

AI failures, AI success & systematic injustices

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AI Critique

Simplification

Limited Nuance

No Distinction between Tech failures and Policy Failures

10 Tech And AI Misses In 2024 — And Lessons Learned For The Year Ahead

Sol Rashidi Contributor 

10 Patents, "Top 100 AI Thought Leaders", Former CDO/CAIO/CA), Author

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Our Approach

Taxonomy of AI Failures and AI Successes

- Analogy between mistakes involving AI and mistakes made by humans.
- Technical mistakes vs. Negligence vs. Intended mistakes (fuelled by structural practices)

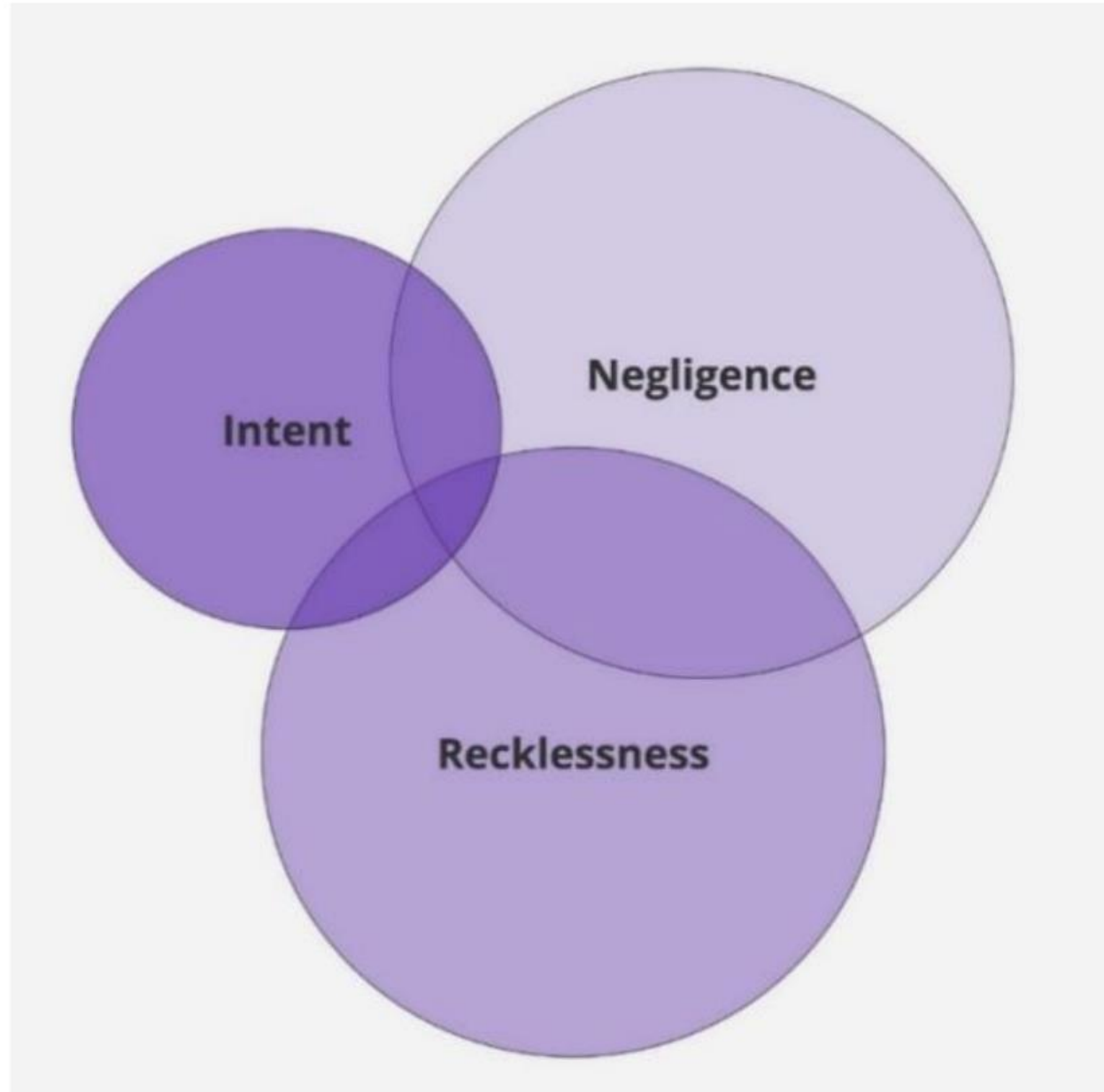
Human Errors – Criminal law taxonomy	AI failures
"Accidents happen"	Technological errors – NO INTENT TO HARM
"Let's hope for the best" Recklessness (accidents could be foreseen and prevented)	Wrong use of AI
Let's use technology to target X and Y because this group is X and Y: Biases Perpetuating longstanding inequities, directly or indirectly	

Layer 1: AI Failure as Negligence

Layer 2: AI Failure as Recklessness

Layer 3: AI Failure as Mirroring Intent

Figure 1: Three layers of AI failure



AI Failure as Negligence



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In India, an algorithm declares them dead; they have to prove they're alive



