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AI Tools Could Enhance UK Gov't Public Services Strategy

By **Davina Garrod, Jenny Arlington and Olivia Odubanjo** (May 9, 2024, 3:13 PM BST)

On Feb. 29, the U.K. government announced that U.K. ministers will pilot artificial intelligence tools to analyze responses to government consultations and respond to questions from Parliament, in an effort to boost ministers' efficiency in so-called routine policy work.

Davina Garrod

This is part of the government's wider strategy to revolutionize the delivery of public services through the deployment of AI.

The announcement came as part of a speech delivered by U.K. Deputy Prime Minister Oliver Dowden at Imperial College, London on March 1 titled "AI for Public Good," which highlights the government's commitment to using AI to reform public services.

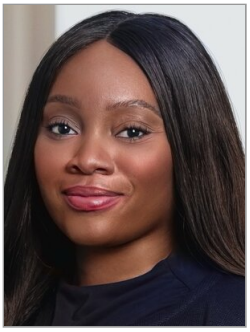
Dowden stressed, "We can't have the private sector adopting [AI] at pace, and then us being laggards ... [there must be] constant and relentless pressure" for AI adoption across the public sector.[1]

Jenny Arlington

In 2023, the government established its Incubator for AI, or i.AI, — an in-house team of technical experts who are tasked with identifying opportunities to leverage AI in public services.

To implement the use of AI efficiently and at scale, the government plans to double the size of the i.AI team from 30 to 70 people and to increase the budget from £5 million to £110 million ($6.2 million to $137.4 million).

The tools the government plans to use include government-hosted versions of ChatGPT, as well as open-source AI models hosted securely in-house.



Olivia Odubanjo

The tools will likely be used to draft preliminary responses to questions to government ministers submitted by Members of Parliament and responses to freedom of information requests.

AI Systems Used So Far and Near Future Plans

As well as increasing the capacity of the i.AI team, the government also plans to partner with other bodies in order to further widen the scope of AI in the public sector.

In February, it announced a partnership between i.AI and the National Health Service, which, together, signed a Collaboration Charter. This initiative will see i.AI working with the NHS to develop AI solutions to better serve patients.

More recently, the government also launched a new framework to ensure that it can harness the benefits of AI in the delivery of public projects. The framework, published by the government's Infrastructure and Projects Authority on March 20, gives guidance to civil servants on how to best utilize AI and encourages responsible experimentation with AI.

Upskilling of civil servants will be a necessary component for maximizing the benefit of these AI tools. The Cabinet Office is also currently trialing the "Redbox Copilot" tool, which has been developed to assist civil servants in analyzing government papers and preparing briefings.

As with ChatGPT, users of this Redbox Copilot tool will also be able to pose questions and chat to the tool about the content of various internal documents including, for example, minutes and speech transcripts.

There are also plans to roll out a new government chatbot that will be an interface to the public when navigating government information and services.

Use of AI Can Potentially Benefit Public Sector

AI systems present significant opportunities to be of assistance in the public sector, and beyond. According to the Institute for Public Policy Research, the use of AI in government could generate savings of approximately £24 billion and, as noted in Dowden's speech, could be a so-called silver bullet for improving productivity and creating efficiencies.

The i.AI team has identified key areas for the use of AI and have commenced pilot programs, including in relation to flagging prescription fraud and error in pharmacies and summarizing responses to government consultations.

Public consultations are an example of a particularly promising opportunity for testing and utilizing AI tools. Reportedly, approximately 700 public consultations are launched every year, and it typically requires a team of 25 civil servants three months to process responses to any single consultation. AI could help to streamline this process.

Further potential uses and benefits were highlighted by Dowden in his speech, including, for example:

- AI diagnostics tools in health care;
- AI in education, including for adapting lesson plans to the specific needs of different pupils; and
- AI in policing, immigration processing and benefits claims.

Mind the Risks

There are, of course, risks associated with the use of AI systems.

In relation to accuracy, AI systems are relatively novel and are still learning. Many are grappling with so-called hallucinations, i.e., where an AI system produces a result that sounds plausible but is in fact incorrect or misleading. Bias is another well-documented risk with AI systems, which may result in discrimination or unfair practices.[2]

It is important to ensure that the vast troves of data required for training the data sets are fit for purpose and that consideration is given to personal or copyrighted data.

As recent lawsuits in those areas concerning generative AI models are indicating, there is a risk that the models may facilitate or give rise to breaches of various laws, which in turn may affect deployers of such models, including the government.

The leading large language models are investing significant resources to eliminate or minimize these and other risks. In its recent update to its AI Foundation Model Report,[3] the Competition and Markets Authority referenced these risks and work being done to mitigate them.

The CMA also proposed the following underlying principles to help sustain vibrant innovation and to guide the markets toward positive outcomes:

- Ready access to compute, data and talent;
- Ensuring sustained diversity of models and model types;
- Enabling sufficient choice for businesses and consumers to decide how to use foundation models;
- Fair dealing, including no anti-competitive bundling, tying or self-preferencing;
- Transparency, ensuring consumers and businesses have the right information about the risks and limitations of models; and
- Ensuring developer and deployer accountability for outputs.

