

Lack of Transparency

It is difficult to comment on this procedure without knowing what AI technologies the TPS is currently using. The TPSB Use of Artificial Intelligence Technology policy required the TPS to "post immediately on the Service's website ... a list of all AI technologies currently in use by the Service" (section 17). To date this has not been done.

We find it hard to believe that the TPS is not currently using any AI technologies, particularly given how pervasive this technology is in modern software. Between October 2019 and February 2020, TPS officers used the Clearview facial recognition software in 84 criminal investigations and uploaded to that system. The Clearview software was problematic because of its use of web-based photographs but other systems that use more conventional databases such as license and passport databases exist. AI is also used in modern automated license plate recognition systems and automated real-time monitoring of surveillance systems. It is incorporated also into voice recognition, transcription, and translation systems.

The failure of the TPS to post the list of AI technologies currently being used by the Services calls into question the commitment by the TPS to transparency and by the TPSB to the governance of the TPS. The lack of information about what AI technologies the TPS currently is using makes it very hard to give informed feedback on this procedure.

17-14 Does not Track the Language or the Requirements of the TPSB AI Policy

Our general observation is that 17-14 does not track the language or requirements of the TPSB AI policy particularly well in some areas and not all in other areas. 17-14 should endeavour to use the terminology from the TPSB policy and track the procedural requirements of the policy wherever possible. For example, Section 14 of 17-14 requires the Manager - Analytics & Innovation to conduct an AIA that includes "a description of the data used by the application. The reference should be to the Training Data used to create the technology, and to the Transactional data used by the technology to track the language of the TPSB AI policy and to ensure a more comprehensive assessment of the technology.

No Reference to the Monitoring, Reporting and Continuous Review Requirements of the TPSB AI Policy

17-14 as currently drafted deals only with the assessment and procurement of AI and not the subsequent requirements of monitoring, reporting and review as set out in the TPSB AI policy. These are major omissions that should be rectified in a new draft 17-14.

No Provision for Training and Qualification of TPS Members Using AI Technology

Who will use the AI technology and how it will be used are important considerations when considering whether to procure and deploy a technology. Provision must be made for the appropriate training and qualification of members including, if necessary, restrictions on access to and use of the AI technology in question to appropriately qualified members.

Yours truly