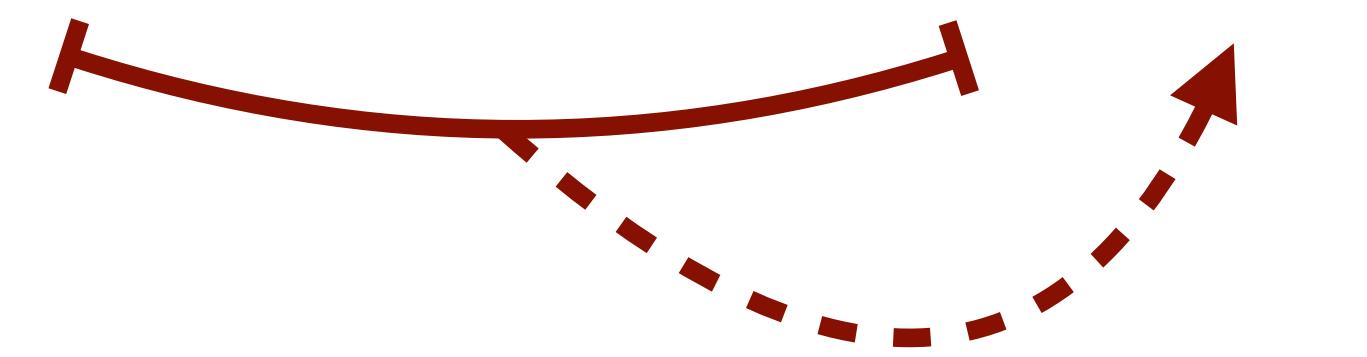
# Two core machine learning tasks



## Supervised learning

labelled data

age	income	education	repaid loan?
			Y
			N
			Y
			Y

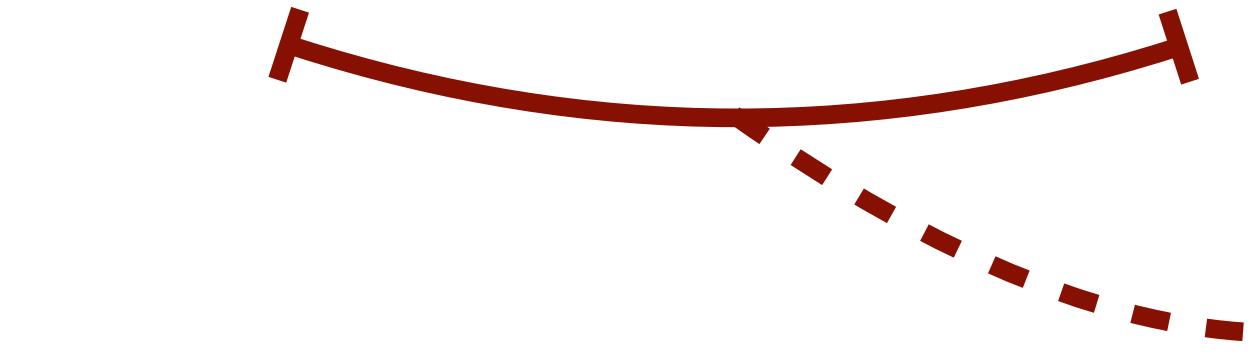


when “correct” values are *possible*

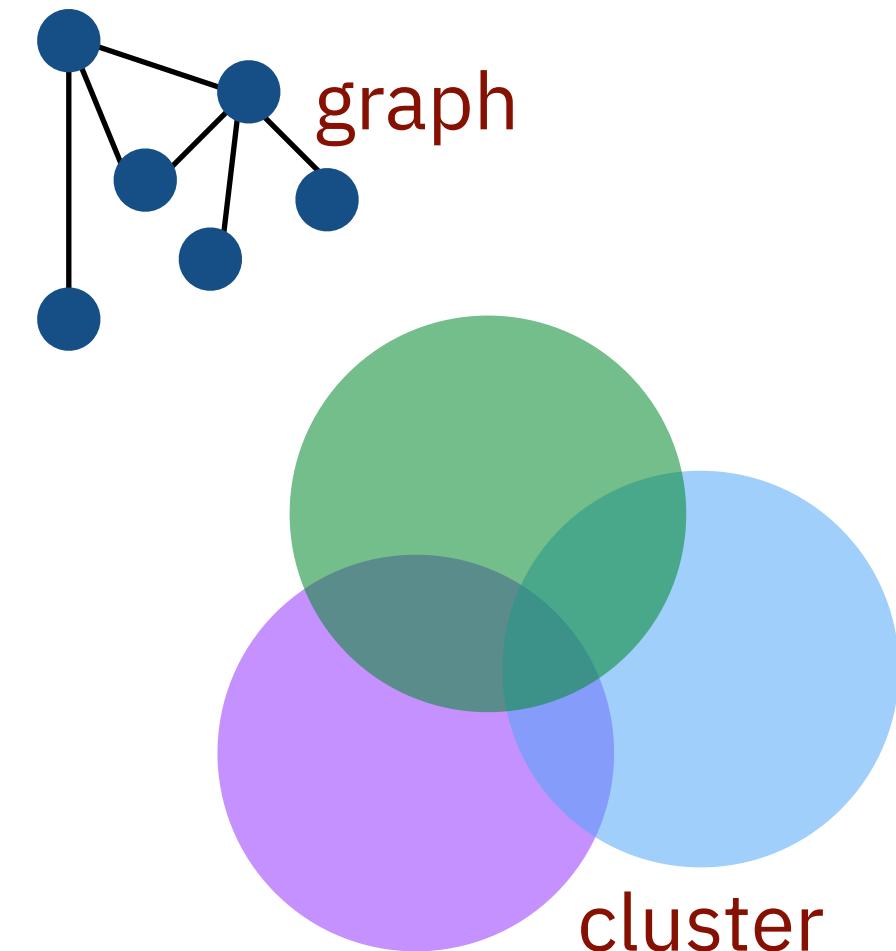
## Unsupervised learning

unlabelled data

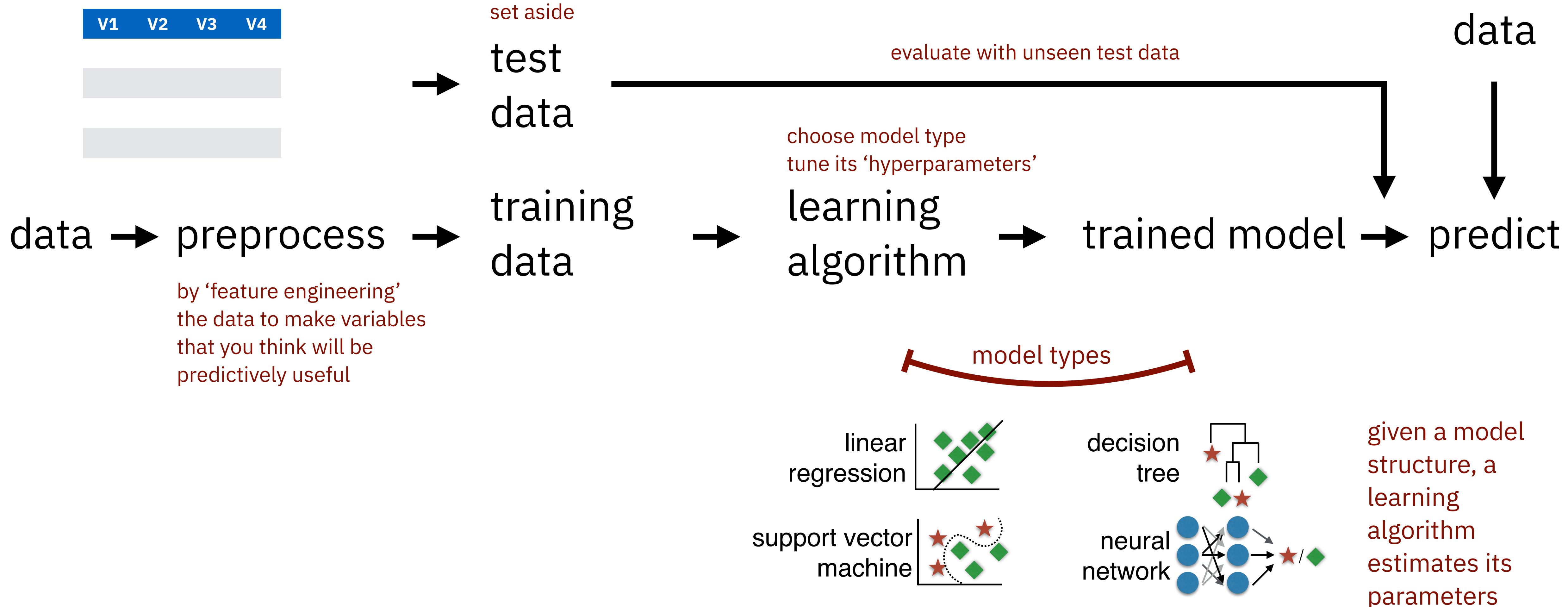
age	income	education



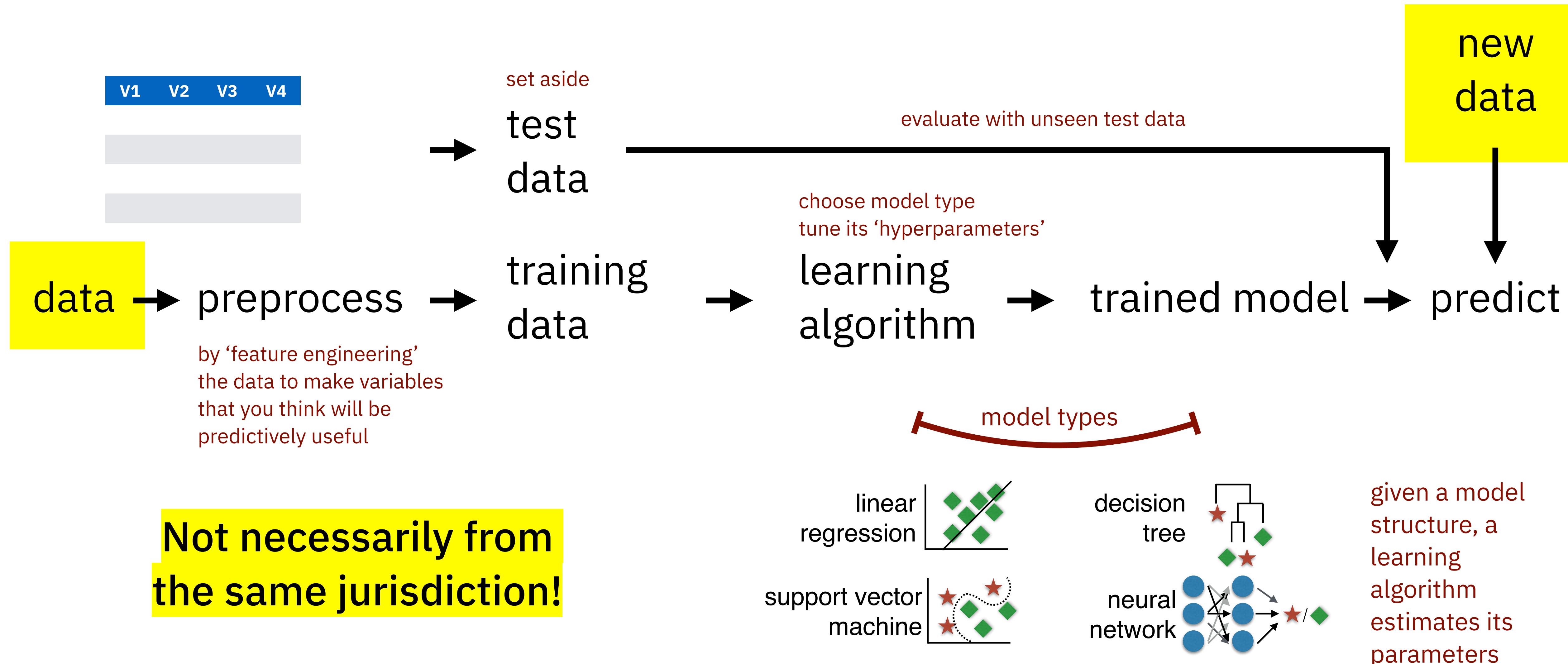
when “correct” values are *less possible*



# Machine learning as a process



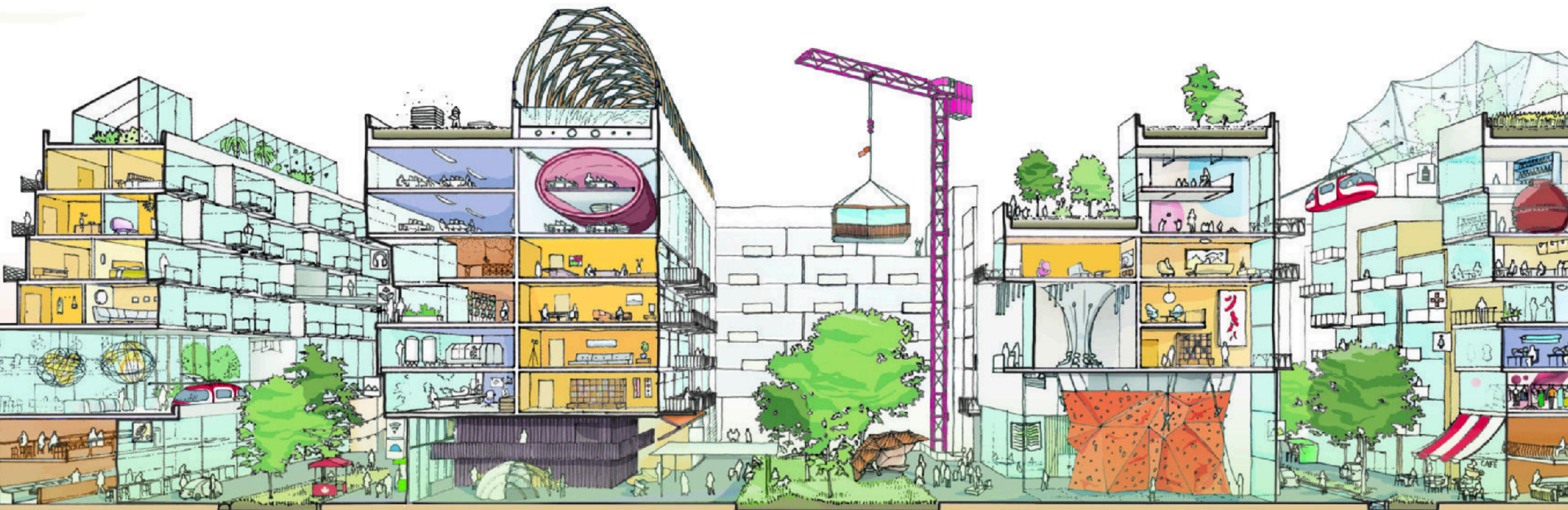
# Machine learning as a process





SIDEWALK LABS

Look to the Future



# Google's Guinea-Pig City

Will Toronto turn its residents into Alphabet's experiment? The answer has implications for cities everywhere.

# Most Experimental Drugs are Tested Offshore—Raising Concerns about Data

Published online: April 7, 2015

**Science & Society**

**EMBO  
reports**

## The ethics of global clinical trials

*In developing countries, participation in clinical trials is sometimes the only way to access medical treatment. What should be done to avoid exploitation of disadvantaged populations?*

Katrin Weigmann

Clinical research by academic institutions and pharmaceutical companies has followed the general trend of globalization and has moved inexorably towards low- and middle-income countries (LMIC). This trend has raised various concerns, including whether the research being conducted is of value to public health in these countries or whether economically disadvantaged populations are being exploited for the benefit of patients in rich countries. Nevertheless, clinical trials and

vaccine in Europe or North America would be relatively futile given the lack of patients. Beyond the obvious and direct public health benefits—in terms of both new knowledge and new treatments—clinical research also helps to build research and health care capacity and can improve local infrastructure and boost the economy. In fact, many developing countries have been actively trying to attract clinical research for these reasons.

