

**Ben Blackburn Racing submission
on the Australian Government's
Supporting Safe and Responsible
Artificial Intelligence Discussion
Paper June 2023**



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Supporting safe and responsible AI in Australia: discussion paper

Department of Industry, Science and Resources

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To whom it may concern,

PUBLIC SUBMISSION

I am extremely pleased to provide this public submission in response to the Australian Government's release of its *Supporting safe and responsible AI in Australia Discussion Paper* for public consultation. Feedback on this discussion paper is sought by Wednesday 26th July 2023.

We acknowledge that public consultation on this discussion paper is an opportunity to work together and Ben Blackburn Racing values the opportunity to make a contribution to this process.

Meanwhile, the National Science and Technology Council released the Rapid Response Report: Generative AI, which evaluates the potential risks and opportunities in relation to AI, providing a scientific basis for discussions about the way forward.

These papers are intended to spearhead the consideration of whether the regulatory and governance mechanisms Australia has already established are fit for purpose.

The launch of the *Supporting responsible AI: discussion paper*, which draws on an expert report co-led by ATSE, signals growing political leadership. Input from the breadth of Australia's experts is now essential if the nation is to fully harness its AI opportunity.

Kylie Walker, CEO of ATSE, said Australia has an opportunity to be a global leader in responsible AI, backed by our world-class research, existing regulatory frameworks and early adoption of AI Ethics Principles.

"This is a critical national conversation, and we welcome the Government's leadership in facilitating it. We must focus on both the opportunities and the risks of widespread adoption; the scope and adequacy of national planning and policies; the fitness of legal and regulatory approaches; and the implications of increasing geopolitical competition and geo-specific regulation in AI-related technologies and industries," she said.

“We welcome a commonsense approach to regulation that recognises the importance of these technologies and the role they can play in assisting economic productivity, health and social wellbeing.

“It’s also critical that we examine the significant environmental cost of these technologies, especially the huge power and water requirements, and resources consumed by upgrading hardware.

“And we need to ensure data is used ethically and follows the principles of privacy and security, as well as being mindful of Indigenous data sovereignty,” said Kylie Walker.

To inform the Discussion Paper, ATSE, in collaboration with the Australian Council of Learned Academies, the Australian Academy of Humanities, and the Australian Academy of Science, authored a Rapid Response Information Report for Australia’s Office of the Chief Scientist.

The report demonstrated that generative AI is fundamentally and rapidly reshaping business, government and the community, and highlights the need for better understanding, integration and design of AI technology.

Generative AI is already raising questions about opportunities and risks of widespread adoption, including its applications in cyber warfare, and the adequacy of national policies and our legal and regulatory processes, especially in a globalised world.

ATSE says it looks forward to leveraging its vast network of expertise and working with the Government to support appropriate regulatory and policy responses to AI technologies.

Consulting firm McKinsey calculated the technology could add between \$1.1 trillion and \$4 trillion to the Australian economy by the early 2030s, the report said.

But the paper – and a separate response to the consequences of generative AI like ChatGPT by the National Science and Technology Council – warned of equally profound risks.

The papers were published in the same week as the founder of ChatGPT and other AI leaders issued a statement saying:

