

# **Pandect of Recommendations & multi-disciplinary emerging best practices**

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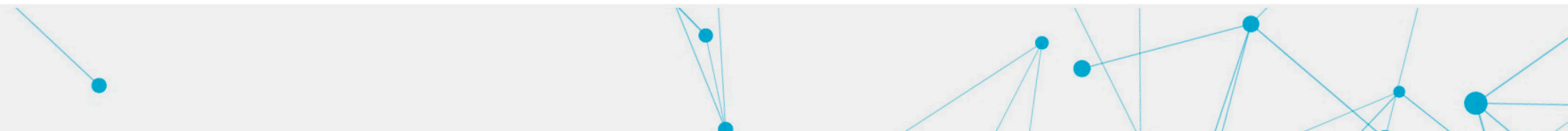
# Recommendations for the ethical use of AI by LEAs: Target Groups



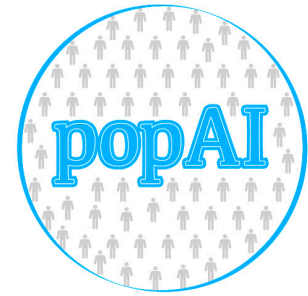
LEAs and Policymakers

Civil Society

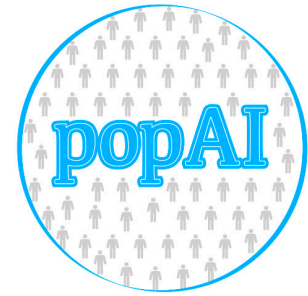
Technology Developers



# Recommendations for the ethical use of AI by LEAs: Sources & Evaluation (EAB, SAB)



# Recommendations for the ethical use of AI by LEAs: Education and Training



## AI literacy : Education and training

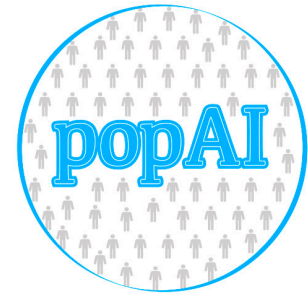
### Types:

- **Ethical and legal** education and training (incl. human rights, personal data protection, the notion of non-discrimination, on admissibility of evidence at court), the ethical rules, the applicable legal framework and the obligations, limitations and prohibitions stipulated by law and, soon, on issues clarified, revised and regulated through case-law
- **Technical** education and training (AI algorithms and best practices for data collection, data preparation processing and model training **in general**, and with respect to the **deployment of a specific AI system** by an LEA, to be informed about that AI system's purposes and technicalities including its capabilities and limitations of performance, pre-determined changes, human oversight measures, potential bias, accuracy metrics, expected lifetime along with any necessary maintenance and care measures, and, ultimately, to use it correctly and to be able to evaluate properly its outputs.)

### Frequency:

- **Before** the design and deployment of an AI technology or tool for the users to be well informed and prepared and for all required actions and measures to be taken timely.
- **Regularly (before and after the deployment of an AI system)**

# Recommendations for the ethical use of AI by LEAs: Education and Training



## Educators/trainers:

- Ethics and legal advisors along with policymakers
- Involvement of society representatives
- Technology developers
- Representatives of other law enforcement agencies

## Targets:

LEAs (incl. operators), providers, citizens, ethics and legal experts

## Implementation:

### At the national level:

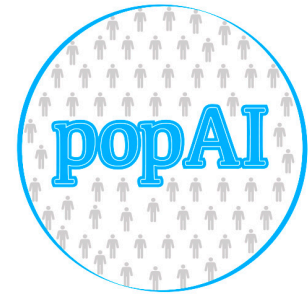
**LEAs:** national educational programmes of LEAs during their studies at the police academies and part of their life-long learning and regular training -initiative of the LEAs in collaboration with the **national competent authorities**

**Ethics & legal experts, technology providers:** Member States add **courses on “ethical and lawful AI”** to the curriculums of educational institutions

**Citizens :** national general education  
governmental awareness-raising campaigns

At the European level: participation of **LEAs in EU-funded research and innovation projects** , e.g. [popAI Ethics Toolbox](#)

