



Department of Industry, Science and Resources (DISR) Supporting responsible AI (Artificial Intelligence)

Date: 7 August 2023

About us

Australian Red Cross has been a critical part of Australian life since 1914, and is established by [Royal Charter of 1941](#) as an auxiliary to Australia’s public authorities in the humanitarian field including during emergencies and armed conflict. Australian Red Cross is one of 192 National Red Cross and Red Crescent Societies that, together with the International Committee of the Red Cross (ICRC) and International Federation of Red Cross and Red Crescent Societies (IFRC), make up the International Red Cross and Red Crescent Movement (the Movement).

The Movement is guided at all times and in all places by seven [Fundamental Principles](#): Humanity, Impartiality, Neutrality, Independence, Voluntary Service, Unity and Universality. These principles sum up our ethics and are at the core of our mission to prevent and alleviate suffering.

Here in Australia, our core areas of expertise include Emergency Services, Migration, International Humanitarian Law, International Programs and Community Programs. Australian Red Cross bears witness to the range of vulnerabilities diverse people and communities experience. By working alongside those impacted, Australian Red Cross understands their unique strengths and perspectives.

In 2018, Australian Red Cross established Humanitech with support from founding partner Telstra Foundation, to build stronger and more resilient communities by using technology to increase accessibility, scale and impact of humanitarian services. Leveraging Red Cross expertise and operational reach, Humanitech creates opportunities for technology, private sector, government and communities to work together to identify new ways to harness technology that benefits all Australians, including those experiencing vulnerability.

Australian Red Cross Humanitech brings this community centred practice into an industry research partnership with the Australian Research Council Centre of Excellence for Automated Decision-making and Society ([ADM+S Centre](#)), and through formal forums including: as a member of the UTS Human Technology Institute’ Expert Reference Groups on Facial Recognition Technology and AI; as a co-founder of the [ANU Cybernetics Practitioner Network](#); and as a contributor to the Australian Human Rights Commission [Human Rights and Technology project](#).

Overview [of Australian Red Cross](#) as of 2022:



20,000+
members and
volunteers acting
for humanity



131,000
Australians supported
during 42 emergency
activations

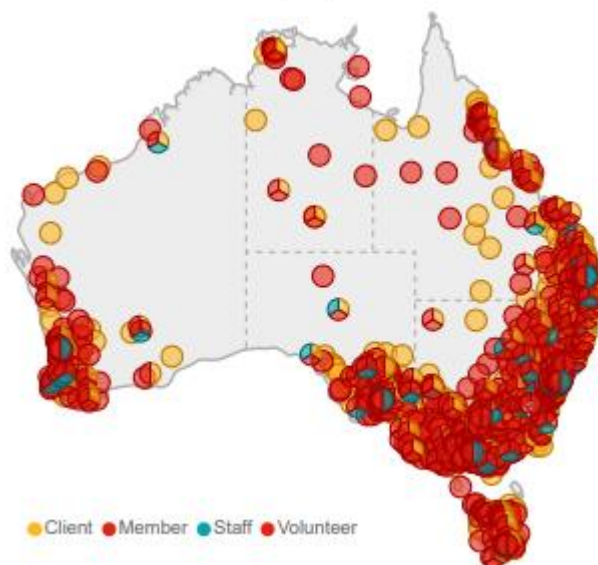


37,500+
people supported
through emergency
relief payments



47,000+
People received
support from 165
countries

Location of Red Cross people and clients



1. Summary of recommendations

Overall Australian Red Cross welcomes the recognition of both the potential positive and harmful uses of technology and the necessary protections outlined in the Department's "Safe and responsible AI in Australia" Discussion Paper (June 2023). However, these can be enhanced through practical and effective approaches, to better ensure protection and safeguarding of human dignity and against harm, especially to those most vulnerable as set out in the following recommendations.

Australian Red Cross has been investing in the potential of AI technologies to address complex humanitarian needs such as the impacts of climate change. Working locally within the international Movement, we leverage global research and practice on the benefits as well as current and potential harms of AI innovation. Australian Red Cross welcomes further opportunities to work with Government to share these insights, and to embed civil society and community participation in AI development and regulation.

