

Written evidence by Public Law Project

1. [Public Law Project](#) ('PLP') is a national legal charity committed to advancing fairness through human rights and public law.
2. Advancing and protecting the frontiers of public law is a cornerstone of PLP's work. Since 2019, we have prioritised the technological frontier that government's use of automated, and automated assisted, decision-making ('ADM') technologies, including artificial intelligence ('AI'), represents. PLP believes that to successfully realise the full benefit of AI, government must ensure that it uses it for ADM in a transparent, lawful, and fair way.
3. Government's use of this new technology must not be unfettered. PLP believes that human rights safeguards are a central means of making sure that government's use of AI serves the public.

Summary and Recommendations

- (i) PLP's [Tracking Automated Government Register](#) ('TAG Register') demonstrates that government is being insufficiently transparent about how it's use of AI and ADM is affecting rights-critical decision processes. [PLP's comparative research](#) shows non-statutory transparency requirements are associated with low compliance rates by government.

Recommendation: government should introduce a statutory requirement to comply with the Algorithmic Transparency Recording Standard (or equivalent such measure).

- (ii) [Research by PLP](#), which reflects our litigation experience, shows that ADM systems including AI can introduce new barriers to judicial scrutiny of government's rights-critical decision-making. A significant such barrier is the lack of information available to individuals about how AI has influenced decisions affecting them.

Recommendation: government should bring forward individual notice requirements that provide individuals with the information they need to contest decisions made about them which have been influenced by AI.

- (iii) PLP's casework experience has highlighted barriers to judicial scrutiny of government's use of AI and ADM. In the context of considerable uncertainty as to how principles of administrative law and human rights principles apply in the context of ADM and AI, this risks systematic unlawful applications of AI.

Recommendation: government commence a programme of law reform to consider how the legal and regulatory framework that applies to public decision-making can better ensure that automated and automated-assisted decision-making is accurate, lawful and fair.

- (iv) PLP supports the UK's signing of the Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law. It will make more of a difference if it is made binding on government.

Recommendation: Parliament ratify the Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law.

1. How can Artificial Intelligence (AI) affect individual human rights for good or ill?

4. AI is increasingly being used by public bodies to automate and/or assist administrative decision-making. AI systems might thereby affect individual human rights by changing the ways that rights-critical decisions are made, and by determining individual access to essential public services.
5. At present, it is difficult to form a system-wide view of how AI is being used to affect rights-critical decision processes. In 2024, the National Audit Office reported that fewer than half of government bodies *“with deployed AI reported that AI use cases were always or usually identified at an organisational level before deployment.”*¹
6. Government has begun to improve its system-wide view by introducing a mandatory requirement for public sector organisations to comply with the [Algorithmic Transparency Recording Standard](#) (‘ATRS’)² – a standardised way for public sector organisations to publish information when they are using algorithmic tools. However, there are serious questions about how mandatory compliance is being enforced,³ and, although it has improved, overall compliance remains low.⁴
7. PLP’s [TAG Register](#) lists 55 tools that are not published on the ATRS. Of those, we assess 37 as making decisions that affect people’s legal rights, entitlements, or as being similarly significant decisions. Many of these tools would not otherwise be in the public domain, so it would not otherwise be open to the Committee to consider how they are affecting individual human rights.

Recommendation: government should introduce a statutory requirement to comply with the Algorithmic Transparency Recording Standard (or equivalent such measure).

Discrimination and bias:

8. Machine learning can take on human biases when trained on historic data: either where historic data is itself biased, such as where a dataset contains historic human decisions which were biased; or where the dataset is insufficiently representative of individuals with particular characteristics, so the model might not be trained to account for how a human decision-maker would appropriately treat such individuals differently.
9. One consequence of this might be that AI-based ADM could create new or cement existing barriers to accessing critical public services that reflect historic discrimination. Around the world, counter-fraud AI systems have been shown to have inadvertently discriminated against historically disadvantaged groups.

¹ National Audit Office (2024) [‘Use of Artificial Intelligence in Government’](#) HC 612 – paragraph 1.10.