# Recommendations for the ethical use of AI by LEAs: Impact Assessment



**Carrying out impact assessments is highly recommended even in cases where this is not obligatory by law OR the AIA shall include the conduct of impact assessment as mandatory not only for high-risk AI systems**

*Human Rights, Democracy and the Rule of Law Impact Assessment (HUDERIA) <https://rm.coe.int/huderaf-coe-final-1-2752-6741-5300-v-1/1680a3f688>*

*ALIGNER Fundamental Rights Impact Assessment (AFRIA)*

**The Fundamental Rights Impact Assessment template & The AI System Governance template <https://aligner-h2020.eu/fundamental-rights-impact-assessment-fria/>**

*Human Rights, Ethical and Social Impact Assessment (HRESIA) model  
a self-assessment questionnaire in line with the traditional impact assessment approach,  
and an ad hoc committee*

*<https://www.sciencedirect.com/science/article/pii/S0267364918302012>*

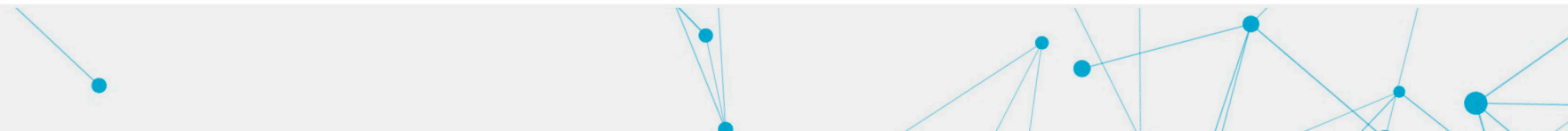
*Models are of great value as self-assessment tools which take into consideration the public participation and have an interest in societal core values*

# Recommendations for the ethical use of AI by LEAs: Standardisation of the Impact Assessment procedure

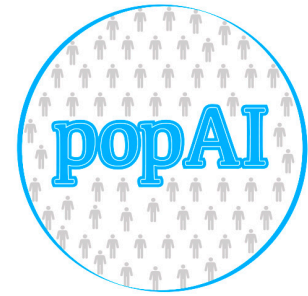


EU legislator via “Recommendations”, guidelines or other appropriate means provides for a regulatory framework accompanied by a **standard template, specifically for the use of AI by LEAs** for the conducting of a **thorough and all-inclusive impact assessment**

The impact assessments (or at least a summary) shall be made **publicly available**, where appropriate, as well as multidisciplinary and inclusive, in order to engage citizens in policymaking



# Recommendations for the ethical use of AI by LEAs: Inclusion of the Civil Society

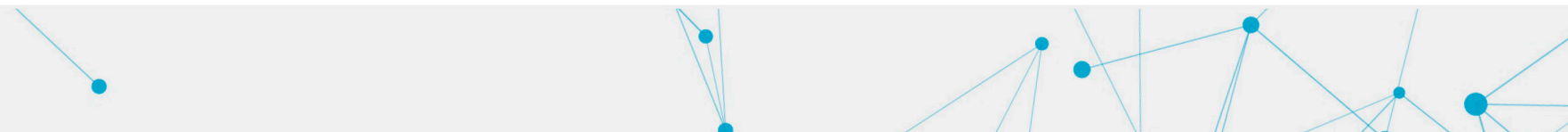


## Awareness raising, transparency (explainability, communication) and accountability towards the AI subjects

- **sufficient information about the AI systems planned to be used and about AI systems already being used in law enforcement** is provided to the affected persons to enhance public understanding and trust and
- **transparent information about the datasets used and the way in which the AI outcomes are produced**
- a **feedback mechanism** is established in order to collect input on how to improve the system directly from those potentially affected thereby

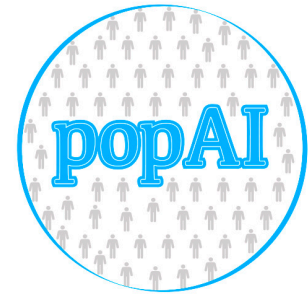
the development and establishment of **an easy-to-follow, yet well-defined procedure** towards enabling the review of information, provision of feedback and the objection against unjust decisions by the citizens, for example through a centralised online platform