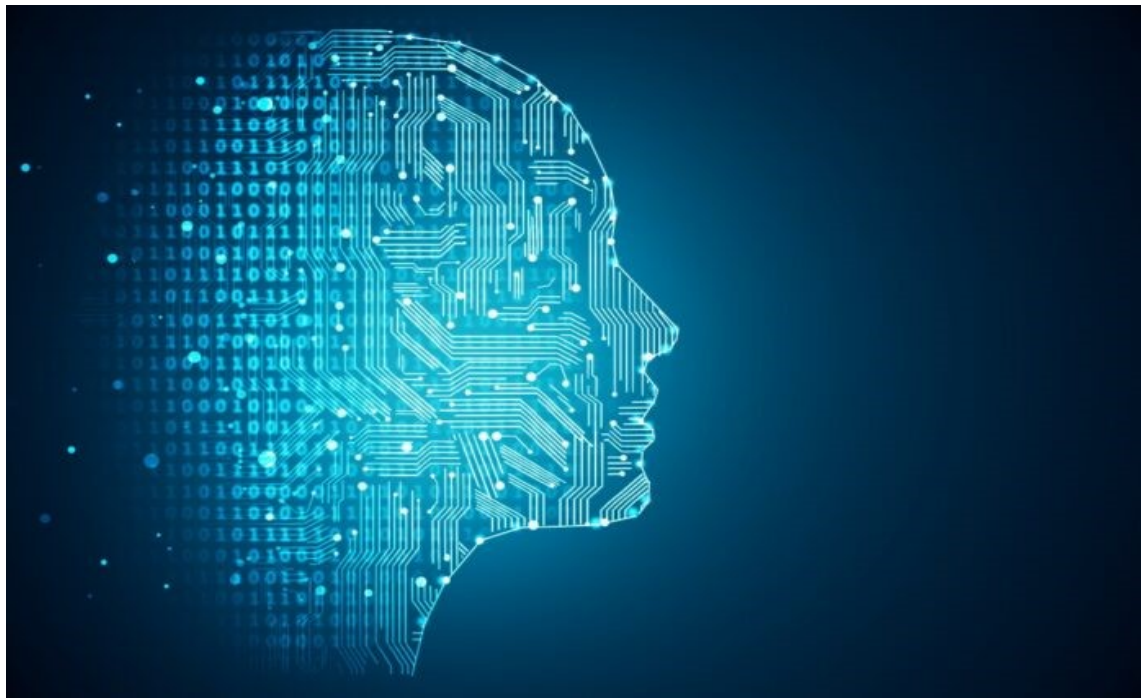
“...Mitigating the risk of extinction from AI should be a global priority alongside other societal-scale risks such as pandemics and nuclear war.”

Working with the Tech Council of Australia, former NSW Government Minister Victor Dominello is pushing for the establishment of what he calls a “tech reg vanguard” – a body that would analyse new applications of AI and rapidly develop advice to governments on how to manage any consequences.

The solutions would serve as mini government white papers, he said, adding that governments generally took years to regulate new fields whereas the body he was proposing would “go right up the front, identify issues with the tech and give expert advice quickly”.

New policy measures in other jurisdictions

Jurisdictions such as the United States, European Union and China have begun creating AI rules.



The United States

The United States Government has announced several new policy actions to further promote responsible American innovation in artificial intelligence (AI) and protect people's rights and safety.

To help to ensure that technology improves the lives of the American people and break new ground in the U.S. Federal Government's ongoing effort to advance a cohesive and comprehensive approach to AI-related risks and opportunities.

AI is one of the most powerful technologies of our time, but in order to seize the opportunities it presents, we must first mitigate its risks.

The United States has made it clear that when it comes to AI, it must place people and communities at the forefront by supporting responsible innovation that serves the public good, while protecting our society, security, and economy. Importantly, this means that companies have a fundamental responsibility to make sure their products are safe before they are deployed or made public.

Senior United States officials last month met with the CEOs of four American companies at the forefront of AI innovation—Alphabet, Anthropic, Microsoft, and OpenAI—to underscore this responsibility and emphasize the importance of driving responsible, trustworthy, and ethical innovation with safeguards that mitigate risks and potential harms to individuals and our society. The meeting is part of a broader, ongoing effort to engage with advocates, companies, researchers, civil rights organisations, not-for-profit

organisations, local communities, international partners, and others on critical AI issues.

This effort builds on the considerable steps the Administration has taken to date to promote responsible innovation. These include the landmark Blueprint for an AI Bill of Rights and related executive actions as well as the AI Risk Management Framework and a roadmap for standing up a National AI Research Resource released earlier this year.

The U.S. Government has also taken important actions to protect Americans in the AI age. In February, it signed an Executive Order that directs federal agencies to root out bias in their design and use of new technologies, including AI, and to protect the public from algorithmic discrimination. Last week, the Federal Trade Commission, Consumer Financial Protection Bureau, Equal Employment Opportunity Commission, and Department of Justice's Civil Rights Division issued a joint statement underscoring their collective commitment to leverage their existing legal authorities to protect the American people from AI-related harms.