² Department for Science, Innovation and Technology, [Algorithmic Transparency Recording Standard Hub](#).

³ Baroness Jones, Parliamentary Under-Secretary of State for the Future Digital Economy and Online Safety, explained that compliance is achieved by making funding for ADM tools conditional on the relevant team committing to publishing on the ATRS – [HL Deb \(16 December 2024\)](#), vol 842, col 49GC.

Serious questions remain: what happens if, following implementation, no ATRS record is published? How will compliance be ensured for projects falling below the spend control thresholds? Or where a tool is already in use? What exemptions exist?

⁴ National Audit Office (2024) [‘Use of Artificial Intelligence in Government’](#) HC 612 – paragraph 3.20.

10. **Example 1 – Dutch welfare fraud AI:** in February 2020, a Dutch court found that the Netherlands Ministry of Social Services had been unlawfully using an automated system⁵ (known as ‘SyRI’) to detect welfare fraud.⁶ In finding SyRI unlawful, the Court had been particularly concerned that *“there [was] in fact a risk that SyRI inadvertently create[d] links based on bias, such as a lower socio-economic status or an immigration background.”*⁷ Government opacity had prevented assessment of whether this risk of discrimination had been effectively mitigated.
11. **Example 2 – UK welfare fraud AI:** the Department for Work and Pensions (‘DWP’) operates a machine learning model to assign a fraud risk score to all applications for Universal Credit advances (‘the UC Advances Model’) – which is not published on the ATRS. If an application scores above a certain threshold, then it is referred for investigation and can be delayed.⁸
12. DWP undertakes regular ‘fairness assessments’ of the UC Advances Model to identify potential bias in the model; however, DWP only has data to assess one protected characteristic – age (also assessed are nationality, age, couple status and reported illness).⁹ The analysis finds notable disparities in someone’s likelihood to be referred by the model if they are not a UK national (2.27 times)¹⁰ or if they are not in a couple (1.20 times).¹¹ DWP concludes that these disparities are not a cause for concern because of the safeguards, predominantly human checks, in place for the UC Advances Model.
13. Another consequence is that AI-based ADM can introduce new or cement existing bias in rights-critical decision-making processes. Government’s decision-making processes relating to immigration and asylum matters often make rights-critical determinations and have been a focus of PLP’s ADM research.
14. **Example 3 – Home Office asylum case summary AI:** in April this year, the Home Office finished trialling the Asylum Case Summarisation tool.¹² It uses a large language model to summarise interview transcripts for caseworkers and thereby reduce processing times. The pilot concluded that the summaries were inaccurate in a small yet significant proportion of cases¹³ and that only about a quarter of caseworkers were confident in the summary information.¹⁴
15. The Home Office was unable to assess whether variation in the tool’s accuracy affected any protected groups more.¹⁵ Inaccurate transcripts are an established cause of incorrect rights-critical asylum decisions. The summary tool introduces a second layer of possible inaccuracy

⁵ NJCM v The Netherlands C-09-550982-HA ZA 18-388 (English). The Court lacked information to say whether the model was developed by machine learning; however, its articulation of the risk of bias is applicable to such systems.

⁶ Ibid; see also <https://www.theguardian.com/technology/2020/feb/05/welfare-surveillance-system-violates-human-rights-dutch-court-rules>

⁷ Ibid at [6.93].

⁸ Department for Work and Pensions (2025) ‘[UC Advances Model – fairness assessment](#)’ – paragraph 13: median payment delay is 1 day longer compared to Advance requests that are approved automatically.

⁹ Ibid – paragraph 19.

¹⁰ Ibid – table 3.

¹¹ Ibid – table 5.

¹² Home Office, (2025) ‘[Evaluation of AI trials in the asylum decision making process](#)’

¹³ 9% of summaries produced were deemed to be inaccurate or had missing information – Ibid at [5.1].

¹⁴ 23% of users reported they were not fully confident in the summary information and would warrant further exploration in a full roll out – Ibid at [5.1].

