

FRANK PASQUALE NEW LAWS OF ROBOTICS

**DEFENDING
HUMAN
EXPERTISE
IN THE
AGE OF AI**

New Laws of Robotics for Trustworthy AI

- GHR Forum Presentation
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≡ The Oxford Handbook of
ETHICS OF AI

Robot as Tool or
Partner?

AI or IA (Intelligence
Augmentation)?

Trustworthiness and Fragility



こわれるので、さわらないでね。

Please don't touch that, it'll break.

請不要拍打, 會壞掉。

부서지니까 만지지 마세요



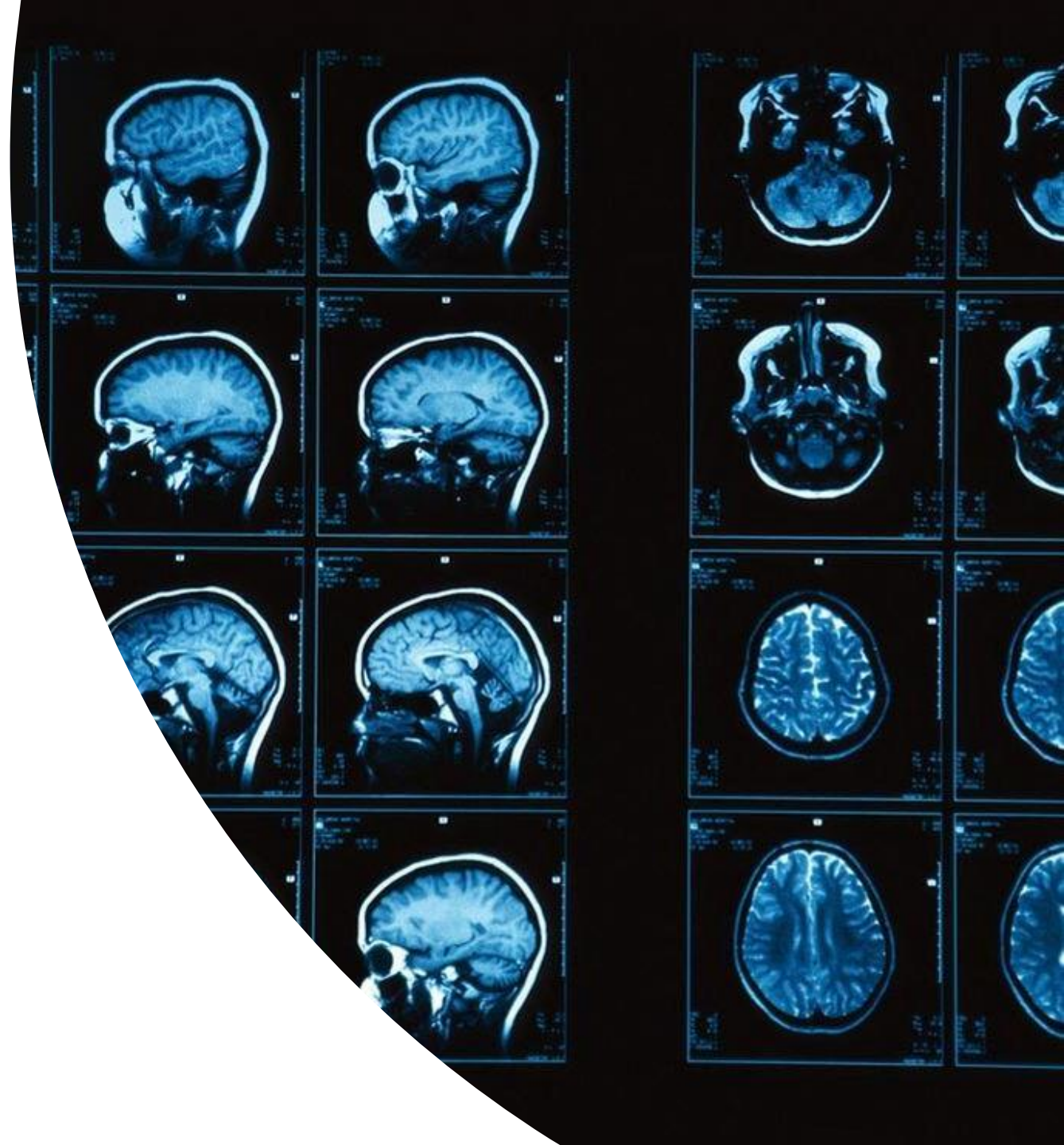
Paradigm Cases for Rapid Automation

- Manufacturing
- Logistics
- Transport
- Mining
- Agriculture



Medicine is more than pattern recognition, stimulus, and response

- Richer results from the lab, new and better forms of imaging, genetic analysis, and other sources will need to be integrated into a coherent picture of a patient's state of illness.
- In Simon Head's thoughtful distinction, it will be a matter of practice, not predetermined process, to optimize medical responses to the new volumes and varieties of data.
- For the foreseeable future, technology complementing professionals (as opposed to substituting for them) is the key to advancing AI in medicine.



