

20 October 2023

The Hon. Jeremy Buckingham, MLC
Chair, Inquiry into Artificial Intelligence (AI) in New South Wales
Portfolio Committee No. 1 – Premier and Finance
Parliament of New South Wales

Dear Chair

The [eSafety Commissioner](#) (eSafety) welcomes the opportunity to provide supporting material for the inquiry into artificial intelligence (AI) in New South Wales (NSW).

eSafety is Australia's national independent regulator for online safety. Our purpose is to help safeguard Australians from online harms and to promote safer, more positive online experiences.

As part of our [Tech Trends](#) workstream, eSafety conducts horizon scanning and works with subject matter experts. This allows us to identify the online safety risks and benefits of emerging technologies and online behaviours, as well as the regulatory challenges and benefits they may present. In August 2023, we published a position statement on [generative AI](#), which provides an overview of the generative AI lifecycle, examples of its use and misuse, consideration of online safety risks and opportunities, as well as regulatory challenges and approaches – including an explanation of how the Online Safety Act 2021 (Cth) applies. It also provides specific [Safety by Design](#) interventions that industry can adopt immediately and other approaches to improve user safety.

eSafety also contributes to Commonwealth policy and legislative development and reform processes. In July 2023, we provided a [submission](#) to the inquiry into the use of generative AI in the Australian education system to highlight online safety considerations for such use.

We also provided a [joint submission](#) to the Department of Industry, Science and Resources [consultation](#) on the safe and responsible use AI in Australia discussion paper, along with the three other members of the [Digital Platform Regulators Forum \(DP-REG\)](#). DP-REG is examining generative AI as a priority area for 2023-24.

I hope this information is of assistance to the Committee, and look forward to continued collaboration with NSW and other state/territory governments to promote online safety.
Yours faithfully,

Julie Inman Grant
eSafety Commissioner