

Caitlin McDonald:

Welcome to another episode of the Growing Digital Ethics in Practice Podcast. Today I'm joined by Katie Shay, the head of business and human rights at Cisco. Katie works to identify innovative solutions to human rights challenges and to integrate a human rights perspectives into legal and business operations. She works closely with product, policy, and legal teams across the company to develop and implement human rights policies and to design processes for ensuring respect for human rights in all aspects of business. Welcome Katie.

Katie Shay:

Thank you so much. It's great to be here.

Caitlin McDonald:

We're really glad to have you. I wanted to start out with learning a little bit about how Cisco is developing its human rights governance processes. Do you want to take me through some of the work you're doing there?

Katie Shay:

Absolutely. I'm thrilled to talk about this Caitlin. Business and human rights is, I will say a new ish program at Cisco. We're building on over a decade of work that's been done within the company to lay a solid foundation when it comes to human rights and integrating a respect for human rights across the company.

Katie Shay:

What I'm doing now through this formalized business and human rights program, is to really look to the United Nations Guiding Principles on Business and Human Rights and take the best practices articulated there and integrate them throughout the company.

Katie Shay:

I don't know if you're familiar with the UN GPs as we call them in shorthand, the guiding principles, but they lay out three pillars that apply to the business and human rights field. The second one being a corporate responsibility to respect human rights. This is really important when we think about the different roles that actors play and what our own role is as Cisco.

Caitlin McDonald:

Super. I'd love to know a little bit about how you envision that actually sitting in business processes?

Katie Shay:

Yeah. When we think about our role we have to ask ourselves, so what is the corporate responsibility to respect human rights? Most people I think, look at this area and consider that governments are the ones that have the primary role, but what we're trying to do is to integrate that respect for human rights and really what that means is to avoid infringing on human rights. Excuse me, even more than that to know and show.

Katie Shay:

We have a responsibility to conduct due diligence of our operations and understand where the risks are so that we can take action to prevent human rights impacts, mitigate human rights impacts, and address anything that does occur in the course of our business. In some ways that seems revolutionary, in some ways it doesn't.

Katie Shay:

Practically what that means for us at Cisco is looking at how we design our solutions and baking in a human rights approach from the very beginning when we start thinking about a new product or a modification to something that we already offer. The second piece is considering how we build and offer those solutions.

Caitlin McDonald:

Great. It sounds like there's a kind of a whole life cycle development element to where the sits. It's not one place within the organization, but across a whole range of different aspects of a product's life cycle.

Katie Shay:

Absolutely. From ideation all the way through to the end of sale of a product as well. We're looking at every point along that process. What I'm really interested in is looking for where those points of leverage are. What are the existing processes or policies that my colleagues are already working with and how can I make human rights a part of that? How can I get this on people's radar? So that they're thinking about this just in the course of the way that they do their job anyway.

Katie Shay:

Not as something that's an add on that they have to think about once they've done the work. Just before they put that bow on the package to check off that human rights box, I want them to be thinking about it at every step of the way. So that when we are ready to offer it to a customer or it's in the customer's hands, we know that human rights have been considered throughout that process.

Caitlin McDonald:

How do you see this sitting specifically with the engineering or the digital aspects of the organization? How do you design those processes directly into those engineering flows?

Katie Shay:

We have a product design methodology that we call the Cisco Secure Development Life Cycle. This grew up out of the security and privacy by design movements. Our engineers go through this process where they answer a series of questions to describe what they're trying to build. Depending on what the offer is because we offer such a wide variety of solutions at Cisco, all the way from the traditional hardware, routing, networking through to software collaboration services. We do a lot of software as a service. We have our IOT offers. There's a huge diversity.

Katie Shay:

Depending on what the product is or the offer that the team is working on, there will be a set of controls that they have to meet in order for their product to become available to a customer. Human rights now will be part of that.

Katie Shay:

For example, I'm working on a cross-functional project right now in the AI and machine learning space. Cisco's investing a lot in AI and machine learning in lots of different ways. Again, in our security portfolio, in our collaboration portfolio, IOT, across the board. What we're trying to look at is what are the set of AI and machine learning solutions that could have a direct involvement or be a critical factor in a decision that would have a legal or human rights impact on a person?

