

Responsible AI Governance

As artificial intelligence (AI) gains rapid traction across the world, businesses are faced with how to use it in positive ways for their customers and their operations – while putting reasonable guardrails in place. There is always a relationship between technology advances and the impact they have on our world and businesses are playing a pivotal role in shaping the use of AI and its impact on the human experience.

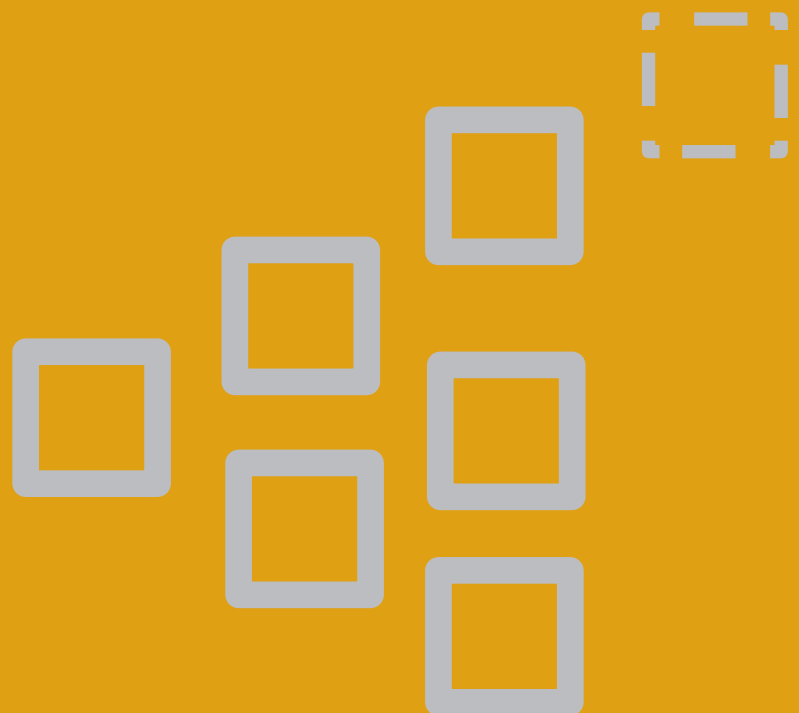
Unintended side effects are always a concern in the development of transformative technologies. One needs only to look at some of the lessons we've learned from the proliferation of social media. While social media has brought an unprecedented level of positive human connection, it has also had unintended negative effects. For example, while no one person, company, or entity can take responsibility for the negative impact of social media on the mental health of children, it does not

minimize the disturbing facts that correlate online social media interactions with teen suicide and self-injury¹. Since 2011, California alone reported a 151% increase in suicide and suicide ideation in children 10-14 years old².

So, what is the right approach for companies pursuing artificial intelligence? There are no easy answers, but it starts with taking a deliberate, thoughtful approach to setting up guidelines for the responsible development of AI capabilities. Companies may not have all the answers today, and things will

certainly change down the road, but putting guidelines in place for all employees to understand is the right first step.

The European Union has led the way in proposing fundamental guidelines for governing AI in ways that are "safe, transparent, traceable, non-discriminatory, and environmentally friendly"³. Their proposed guidelines address categories of risk and are a good starting point for companies to reflect what their own guardrails will be.



Unacceptable Risk.

These are risks that are considered a threat to people. They include:

- Cognitive behavioral manipulation of people or specific vulnerable groups: for example, voice-activated toys that encourage dangerous behavior in children
- Social scoring: classifying people based on behavior, socio-economic status or personal characteristics
- Real-time and remote biometric identification systems, such as facial recognition AI systems should be overseen by people, rather than by automation, to prevent harmful outcomes

High risk.

The EU has proposed oversight of AI systems used in products falling under product safety legislation and includes products such as:

- Toys
- Aviation
- Cars
- Medical devices

It also proposes deliberate oversight (through a registration and review process) of products using artificial intelligence for:

- Biometric identification of naturalized persons
- Management of critical infrastructure
- Access to public services
- Workforce management
- Law enforcement

Generative AI Risk.

Generative AI, like ChatGPT, would have to comply with transparency requirements:

- Disclosing that the content was generated by AI
- Designing the model to prevent it from generating illegal content
- Publishing summaries of copyrighted data used for training
- Banning use of AI for illegal content creation

Limited Risk.

Limited risk AI systems should comply with minimal transparency requirements that would allow users to make informed decisions:

- After interacting with the applications, the user can then decide whether they want to continue using it
- Users should be made aware when they are interacting with AI. This includes AI systems that generate or manipulate image, audio or video content, for example deepfakes

While there are no easy answers in governing AI, companies should look to lessons learned via social media and draw perspectives from governing bodies that are expert in with privacy protection such as the European Union. In the very least, businesses should work to communicate critical guidelines to employees that address: how to label content that is AI generated; processes to track transparency into the sources used to create AI; and know how it is being used within your organization and by your customers. Establishing responsible AI governance guidelines as a living concept that is re-visited and modified as the technology advances is the first step companies can take to reap the rewards of AI while consciously working hard to limit its unintended uses.

Endnotes:

¹ "Social Media Use and Deliberate Self-harm Among Youth," Children and Youth Services Review, Volume 116. September 2020

² "Covid Brief," California Children's Trust, April 15, 2020

³ "EU AI Act: First Regulation on Artificial Intelligence European Union Parliament," <https://www.europarl.europa.eu>; June 14, 2023

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