¹⁵ Ibid at [4.1].

on top of that. A risk that might, therefore, result from use of this system is that someone could be presented with an accurate transcript but not the AI summary of it – and, accordingly, would have no way of knowing if an inaccurate summary influenced the outcome of their asylum application.

Effective remedies for violations of human rights:

16. ADM systems including AI can introduce new barriers to access to justice. Much academic attention has focused on uncertainty in how administrative law, including human rights legislation, should adapt to ADM having been designed with human decision-makers in mind.¹⁶ In practice, such development has stalled because there has only been limited judicial consideration of government's use of ADM.¹⁷
17. To understand why this gap has arisen, PLP held a roundtable of legal practitioners and those who instruct them in December 2023¹⁸ to examine unsuccessful attempts at litigating public sector ADM. A clear theme in responses, borne out in the academic literature,¹⁹ was that ADM litigation is being inhibited by a lack of transparency about government's ADM systems. PLP is also conducting research, funded by the Nuffield Foundation, to better understand the informational barriers to public law litigation associated with ADM.²⁰
18. In practice, the lack of transparency about government's ADM systems risks undermining judicial challenge as an effective remedy where rights-critical decisions go wrong. As a result, decisions made using AI risk being less accountable and, crucially, of lower quality than decisions which are more amenable to scrutiny.
19. In addition, if judges are unable to properly scrutinise public sector ADM, then the uncertainty in how administrative law applies to it will persist. In consequence, the ongoing deployment of AI-based ADM might be storing up legal risk. Such legal uncertainty is already making officials less confident about being able to deploy AI in a way that best serves the public.²¹ If government is not more transparent about how it is using AI to affect its decision-making, then government runs the risk of ADM systems developing unlawfully without an effective means of redress.
20. This creates a significant risk for the public purse. In *Johnson*²² the Court of Appeal that found an algorithm used by DWP to calculate benefits payments was unlawful and emphasised that unlawful systems cannot be permitted to operate – whatever the cost or administrative inconvenience of replacing it.²³

¹⁶ See e.g. Cobbe, J. (2019) '*Administrative law and the machines of government: judicial review of automated public-sector decision-making*' Legal Studies; Williams, R. (2022) '*Administrative Law for Algorithmic Decision Making*', Rethinking, Oxford Journal of Legal Studies, Volume 42, Issue 2, Summer 2022, Pages 468–494; and Tomlinson, J., & Maxwell, J. (2020) 'Proving algorithmic discrimination in government decision-making' Oxford University Commonwealth Law Journal, 20(2), 352-360.

¹⁷ Sinclair, A. (2025) '*Automated decision-making and government opacity*', P.L. 2025, Jan 8-15

¹⁸ Leslie, M. (2024) '*AI and automation: transparency required*', Legal Action Group.

¹⁹ Sinclair, A. (2025) '*Automated decision-making and government opacity*', P.L. 2025, Jan 8-15; and Lawrence-Archer & Naik (2023) '*Effective protection against AI harms*', Ada Lovelace Institute.

²⁰ Public Law Project, (forthcoming) '*Public Law Litigation in the Automated State*', Nuffield Foundation.

²¹ Two-thirds of government bodies responding to the NAO's questionnaire reported that a lack of understanding/clarity on legal liability for AI use was acting as a barrier to implementation – National Audit Office, (2024) '*Use of artificial intelligence in government*' HC 612 – Figure 9.

²² R (Johnson) v Secretary of State for Work and Pensions [2020] EWCA Civ 778.

²³ Ibid at [40].

Recommendation: government should bring forward individual notice requirements that provide individuals with the information they need to contest decisions made about them which have been influenced by AI.