AI as Recklessness



AI Failure as Intent

AI Failure as Intent

- Moral considerations and structural racism: social welfare fraud investigations;
- Historical attitudes of suspicion



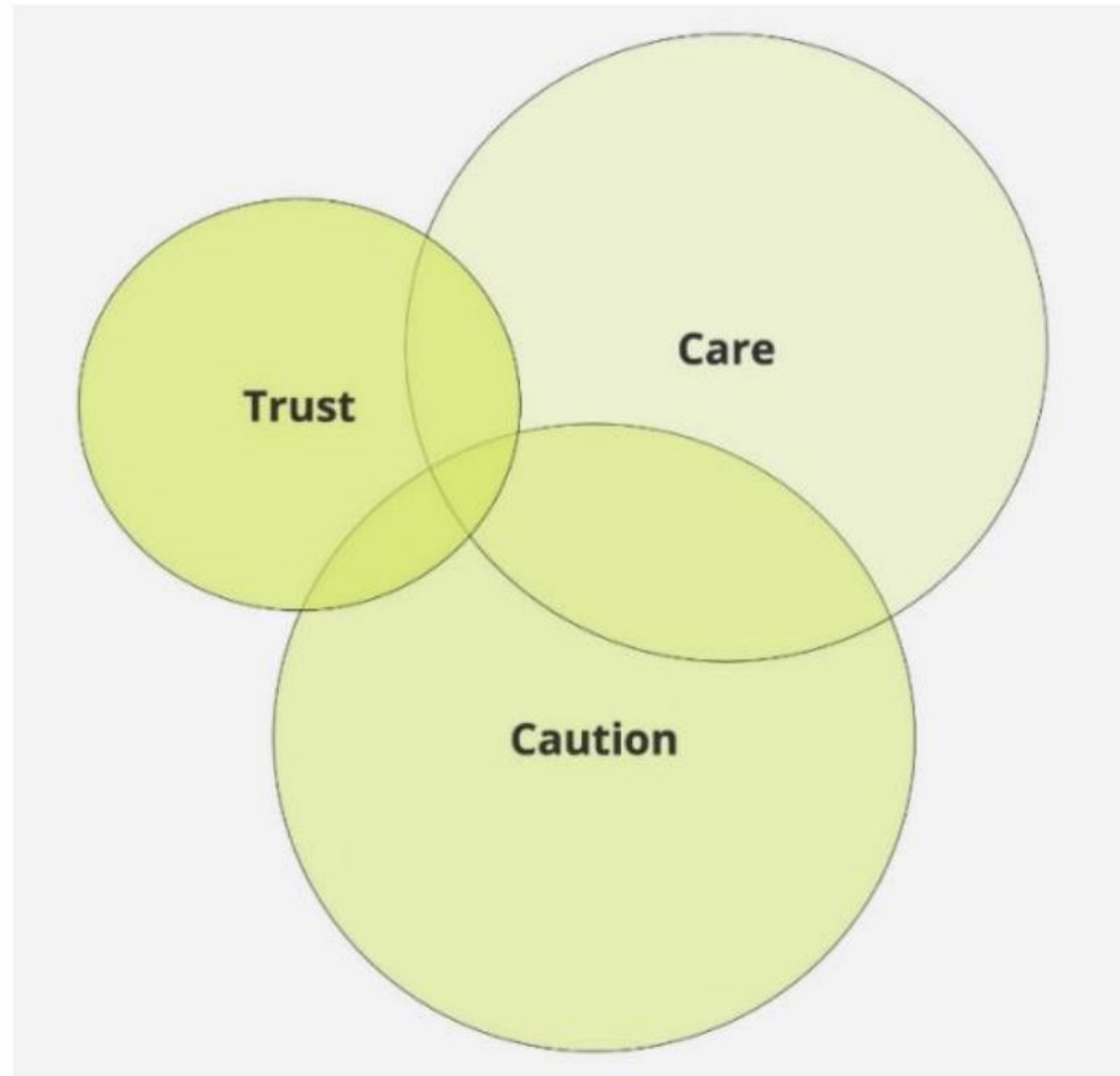
Exploiting Power Dynamics

AI Colonialism



AI Success

Figure 2: Three layers of AI success



Conclusion

Contemporary life relies on regulation. The quality and safety of the water we drink, the food we eat and the social media applications we use are all governed by multiple regulatory regimes. Although rooted in law, regulation is a multidisciplinary endeavour. Debates about regulation, particularly in the face of rapid change and the emergence of new 'naks', are now commonplace. Despite extensive scholarship, regulation is often poorly understood, even by policymakers, with unintended and even disastrous consequences. This book offers a critical introduction to core theories, concepts, methods, tools and techniques of regulation, including regulatory policy, instruments, enforcement, compliance, accountability and legitimacy. Weaving extracts from texts drawn from many disciplines with accessible commentary, it introduces this important field to students, scholars, and practitioners in a scholarly yet accessible and engaging manner with discussion questions and additional readings for those seeking to deepen their knowledge.