- i. **Australian Red Cross recommends application of a risk and harm-reduction approach to strengthen existing regulations by including a lens to identify potential harms and vulnerability across the full AI life cycle.**

For further detail refer to *2.1 Potential gaps in approaches: Legal reform centres around harms and vulnerability.*

- ii. **Australian Red Cross recommends that solutions should be 'technology neutral' unless the solution cannot address harms that specific technology creates.**

For further detail refer to *3.1 Target Areas: Generic versus technology-specific solutions.*

- iii. **Australian Red Cross recommends that regulations promote explain-ability of AI technology and enable end users to provide informed consent and be given choice of non-technology options.**

For further detail refer to *3.2. Target Areas: The importance of transparency across the AI lifecycle.*

- iv. **Australian Red Cross supports a human-centred approach and broad community engagement to ensure AI developers maximise positive benefits and mitigate negative impacts of their technology on people experiencing vulnerability.**

For further detail refer to *3.3 Target Areas: Increasing public trust in AI deployment through community engagement.*

2. Potential gaps in approaches

2.1 Legal reform centres around harm and vulnerability

Recommendation:

- i. **Australian Red Cross recommends application of a risk and harm-reduction approach to strengthen existing regulations by including a lens to identify potential harms and vulnerability across the full AI life cycle.**
 1. A risk-based and harm-reduction approach to strengthen existing regulations would ensure that the humanitarian imperative to 'do no harm' is embedded into every stage of the life cycle of AI¹. A harm-reduction approach requires AI developers to explicitly identify and consider immediate, unintended, and future harms to people and communities alongside the intended impacts. This would require regulations to apply a contextual approach to vulnerability, considering to whom the technology may create or exacerbate experiences of vulnerability, and how the technology could reduce vulnerability, considering specific contexts, use cases and misuse.^{2,3,4}
 2. This approach can be taken by:
 - a. Recognising exponential change of AI innovation and development requires flexible and adaptable approaches. Regulation and self-assurance needs to not only respond to current capability of AI and its harms, but consideration must also be applied to future proofing for the likelihood of all future harms.
 - b. Requiring AI products to be ethical, sustainable, and safe by mandating assessments to identify any potential harms or exacerbation of vulnerability/discrimination. These assessments will benefit from the engagement of community members and particularly people with relevant lived experience. Any potential harms or unintended consequences must have a mitigation plan in place, with mechanisms that create clear accountability for developers.
 3. Australian Red Cross Humanitech Lab has evidenced this through our work with technology startups such as AirSeed, a company using drone technology, machine learning and seed pod biotechnology to rapidly revegetate areas of disaster damaged land.⁵ AirSeed have integrated Australian Red Cross' lived experience framework and [Humanity First Principles](#) into their self-assurance process to maximise community benefit and avoid potential harms. Community engagement with people impacted by flooding and landslides has enabled AirSeed to identify environmental and psychosocial needs to address potential harms and vulnerability.

¹ Sphere (2018) 'The Sphere Handbook: Humanitarian Charter and Minimum Standards in Humanitarian Response' *Chapter: Protection Principles*, <https://handbook.spherestandards.org/en/sphere/#ch004>.

² L Young and I Jurko 'Future of Vulnerability: Humanity in the Digital Age (2022), Humanitech, Australian Red Cross p.31. https://www.humanitech.org.au/globalassets/humanitech/pdf/red-cross-fov-combined-digital_2.pdf.

³ 510 Netherlands Red Cross, 'Using data responsibly in our daily work'. August 2017, <https://www.510.global/510-data-responsibility-policy/>.

⁴ Australian Red Cross, 'Submission to the Human Rights and Technology project', October 2018 *unpublished*.

⁵ Australian Red Cross, 'AirSeed: Drone planting takes flight to promote reforestation in flood-affected NSW', 2022, <https://www.humanitech.org.au/resources/airseed/>.