From the perspective of those conducting

deformations of their extremities; it subsequently became clear that thalidomide, a sedative developed by the German company Grünenthal, caused birth defects in babies whose mothers had been taking the drug during pregnancy. Public outrage over the devastating effects of the drug and the fact that it had not been sufficiently tested for safety fuelled discussion within the US Food and Drug Administration (FDA) and quickly led to legislation to improve the safety testing of new drugs. The so-called Kefauver-

**Rebecca Robbins, STAT**

13-17 minutes

The clinical trial for a herpes vaccine flouted just about every norm in the book: American patients were flown in to the Caribbean island of St. Kitts for experimental injections. Local authorities [didn't give permission](#). Nor did the Food and Drug Administration. Nor did a safety panel.

That's why the trial — run by a startup that has since received funding from billionaire investor Peter Thiel — prompted widespread alarm and censure when it was [reported](#) last week by Kaiser Health News.

But in some respects, the herpes vaccine trial isn't all that unusual. Nearly all drug makers seeking U.S. approval today rely in part on overseas locations and populations to test their drugs, the result of a decades-long push by industry to try to cut costs and speed recruitment of patients. In fact, a STAT analysis found that 90 percent of new drugs approved this year were tested at least in part outside the U.S. and Canada.

## Where knowledge-generation is invasive where is it created?

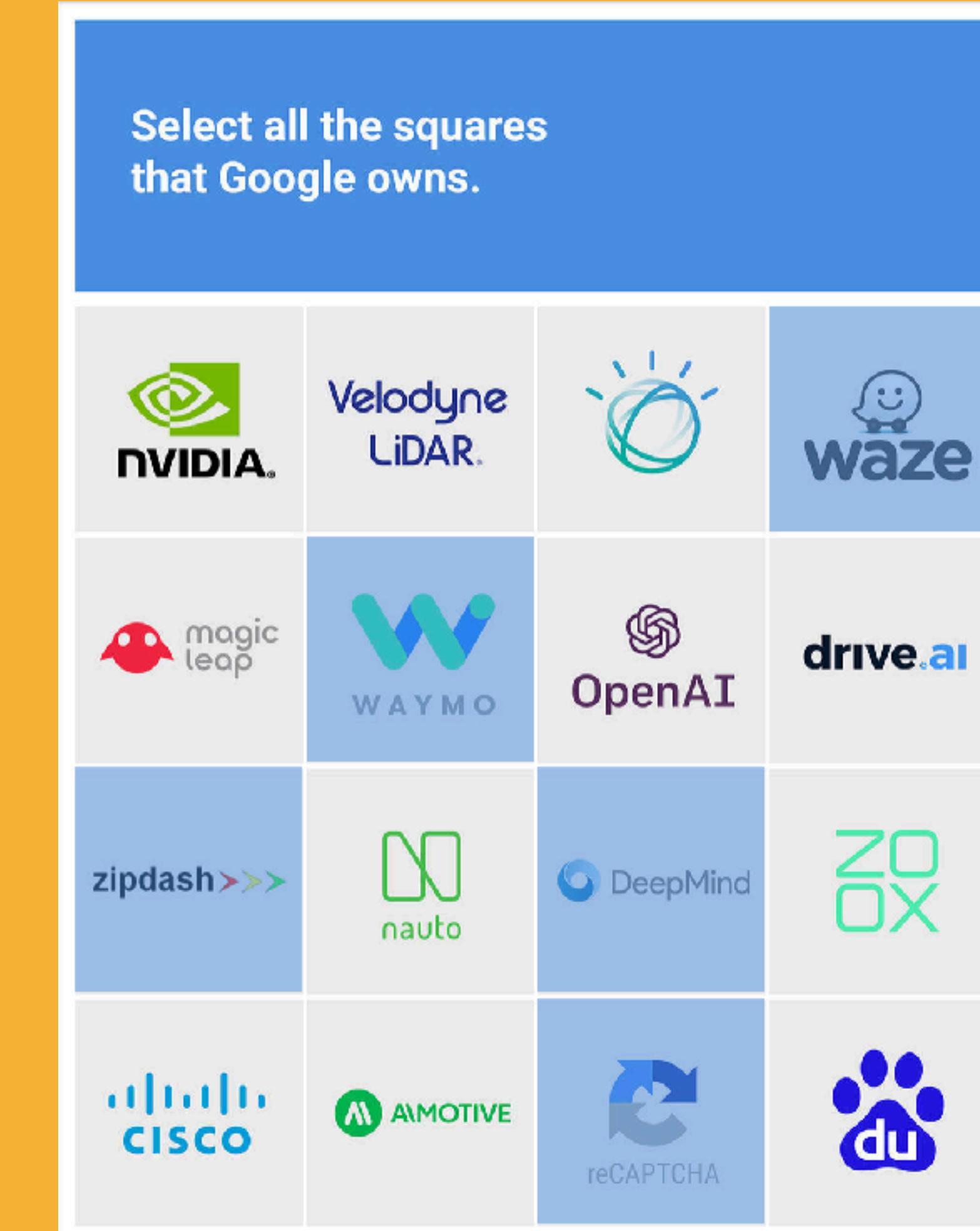
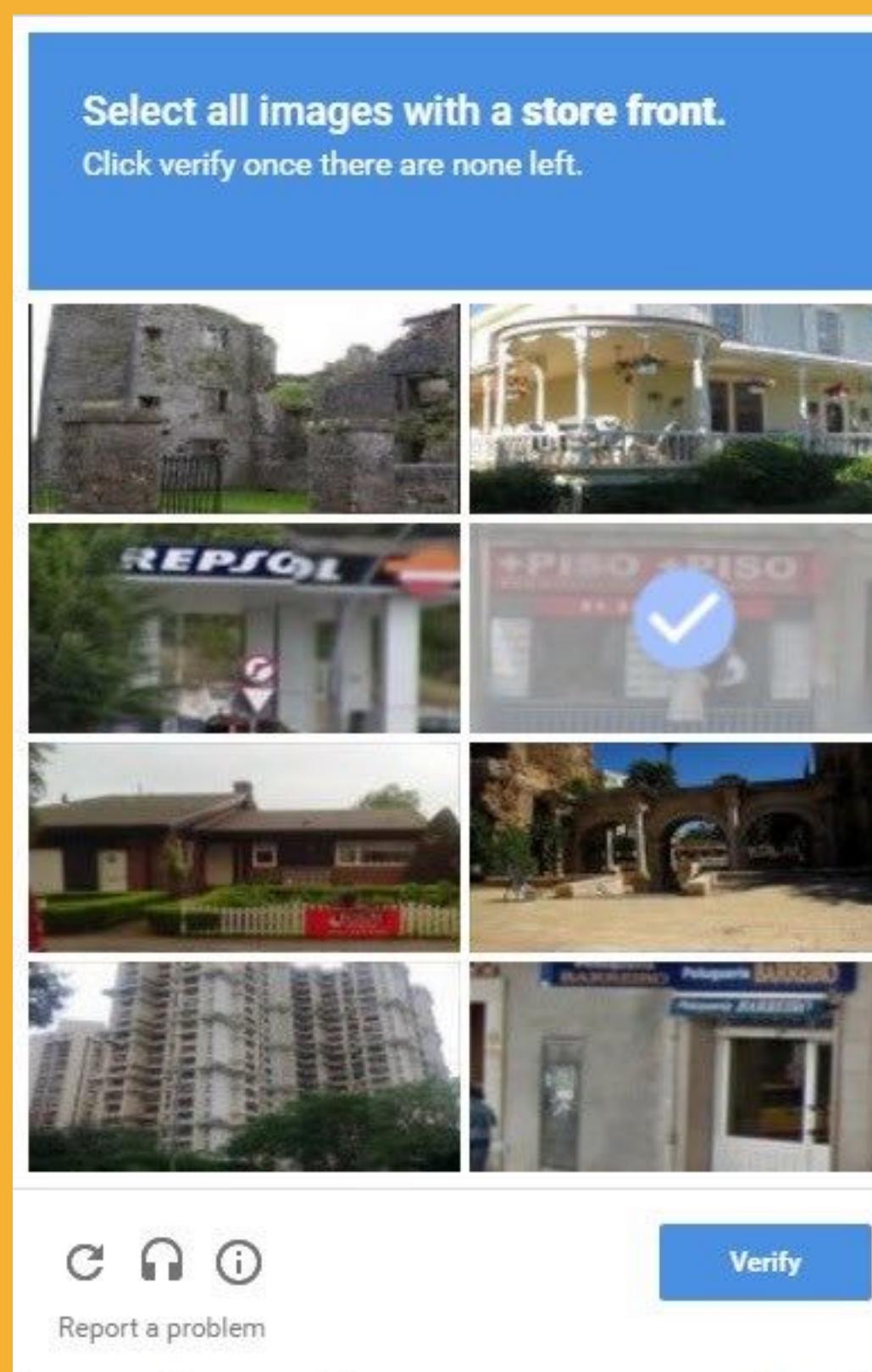
TECHNOLOGY NEWS 30 January 2017