New Laws of Robotics

- Automation has changed many aspects of life profoundly, and will continue to do so.



- To ensure it is trustworthy, we need regulation.
- “Four New Laws of Robotics:”
 - Complementarity: IA over AI in professions
 - Robots and AI should not counterfeit (fake) humanity
 - Cooperation: no arms races
 - Responsibility: attribution of ownership, control, and accountability to humans

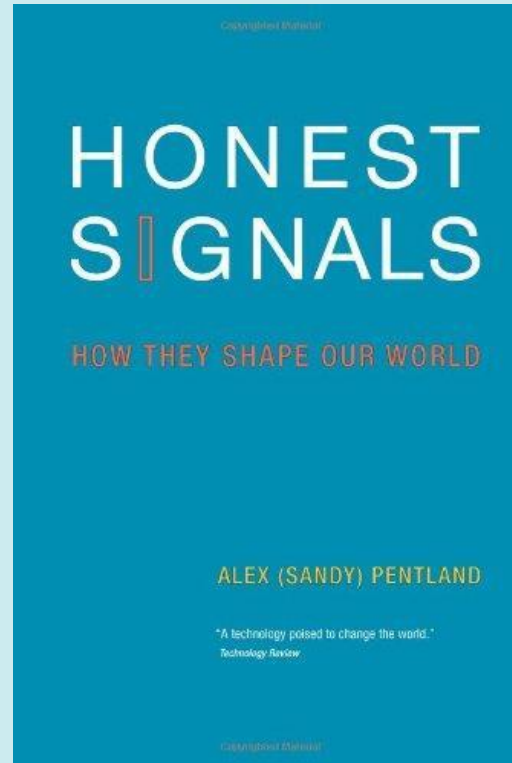
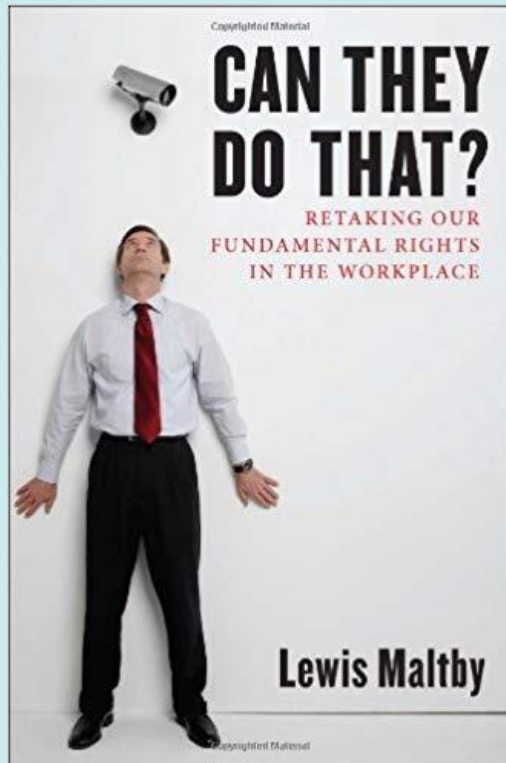
Parallel Tracks & Lessons

- When Safety Needs to Be Built Into Technology

- When Technology Needs Better Monitoring and Failsafes



Watching the Watcher?



- Should a guardian driver for a self-driving car be continually reported on and surveilled?
- Are there any limits to such forms of “responsibilization”?
 - Compare “Types of Privacy-Related Constraint in Nursing Home Camera Rules”
 - Levy, Kilgour, & Berridge, *Regulating Privacy in Public/ Private Space: The Case of Nursing Home Monitoring Laws*, Elder L.J. (2019).

My premises regarding tort and regulation in AI

- Responsible AI development is a critical social aim.
 - *Toward a Fourth Law of Robotics*, Ohio St. L. J. (2018)
- Contemporary AI development is data-intensive. Several overlapping legal regimes govern data collection, analysis, and use.
 - *Grand Bargains for Big Data*, Maryland L. Rev. (2013).
- Inaccurate and inappropriate data can have massive adverse impacts.
 - *The Black Box Society* (Harvard U.P., 2015).
- There should be tort liability for many uses of inaccurate or inappropriate data.
- Regulators can help us delineate the standard of care here.

Resisting Legal Irresponsibility

- Preemption
- Deregulation
- Exculpatory Clauses



Preserving a Balance

- AI development is exciting and to be applauded.
- But it will only be fair and just if tort law is informed by standards of care informed by expert regulation.
- To stay in touch: [@FrankPasquale](#) on Twitter

