Mr. Jamie Grace

Senior Lecturer in Law

Sheffield Hallam University

Sheffield, United Kingdom

16th December 2019

To the Human Rights Committee,

**RE: General Comment 37**

In paragraph 11 of the revised draft of General Comment No. 37, you explain quite rightly that:

*"Surveillance technologies can be used to detect threats of violence and thus to protect the public, but they could also infringe on the privacy and other rights of participants and bystanders."*

I am an active researcher, studying human rights impacts through machine learning/data analytics, particular in criminal justice settings. My research has led me to conclude that an additional sentence should be added to this paragraph in the relevant draft:

**"Where these surveillance technologies are empowered by artificial intelligence, or machine learning and data analytics, this can lead to biases across different groups in the levels of enjoyment of different human rights, including the right to non-discrimination, since the datasets used to train these tools are often, for example, skewed along lines of race or gender."**

To support my suggested addition along these lines, I offer up four pieces of my own research (one published and three available in draft), as follows:

* J. Grace, ' Human rights, regulation and the development of algorithmic police intelligence analysis tools in the UK', available online as a draft paper at: <http://ssrn.com/abstract=3303313>
* J. Grace, 'Machine learning technologies and their inherent human rights issues in criminal justice contexts', a chapter in a forthcoming collection on technology and human rights challenges, edited by Alexandra Moore and James Dawes,final draft available at: <http://ssrn.com/abstract=3487454>
* J. Grace, 'Algorithmic impropriety' in UK policing contexts: A developing narrative?', in John McDaniel and Ken Pease (eds) *Policing and Artificial Intelligence*, forthcoming in 2020, available at: <http://ssrn.com/abstract=3487424>
* J. Grace, 'Algorithmic impropriety in UK policing?', (2019) *Journal of Information Rights, Policy and Practice*; Vol, 3 Issue 1: <https://jirpp.winchesteruniversitypress.org/articles/abstract/23/>

Yours faithfully,

Mr. Jamie Grace.