

**CFRED's Seventh LegalTech Seminar:  
"Governing Artificial Intelligence: Regional Approaches"**  
21 June 2019 | The CUHK Graduate Law Centre



**Ethical Accountability Framework  
in Hong Kong**

**Stephen Kai-yi Wong, Barrister  
Privacy Commissioner for Personal Data, Hong Kong**



Lack of transparency



Meaningful consent?

Unpredictability



Acceptable / allowable use?

Bias and discrimination



Fair?

Power disparity



Freedom?



AI



Conflict?



Privacy





Trustworthy AI



Trust



Ethics

# Data Ethics

2017

## Ethics on AI -

1st being discussed at the ICDPPC meeting held in Hong Kong

2018

*“Ethical Accountability Framework for Hong Kong, China”* published by PCPD

*“Declaration on Ethics and Data Protection in Artificial Intelligence”* made by the ICDPPC in Brussels

**ICDPPC Permanent Working Group on Ethics and Data Protection in AI** established (co-chaired by CNIL, EDPS and PCPD/HK)

2019

*“Ethics Guidelines for Trustworthy AI”* issued by the European Commission

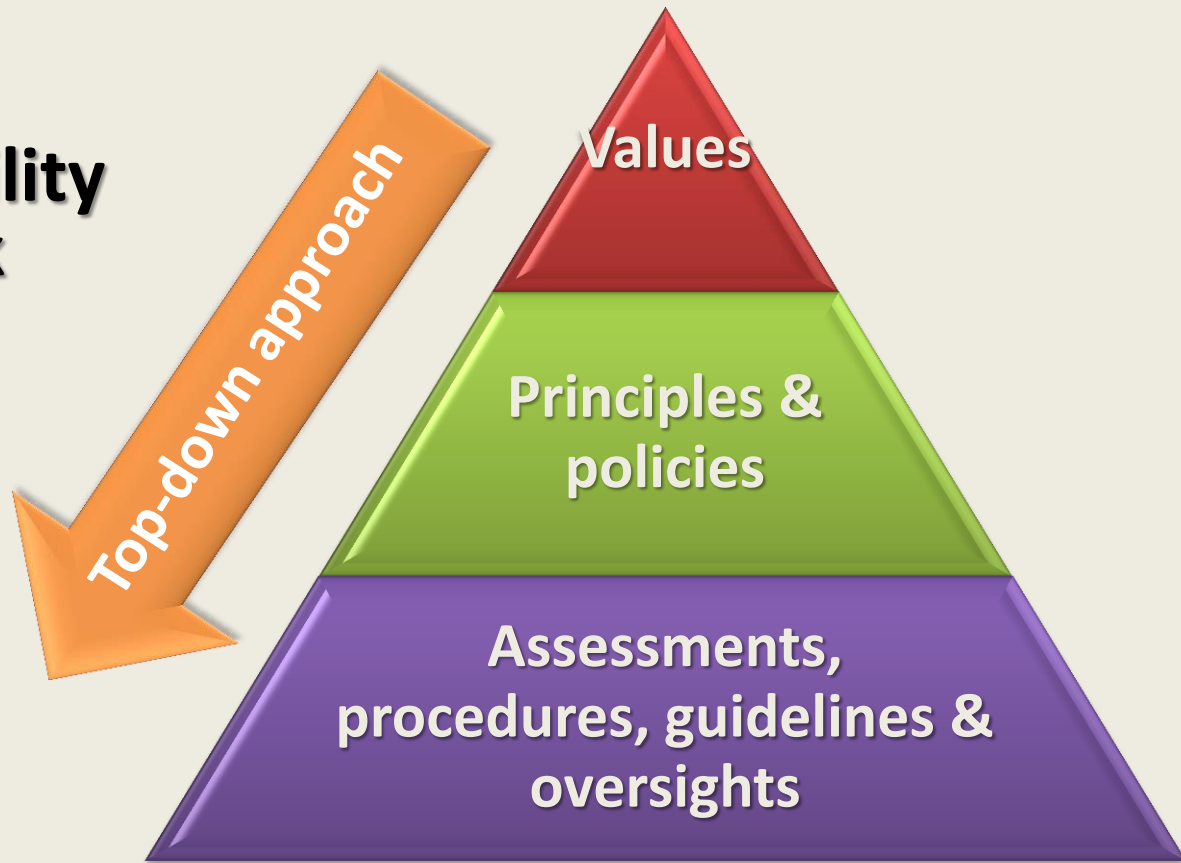
# Ethics on AI first discussed in Hong Kong (2017)



