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Technology Strategy Branch
Department of Industry, Science and Resources
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To whom it may concern

SBS submission – Safe and Responsible AI in Australia: Proposals paper

SBS appreciates the opportunity to respond to the Department of Industry, Science and Resources' *Safe and Responsible AI in Australia* (Proposals Paper). As with many emerging technologies, artificial intelligence (AI) is delivering significant benefits across the economy and society. However, as noted in the Proposals Paper, AI also amplifies and creates new risks, such as AI-enabled disinformation campaigns, the misappropriation of First Nations cultural material, and inbuilt biases that disadvantage individuals based on matters such as cultural background or gender.

General approach to AI regulation

SBS supports a risk-based approach to AI regulation, focusing on high-risk settings and activities that pose the greatest potential for individual and/or societal harm. Regulation must balance harm prevention with fostering innovation and evolving governance frameworks, without hindering the potential societal and individual benefits that can be derived from AI.

The timely introduction of appropriate AI guardrails is vital, given the pace of AI development and the potential harmful impacts identified in the Proposals paper. It is promising that Governments around the world are already acting quickly to implement safeguards in relation to the use of AI. The global failure to regulate social media platforms effectively and quickly has led to serious and widespread social and individual harm (including to children) that is proving difficult to address retrospectively. It is imperative that this experience is not repeated in relation to AI.

Any regulatory framework must apply equally to multi-national entities and hold them as accountable as local entities, to ensure a consistent approach that does not create competitive disadvantage in the development and use of AI.

SBS's position on many of the issues explored in the Proposals Paper was addressed in its [May 2024 submission](#) to the Select Committee on Adopting Artificial Intelligence, which is attached for reference. This includes specific discussion of issues such as algorithm transparency, bias, and copyright, which are also addressed briefly below.

Noting the need for timely regulation, a consultative approach in developing AI-specific frameworks is still required, to prevent unintended consequences or stifle innovation.

Existing frameworks must be considered

Assessments of high-risk AI applications and the imposition of new regulations must consider existing regulatory protections and frameworks, taking an approach similar to Canada's AIDA Bill and avoiding regulatory duplication as flagged regarding Option 3 of the Proposals Paper.

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It is possible that content creation and distribution can create harms, but this will not be consistent across the sector. Any guardrails or regulatory framework must therefore be sufficiently nuanced to target potentially harmful activities that are not already subject to oversight or controls.

For example, SBS, as a highly regulated media organisation, already has robust protections in place to prevent harms such as misinformation. It is crucial that AI regulations differentiate between professional media organisations like SBS and content creators/publishers without similar protections or enforcement regimes.

Guardrails must recognise intellectual property

SBS has previously highlighted the critical need for regulatory frameworks to guide AI development, particularly concerning copyright and intellectual property rights. SBS expressed concerns about the rising number of AI-powered websites repurposing content from other sources without permission, credit, or compensation, thus exploiting the expertise and investment of others including media companies. These issues pose a significant threat to the sustainability of Australia's news and media industry, necessitating the establishment of guardrails to protect intellectual property.

The intellectual property of media companies is also now being utilised to deliver AI-generated search results on platforms such as Google, displacing native news sites. When a user searches for a news event or information, instead of being served a series of links to trusted news sites, a user will receive an AI-generated answer from Google that utilises information from unidentified and uncredited sources. This is undesirable both in terms of the unauthorised use of news organisations' intellectual property, but also in terms of the reliability and transparency of information used to generate the answer – which will be opaque to the end user. This also escalates the risk of mis- or dis-information being spread, albeit unintentionally.

Addressing bias in AI

Both AI systems and their regulation should seek to reduce, not increase, biases. Agreements between AI providers and trusted content sources are key. However, relying predominantly on Western or English-language sources risks perpetuating bias and homogenising perspectives. AI systems should diversify sources to mitigate entrenched biases, fostering greater public trust in AI and the media industry impacted by AI. A more inclusive definition of credibility will lead to a more balanced and trustworthy AI ecosystem.

Positive AI use cases at SBS

There are positive use cases, of assistive AI tools that are able to further support SBS's purpose of enhancing social cohesion in Australia, which may also be used to improve service delivery for Australians. Key examples of these tools are language technologies, which can further allow SBS's unique in language stories, views, and opinions from across Australia's multicultural, multilingual, and First Nations communities to be understood and shared with the wider Australian audience, and vice versa. These technologies can help, at unprecedented speed and scale, millions of audience members overcome language barriers, and accessibility or certain health issues (further to the unique *SBS News in Easy English* service), to share and understand each other's perspectives, thus strengthening social cohesion in doing so.

SBS's existing role in harm prevention

As AI-driven algorithms intensify the spread of misinformation, SBS's trusted, human-led content creation becomes even more vital to democracy. SBS strives to provide accurate,



balanced, and robust news and information that serves communities in more than 60 languages, including valued services such as *SBS Examines*, which seeks to directly address and combat misinformation circulating among communities in Australia.

SBS is Australia's most trusted news provider¹ with a proven track record in supplying high-quality balanced and accurate news and information via broadcast television and radio, the SBS website, SBS On Demand, SBS apps, and via third party distribution platforms such as SBS profiles on social media platforms, video content on YouTube or podcasts on Spotify. Regardless of the platform it is published on, all SBS content is subject to the *SBS Code of Practice*, which sets rigorous editorial standards and safeguards. The Code is backed up by an efficient and responsive complaints process, the opportunity for a review by the SBS Ombudsman, and the ability for complainants to escalate their concerns to the Australian Communications and Media Authority.

The record high levels of trust in SBS's news and information are also due in large part to the ongoing independence of SBS from outside intervention on editorial matters. This is a critical element of the ecosystem that underpins SBS's trusted role.

Next steps

SBS appreciates the opportunity to contribute and looks forward to further engagement on the timely development and implementation of Australia's AI guardrails.

Your sincerely,

James Taylor
Managing Director

¹ *The 2024 Digital News Report: Australia* by the Reuters Institute for the Study of Journalism and the University of Canberra: <https://www.canberra.edu.au/research/faculty-research-centres/nmrc/digital-news-report-australia>