Existing legal and regulatory framework

21. In each of the above examples, and for most instances of ADM contained in [the TAG Register](#), government relies on human involvement to ensure that each ADM system is accurate, lawful, and fair.
22. An advantage of this approach is that human oversight of ADM can make ADM systems more accountable because the legal and regulatory framework that applies to public decision-making was designed with human decision-makers in mind. However, for two reasons in particular, having a ‘human in the loop’ does not adequately guarantee that ADM systems are accurate, lawful, and fair.
23. First, following the passage of the Data (Use and Access) Act 2025, the normal legal requirement to have human involvement in significant decisions will now only apply in a much narrower set of circumstances.
24. Under Article 22 of the GDPR, people have the right not to have computers make significant decisions about their lives without a human being meaningfully involved in that decision,²⁴ unless certain exceptions apply.²⁵ In the context of the legal uncertainty discussed in paragraphs 16-19 of our response, the relatively simple rule in Article 22 has acted as an imperfect backstop protection for ADM.
25. The Data (Use and Access) Act 2025 disappplied that protection so that under the UK GDPR, human involvement in a decision is only required when it is made using ‘special category data’.²⁶ What this neglects is that the effect of a decision (i.e. its potential for good or ill) matters irrespective of the category of data it was based on. The UK’s new, more permissive rule is neither risk-based (in terms of decisions’ potential impacts on the people they affect), nor based on the limits of available technologies. As a result, the key safeguard relied on by government to ensure accurate, lawful, and fair ADM has ceased to be a statutory requirement and, in place of that, government has not offered any alternative means by which to guarantee fairness.
26. Second, the mere fact that there has been human involvement in an automated decision is not enough to ensure that it is fair – particularly if that decision is rights-critical. A person can be involved in a decision but have only an ambiguous level of control over it: they might, for example, lack the technical knowhow to understand the automated system that they oversee; or they might simply lack the time to properly review decisions.

²⁴ Article 22(1).

²⁵ The exceptions are a) explicit consent, b) in performance of a contract, and c) in accordance with a law that includes suitable measures to safeguard the data subject’s rights and freedoms and legitimate interests – Article 22(2) GDPR.

²⁶ UK GDPR, Article 22B(1); special category data is defined in UK GDPR Article 9 and includes personal data revealing racial or ethnic origin; political opinions; religious or philosophical beliefs; trade union membership; genetic data; biometric data (used for identification purposes); data concerning health; data concerning a person’s sex life; and data concerning a person’s sexual orientation.

27. Therefore, a binary rule requiring human involvement in some decisions but not others will be decreasingly appropriate as public authorities become increasingly automated. Human involvement in a decision is better understood as a matter of degree which ought to be determined by the extent to which it calls for a distinctly human exercise of empathy, judgement or discretion.
28. Instead, what is needed is comprehensive, considered reform of the more flexible rules that govern human decision-makers, including human rights legislation. This inquiry is therefore to be welcomed as a first step in that process.

Recommendation: government commence a programme of law reform to consider how the legal and regulatory framework that applies to public decision-making can better ensure that automated and automated-assisted decision-making is accurate, lawful and fair.

2. To what extent does the UK's existing legal framework provide sufficient protections for human rights in relation to AI?

29. Paragraphs 20-27 of our evidence focused on the requirement to have human involvement in ADM. We explained that the GDPR-derived safeguard which government relies on to ensure that AI-based ADM is used for good (human involvement in decisions) is neither guaranteed by law, nor adequate to secure that ADM be accurate, lawful, and fair.
30. In our response to this question, we will expand on our claim that the rules which apply to human decision-makers need to be reformed in response to government's use of AI in rights-critical decision processes.
31. PLP's research has found that the current legal framework is not fully fit for purpose in relation to ADM; whilst it does contain some useful tools and safeguards which are relevant to and can be applied to ADM, on the whole, it is fragmented and it needs to adapt – having, for the most part, been developed with human decision makers in mind. Below, we have provided key examples of the considerable legal uncertainty that public authorities face when introducing AI and other forms of ADM into their decision-making processes.²⁷
32. **Human rights frameworks:**²⁸ there has been only limited judicial consideration of how the European Convention on Human Rights ('ECHR') applies to AI-based ADM. Public authorities will therefore have to grapple with the potential interferences of AI-based ADM with applicable convention rights.²⁹ Article 10 (freedom of expression), for example, includes a right to receive information from public authorities in certain circumstances³⁰ - which may or may not extend to receiving information about AI systems.³¹

²⁷ See Leslie, M., Summers, J. and Agerbak, I. (2023) '[Public Law Project response to the AI White Paper consultation](#)', Public Law Project – response to question 3 for more detail.