# AI tracks your every move and tells your boss if you're slacking

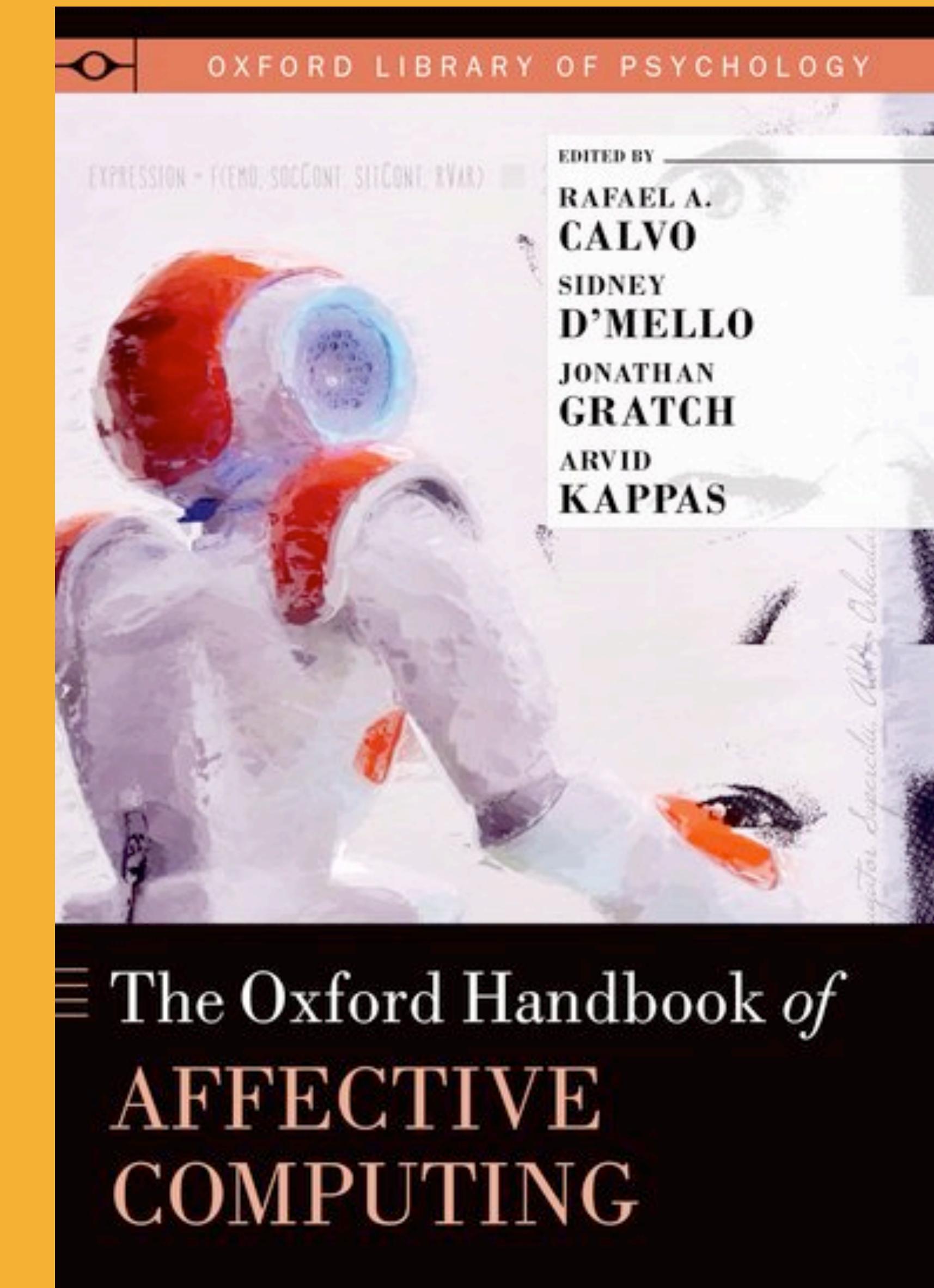
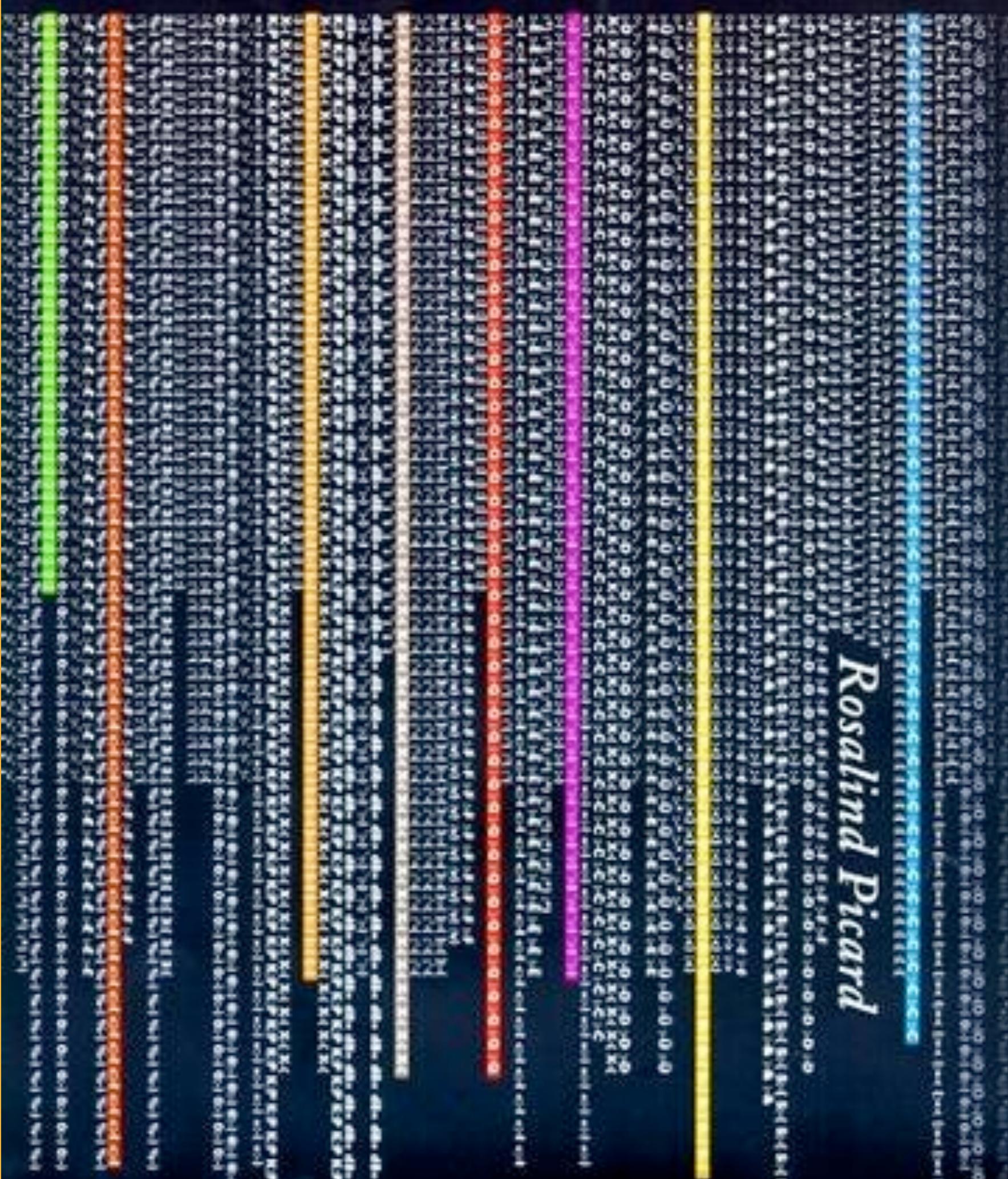


# (re)CAPTCHA:

## “Completely Automated Public Turing test to tell Computers and Humans Apart”



# AFFECTIVE COMPUTING



# HELP OUR AI TO LEARN EMPATHY

Which image makes you feel more empathic towards victims of Syria crisis?

