

December 9th, 2025

Services Australia  
Disability Peak Bodies Secretariat  
Disability Projects Team  
Disability & Carers Branch  
Care & Support Division  
[Lis.Vale@servicesaustralia.gov.au](mailto:Lis.Vale@servicesaustralia.gov.au)

Dear Lis,

Re: Automation Artificial Intelligence Ethics Framework

People with Disability Australia (PWDA) is pleased to respond to the Department of Social Services **Automation Artificial Intelligence Ethics Framework** (AAI). We participated in the roundtable to develop Australia's AI Plan, have made submissions and participated in a range of Federal and State consultations on digital strategy and the application of AI in government services.

**People With Disability Australia** (PWDA) is Australia's national peak disability organisation, representing the 1 in 6 Australians with disability. We are the leading disability rights advocacy and representative organisation and the only national cross-disability organisation representing the interests of people with all kinds of disability. We are a not-for-profit and non-government organisation, and our membership is comprised of people with disability and organisations primarily constituted by people with disability, including the **PWDA Board** and many members of **our staff**.

PWDA supports the submission by Inclusion Australia that raises concerns about the reliance of the AAI on internal governance processes rather than independent audit, public reporting or a public register of AAI systems. There are not sufficient safeguards built into these systems to protect people, create oversight or accountability when automated systems get things wrong.

The AAI does not describe how people experiencing disadvantage will be supported to navigate complaints pathways, avoid penalties or access legal help when they face barriers complying with automated processes.

In addition, we would like to raise a number of issues with AAI.

### Vulnerable to error

Rather than the AAI description of 'vulnerable groups' of people it would be more accurate to describe AAI systems as 'vulnerable to **hallucination** and error'. Automated systems are only able to follow a set framework and large language models referred to as artificial intelligence (AI) are only able to infer/ forecast the next word/action/number based on a probability calculation from past data.

In addition to the potential for error from automation or inference, AI tools are not able to **differentiate between what's true and what's not true** making them vulnerable to error and posing difficulties for ethical regulation.

### AI based computing vulnerability

It would be prudent to view any Australian system built on an AI framework as 'vulnerable' to collapse given that the largest player Open AI made a **USD\$11.5 billion loss last quarter**. AI requires 100+ times the investment of capital than it returns in revenue.

The circular capital expenditure investment deal between Nvidia (that makes chips required to run AI servers) and Open AI (the largest AI company) for UDS\$100 billion of capital expenditure by Nvidia on Open AI was conditional on Open AI building enough servers to deploy at least 10 gigawatts of Nvidia systems. This deal has **not been signed off 2 months after it was announced**, raising questions about future sources of capital. If signed and delivered this deal would require **enough energy to run that would power 8 million homes in the United States**.

Nvidia and Open AI together with the other tech giants most exposed to AI (Alphabet, Amazon, Meta, Tesla, Apple and Microsoft) are highly likely to **experience a crash** within the 12 months. Any Australian system built based on these platforms risks failure or significant price increases, when the company contracted runs out of capital. We have already seen Microsoft **fined \$50 million** for trying to force the Copilot AI into its Microsoft 365 software suite and then increase user subscription charges.

## Undermining Australia's Climate and Human Rights Obligations

In addition consuming large amounts of capital and energy to operate, AI servers require **huge volumes of water to cool them**, and the industry depends on **exploitative labour practices** to run that could reasonably be described as **modern slavery**. This undermines any notion of ethics, as well as Australia's climate and human rights obligations.

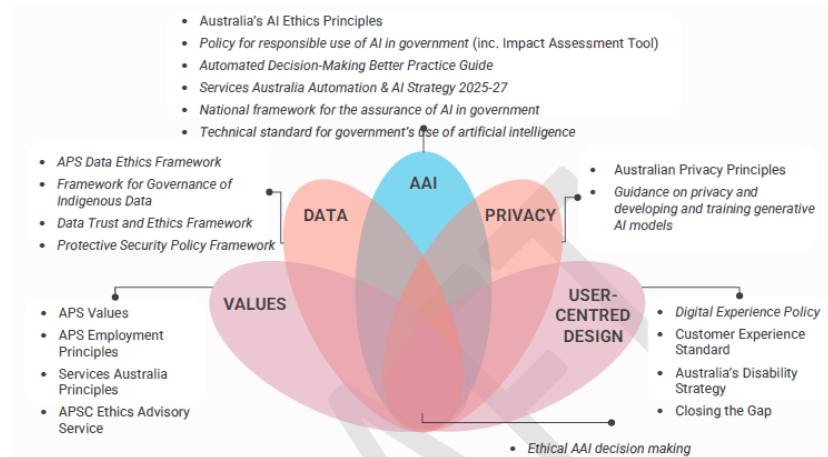
## Systemic vulnerabilities in the AAI Ethics Framework

The power to do anything about the strategic and process frameworks governing AAI Ethics Framework sits at the Organisational and Leadership level, but it is the individual staff who will be the most aware of shortcomings as they work with customers, but yet they are merely described as end-users.

Nowhere in the AAI Ethics Framework does it talk about the subjects of this decision making (extract below of the model from page 7). 'Users' are the staff using the system, but no mention is made of protection for the people who these decisions are being made about.

## Services Australia's AAI Ethics Model

The *Services Australia's AAI Ethics Model* (below) ensures the agency designs, develops, tests and deploys AAI systems and initiatives in a safe and ethical way.



It is difficult to see how the monitoring framework will operate effectively if it is based on random sampling of outputs. AI is notoriously inconsistent in the outputs it produces from even the exact same prompts, and its creators are unable to explain why. Auditing a sample of outputs will not necessarily be generalisable to other outputs, due to the inconsistency of AI decision making.

It is also unclear how Services Australia will be able to achieve meaningful technical standards for the government's use of AI, when the creators of AI are currently **unable to**

explain how it works. We recommend the introduction of regular expert human audit of issues raised that negatively impact customers, especially those from marginalised communities, and evaluation of the decisions made in order to improve AAI performance.

PWDA recognises that there are opportunities for the deployment of automation and large language models in government services, but the current AAI framework does not do enough to protect the interests of the Australian people intended to be the subjects of the decisions it makes. We recommend mandating greater transparency when AAI is used, requiring human review and action to address customer complaints, and co-design of algorithms and processes with people with disability.

Please let me know if you need any further information.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Megan Spindler-Smith', with a large, stylized flourish at the end.

**Megan Spindler-Smith**

**Acting CEO**

**People with Disability Australia**