Government Plans To Address Potential Risks

Training

The government intends to ensure that any drafts produced using AI tools are checked by human civil servants and tools will be programmed to include references to cited sources. A comprehensive system of checks and balances will need to be put in place to avoid oversights.

Training of civil servants in AI will also be crucial to the success of the pilot programs mentioned. In a survey conducted by the FDA Trade Union, the trade union for U.K. senior and middle management civil servants and public service professionals, 70% of members surveyed said they had received no training on AI use in the last two years.

Guidance

Various regulatory bodies have issued guidance in relation to the use and development of AI, which can be of general assistance. In addition to the proposals by the CMA mentioned, the Information Commissioner's Office, for example, launched a consultation on generative AI and data protection, which closes for responses on May 10.

The response to this consultation is expected to build on the ICO's existing guidance on AI and data protection.[4]

The government also announced a new pilot regulatory service to be hosted by the Digital Regulation Cooperation Forum to allow individuals and organizations to navigate the developing regulatory landscape, launched on April 22 as the "AI and Digital Hub" pilot.

The hub will allow innovators to easily receive informal advice by getting support from two or more of the regulators at once via the Forum website.

Regulation

Broader policy and strategy considerations will undoubtedly affect the rate at which the government adopts and rolls out the AI tools discussed.

While the government had previously indicated that it would refrain from over-regulating AI in the U.K., recent developments indicate that it may now be taking steps to regulate certain AI systems.

By way of background, the government published its AI Regulation White Paper in March 2023, setting out a proposed "agile" and "flexible" approach to the regulation of AI in the U.K.

The White Paper, "A pro-innovation approach to AI regulation," set out five key principles that would underpin the framework, including:

- Safety, security and robustness;

- Appropriate transparency and explainability;
- Fairness;
- Accountability and governance; and
- Contestability and redress.[5]

Following a 12-week consultation period on the white paper, which closed on June 21, 2023, the government spent time analyzing the evidence and responses. The government's response, published in February, proposes a more structured regulatory framework.

Some of the key takeaways from this report are as follows.

Support for Principles

The five cross-sectoral principles of AI set out in the white paper receive strong support in the consultation. The support for the principles has been welcomed by the government, but it has no plans, as yet, to introduce a statutory duty on regulators to have regard to these principles. It has noted, however, that regulators had already started taking steps to implement the AI principles within their existing remits.

Role of Regulators

Alongside the response, the government published some initial guidance to assist regulators in applying the AI principles. The government also wrote to a number of regulators, including the CMA and the Office of Communications, asking them to publish their "strategic approach to AI" by April 30. Ofcom has since published its approach.

Central Functions

In the consultation, stakeholders note the importance of a central function to address the risk of "regulatory overlaps, gaps, and poor coordination" through having multiple regulators considering AI.

The government is taking steps to establish such a function, including through establishing a steering committee of government and regulator representatives by spring 2024. In addition, the government has moved forward with the establishment of the AI and Digital Hub resource hosted by the Forum.

Additional Nonregulatory Tools

Building on these points, the consultation also demonstrates that there is strong support for the use of additional technical standards to help organizations implement the AI principles into their existing business practices.

The government has indicated that it intends to continue collaborating internationally on this. Further, it intends to update its guide on "Emerging processes for frontier AI safety" by the end of 2024,[6] also highlighting voluntary measures, including those agreed at the global AI Safety Summit held in November 2023.[7]

Concluding Thoughts

In its response, the government recognizes that AI will "ultimately require legislative action in every country once understanding of risk has matured."

In particular, the government highlights highly capable general-purpose AI as an area of substantial risk and new responsibilities for developers. While it is not in a rush to legislate, the government has set out its initial thinking for future binding requirements for the most advanced AI systems and has stated that it "will legislate when [it is] confident that it is the right thing to do." The government intends to collaborate with experts over the coming months to identify key risks and how best to manage these.

This progress in national regulation of AI is against the backdrop of the act, which is awaiting publication in the Official Journal of the EU any day now.

The act aims to address the risks generated by specific uses of AI through a set of harmonized rules, and in addition imposes obligations and restrictions on general purpose AI systems, regardless of their use, which has given rise to rigidity and disproportionality concerns.

The act has extraterritorial effect, is sector-agnostic and carries steep noncompliance penalties from 3% to 7% of global annual turnover. Once approved, it will likely be used as a reference point for other governments looking to regulate AI.

It is gratifying to see the U.K. government continuing to take a more flexible, principles-based and innovation-centric approach.

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[1] https://www.imperial.ac.uk/news/251813/deputy-prime-minister-sets-government-plans.

[2] See, e.g. the 2019 Dutch childcare benefits case, and the 2020 South Wales Police use of facial recognition technology.

[3] AI Foundation Models Update Paper, 11 April 2024.

[4] https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/artificial-intelligence/guidance-on-ai-and-data-protection.

5 https://www.ofcom.org.uk/__data/assets/pdf_file/0021/281622/Ofcoms-strategic-approach-to-AI.pdf.

[6] https://www.gov.uk/government/publications/emerging-processes-for-frontier-ai-safety/emerging-processes-for-frontier-ai-safety.

[7] https://www.gov.uk/government/publications/ai-safety-summit-2023-the-bletchley-declaration/the-bletchley-declaration-by-countries-attending-the-ai-safety-summit-1-2-november-2023.