Katie Shay:

Those are the applications that we think represent the most risk to Cisco. If we get it wrong and it makes a decision that has a critical impact on a person, that's something that we obviously want to avoid. Likewise, we want to know what the intended use cases are so that we can try to protect against unintended use cases that may have adverse impacts as well.

Katie Shay:

With this cross-functional group representatives from our engineering teams and privacy groups, the security organization, our customer trust organization as well, we're putting in requirements for AI and machine learning around privacy, security, fairness, explainability, trustworthiness, and accountability. So that when we offer these products, all of those considerations have been integrated into the design methodology itself.

Caitlin McDonald:

That sounds both incredible and like a lot of work getting all of that interdisciplinary involvement.

Katie Shay:

It is, but luckily we have a lot of enthusiastic people who care about these issues and recognize that it's really integral to the company's purpose, which is to power an inclusive future for all and we really do mean all. It's absolutely imperative that we consider these things throughout the design process.

Caitlin McDonald:

Oftentimes when I'm having these conversations with people about the operationalization and the implementation of digital ethics principles, one of the challenges they talk about over and over again is, taking an idea like fairness or taking an idea like transparency, and actually bringing that to life through some considered principles and really making it something you can demonstrate how it's working within the life cycle of the product. Are there some examples you can share in terms of how that actually works with the group that you're describing?

Katie Shay:

Sure and I'll talk about fairness because I think that one is particularly challenging. When we talk about fairness, what we're really concerned with is the potential for bias. We have these conversations internally where I think it's just really important that we all recognize that technology, especially AI and machine learning, it just is biased. It will always be biased. The critical thing for us to root out is harmful bias and unintended bias.

Katie Shay:

Obviously being very thoughtful about the training data that goes into the design and the testing that we're able to do of the inputs and outcomes, that is all really important. We think that it's equally important that we document where the gaps are.

Katie Shay:

One of the things that's really important to our approach is to train the teams on diversity and to explain what the value of having a diverse training set and a diverse design team means for the product and the overall effectiveness of the product, and how well it works for the global population that we're trying to reach with all of our technology.

Katie Shay:

Now we know we're never probably going to achieve perfect full spectrum diversity on any one particular team because there are limitations that are inherent in that issue. What we are pushing for is to have the team document who's the intended population of the solution? How does the diversity of your training data set map against the diversity of that intended population? How does the diversity of your development team map against the diversity of that intended population?

Katie Shay:

We think that by doing this, it will help us to do a little bit of a gap analysis, create some awareness of what our own limitations are and that will in turn allow us to address those limitations by bringing in some other perspectives. Bringing in experts, including subject matter experts from the industries that we're trying to work with. This will achieve two goals.

Katie Shay:

One is the goal that I have of avoiding infringing on human rights and to address the potential human rights impacts of our products, but also the business goal of creating the products that will be the most effective for our customers. That will achieve the things that the products are setting out to achieve because we have designed them integrating those different perspectives and different use cases into that approach.

Caitlin McDonald:

Yeah. That's such a great point. It's one we've heard from other previous guests on the podcast series as well. Is that ethics isn't just about mitigation of bias, but also about identifying market gaps where you can actually make some advancement and really actually build your business.

Katie Shay:

Yeah, absolutely.

Caitlin McDonald:

How has that changed over time when Cisco's developed this team and decided to adopt this new approach?

Katie Shay:

Sure. Well, I would say that everyone at Cisco has responsibility for human rights issues, every employee. I don't think anyone can say, "That's not my job. That's Katie and her team." My role is to

help people within Cisco understand what the human rights impacts are of their role so that they can do their job better and ultimately protect the rights and interests of all of our stakeholders.

Katie Shay:

That includes our customers. That includes our shareholders, the communities in which we operate, the people who are ultimately using the products, and also our employees. That said, everyone has that responsibility, but that said, we do have a dedicated team within the legal department that has day-to-day responsibility for these issues. That's the team that I lead. One advantage I think of having this sit in the legal department is that the legal group has visibility into almost everything that happens at the company.

Katie Shay:

We have lawyers who advise our product managers and the engineering teams who advise our sales organization, our customer experience organization, and legal also is often the natural place that people go to when they have a concern. I think that place of being such a weighted within legal gives us a little bit more visibility and influence into different decisions that impact human rights.