Help our AI to learn empathy: select which images are more likely to inspire empathy and help us train our algorithm to get better.



[CLICK HERE TO TAKE THE SURVEY](#)

(Survey images might contain sensitive and graphic content.)

**Progress: 46/50**

HELP OUR AI TO LEARN EMPATHY!

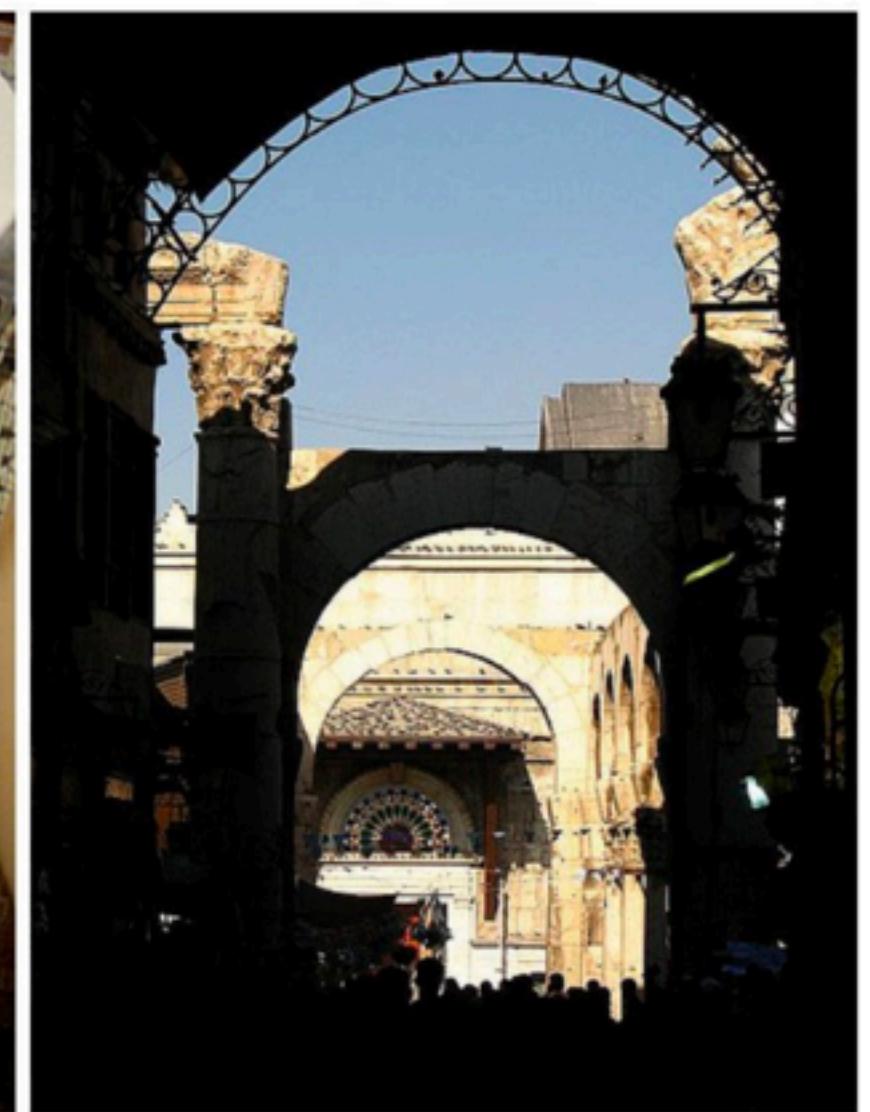
**CLICK ON WHICH IMAGE MAKES YOU FEEL MORE EMPATHETIC TOWARDS VICTIMS OF THE CRISIS IN SYRIA.**



**Progress: 14/50**

HELP OUR AI TO LEARN EMPATHY!

**CLICK ON WHICH IMAGE MAKES YOU FEEL MORE EMPATHETIC TOWARDS VICTIMS OF THE CRISIS IN SYRIA.**



ADRIAN CHEN BUSINESS 10.23.14 6:30 AM

# THE LABORERS WHO KEEP DICK PICS AND BEHEADINGS OUT OF YOUR FACEBOOK FEED

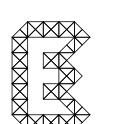


A contractor at the Manila office of TaskUs, a firm that provides content moderation services to U.S. tech companies. © MOISES SAMAN/MAGNUM

# Compounding the issue: The rise of model trading



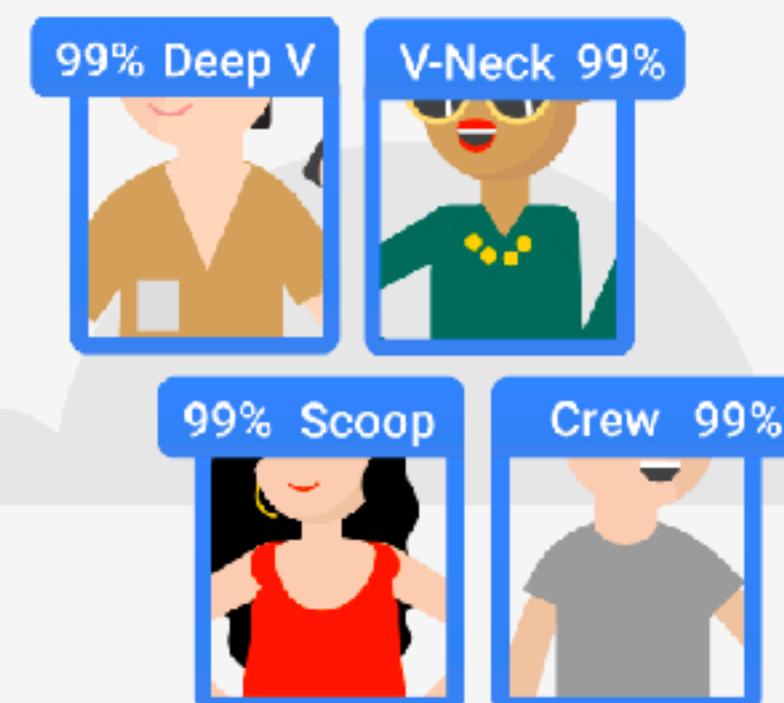
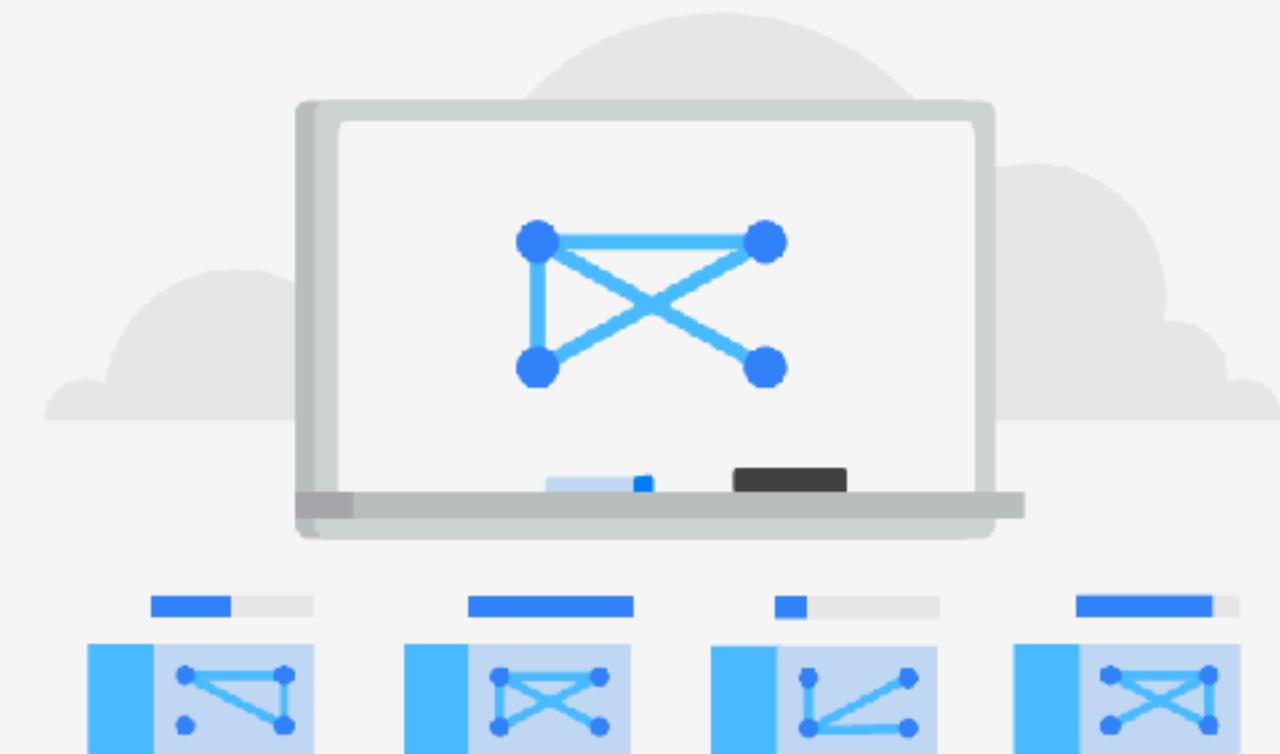
- Data protection has long (and in theory) limited the wholesale trade of personal data: under the GDPR, moreso.
- Companies move to trading models rather than data.
- **Packaged models vs API access**
- Supported by specialised hardware and edge computing [e.g. CoreML]