3. Target Areas

3.1 Generic versus technology-specific solutions

Recommendations:

- ii. **Australian Red Cross recommends that solutions should be ‘technology neutral’ unless the solution cannot address harms that specific technology creates.**
4. As a member of the Human Technology Institute’s (HTI) Expert Reference Group Model Law for Facial Recognition Technology (FRT) project, Australian Red Cross supports HTI’s position that any laws and regulation developed should be technology neutral, unless the law cannot deal with the level of complexity or vulnerability that some technology creates.⁶ Where technology neutral laws are insufficient to address the particular vulnerabilities or identified harms to individuals or communities that can be created by specific AI technologies, additional laws and regulations may be required to address the level of complexity and sensitivity of specific contexts.
5. ICRC has examined the specific vulnerabilities and misuse that FRT can create in migration and conflict contexts. For example, the Restoring Family Links (RFL) tracing program works across the Movement to reconnect families forced to flee their homes due to conflict or crisis. ICRC together with practitioners across the Movement developed Trace the Face, an online tracing tool using FRT. To address risks posed by FRT, ICRC employed a ‘do no harm’ approach, designing the technology to ensure that it does not put missing people and their families in danger. These approaches include strict data protection protocols, decentralisation of data, human feedback loops and human support ensuring informed consent is given.⁷
6. ICRC has also identified heightened risks to the community from misuse of AI-enabled digital surveillance and monitoring and intrusion technologies including being targeted, facing ill-treatment, having their identity stolen, being denied access to services, or suffering from psychological effects from the fear of being under surveillance.⁸ Australian Red Cross supports the ICRC position that mandated data protection impact assessments and human rights impact assessments can assist in providing a clear framework for identifying risks, solutions and recommendations concerning data-driven AI systems.⁹
7. These examples of current movement practice illustrate the importance of lawmakers identifying vulnerabilities and potential harms in the development of new laws and regulations, along with the involvement of community members and organisations who have expertise in identifying these potential harms and risks.

⁶ N Davis L Perry and E Santow, (2022) ‘Facial Recognition Technology: Towards a model law’ Human Technology Institute – University of Sydney, <https://www.uts.edu.au/sites/default/files/2022-09/Facial%20recognition%20model%20law%20report.pdf>.

⁷ L Young and I Jurko ‘Future of Vulnerability: Humanity in the Digital Age (2022), Humanitech, Australian Red Cross p.31. https://www.humanitech.org.au/globalassets/humanitech/pdf/red-cross-fov-combined-digital_2.pdf.

⁸ ICRC, Symposium Report: Digital Risks in Situations of Armed Conflict, March 2019, p. 9, <https://www.icrc.org/en/event/digital-risks-symposium>.

⁹ A. Beduschi, “Harnessing the potential of artificial intelligence for humanitarian action: Opportunities and risks” International Review of the Red Cross (2022), 104 (919), 1149–1169, <https://international-review.icrc.org/sites/default/files/reviews-pdf/2022-06/harnessing-the-potential-of-artificial-intelligence-for-humanitarian-action-919.pdf>.

3.2 The importance of transparency across the AI life cycle

Recommendations:

- iii. **Australian Red Cross recommends that regulations promote explain-ability of AI technology and enable end users to provide informed consent and be given choice of non-technology options.**
8. Australian Red Cross supports the recommendation of the Australian Human Rights Commission and the approach of the Australian Government's AI Ethics Principles that call for respect of human rights throughout the AI life cycle. This includes being lawful, transparent, explainable, and subject to appropriate human oversight, review, and intervention.¹⁰
9. To promote explain-ability, informed consent and choice, Australian Red Cross recommends:
 - a. The use of personal data for AI application and data sharing with third parties is only done when there is fully informed consent from the individual. The individual must be aware that their data is being collected, why, and how it will be maintained, stored, used and deleted.¹¹ Consent can only truly be voluntary if the individual has the choice to opt in or opt out of participation in the AI application for which their personal data is being used.
 - b. Requiring any application to be designed and used under the principle of “do no harm” in the digital environment, and respect Australian's right to privacy, including as it relates to personal data protection.¹²
 - c. Reducing the risk of discrimination against people in the community experiencing vulnerability, with policies requiring alternative options be available and easily accessible to all people. This ensures that no individual is disadvantaged or punished, including through reduction of access to services, if they do not consent to providing their data or prefer to use a non-digital channel to access assistance or services.^{13,14}
 - d. To enable fully informed consent, provide people with easy-to-understand information in a variety of formats that minimise barriers to access, including disability, lack of online accessibility, and low literacy. The provision of alternative options that do not require technology or digital literacy ensures that the rights of all people in the community are protected in relation to their personal data and that consent is voluntary and informed.¹⁵
10. ICRC identify the need for greater explain-ability and informed consent in situations where people are required to provide sensitive or personal data to access humanitarian assistance, including during migration settings. Identified risks from collection of sensitive data to people seeking humanitarian assistance include threats to life, integrity, dignity, and psychological or physical security. There is also a significant risk of ‘function creep’ over time, for example using data collected for humanitarian assistance for other purposes such as migration management, asylum claims or

¹⁰ Australian Human Rights Commission, Human Rights and Technology Final Report, (2021), file:///C:/Users/wshan/Downloads/AHRC_RightsTech_2021_Final_Report.pdf.