Katie Shay:

My team does work with so many people in so many different functions though and it's really that extended team that we rely on in order to help get these issues integrated into the relevant business processes and to drive efficiencies in the way that we integrate this across the company.

Caitlin McDonald:

Yeah and I think that word efficiency, I think is a really interesting and important one because so often people think about ethics as being a thing that slows you down because you have to stop and have all these kind of long ponderous discussions about impact. When in reality, if you can align on the goals, process can actually assist you in moving faster once you've agreed on what the process should be in my view.

Katie Shay:

Absolutely. It's sort of like the brakes on a car. If you didn't have brakes on a car, you couldn't drive very fast, but because you have breaks, you can go fast and then you can stop quickly.

Katie Shay:

I think of these conversations in much the same way and those controls in the design methodology in the same way as well. We're putting some guard rails around things so that people know what they can do. It's also sort of like having a fence in your backyard.

Katie Shay:

I am a person who I like boundaries. I also like rules and I don't like infringing on other people's space. When I moved into my house, I didn't want to walk up to the edge of my yard because I thought, oh, I might be walking into my neighbor's yard. Once we put the fence up, I felt like, wow, I can really exploit this whole area because I know what my boundaries are and where I can go up to.

Katie Shay:

I think that is really helpful in the engineering space as well. We have had teams actually reach out to us and say, "I need to know what the parameters are so I need to know how far I can go." I just really appreciate that because we do want to be partners to the business and we want to support innovation. We think that by integrating this approach from the very beginning, we're able to help speed that along.

Katie Shay:

In fact, I just worked with a team in our emerging technology and incubation group, which is focused on identifying and incubating these new ideas, testing how viable they are, and then ultimately moving them into one of our formal business units. We worked with this team from the very beginning to do a human rights assessment of their idea, which I'm not going to share unfortunately, even though it's very exciting, but I don't want to get ahead of them.

Katie Shay:

By doing the human rights review, we did identify a couple of areas where we thought, "You might want to think about this. You might want to tweak the way that you're doing this, or think about how this could be used. There are some potential risks that we can help you come up with some strategies to mitigate around." We also in the process, thought up a whole set of potential use cases that would actually advance human rights. That the team had not thought of yet.

Katie Shay:

It was such an exciting interaction to me because it really demonstrated for me the value of getting in early. They now have awareness of what the potential pitfalls are and they can be working on addressing those before they become a real issue. Now they have these additional use cases that they can potentially one day pursue. That actually grows the viability of their product. It adds arguments to them when they're in this incubation period to go to the business and say, "And look at all these other ways that our product can be used to do good." It's really exciting. I love working with teams on that in particular.

Caitlin McDonald:

That sounds like such an exciting project and I'm sure we're all looking forward to hearing more about it once it's more in the public domain. I think it also really speaks to that power of the interdisciplinary team that you were talking to before. Of having multiple perspectives that can really show you where you can add value.

Caitlin McDonald:

Not only saying, "Hey, you might want to put the brakes on over here," but also having identified a risk saying, "Here are some ways that you can mitigate that potential problem." It doesn't necessarily mean that you don't make that decision or do that thing, but here are some options that you have if you make that choice to make sure that it mitigates the harm that potentially might be introduced.

Katie Shay:

Absolutely. I often feel like the mitigation strategies that we offer are geared toward a specific set of risks, but they also, if adopted, have the potential to make the product better for everyone.

Katie Shay:

When you're thinking about those most vulnerable users or the things that seem like edge cases, I should say. By integrating that focus, you can improve it for a much broader population. That's especially true in the privacy side I would say.

Caitlin McDonald:

Yeah, that's a really great point about expecting the edge case, but then it turns out that might be actually the main problem with the software. I think we've all seen a couple of examples of that over recent history. In the week that we're recording this one relevant one is Twitter having had a very recent kerfuffle around the way that image cropping was working on their software. Despite the fact that they actually had tested for bias when it was released into the wild, it turned out that some of those things that perhaps they thought were small problems turned out to be actually really quite big problems.

Katie Shay:

Yeah. I mean, that's a perfect example of how the purported edge case could turn out to be a much larger issue for a company.