# Train Custom Machine Learning Models

Cloud AutoML is a suite of Machine Learning products that enables developers with limited machine learning expertise to train high quality models by leveraging Google's state of the art transfer learning, and Neural Architecture Search technology.

AutoML Vision is the first product to be released. It is a simple, secure and flexible ML service that lets you train custom vision models for your own use cases. Soon, Cloud AutoML will release other services for all other major fields of AI.



## Easily train custom vision models

With Cloud AutoML, you can bring your training data to create your own custom vision model with minimum Machine Learning skills required. Start with as little as a few dozen photographic samples and Cloud AutoML will do the rest.

## Develop

GET STARTED

PROGRAMMER'S GUIDE

TUTORIALS

PERFORMANCE

MOBILE

HUB

JAVASCRIPT

## Overview

TensorFlow Lite

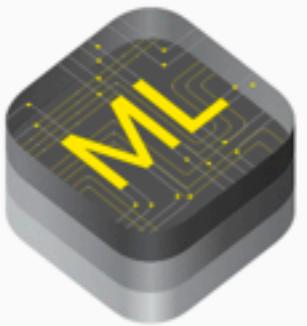
[Introduction to TensorFlow Lite](#)

Developer Guide

Android Device App

## Introduction to TensorFlow Lite

TensorFlow Lite is TensorFlow's lightweight solution for mobile and embedded devices. It enables on-device machine learning inference with low latency and a small binary size. TensorFlow Lite also supports hardware acceleration with the [Android Neural Networks API](#).



## Build more intelligent apps with machine learning.

Take advantage of Core ML a new foundational machine learning framework used across Apple products, including Siri, Camera, and QuickType. Core ML delivers blazingly fast performance with easy integration of machine learning models enabling you to build apps with intelligent new features using just a few lines of code.

## **Article 13**

Information to be provided where personal data are collected from the data subject

(at point of collection)

## **Article 14**

Information to be provided where personal data have not been obtained from the data subject

(if you can't contact them, publish online)

## **Article 15**

Right of access by the data subject

(upon email)

	<i>Article 13</i> <b>Information to be provided where personal data are collected from the data subject</b>	<i>Article 14</i> <b>Information to be provided where personal data have not been obtained from the data subject</b>	<i>Article 15</i> <b>Right of access by the data subject</b>
Identity and contact details of the data controller	x	x	
Purposes of processing	x	x	x
Legal basis	x	x	
Categories of personal data concerned	x	x	x
Recipients or categories of recipients of the personal data	x	x	x
From which source the personal data originate		x	x
Storage limitation: period and criteria before deletion	x	x	x
Legitimate interests used, where applicable	x	x	x
Meaningful logic about significant automated decision-making	x	x	x
A copy of personal data			x

**Data subject**

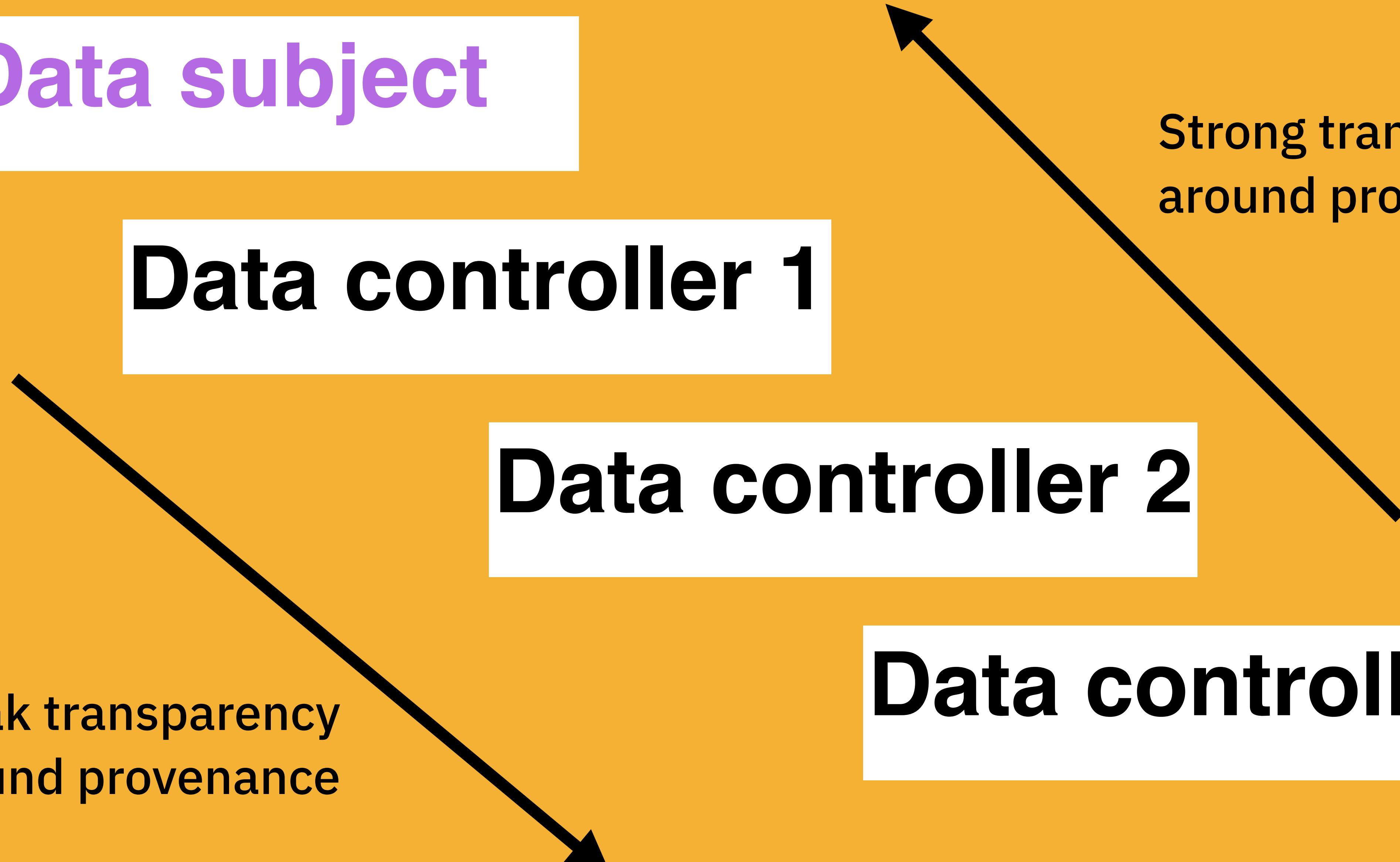
**Data controller 1**

**Data controller 2**

**Data controller 3**

Weak transparency  
around provenance

Strong transparency  
around provenance



We're here to help



Search rider help

## REQUESTING DATA FROM UBER >

To request access to your data, a copy of your data, or a correction to your data, please submit your request in writing.