- **sufficient level of AI literacy, in all sectors of society, for people of all ages, including women and girls**
- users of high-risk AI systems that are public authorities (such as LEAs) or Union institutions, bodies, offices and agencies should be required to **register the use of any high-risk AI system in a public database**





# Recommendations for the ethical use of AI by LEAs: Inclusion of the Civil Society



- The **organisation of events** (physical, online or hybrid) to inform citizens about AI technologies, their benefits, limitations, purposes, potential risks and impact and engage them in an open and transparent dialogue.
- **Visits and talks at schools or universities** to also involve younger people and foster their critical thinking.
- **Drafting of protocols and code of conduct** governing the use of AI tools in law enforcement and making them **publicly available** (e.g., via the LEAs' official website and other governmental websites).
- The creation of **educational videos and campaigns** (e.g., see above about the Ethics Toolbox).
- The establishment of **communication channels, public registers and feedback mechanisms** informing citizens about the use of AI in law enforcement, the exact purposes of each AI system in use, the way in which the decisions are taken and the rights of the AI subjects as well as enabling citizens to interact with the users, provide feedback, ask questions, express concerns, raise objections about the use of AI tools and to exercise their rights.
- Conducting of **ethical and social impact assessments prior to** the development (for providers) and deployment (for users) of an AI system and prior to any changes made to that system or to its purposes, collect valuable feedback about the citizens' expectations, concerns, fears and objections and to **actively involve the affected persons** in the evaluation and validation of the AI systems used in law enforcement
- The establishment of **multidisciplinary and diverse teams in the provider's/user's entity** that also **communicate with civil society representatives** through communication channels and feedback mechanisms

# Recommendations for the ethical use of AI for LEAs: Establishment/institutionalisation of multidisciplinary teams



## Establishment / Institutionalisation of multidisciplinary teams

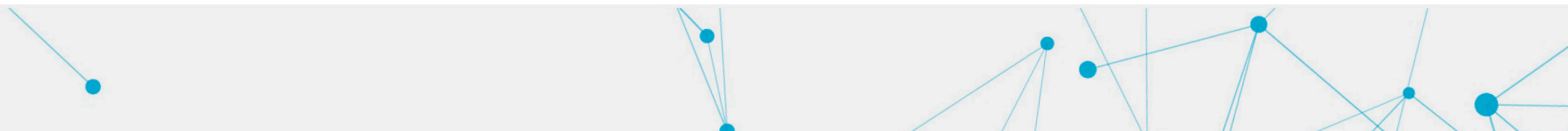
**Multidisciplinary approach** during the entire lifecycle of AI through the establishment of a **multidisciplinary and diverse team of people** that have knowledge and expertise on AI-enabled technologies, ethics and law and care for inclusion, diversity and social benefit consisting of :

legal and ethics experts, developers of AI tools, end-users, and the affected persons (incl. vulnerable groups)

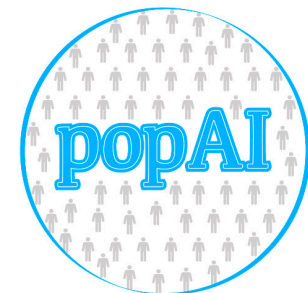
**diversity and inclusion-by-design approach**, diverse teams (indicatively in terms of gender, race, nationality) should be encouraged

**both at the AI development and at the AI deployment stage**

example of the popAI Policy Labs



# Recommendations for the ethical use of AI by LEAs: Harmonisation of the regulatory framework at the EU level



The requirement of compliance with the applicable data protection framework

The AI legal framework shall also be **complementary to the data protection legislation**, with due respect to obligations stemming from GDPR and LED when applicable and does not undermine the level of privacy and personal data protection as guaranteed by the EU Charter of Fundamental Rights of the European Union

The requirement of adaptation of the legislation to the technological developments