²⁸ See further McGurk, B. and Tomlinson, J. (2025) '*Artificial Intelligence and Public Law*', 1st edition. London: Hart Publishing – Chapter 9.

²⁹ Ibid.

³⁰ Magyar Helsinki Bizottság v Hungary App no 18030/11 (ECtHR, 8 November 2016).

³¹ McGurk, B. and Tomlinson, J. (2025) '*Artificial Intelligence and Public Law*', 1st edition. London: Hart Publishing – 198-200.

33. Similarly, Article 8 (right to private and family life) has implications for public body use of AI and ADM. SyRI (example 1 described in paragraph 10 above), for example, was found to be non-compliant with Article 8. The Hague District Court considered that the Dutch authorities' lack of transparency in relation to SyRI went beyond what was necessary to fulfil the government's legitimate interest in detecting benefits fraud.³² With only limited judicial instruction as to how this balancing act is to be appropriately struck in the context of AI, public bodies face considerable legal risk in their deployment of it.
34. **Common law administrative law principles:**³³ differences between AI decision-process and human decision-process create significant uncertainty in the application of administrative law to AI-based ADM. For example, it is not clear how the rule that human decision-makers should only take into account relevant considerations should apply where a decision is reached using a machine learning algorithm. Such systems can identify and act on patterns in their data that appear incomprehensible to a human observer. So, when DWP use a machine learning algorithm to decide that a person's benefits claim poses a high risk of fraud (example 2 at paragraph 11 above – the UC Advances Model), how can that person know whether the algorithm has only used relevant information?
35. **Equality Law:** the Public Sector Equality Duty ('PSED')³⁴ has particular relevance to public bodies' use of AI-based ADM.³⁵ Generally, the PSED requires that public bodies have due regard to equality considerations when exercising their functions.³⁶ In relation to AI-based ADM technology, the PSED establishes a continuing duty for public authorities to identify any unlawful discrimination resulting from its use.³⁷ Public authorities, particularly when using AI systems developed by private entities, have sometimes struggled to satisfy themselves that their new tools are free from unacceptable bias.³⁸ One reason for this uncertainty is that it can be difficult to detect discrimination which occurs via proxies for protected characteristics. It might be, for example, that a system which does not use race data could discriminate on grounds of race where other data act as proxies for race (such as nationality or postcodes).
36. Public authorities face considerable uncertainty in trying to answer questions such as these – and potentially disastrous consequences for getting the answers wrong where AI has been adopted systematically.³⁹ Therefore, what is needed is comprehensive, considered legislative reform.

Recommendation: government commence a programme of law reform to consider how the legal and regulatory framework that applies to public decision-making can better ensure that automated and automated-assisted decision-making is accurate, lawful and fair.

³² NJCM et al v The Dutch State (2020) Rb, Den Haag C/09/550982/HA ZA 18/388 – [6.7].

³³ Cobbe, J. (2019) '*Administrative law and the machines of government: judicial review of automated public-sector decision-making*' Legal Studies.

³⁴ Equality Act 2010, section; see further McGurk, B. and Tomlinson, J. (2025) '*Artificial Intelligence and Public Law*', 1st edition. London: Hart Publishing – Chapter 10

³⁵ Ibid – Chapter 10, Part V.

³⁶ Ibid.

³⁷ R (Bridges) v Chief Constable of South Wales Police [2020] EWCA Civ 1058 at [175].

³⁸ Ibid at [201].

³⁹ See paragraph 20 above.

3. To what extent is the Government's policy approach to deploying AI, expressed in its "AI Opportunities Action Plan", sufficiently robust in respect of safeguarding human rights?