The Administration is also actively working to address the national security concerns raised by AI, especially in critical areas like cybersecurity, biosecurity, and safety. This includes enlisting the support of government cybersecurity experts from across the national security community to ensure leading AI companies have access to best practices, including protection of AI models and networks.

The White House announcement included:

- New investments to power responsible American AI research and development (R&D). The National Science Foundation is announcing \$140 million in funding to launch seven new National AI Research Institutes. This investment will bring the total number of Institutes to 25 across the country and extend the network of organizations involved into nearly every state. These Institutes catalyze collaborative efforts across institutions of higher education, federal agencies, industry, and others to pursue transformative AI advances that are ethical, trustworthy, responsible, and serve the public good. In addition to promoting responsible innovation, these Institutes bolster America's AI R&D infrastructure and support the development of a diverse AI workforce. The new Institutes announced today will advance AI R&D to drive breakthroughs in critical areas, including climate, agriculture, energy, public health, education, and cybersecurity.
- Public assessments of existing generative AI systems. The Administration is announcing an independent commitment from leading AI developers, including Anthropic, Google, Hugging Face, Microsoft, NVIDIA, OpenAI, and Stability AI, to participate in a public evaluation of AI systems, consistent with responsible disclosure principles—on an evaluation platform developed by Scale AI—at the AI Village at DEFCON 31. This will allow these models to be evaluated thoroughly by thousands of community partners and AI experts to explore how the models align with the principles and practices outlined in the Blueprint for an AI Bill of Rights and AI Risk Management Framework. This independent exercise will provide critical information to researchers and the public about the impacts of these models, and will enable AI

companies and developers to take steps to fix issues found in those models. Testing of AI models independent of government or the companies that have developed them is an important component in their effective evaluation.

- Policies to ensure that the U.S. Government is leading by example on mitigating AI risks and harnessing AI opportunities. The Office of Management and Budget (OMB) is announcing that it will be releasing draft policy guidance on the use of AI systems by the U.S. Government for public comment. This guidance will establish specific policies for federal departments and agencies to follow in order to ensure their development, procurement, and use of AI systems centers on safeguarding the American people's rights and safety. It will also empower agencies to responsibly leverage AI to advance their missions and strengthen their ability to equitably serve Americans—and serve as a model for state and local governments, businesses and others to follow in their own procurement and use of AI. OMB will release this draft guidance for public comment this summer, so that it will benefit from input from advocates, civil society, industry, and other stakeholders before it is finalised.

Policy recommendations

Much of today's AI research relies on access to large volumes of data and advanced computational power, which are often unavailable to researchers beyond those at well-resourced technology companies and universities. This access divide limits the ability to leverage AI to tackle the big challenges in our society. It also constrains the diversity of researchers in the field and the breadth of ideas incorporated into AI innovations.

Given this reality and the potential risks posed to Australia, there is a need to ensure that our policy response is fit-for-purpose to deal with these AI challenges.

Potential policy options include:

- Establishing public assessments of existing generative AI systems.
- Developing a blueprint for an AI Bill of Rights in Australia.
- Fast-tracking the implementation of an AI Risk Management Framework in Australia.
- Releasing draft policy guidelines on the use of AI systems by the Australian Government for public comment in order to establish specific policies for Commonwealth departments and agencies to follow.
- Focus the use of AI systems to centre on safeguarding the Australian people's rights and safety.
- Establishing a new tech regulation body that would analyse new applications of AI and rapidly develop advice to governments and key policy makers on how to manage any consequences.
- Appointing a dedicated Commonwealth Minister for the Digital Economy.
- Establishing a time-limited Australian AI Commission within the Prime Minister's portfolio to bring ethicists, lawyers, doctors and philosophers alongside technology specialists to guide and inform policy decisions.

Thank you very much for the opportunity to make a contribution through this public submission on the Australian Government's *Supporting safe and responsible AI in Australia Discussion Paper*.

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