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Law, Ethics & Technology - advancing integration through an open access journal

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For millennia, the legal and justice system has focussed upon regulating new technologies – whether it be printing, steam engines or automobiles. Indeed, ownership of intellectual property has been an important issue in legal domains.

Over the last fifty years, since the use of computers for storing information and knowledge, the field of law and technology has expanded to include how legal systems use computing to make decisions. Whilst Artificial Intelligence was first proposed and indeed used in the 1950s, it was not until 1987 that the first International Conference on Artificial Intelligence and Law was held and the Journal *Artificial Intelligence and Law* commenced publication in 1992.

With recent developments, there has been a surge in conferences and journals dedicated to the use of Technology and law. So, why have we decided to produce yet another publication, *Law, Ethics and Technology*?

Traditional knowledge-based systems have been used to provide legal advice since the 1970s. For example, the Rand Corporation in the early 1980's built systems to advise upon risk assessment in damages claims. Lift Dispatching System (LDS assisted legal experts in settling product liability cases. SAL, the system for asbestos litigation helped insurance claims adjusters evaluate claims related to asbestos exposure. These two systems represented the first steps in recognizing the virtue of settlement-oriented decision support systems. The Latent Damage Adviser, constructed by Phillip Capper and Richard Susskind was a collaborative project between Ernst and Whinney, United Kingdom and the Law Faculty at the University of Oxford to advise upon the UK Latent Damage Act (1986). Today, such systems are very useful for compliance checking and are the basis for the Rules as Code Movement – in which legislation is written as code.

Today, when non-professionals think of AI, they think of robots using machine learning and data mining to make decisions and take actions. But it is machine learning which poses the greatest problems for automated decision making. Firstly, how do we capture the data so that it is in a useable form? Is the data clear and unbiased? Does the data reinforce previous biases? When the law changes what past cases are relevant? How do we provide explanations? And who is responsible for ethics and governance of such systems?

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To appropriately use technology, we have to ensure its use is ethical and humans are appropriately used in the decision-making process. The technology should be available to assist humans to make better decisions, rather than give this power to systems developers.

Such issues will be the focus of the new journal *Law, Ethics and Technology*.

These issues are of course multidisciplinary and focus upon all three domains of law, technology, and ethics. Published articles will investigate how technology is used by humans. The journal will publish theoretical works, new legislation, law reform proposals, empirical research, and an analysis of recent judicial decisions.

The quality of a journal is highly dependent on its editorial staff, who are the final arbiters of what appears in the journal. Law, Ethics and Technology is fortunate to have an excellent and diverse set of associate editors from prestigious international universities. These editors are supported by an excellent advisory team.

We welcome your submissions to our excellent new journal.