37. PLP believes that AI for ADM has the potential to make rights-critical administrative decisions quicker, cheaper and more consistent; however, doing so will also introduce well documented forms of risk. ADM systems can be biased and discriminatory; they can reduce accountability and transparency; and increase the risk of incorrect, unlawful or unfair decisions being made at speed and at scale.
38. The ambition in AI Opportunities Action plan to transform public services for the better must be matched with commitments to properly safeguard against the risks associated with AI-based ADM. As set out in our answers to questions 1 and 2, PLP's research shows that for AI to improve rights-critical decision processes, government's ambition in deploying the technology must be matched with commitments to greater transparency, and reform of the legal framework applicable to administrative decision-making.
39. PLP believes that it is paramount that Parliament and the public be able to understand the impact being had by AI on rights-critical government processes. Adopting AI for ADM requires us to grapple with fundamental questions about how decisions should be made, such as the appropriate role of discretion and professional judgement which automated technologies (that work by applying set rules or conducting statistical analyses) cannot. Regrettably, the AI Opportunities Action Plan makes no such commitment.

4. What would be needed in any future UK legislation to protect human rights?

To what extent should the same human rights standards apply to private actors as public bodies when they use AI?

40. Private actors' use of AI should be prevented from undermining human rights standards, particularly where government delegates public functions to the private sector. The risk of such delegation is that rights-critical uses of AI could be rendered less accountable. In this context, public and private bodies could both believe the other party responsible for making sure that human rights standards are met, meaning that neither party takes responsibility for compliance.⁴⁰
41. PLP is concerned that unclear liability for rights-critical AI uses could result in harmful consequences to the public, particularly marginalised individuals and communities who are often most reliant on public services.
42. As our response to question 2 sets out, the question of how human rights standards should apply to rights-critical uses of AI is an open one. PLP's research has shown that the affect of AI on rights-critical decision-making needs bespoke consideration to inform public decision-making rules. The applicability of human rights standards to private actors using AI in this context will be of doubtless relevance to that enquiry.

To what extent might different kinds of AI technology require different regulatory approaches?

⁴⁰ An application of the "blame game" concept in JUSTICE (2024) *'Beyond the blame game: a responsible and rights-centred approach to government contracting'*.

43. As set out in our response to question 1, government's lack of transparency in relation to its use of AI and ADM makes it difficult to assess how different kinds of AI technology are affecting rights-critical decision-processes. Understanding this ought to be central to any regulatory approach.

5. Who should be held accountable for breaches of human rights resulting from uses of AI, and on what basis?

What additional measures, if any, are needed to ensure that individuals have sufficient redress where they have suffered harm because of the use of AI?

44. In the context of public decision-making, individuals struggle to obtain redress for AI harms where they are not provided with enough information to understand how AI has affected the relevant decision process. New, clearer individual notice requirements are needed to ensure that people are able to meaningfully and effectively make representations and contest the decisions that are made about them.

45. Our response to question 1 explained that government is insufficiently transparent about the system-wide picture of how it is deploying AI and ADM. PLP's research has also shown that government is insufficiently transparent about how AI is used in relation to individual decisions.⁴¹

46. PLP's cross-jurisdictional comparative research about AI transparency requirements concluded that the UK could learn from other jurisdictions by introducing requirements for public authorities to explicitly notify individuals where AI or ADM has been used to support decisions taken about them.⁴² Such requirements should go further than the GDPR, which only requires that individuals be notified when a decision about them is taken by solely automated means (i.e. without meaningful human involvement).⁴³

47. The Data (Use and Access) Act has redrafted the UK GDPR's individual notice requirements.⁴⁴ Government's stated aim in doing so was to clarify them.⁴⁵ However, PLP's assessment is that the changes may have the opposite effect. The Act arguably permits such notifications to be made generically (such as by including the information in an online privacy notice), and makes the applicable time limit for providing such an explanation more ambiguous. While public bodies will still be required to give reasons for their decisions (doing so is required at common law), the effect of an unclear requirement is likely to be inconsistency in how that is done.

