

# The Alan Turing Institute

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## Response to the DCMS consultation on the Centre for Data Ethics and Innovation

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## **Response of The Alan Turing Institute to the Department for Digital, Culture, Media & Sport's Consultation on the Centre for Data Ethics and Innovation**

This document provides the response of the Alan Turing Institute to the Department for Digital, Culture, Media & Sport's (DCMS) Consultation on the new Centre for Data Ethics and Innovation. The Institute's response combines the perspectives of various Turing researchers, including members of the Data Ethics Group, and has been written by members of the Institute's public policy programme. A list of researchers who contributed to this response can be found in the Appendix.

Our response is divided into two sections: responses to the eight questions posed in the Consultation, and a collection of comments on specific sections of the text.

### **Response to Questions for Consultation**

In this section we directly address the eight questions posed throughout the Consultation and summarised in Annex C. Particular attention is given to questions 3-6, on which DCMS representatives told us they were particularly interested to get our perspective.

#### **Question 1: Do you agree with the proposed role and objectives for the Centre?**

We agree on the need for a government institution to devote attention to ethics and we are excited by the potential the Centre has to establish ethics as the foundation that enables innovation to flourish.

We agree in principle with the role and objectives proposed, and we believe that fulfilling them would benefit the UK's data ethics and innovation landscape. We would encourage clarity around which of these roles and objectives the Centre will be primarily or solely responsible for delivering (and in these cases, to justify the centralisation of these functions), and which will be undertaken alongside other organisations.

We believe that the Centre should cast a wide net when deciding what issues and technologies to cover. We appreciate the fact that the Centre's scope is not limited to data science or artificial intelligence (AI), and we believe that the Centre should also examine applications of digital technologies. We would encourage more clarity around the Centre's definitions of AI and emerging technologies, as this will help clarify the areas that the Centre will focus on.

**Question 2: How best can the Centre work with other institutions to ensure safe and ethical innovation in the use of data and AI? Which specific organisations or initiatives should it engage with?**

As a collaborative, multidisciplinary research institute with cross-sectoral partnerships, we naturally welcome the principle that the Centre should work with other institutions. The Consultation is quite right to mention the ICO, CMA, Oxford Internet Institute, and the Ada Lovelace Institute as obvious partners alongside the Turing. In addition, we suggest the Centre engage with the Leverhulme Centre for the Future of Intelligence and learned societies such as the Royal Society, British Academy, Royal Statistical Society, and Royal Society for the Arts; professional bodies such as the British Computer Society; foundations; think tanks; and NGOs, as appropriate to the activities it seeks to undertake. We also encourage the Centre to work with the Department for Education on introducing digital ethics in school curricula and to collaborate with government funding bodies in order to ensure that academic researchers adhere to ethical standards.

**Question 3: What activities should the Centre undertake? Do you agree with the types of activities proposed?**

The Consultation proposes a considerable agenda of work, which is to be applauded, but which raises inevitable questions about:

- the resources available overall;
- the internal structure of the Centre to enable it to perform all these activities; and
- relatedly the extent to which work will be divided between internal and external resource, including the commissioning of research in relation to the MOU structure referenced in paragraph 4.8.

More broadly, we feel that the activities listed under Role c), especially to “publish recommendations to Government” and to “provide expert advice and support to regulators”, are particularly important as points of differentiation between the Centre and other bodies in this increasingly busy landscape.

**Question 4: Do you agree with the proposed areas and themes for the Centre to focus on? Within these or additional areas, where can the Centre add the most value?**

Overall, we believe that the proposed areas are a good summation of many pressing issues in this field. At the risk of making the list unmanageably long, some further topics for focus (either as additional areas or in conjunction with existing areas) could include:

- Accountability and auditability in algorithmic systems: “liability” is included as a theme, but is not synonymous with “accountability” in the sense of “being called to account and giving an account” of a given behaviour or decision. This naturally intersects with auditability and controllability of automated decisions, algorithms,

autonomous (and more importantly semi-autonomous) systems and complex systems formed by their (unobserved, unpredictable and uncontrolled) interactions.

- The adequacy and complexity of consent in the context of digital society: this raises questions of whether consent is informed, freely given, transferrable, revocable, and so on.
- Proportionality in data governance: there is a risk that the burdens of (self-) governance mandated by regulations may fall on those least able to bear them. This could favour large organisations well-equipped to shoulder the burden and lead to the exit of small data controllers from the market.

Generally, further conceptual clarity is required about the themes mentioned, particularly in respect to:

- Privacy and identity: this is covered under targeting, but more could be said about the nature of privacy, in terms of individuals, groups, and the wider society, whether it is static or dynamic, and for what purpose it is protected.
- Transparency: challenges around transparency operate at various levels that are not reflected in the Consultation. These include data collection, uses of data, methodological approaches, outputs, and reliability of outcomes. Honesty about gaps in the data, for example, or the confidence intervals around the predictions produced by machine learning algorithms are important aspects of transparency.
- Data sharing: this is an old theme in and across government and other agencies, and existing models need a comprehensive overview and stock-taking of the utility of data sharing, including implications for privacy, issues of consent, accountability, data security, necessity and proportionality.