IF YOU RESIDE IN THE U.S.:

Uber Technologies, Inc.  
Attn.: Legal  
1455 Market Street, Suite 400  
San Francisco, CA 94103

IF YOU RESIDE OUTSIDE THE U.S.:

Uber B.V.  
Attn.: Legal  
Meester Treublaan 7  
1097 DP Amsterdam  
Netherlands

**On 25th May**

~~£10 fee~~

~~No obligation to request by snail mail~~

~~Can receive electronically in “commonly used format”~~

# Shattering one-way mirrors – data subject access rights in practice

Jef Ausloos\* and Pierre Dewitte\*

‘This type of legislation is the reason we incorporated \*\*\*\*\* in the US and not in Belgium. In reality, real users never ask for this type of information. They just delete their account. Our work is to [...] in the most trustworthy way. We have now deleted your account and have no data on file anymore, apart from this email in a separate customer support system. We have hereby fulfilled your request. And for all clarity: we treat real users and their privacy with the utmost respect. But we don’t spend expensive resources to respond to frivolous requests’.

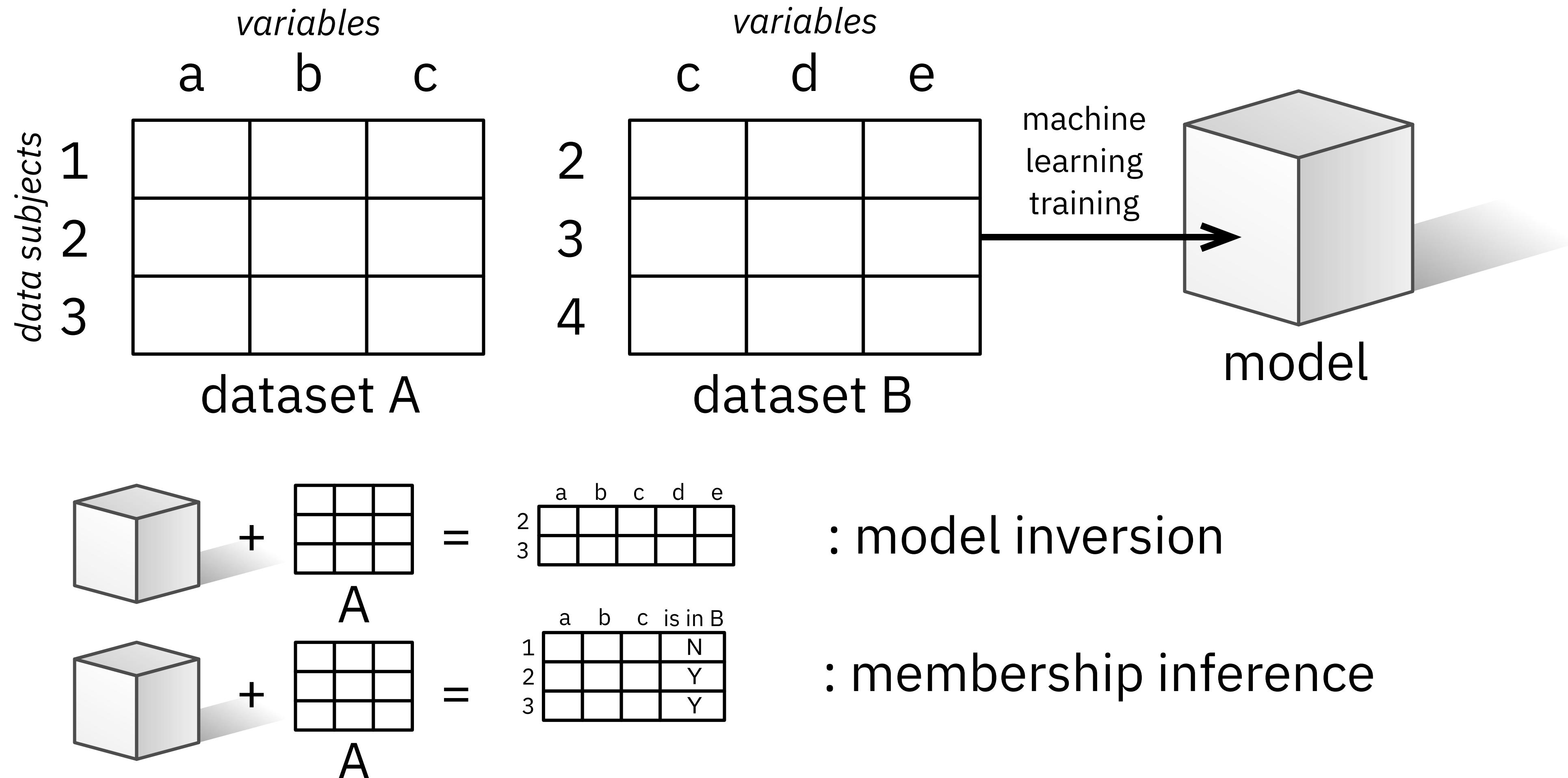
‘Good morning. \*\*\*\*\* being a masculine name, “Dear Sir” will suffice. We really don’t have time for this; please look at our privacy policy, all your questions are answered. If you wish to erase your data, you are perfectly entitled to’.

When questioned about the progress of the access request, that same provider replied:

‘I can’t manage to motivate the developers’ (translated from French).

# Applies to data

## What about systems?





- EU data protection law is the strongest, and has severe extraterritorial effects: arguably the Brussels Effect on steroids (albeit enforcement Qs)
- Many countries (e.g. the US) lack an omnibus governance framework for data (although global data privacy laws are more numerous by the month\* and there is promise in the modernised Council of Europe Convention 108)
- **Despite this, common types of corporate surveillance and data processing legally permitted in many jurisdictions would be illegal in Europe and some other areas.**