The legislator should have **great knowledge of the available state-of-the-art technology**, while constantly **monitoring the technological changes** to proceed to the necessary amendments in legislation. Further on, the legislator could use **terminology or wording which allows for a level of flexibility and adaptability** to the technological changes, in order to cover existing and future cases, to the extent that they do not compromise the notion of legal certainty

The adoption of Recommendations in complementarity to the AI Act

**Adopt guidelines that are complementary to the legislation** The introduction of such guidelines could be in the form of **“Recommendations” at the EU level**

*A framework for the procurement of AI systems and their social acceptance*

Specific legal provisions should be formulated to frame a **potential standardised EU AI procurement procedure for LEAs**

# Recommendations for the ethical use of AI by LEAs: Building bridges for EU cooperation



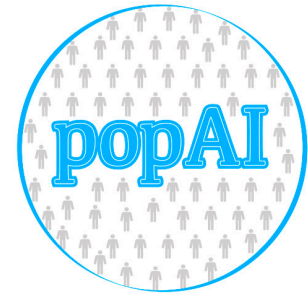
Building bridges for EU cooperation among stakeholders (AI Hub)

**Exchanging lessons learnt and knowledge** across the LEAs and the broader ecosystem community

The establishment of a platform to interchange best practices, encouraging the usage of ethical and secure-by-design AI tools has been provided in popAI AI Hub



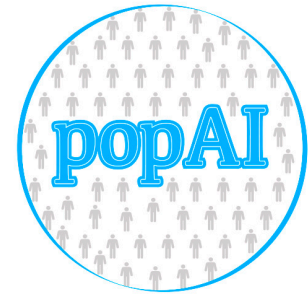
# Recommendations for the ethical use of AI by LEAs: EU-funding



- **to the national educational institutions** and the competent national authorities responsible for their supervision in order to offer a sufficient level of AI literacy,
- **to the LEAs** and the competent authorities responsible for their supervision in order to acquire a sufficient level of AI literacy and to upgrade their technological progress, especially considering that the EU Member States do not share the same level of technology development in the field of AI
- **for research and development**, taking into account the importance of regulatory sandboxes for the development of reliable and mature AI systems.



# Recommendations for the ethical use of AI by LEAs: Technology Developers



***Ensure both the problem definition as well as all the goals of the problem solving are clearly defined and detailed. (Purpose limitation)***

***AI systems for law enforcement need to be human-centric and ethical by design, whenever and to the maximum extent possible.***

## ***Risk management by design***

The identification, estimation, and evaluation of the risks to health, safety, fundamental rights, and democracy

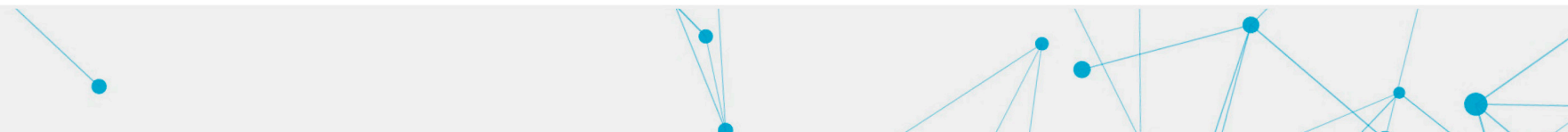
The evaluation of the risks after the system is out in the market

The outline of concrete and detailed mitigation measures

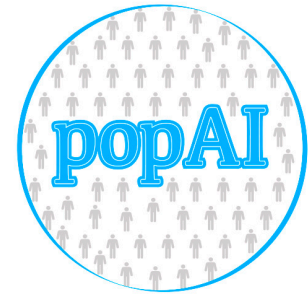
The users' training

The testing of the technology

The evaluation of the impact on the groups affected with a strong emphasis on vulnerable groups



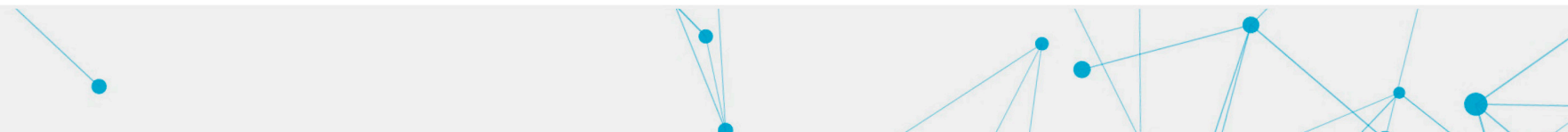
# Recommendations for the ethical use of AI by LEAs: Technology Developers