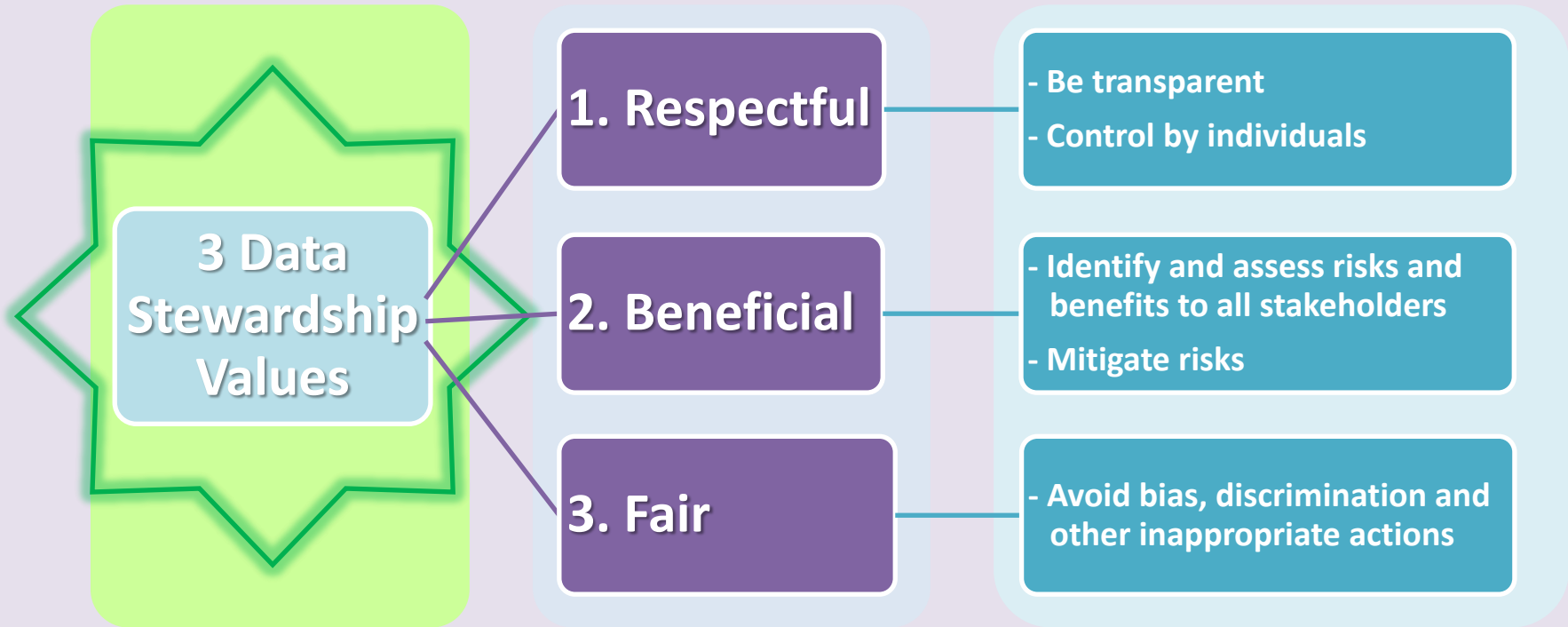
*“Data users need to add value beyond just complying with the regulations. Discussions about **“New Digital Ethics”**, the relevant ethical standard and stewardship have already begun. Surely the deliberations will go on. In the not far away future, we may come up with an **“Equitable Privacy Right”** for all stakeholders.”*

