

Dear Select Committee on Adopting Artificial Intelligence (AI),

I have spent a considerable amount of time considering the implications of artificial intelligence on our society. I am deeply concerned by the increasing power of AI and the lag in policy to regulate and govern this emerging field. It's clear that AI has the potential to significantly impact our lives, for better or worse, and I am of the firm belief that its use must be regulated to ensure our collective future.

I have a couple concerns I will outline (1) engagement with global governance (2) developing a higher-level AI regulatory body and (3) reforming liability laws for AI developers. A first step in addressing many of these concerns would be establishing a National AI Safety Institute.

Australia should prioritise international governance of AI, such as through the United Nations. The challenges posed by AI are global, and it is therefore imperative that we engage with international bodies to address these issues. Negotiating treaties and actively participating in international conferences are good opportunities for Australia to influence international regulation standards. The sources of AI risk, including threats to our democracy, can, and without regulation will, come from international uses of AI. Therefore it is critical to Australian citizens' safety, in addition to the rest of the world, that we coordinate governance. I suggest two ways this should happen (1) engaging with formal global governance measures such as the UN and (2) collaboration with other National AI Safety Institutes. This second aspect requires Australia to have a National AI Safety Institute, as this will open channels for us to collaborate with the Institutes in the US, UK, Canada, and Japan.

The pace of rapid AI development means that we cannot afford to delay addressing safety concerns. The longer it takes to regulate AI, the more freedom AI developers have to develop and release AI that subverts the ideal ethical standards in avoiding algorithmic bias, unacceptable privacy breaches, or other unaligned risks. Establishing an Australian AI Safety Institute would ensure that we could immediately begin vital work in this area. An AI Safety Institute could help prepare Australia for any future regulatory regime. Developing the technical capability to administer future legislation will take time, and establishing an institute now would allow us to start building this capability. This Institute should focus on safety research, international coordination, and where possible policy advisory.

Additionally, there should also be regulation at a higher level to coordinate AI regulation between subfields. It is insufficient for specific AIs to be left to subregulators like the medical and automobile industry regulators. There is insufficient overlap and expert experience in these regulatory bodies, and leaving regulation to them alone will leave policy gaps that may be inconsistent between industries. Overarching coordinated legislation will streamline resources and ensure our regulation can be consistent, broad and crafted with sufficient regulatory authority.

Finally, Australia's current approach to liability for AI companies also has critical gaps that put the public at risk. A recent study found that 39% of Australians believe "Making sure AI

companies are liable for harms they cause” should be the Government’s number one priority AI policy. Australia's negligence laws need to be updated to address the complexities of AI systems. Currently, the burden of proof lies with the person harmed to prove that a developer or deployer of a system acted negligently. However, given AI systems' complex technology and “black-box” nature, it is nearly impossible for individuals to prove negligence. It is important to consult lawyers and reform the law, considering different types of liability that could be legislated to ensure that AI developers are held fairly accountable for their actions.

I believe that the Senate Inquiry should recommend that Australia immediately establish an AI Safety Institute to coordinate our research on AI Safety, coordinate interactions with foreign institutes, and advise federally coordinated regulatory policy.

I trust that the Senate inquiry will consider these arguments seriously and act in the best interests of Australia's future.