Dear Select Committee on Adopting Artificial Intelligence,

My name is Maxine Wu, and I am a university student with a deep interest in the potential impact and challenges posed by Artificial Intelligence (AI). I am writing to express my concerns about the risks we face if we do not adequately regulate AI and to recommend some necessary measures to mitigate these risks.

To begin with, I believe that the current approach to liability for AI companies in Australia has significant shortcomings that could expose the public to risk. Our negligence laws were established before the pervasive integration of technology into our daily lives and often require the injured party to prove negligence on the part of the developer or deployer of an AI system. Given the complex and obscure nature of AI technology, it is almost impossible for individuals to meet this burden of proof.

This absence of a functional liability system presents AI companies with an incentive to release potentially hazardous products and circumvent liability by asserting that any harm resulted from the user's interaction with the system, rather than ensuring the product's safety from the outset. This is exemplified by the end-user licence agreements of modern AI products, which typically state that any harmful outcomes are the fault of the user's input, not the AI itself. This effectively immunises AI developers from liability for any harm their products may cause.

To address this, some AI safety experts propose a strict liability regime for AI harms, which would automatically hold AI developers accountable for any damages, without requiring the injured individual to establish fault. Another proposal is a fault-based liability system that defines the duties of care for AI developers and deployers and places the burden on them to prove they were not at fault if their systems cause harm.

These issues are not hypothetical. For example, what happens if a teenager uses an AI model to conduct a large-scale cyber attack? What if a chatbot damages a business's reputation, or, as happened recently in Belgium, convinces a user to take their own life? With AI systems becoming an integral part of our economy and society, the potential for harm will only increase if we do not have a liability regime that is fit for purpose.

In addition to liability, I am concerned about the potential for AI to enable dangerous or even catastrophic outcomes. Research by Ready Research and The University of Queensland suggests that most Australians share this worry, with the primary concern being that AI systems may not be safe, trustworthy, or aligned with human values.

The Australian Government should focus on preventing these outcomes. This could include requiring mandatory audits to ensure new AI models are safe before release and holding AI companies accountable for any harm they cause. Normal Australians, my friends and family included, are concerned about these safety issues. The Centre for AI Safety’s Statement on AI Risk, signed by leading experts, including Turing

Prize winners Geoffrey Hinton and Yoshua Bengio, estimates that there is about a 20% chance of AI research leading to catastrophic outcomes.

While I commend the Government's efforts in promoting AI adoption through initiatives like the CSIRO's National AI Centre, I am concerned that not enough attention is being given to these larger risks. It is the Government's responsibility to address such large-scale risks that individuals alone cannot manage.

One specific risk that has been highlighted is the potential for advanced AI to facilitate the creation of bioweapons. In 2022, a paper published in Nature Machine Intelligence by Collaborations Pharmaceuticals demonstrated how an AI designed to find new drugs instead produced 40,000 lethal molecules in less than six hours, many of which were identical to existing chemical weapons. Studies have also shown how Large Language Models could assist in making bioweapons.

President Biden issued an Executive Order in 2023 addressing these risks and setting a 180-day timeline for the development of a framework for effective screening for risky DNA sequences and robust oversight mechanisms. I believe Australia should follow the U.S.'s example and swiftly implement similar measures.

Lastly, I believe it is crucial that this Senate Committee reviews the current approach to AI governance in Australia to identify and address any gaps. While the CSIRO's National AI Centre's focus on driving AI adoption in Australia is commendable, we need more robust AI-specific regulation and an independent AI Safety Institute.

In conclusion, I urge this Senate Inquiry to prioritise modernising Australia's AI liability laws, to focus on preventing dangerous outcomes from AI, to address biosecurity risks presented by AI, and to review and strengthen our current AI governance infrastructure.

Thank you for considering my views.

Regards, Maxine Wu