Stephen Kai-yi Wong  
Opening speech at 39<sup>th</sup> ICDPPC (2017)

# PCPD's Ethical Accountability Framework (2018)

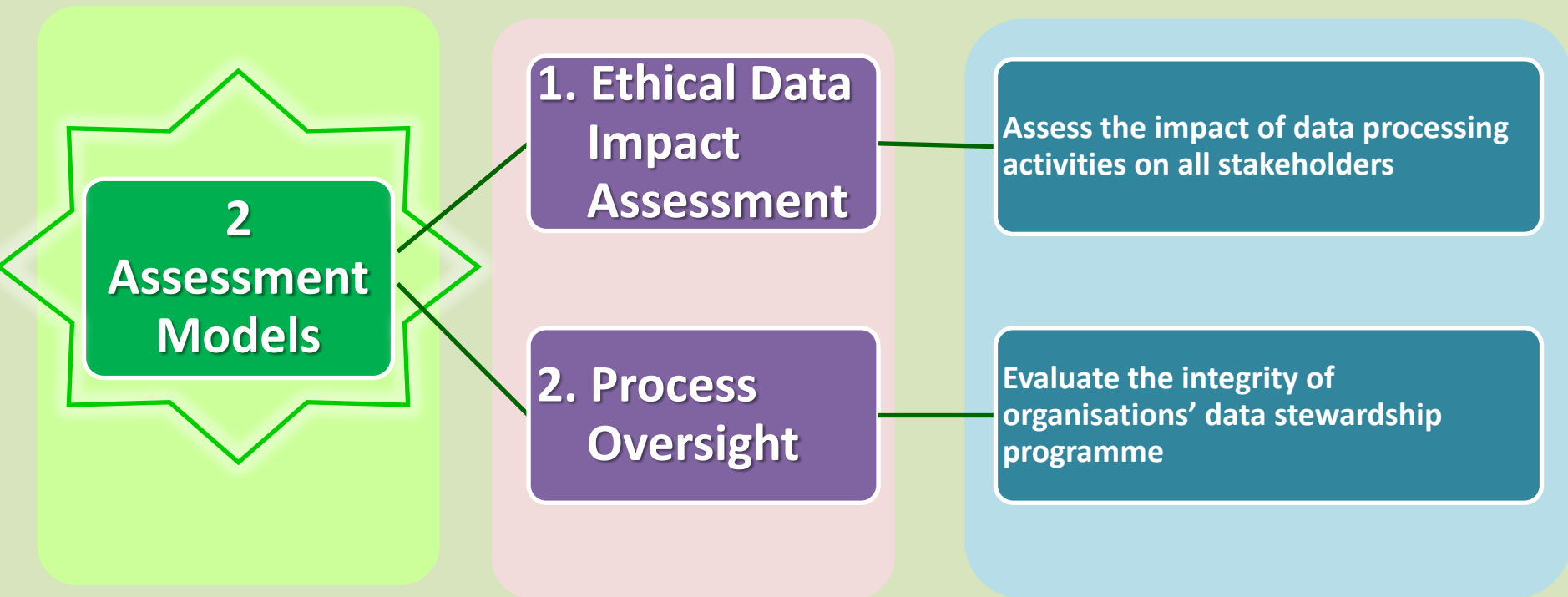


# Multi-stakeholders Approach – Three Core Values





# Multi-stakeholders Approach – Two Assessment Models



# Data Ethics - Implementation

Privacy  
by  
Design



Ethics  
by  
Design

**Step 1: Analyse the business objective and purpose of the data processing activity**

**Step 2: Assess the nature, source, accuracy and governance of the data**

**Step 3: Conduct impact assessment, i.e. risks and benefits to the individuals, the society and the organisation itself**