Karen Yeung is the University of Birmingham's first interdisciplinary professor, based at Birmingham Law School and School of Computer Science, following previous appointments at King's College London and the University of Oxford. She is recognised worldwide as a leading scholar in the law and governance of emerging technologies, including the regulation of AI and regulation by algorithm. She is extensively involved in AI policy in Europe and elsewhere, including membership of the EU's High Level Expert Group on AI.

Sofia Ranchordás is Professor of Administrative Law at Tilburg University and LUSS (Rome) and an Affiliated Fellow at the Yale Information Society Project. She is a leading scholar in regulation and technology. Ranchordás has earned multiple grants for her work on regulation and vulnerability (e.g., NWO-Vidi, WASP-HS). She has served as a visiting professor at the Universities of Pennsylvania and Virginia. Her advisory work and research on regulation and technological change, experimental regulations and regulatory sandboxes have prompted legislative changes.

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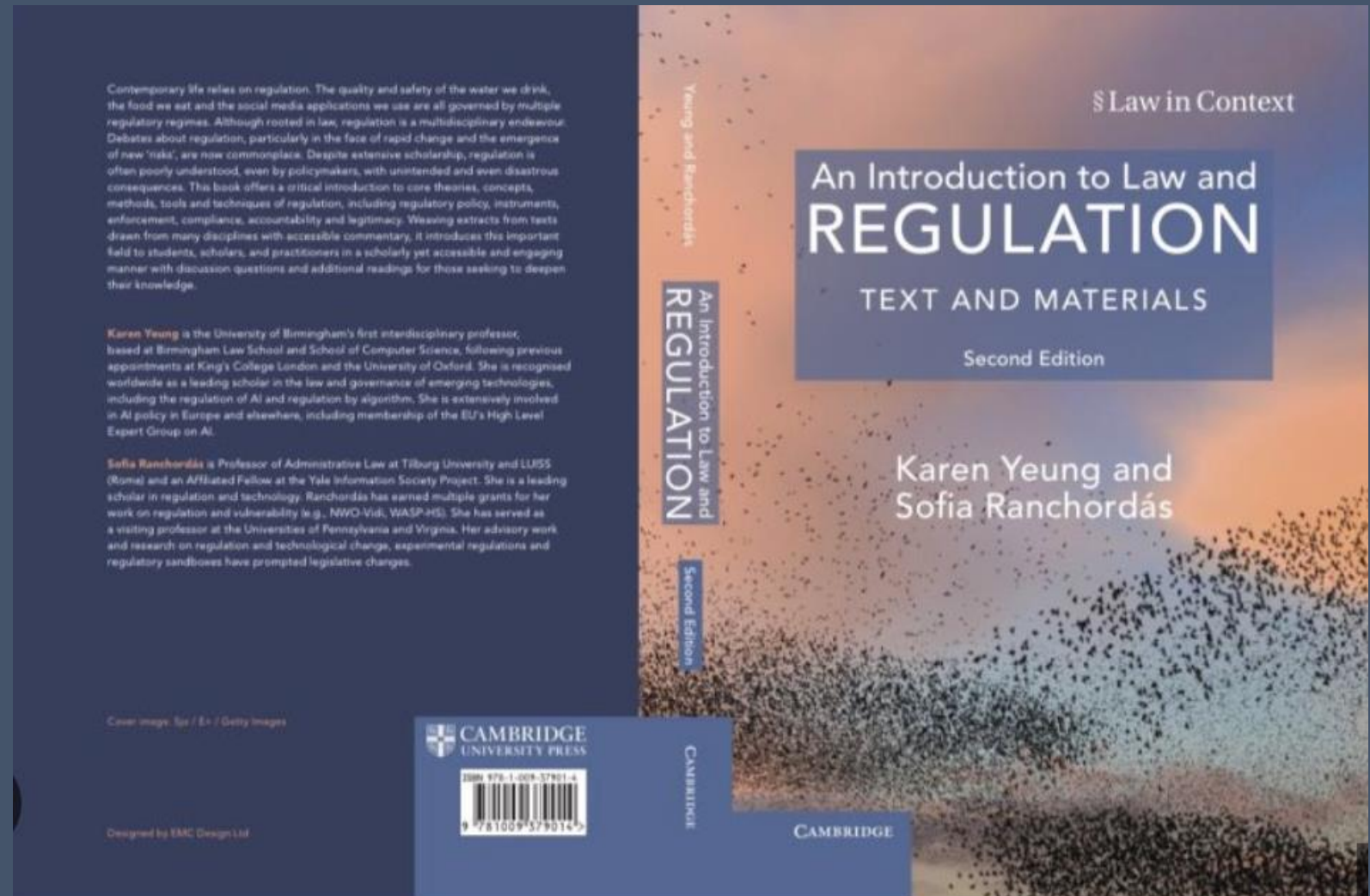
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Sofia Ranchordás

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AI Critique

Individual actions vs. Systematic injustices