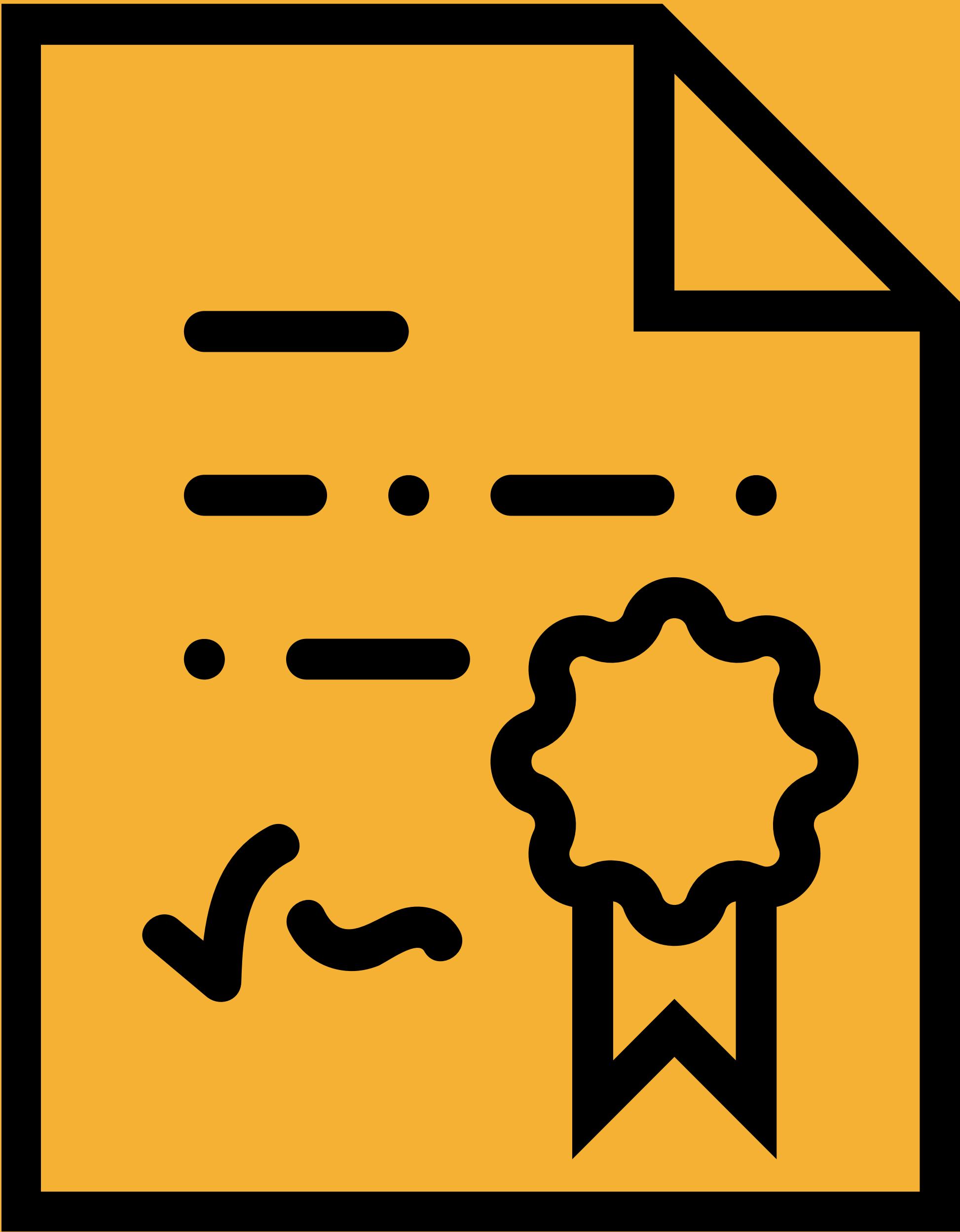
# ‘Credence’ attributes

# Stop algorithms at the border?



- Can we stop unethical algorithms?
- Other than the challenge of knowing which they are (to follow), legal barriers.
- Repeated WTO cases (e.g. *Dolphin Tuna, Shrimp and Turtle*) which see considering credence attributes as a form of protectionism. Not directly applicable but similar concerns with privacy and GATS on services.





# Certification for privacy: certify the organisation?



- Turbulent history of privacy certification and seals in international data privacy law: applied to organisations, not datasets.
- Long thought inadequate by scholars, *Safe Harbour* struck down by CJEU.
- Self-certification with audit.



## *Article 42*

### Certification

1. The Member States, the supervisory authorities, the Board and the Commission shall encourage, in particular at Union level, the establishment of data protection certification mechanisms and of data protection seals and marks, **for the purpose of demonstrating compliance with this Regulation of processing operations by controllers and processors.**

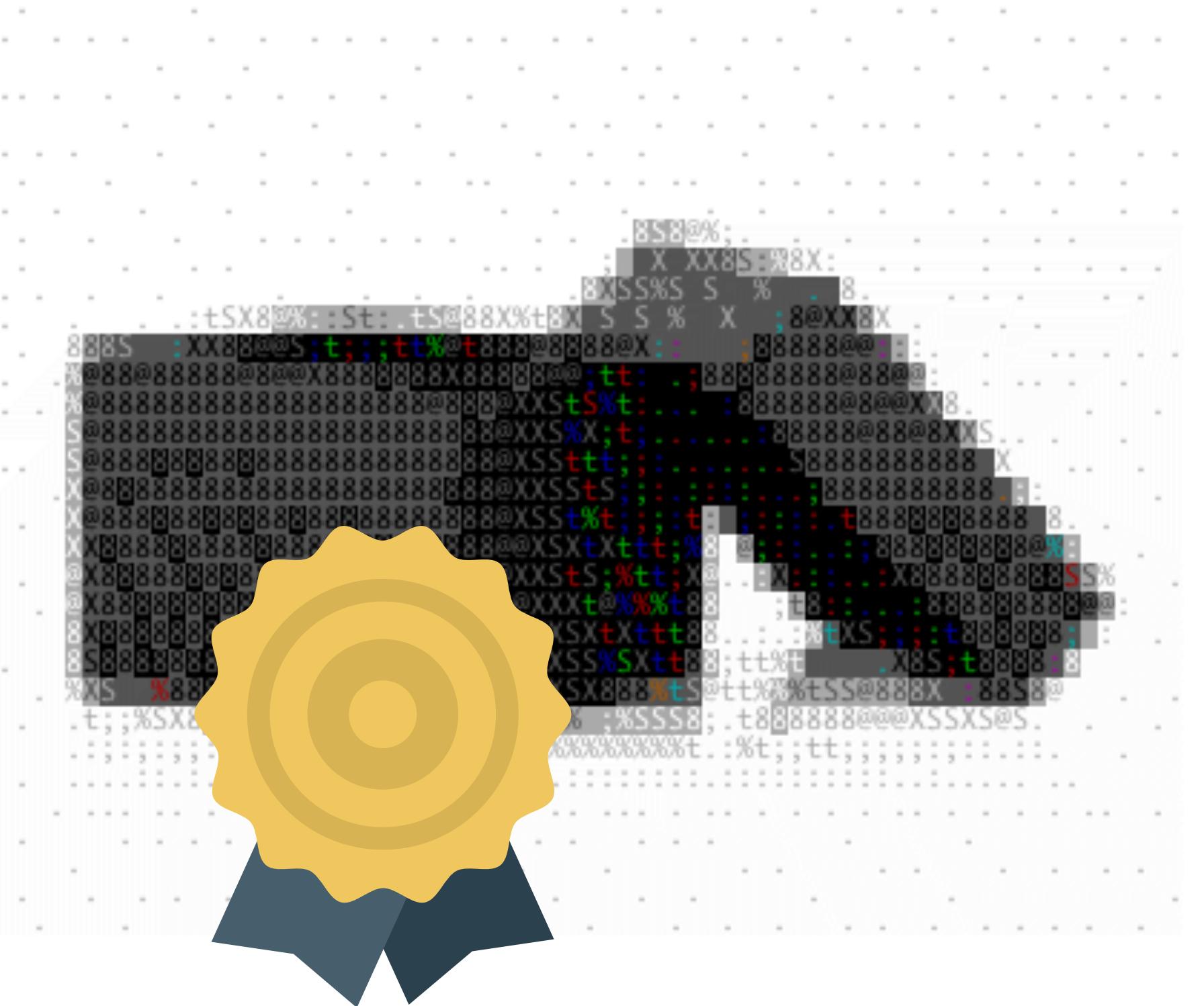
[...]

4. A certification pursuant to this Article does not reduce the responsibility of the controller or the processor for compliance with this Regulation [...]

# Certification for machine learning: certify the model?



- ▶ Datasets: can watermark and register them, also difficult to hide the source of high dimensional data. Need a ledger and infrastructure, but if the logic is that ‘only certified data can be used’, possible.
- ▶ Models: Harder, as transfer learning and ever changing systems.



- ‘Which data were used to train this model’: possibility to verify using *membership inference attacks*.
- Normal toolkit of e.g. hashing possible for single models, but becomes harder when transfer learning is involved
- A wide array of sophisticated approaches to covertly integrate insights from unethical data into models could be envisaged, such as the use of synthetic data.

- Closer to **chain of custody** certification in commodities.
- Can mandate record keeping, transmission of meta-data with certain models.
- Requirement for e.g. cheaper business insurance.
- Not applying substantive requirements on distant jurisdictions but encouraging transparency, responsible practices, risk management, indirectly.



# Governance challenges for ML credence certification

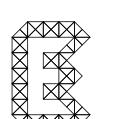


- Certification does not work in a legal vacuum, yet many countries have an effective privacy vacuum, even if on the statute books.
- Who is the consumer? B2B for business risk, but where will pressure come from.
- Technological aspects of ML systems differ from commodities:
  - Can augment, change them, trade them on.
  - Can copy them, access them remotely, deliver as good *or* service
  - Easy to train, and data/labelling can be cheap, while even DPAs cannot enforce existing law.

# Concluding remarks



- Certification and standards has been a large topic in governance
- Often focussed on certain social and environmental issues, or technical standards.
- ML brings new challenges from new areas of regulation, but also new technological quirks that may help or hinder these areas.
- Thinking about ‘how certification might work’ in this area highlights the challenges posed by features of the technologies and issues itself to the necessary form of (even potentially) effective governance.



**It's now safe to turn off  
your computer.**

**questions?**

**tweet tweet: @mikarv**

**papers on algorithmic explanations,  
empirical work on public sector ML, and more!**

**<http://michae.lv> For early draft of this paper,  
e: m.veale@ucl.ac.uk**