Caitlin McDonald:

Yeah. How do you see the field of digital ethics or human rights in business evolving in the coming months? What trends should technologists be aware of?

Katie Shay:

Well, I think these issues are going main stream. Of course, I'm biased because I live and breathe it every day, but I came to Cisco to advise on privacy legal compliance, which is such a big area for every company now. We've seen that field grow to be something that stakeholders cared about to now really being a business imperative. I think this is going in much the same direction.

Katie Shay:

Just speaking from my experience and how I came into this role, as I was advising the company on privacy issues because I have a background in human rights, having worked at another company on human rights and having a background in civil society as well, people started coming to me within the company and saying, "Hey, I'm working on this issue. This seems like it might have a human rights angle to it. I know you have some experience there. What do you think?"

Katie Shay:

Over time, what I think became really apparent is that a human rights perspective because it's global, because it is cross-functional in nature really can add a lot of value to almost any decision that you're making. It is grounded in international widely accepted frameworks that now also have a lot of practical guidance around them for businesses. By providing that perspective, I think what the company saw was this is an area for us to invest in. It will help us be more successful. Also, our investors care about it. Our customers care about it. I really do think this is going to be part of the mainstream and become a business imperative.

Caitlin McDonald:

Yeah. I have two follow-up questions. The first is around privacy as a discipline and the development of that in the way that kind of digital ethics issues more broadly are mirroring that. It's almost like privacy is

the thin end of the wedge and once you take the bite of the privacy apple, you then start getting more and more involved in other things.

Katie Shay:

Yeah, I think so. So often I feel like privacy has really laid the foundation for what I'm trying to do on these other human rights issues as well. Privacy is a human right, of course. It is universally accepted as a human right and Cisco has been very vocal in promoting privacy as a human right and even calling for a federal privacy legislation in the United States.

Katie Shay:

That approach that I think many companies are taking now to do privacy by design and privacy engineering, that lays a foundation for us to also think about freedom of expression by design, and freedom against discrimination by design and all of the human rights. As companies, we do have this responsibility again, to consider our business and what the most salient human rights issues are for our company because of the products that we offer or the environments in which we operate and to apply that approach. That by design for human rights engineering, I'll call it now, approach that our colleagues are doing in privacy to broaden it and look at these additional issues.

Caitlin McDonald:

Yeah, that's a really great point. My second question, you mentioned essentially why dispread accepted human rights governance frameworks that businesses can apply practically. Are there a few that you would specifically recommend beyond the ones that you've mentioned already?

Katie Shay:

Well, the one that I rely on the most I have already mentioned, which is the United Nations Guiding Principles on Business and Human Rights. That really is the Seminole document in this area. It was adopted in 2011 and it has that three pillar approach that the state duty to protect human rights, the corporate responsibility to respect human rights, and then the third pillar, which is often forgotten, but is so important is the access to remedy for people who are impacted.

Katie Shay:

There are also the OECD Guidelines for multinational enterprises that apply to human rights as well. Those are sort of the broad frameworks. Now there are so many documents that people can look to. Especially on ethics in AI. The EU has been very active in this area. There's a lot of academic research on this. There's a lot out there, but those are the two that I would point to for any listeners who are really interested in getting started in this area because those are foundational. I would definitely suggest checking those out.

Caitlin McDonald:

Super. Well, I could talk about this all day, but unfortunately we have to wind up. Any kind of final thoughts or key takeaway messages that you want to make sure our listeners really get to grips with as they listen to this episode?

Katie Shay:



Well, thank you so much for having me again Caitlin. I guess the idea that I would like to leave your listeners with is that, I have a hope that by integrating this human rights approach, we can again, make better products for our customers and help our businesses to become the most successful they can be in achieving their missions. I hope that others will join me and I really would love to hear from your listeners if they'd like to learn more.

Caitlin McDonald:

Excellent. Thanks so much Katie. We really appreciate having you today.

Katie Shay:

Thank you so much.

Caitlin McDonald:

Thanks for listening to the Growing Digital Ethics in Practice Podcast. You can find out more about the Leading Edge Forum perspective on digital ethics by searching for the phrase, stemming sinister tides. Where the first link should be our 2019 position paper [Stemming Sinister Tides: Sustainable Digital Ethics Through Evolution](#).