**Question 5: What priority projects should the Centre aim to deliver in its first two years, according to the criteria set out above?**

Some suggested priority projects are as follows:

- Undertake an in-depth and in-breadth analysis of the prospects for ‘privacy/data protection by design’, which is part of legislation but not very clear.
- Promote impact assessments for privacy and data protection beyond (but of course not forgetting) simple compliance with law or an individualistic focus on rights.
- Identifying accountability and liability for algorithms acting “unethically”, as, for example, the (potentially) unintended collusion between high-speed pricing algorithms.
- Develop a coherent model for data sharing and data sharing mechanisms.
- Create a glossary of data/artificial intelligence/ethics terminology, a catalogue of specific examples, and a database of those working in these fields so that individuals and organisations can connect and share expertise.
- Develop guidance on ethics for users of data and digital technologies.

**Question 6: Do you agree the Centre should be placed on a statutory footing? What statutory powers does the Centre need?**

We firmly believe that the Centre should be placed on a statutory footing when possible, owing to the importance of this area and the continued need for informed policy-making and governance. The decision about which statutory powers the Centre needs should result from an assessment of its successes and limitations in its initial phase. For example, following the initial phase, it might become apparent that the Centre will need the power to request information from companies or researchers working in this space in order to investigate effectively the ethical issues surrounding the technologies that they are developing. These powers would have to articulate with those exercised by the Information Commissioner's Office, and whichever powers are assigned to the statutory Centre, they should reinforce the independence of the Centre and make its abolition or undermining politically difficult.

**Question 7: In what ways can the Centre most effectively engage stakeholders, experts and the public? What specific mechanisms and tools should it use to maximise the breadth of input it secures in formulating its actions and advice?**

The Centre should seek examples of good public engagement practices from other countries and areas of activity. We recommend in particular the use of mechanisms such as citizens' juries currently in use by groups such as the Royal Society for the Arts and Involve, in addition to well-crafted surveys and interviews. These methods would allow the Centre meaningfully to collect the "plurality of views held by the public about the way in which data and AI should be governed" (4.9). We encourage the Centre to seek input and promote engagement from diverse audiences: different genders, ethnicities, ages, socio-economic backgrounds, but also diverse disciplines and organisations. More generally, the Centre should avoid any engagement sessions which could be seen as patronising the public or propagandising for the Centre's preferences. This risk underscores the need for the use of well-established methods for obtaining input.

**Question 8: How should the Centre deliver its recommendations to government? Should the Centre make its activities and recommendations public?**

On the first question, we note the reference in paragraph 2.1 above to the Centre's "explicit and unique mandate to advise the government on the measures which are needed to ensure safe and ethical innovation in data and AI" and suggest that more details are needed here on who (organisationally), how, and when in the policy stream this would happen. Answering these questions would enable more detailed discussion about how the Centre's recommendations are delivered.

On the second question, we believe that the Centre's activities and recommendations should be open and public by default; in general, it will be hard to argue that the benefits of keeping such advice secret (as to protect the secrecy of a department's activities, for example) would outweigh the cost to public confidence of doing so. In this sense, the question of public trust in a data ethics regime, and the Centre's demonstration of its own trustworthiness, should be borne in mind throughout.

## **Comments on specific sections**

In this section we include comments that researchers had on specific parts of the text; these may be taken as supplementary to the answers provided above.

1.5: The governance regime mentioned here and its interaction with other departments and levels of government needs to be described; there is no mention in this document of the DCMS Ethical Framework for Decision-Making, updated in 2018.

1.14: The list of example areas here does not include policing, which is an obvious area in which the use of data and AI needs to be shaped within ethical guidelines.

3.7: We agree that the Data Protection Act by itself is insufficient. Here, the role of the Information Commissioner's Office (and the potential for extending it) also needs to be considered.

3.8: We agree that "the issues identified above will play out differently in different contexts", but more elaboration on how this testing and lesson-learning will happen would be useful.

3.10: The "dialogue with government" mentioned here may put the Centre's independence under strain, if the Government presses its own priorities, which may be shorter-term than the Centre's. How would this dynamic be handled?

4.9: This plurality of views could be quite challenging to handle. In addition to our suggestion for specific recommendations in Question 7 above, more information could be given here about how "trade-offs" will be handled, how public opinion will be minded, dissenting views respected, and so on.

Annex A, 2.b.: what will these high-level ethical principles be, and will they stretch across all domains of activity and application of data science?

## **Appendix**

We are grateful to the following researchers for contributing to this response:

Dr Jonathan Cave  
Mr Josh Cows  
Dr Martin Dittus  
Dr Cosmina Dorobantu  
Professor Luciano Floridi  
Dr Scott Hale  
Dr Phyllis Illari  
Professor Helen Margetts  
Dr Anjali Mazumder  
Dr Aida Mehonic  
Dr Dong Nguyen  
Professor Charles Raab  
Dr Chris Russell  
Dr Mariarosaria Taddeo  
Dr Adrian Weller  
Dr Kirstie Whitaker



The background is an abstract composition. The left side features a series of curved, overlapping lines in shades of blue and grey, creating a sense of depth and movement. A large, solid black triangle cuts diagonally across the image from the top right towards the bottom left, separating the curved pattern from the text area.

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