Opening Statement

Senate Select Committee on Adopting Artificial Intelligence (AI), 20 May 2024

Good morning Chair and members. Thank you for the opportunity to appear today before this important inquiry.

I'm very conscious of the Committee's time so I wanted to very briefly acknowledge the global quest to harness the amazing productivity benefits from Artificial Intelligence (AI), whilst developing frameworks to protect society from its worst excesses continues, with new developments, or attempts at regulation announced at least every other month. This is not surprising given the use of AI, and Generative AI in particular, is relatively new, and it will take some time for all of us to fully comprehend its dimensions.

I wanted to particularly note some of the excellent submissions to this Committee, many of which have attempted to capture the dilemma at the heart of discussions: how to ensure freedom of expression, and fair use of new technologies balanced against the need to protect the democratic process, and ensure that citizens are not being misled in that regard. I particularly note the work of the Australian National University Tech Policy Design Centre which I thought did a good job of trying to categorise these issues with the positives and negatives.

The AEC continues to monitor developments in this area, and we are aware of, and have looked at many developments, including:

- Emerging regulation and guidance including recent EU legislation (the EU AI Act) with its different rules and level of risks, the more than three hundred AI related proposed bills introduced in the current congressional session in the US, and the Presidential Executive Order on Safe, Secure, and Trustworthy Artificial Intelligence.

- Attempts by other governments to produce frameworks and protocols, such as the Framework on Online Electoral Process Information, political advertising and deceptive AI content from the Electoral Commission of Ireland.

- Tech industry attempts to combat deceptive use of AI in forthcoming elections, such as the twenty technology companies who recently

pledged in Munich to work together to detect and counter harmful AI content.

- Ongoing global research that demonstrates just how important citizen digital literacy is, and ongoing evaluation of the effectiveness of those efforts including the AEC's 'Stop and Consider' disinformation campaign.

Despite these commendable efforts, recent elections at national and local levels in countries as diverse as Pakistan, the United States, Indonesia, and India have all demonstrated significant and quite widespread examples of deceptive AI content. There are also ongoing international media reports, and Microsoft security advice amongst other sources, claiming that certain nation states are adding AI to their toolbox of tricks to attempt to confuse electors in specific countries.

As I have stated in other forums, the AEC does not possess the legislative tools, or internal technical capability to deter, detect, or then adequately deal with, false, AI generated content concerning the election process – such as content that covers where to vote, how to cast a formal vote, and why the voting process may not be secure and trustworthy. We look forward to working with this Committee and others like it as we look at ways in which Australia can ensure the high level of trust Australians have in the electoral process can be maintained. We think that outcome can be achieved through discussions on some of the current global initiatives applied to Australia such as a national digital literacy campaign, additional legislation, voluntary and mandatory codes of practice for technology companies, mandatory 'watermarking' of AI generated electoral content, and voluntary codes of conduct for candidates and political parties to, effectively, be lawful during election campaigns such as the case in India and Canada.

There is obviously much more to this than my simple introduction: we'd be happy to take any questions you might have.