48. It is therefore important that government give central guidance about how to give individuals such explanations. The current, somewhat ad-hoc,⁴⁶ deployment of AI and ADM technologies is also likely to lead to inconsistencies in how this problem is approached. PLP is concerned that, as a result, individuals are not being given explanations which are necessary

⁴¹ Leslie, M. (2024) '[Securing meaningful transparency of public sector use of AI: comparative approaches across five jurisdictions](#)', Public Law Project.

⁴² Ibid – page 52.

⁴³ Article 22, GDPR.

⁴⁴ Article 22C, UK GDPR.

⁴⁵ [HL Deb \(19 November 2024\)](#), vol 841, col 147.

⁴⁶ See paragraph 5 and 6 of this submission.

to understand how decisions affecting them have been reached, and to challenge any unlawfulness.

49. Government's commitment to require the Information Commissioners Office to produce a code of practice on AI and solely automated decision-making could represent a first step in clarifying what information individuals need to be provided with when subject to ADM. However, the code of practice is yet to be published, and will only go as far as clarifying the individual notice requirements which are already contained in UK data protection law.

Recommendation: government should bring forward individual notice requirements that provide individuals with the information they need to contest decisions made about them which have been influenced by AI.

6. How might regulation match the pace of AI technology development, such as the emergence of agentic AI, to ensure that human rights are preserved as technology continues to develop?

50. As set out in our answer to question 2, ADM systems including AI can introduce new barriers to judicial scrutiny of government's rights-critical decision-making. A worrying implication of this is that the common law will struggle to develop in response. Access to justice is a necessary precondition for the preservation of human rights in the face of this emerging technology.

8. How much difference will the Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law make to the protection of human rights in the UK?

51. PLP commends the UK Government for becoming a signatory to the Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law ('the Framework Convention'). We agree with the general observations set out in the Framework Convention's preamble – that AI offers benefits including for public services, but also poses risks to democracy, human rights, and the rule of law.
52. PLP supports the procedural safeguards contained in the Framework Convention. Although positive, the likely difference that the Framework Convention will make should not be overstated. Its effect will be largely confined to influencing the ECtHR's interpretation of Convention⁴⁷ because the Framework Convention does not establish any new rights. The difference made by the Framework Convention would be greater were Parliament to ratify it, as it currently has no binding effect on the UK government.

Recommendation: Parliament ratify the Framework Convention.

9. What lessons can be drawn from regulation of the impact of AI on human rights in other jurisdictions, such as the European Union?

⁴⁷ McGurk, B. and Tomlinson, J. (2025) *'Artificial Intelligence and Public Law'*, 1st edition. London: Hart Publishing – Chapter 9, Part V.

53. PLP's research report '[Around the World in AI regulation](#)'⁴⁸ offers a comparative analysis of five jurisdictions' transparency requirements for public sector ADM. This research is the basis of our recommendations relating to systemic transparency (question 1) and individual-level transparency (question 5). It's conclusions are summarised below:

54. **Systemic transparency:** where systemic transparency requirements are not legally enforceable (as in the UK), they are associated with low compliance rates. Canada, for example, has introduced a non-statutory requirement for disclosing automated decision-making models which is enforced by measures internal to government. It has been ineffective: as of May 2024, only 21 models had been disclosed, whereas more than 300 have been uncovered by the Staring Centre (a non-governmental research organisation). Therefore, the UK should introduce a statutory transparency requirement for public sector use of ADM.

55. **Individual-level transparency:** public authorities should be:

- Required to explicitly inform decision subjects, or those affected by a decision or action taken by a public authority about the use of an AI, algorithmic or automated tool or system when communicating the decision to them.
- Required to proactively provide explanations to affected individuals alongside a notification providing information on how and why the decision was reached, including specific categories of information such as tailored information on the contribution of AI, algorithmic or automated tool or system in the decision-making process.

This information is necessary for individuals to be able to meaningfully and effectively make representations and contest the decisions that are made about them.

Public Law Project,
September 2025

⁴⁸ Leslie, M. (2024) '[Securing meaningful transparency of public sector use of AI: comparative approaches across five jurisdictions](#)', Public Law Project.