**Step 4: Balance between expected benefits and the mitigated risks to all stakeholders**

# ICDPPC Declaration on Ethics and Data Protection in Artificial Intelligence (2018): Six Core Principles



Reducing  
biases or  
discriminations

Empowerment  
of every  
individual

Fairness  
principle

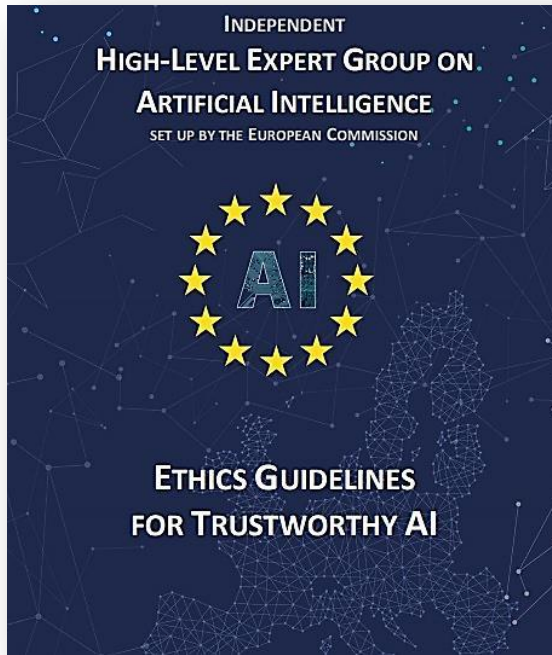


Continued  
attention  
and vigilance

Systems  
transparency  
and  
intelligibility

Ethics by design

# EU's "Ethics Guidelines for Trustworthy AI" (2019)



## 7 key requirements:

1. Human agency and oversight
2. Technical robustness and safety
3. Privacy and data governance
4. Transparency
5. Diversity, non-discrimination and fairness
6. Societal and environmental well-being
7. Accountability



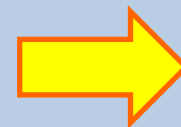
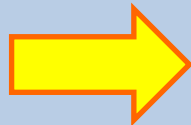
# PCPD's Roles – Enforcer + Educator + Facilitator

## PCPD's Strategic Focus

Fair Enforcement

Engaging

Incentivising



Privacy-friendly Culture

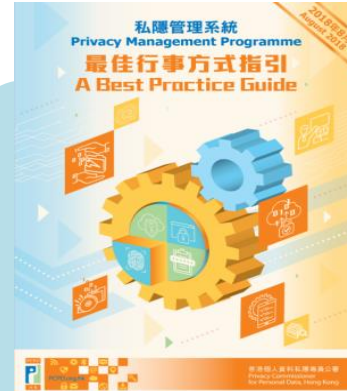
# Download our publications



## Ethical Accountability Framework for Hong Kong, China

A Report prepared for the Office of the Privacy Commissioner for Personal Data

*Analysis and Model Assessment Framework*



# Contact Us

The screenshot shows the PCPD website interface. At the top, there are navigation links for 'About PCPD', 'Data Privacy Law', 'News & Events', 'Compliance & Enforcement', 'Complaints', 'Legal Assistance', 'Education & Training', 'Resources Centre', and 'Enquiry'. Below this is a search bar with 'Hot Search', 'Advanced Search', and 'Keyword Search' options. The main content area features a 'What's New' section with several news items, including 'Reduce Cyberbullying by Nurturing Culture of "Protect, Respect Personal Data"', 'Privacy Commissioner Prize in Privacy and Data Protection Law 2017/18 to Recognise Student's Outstanding Performance in Study of Personal Data Privacy Protection', and 'Privacy Commissioner Completed Compliance Check on Facebook and Cambridge Analytics Incident'. A large graphic for the 'Privacy Management Programme: A Best Practice Guide' is also visible, featuring gears and icons representing data protection concepts.

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