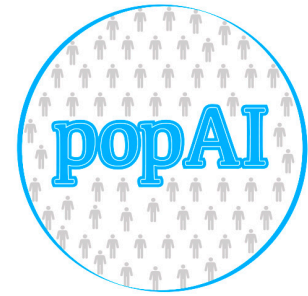
***In order to adhere to the requirement of data fairness and inclusivity, and to avoid any under-representation of certain groups in society and / or any sort of polarisation, racism, etc., it may be desired to hardcode or force some statistical limits (i.e., thresholds) to be monitored during the evolution of the algorithm and / or in the results produced (possibly over time, also)*** The involvement of potentially affected vulnerable groups in the design phase is also recommended. This inclusive approach is expected to further ensure that the design process consider the unique needs, challenges, and experiences of these groups, resulting in more inclusive and effective solutions.

***The entity developing the AI systems, tools and related products for LEAs needs to outline the specific limitations of these systems-to be detailed and reported via the appropriate documentation.***

***Whenever personal data of the data subjects are processed, the necessary information according to the applicable provisions shall be provided to the data subjects via -among others- technical means. Along with the information regarding the processing operations, and the data controllers' and processors' information, regarding the data sources, the providers, and the algorithmic models used, need to be officially disclosed to the data subjects.***



# Recommendations for the ethical use of AI by LEAs: Technology Developers



***The inclusion of representatives and experts stemming from policymakers, LEAs, citizens, Technology Developers (e.g., from Academia, SMEs, Industry, etc.), legal experts, ethics experts, and relevant stakeholders needs to be demanded / guaranteed, starting from the design phase, and continued throughout the whole cycle from development to deployment, including during the processing of data.***

***Human supervision needs to be ensured (i.e., with the aid of technical/technological means) during the whole lifecycle of the AI system (ideally) and the final decision must be made by humans.***

***System explainability regarding outcomes and recommendations needs to be ensured. It is important that the system can indicate the key parameters used, regarding a specific result / outcome.***

***The AI systems and related software to be used by LEAs need to offer the capability to the LEAs to stop / pause them timely and review / audit, etc. the parts of the process of interest.***

***Recovery / remediation / issue-problem handling steps need to be clearly mentioned, detailed and easy to follow as much as possible from the operator / user.***



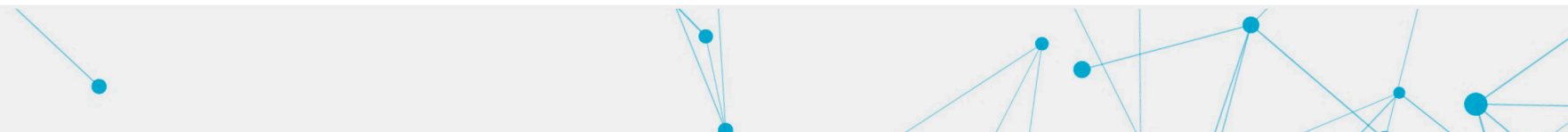
# Recommendations for the ethical use of AI for LEAs: Technology Developers



***Within the context of accountability, the provider of an AI system for LEAs needs to give the persons' required details (e.g., contact details) as PoCs (Points of Contact), together with the technological field they are responsible in (e.g., data processing, backend, etc.), so that the LEAs can contact / consult them if necessary.***

***The technical support of AI systems needs to be made necessary and considered as an integral part of these systems and thus formally written in the appropriate documentation and formally, mutually agreed upon among the entity / entities and the LEAs or their appointed legal representatives.***

***The AI systems, software and associated components, parts, etc. need to be reviewed, audited by trusted third parties and updated frequently within deadlines, agreed upon and stated clearly and formally in all necessary documentation .***



# Thank You!