¹¹ European Union, Global Data Protection Regulation (Article 35), (2016) <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R0679>, Article 4, p.11.

¹² ICRC, *Artificial intelligence and machine learning in armed conflict: A human-centred approach*, Geneva, 6 June 2019 <https://www.icrc.org/en/document/artificial-intelligence-and-machine-learning-armed-conflict-human-centred-approach>.

¹³ The Trust Alliance, *Submission to the Australian Government's Digital Identity Legislation Position Paper – Phase 2 Consultation*, 13 July 2021, <https://trustalliance.org.au/wp-content/uploads/2021/07/23.06.21-Digital-Identity-Legislation-Outline.docx-1-1.pdf>.

¹⁴ A. Beduschi, “Harnessing the potential of artificial intelligence for humanitarian action: Opportunities and risks” *International Review of the Red Cross* (2022), 104 (919), 1149–1169, <https://international-review.icrc.org/sites/default/files/reviews-pdf/2022-06/harnessing-the-potential-of-artificial-intelligence-for-humanitarian-action-919.pdf>.

¹⁵ A. Beduschi, “Harnessing the potential of artificial intelligence for humanitarian action: Opportunities and risks” *International Review of the Red Cross* (2022), 104 (919), 1149–1169, <https://international-review.icrc.org/sites/default/files/reviews-pdf/2022-06/harnessing-the-potential-of-artificial-intelligence-for-humanitarian-action-919.pdf>.

identification by authorities, creating the possibility that the data will ultimately be used in ways that individuals do not want, understand or consent to.¹⁶

3.3 Increasing public trust in AI deployment through community engagement

Recommendations:

- iv. **Australian Red Cross supports a human-centred approach and broad community engagement to ensure AI developers maximise positive benefits and mitigate negative impacts of their technology on people experiencing vulnerability.**
 11. Red Cross Red Crescent global practice consistently demonstrates the value of a human-centred approach in building impactful and trusted AI.¹⁷ For example, the Maya Cares chatbot and online resource supporting women of colour to understand, process and address racism that has been piloted through Australian Red Cross Humanitech. It was developed by and in collaboration with more than 250 Australian women of colour with lived experience of racism. In its first year, Maya Cares' product performance rates are roughly double the industry average (9 percent compared to the industry benchmark of 2-5 percent) and user feedback indicates that the integration of lived experience has built user trust in the product.¹⁸
 12. Australian Red Cross Humanitech is also partnering with Kara Technologies to translate emergency messaging into Auslan using 'digital human' avatars. The participation of the Deaf community is critical to ensure this solution is fit for purpose, trusted and safe. The design process is centred around accessible and inclusive community engagement and embedded into every stage. This ensures that the technology meets the needs and does not cause harm to its users. As a result, community confidence around the safety and value of this technology is enabling its responsible and effective implementation, with benefits for all.¹⁹

¹⁶ ICRC, 'Handbook on Data Protection in Humanitarian Action -2nd Edition, p.136, <https://www.icrc.org/en/data-protection-humanitarian-action-handbook>.

¹⁷ ICRC, 'Artificial intelligence and machine learning in armed conflict: A human-centred approach', Geneva, 6 June 2019, <https://www.icrc.org/en/document/artificial-intelligence-and-machine-learning-armed-conflict-human-centred-approach>.

¹⁸ Australian Red Cross, 'Maya Cares: The chatbot supporting women of colour through racism', 2022, <https://www.humanitech.org.au/resources/maya-cares/>.

¹⁹ Australian Red Cross, 'Kara Tech: Pioneering new emergency announcement systems in sign language', 2022, <https://www.humanitech.org.au/resources/kara-tech-case-study/>.

Contact Details

Chris Kwong

Australian Red Cross Head of Government Engagement & Strategic Initiatives

Phone number: +61 423 211 598

Email: ckwong@redcross.org.au