



Submission

Harnessing Data and Digital Technology

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Submitted by

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Acknowledgement of Country

The Working with Women Alliance (WwWA) and the National Aboriginal and Torres Strait Islander Women's Alliance (NATSIWA) acknowledge the Traditional Owners of the land on which we work and live. We pay our respects to Aboriginal and Torres Strait Islander Elders past, present and future. We value Aboriginal and Torres Strait Islander histories, cultures, and knowledge. We extend our respect to Aboriginal and Torres Strait Islander women who for thousands of years have preserved the culture and practices of their communities on country. This land was never surrendered, and we acknowledge that it always was and always will be Aboriginal land. We acknowledge the strength of Aboriginal and Torres Strait Islander people and communities. We acknowledge that Australian governments have been complicit in the entrenched disadvantage, intergenerational trauma and ongoing institutional racism faced by Aboriginal and Torres Strait Islander people. We recognise that Aboriginal and Torres Strait Islander people must lead the design and delivery of services that affect them for better life outcomes to be achieved.

About WwWA

The Working with Women Alliance (WwWA) represents two key portfolios: National Women's Safety (NWS) and National Women's Equality (NWE). The WwWA connects the critical areas of gender-based violence prevention and the advancement of women's economic equality and leadership, bridging these important policy fields for greater impact. We work with members and stakeholders, including the Australian Government, to provide expertise and advice on gender equality and women's safety.

About NATSIWA

The National Aboriginal and Torres Strait Islander Women's Alliance (NATSIWA) is the peak body for Aboriginal and Torres Strait Islander women in Australia. The leadership team of Directors are Indigenous women each representing States and Territory across Australia. NATSIWA is funded by the Australian Government to bring together the issues and voices of Aboriginal and Torres Strait Islander women's organisations and individuals across Australia.

Executive Summary

The productivity benefits of some emerging technologies, such as generative AI, are unclear. There are potential benefits to extoll in relation to emerging technologies – translation and accessibility, for example – however, there are also real risks that necessitate more than a cursory reference to mitigation or management. It is well documented that AI systems are trained on bias data and, without scrutiny, can provide discriminatory advice. Automated decision making, and the proliferation of generative AI, particularly impact women and other marginalised communities. When it comes to data, privacy, safety and sovereignty, the responsibilities of tech companies and the Australian government are individualised and opaque. While the productivity benefits remain unclear, the potential impacts on women, workers and other marginalised groups are significant.

Without federal guidance on accountability for potential harms, there will be little recourse to address or prevent those harms. An AI Act and dedicated regulatory authority will provide both guidance and assurance that Government takes the safety, economic security and privacy of Australians seriously. Well-designed regulation fosters trust from users and organisations, and encourages ethical adoption, while making the Australian Government’s priorities and responsibilities clear to developers of emerging technology. The Government’s own consultations on safe and responsible AI show that the public expects government to be an exemplar of safe and responsible adoption and use of AI technologies, and the government has since committed to creating a regulatory environment that builds community trust and promotes innovation. Without such an environment, Australia’s AI Ethics Principles will lack teeth.

The creation of this regulatory environment must be done alongside well-funded programs to close the digital divide and ensure workers have an opportunity to retrain and upskill wherever necessary, in line with Treasurer Chalmers’ desire to empower people to “use AI well”. When we aim to increase productivity, we must not simply focus on producing more with fewer resources. Instead, we need to ensure we are better able to provide services and support to the people that need them.

This submission focuses on the regulation of AI, and the need for effective governance that ensures benefits are shared equally among communities across Australia.

Summary of Recommendations to Government

Regulatory Authority

- 1.1 Enact a national AI Act and establish a federal regulatory AI authority.
- 1.2 Explicitly prohibit the creation of deepfake sexual imagery.

Data Sovereignty

- 2.1 Explicitly include generative AI in legislation to protect First Nations Cultural and Intellectual Property that are currently being considered by government.
- 2.2 Embed Aboriginal and Torres Strait Islander data sovereignty principles into AI practice and policy, including for the public service.

Privacy

- 3.1 Implement a right to erasure, especially in relation to sexual exploitation and harassment.

Training and Upskilling

- 4.1 Implement recommendations seven and 13 from the Select Committee on Adopting Artificial Intelligence report, ensuring workers are consulted on the impact of AI on workplaces and that the Australian Government coordinate the growth of AI infrastructure in a sustainable way.
- 4.2 Establish a gender-responsive framework to evaluate the growth and impact of AI in the workplace.
- 4.3 Fund gender-sensitive and paid training pathways for women to develop the requisite AI skills to transition their careers.

AI-Driven Growth and Equality

Australia cannot afford an AI-powered future that leaves women less safe and more economically insecure. Productivity gains will mean little if benefits only flow to some, while women, particularly Aboriginal and Torres Strait Islander women, women with disabilities, migrant women, and women in rural and regional communities, are excluded. If efforts to harness digital technology are going to deliver genuine progress, these inequities need to be addressed directly.

Despite the widespread normalisation of technology, the digital divide remains. Almost two in three women say they struggle to keep up with rapid shifts in technology, and that ratio is even higher for women with disabilities.¹ Unreliable infrastructure, higher internet costs and limited training opportunities particularly impact Aboriginal and Torres Strait Islander people and those living in regional, remote and rural communities. Lack of digital access and/or confidence translates into lower adoption rates of new technologies, including tools such as generative AI,² limiting opportunities to benefit from the changes that are reshaping workplaces and essential services.

The risks go further than unequal uptake. AI adoption is concentrated in female-dominated industries and occupations such as retail, clerical, and administrative work. These jobs are likely to lose the most employment due to automation,³ yet women in them are less likely to be offered the training support needed to move into more secure roles.⁴ Further, research suggests women are judged twice as harshly by their peers than men are for using AI to assist with their work.⁵

At the same time, the systems designed to streamline economic decision making, AI-driven recruitment, financial services, and housing platforms, are embedding or accelerating bias. Hiring algorithms have downgraded women's applications⁶ and have higher error rates for women of colour⁷, obstructing employment outcomes. Financial algorithms limit women's economic security by giving them lower credit limits⁸ and worse advice.⁹ Automated decision making through rental platforms have discriminated against single mothers,¹⁰ reinforcing barriers to safe and secure housing. These dynamics reveal how women are doubly disadvantaged: the jobs they hold are more likely to be displaced, while the systems that shape their access to future opportunities often exclude them too.

Establishing a Regulatory Authority

There is evidence that existing laws are not adequate to address the challenges created by AI. Multiple reviews and inquiries have identified gaps in relation to discrimination, bias, privacy, consumer protection, and online safety.¹¹ Two-thirds of Australian organisations

have never reviewed their AI algorithms or training data for potential bias, and only one in four have used tools to mitigate bias.¹² This leaves a majority of workers, particularly women in service and retail industries, without meaningful workplace protections.

In the absence of a dedicated regulatory framework, these findings have not been translated into effective safeguards. A coordinated national approach is needed to ensure that oversight keeps pace with the speed of technological change. A national AI Act would provide this foundation. It would establish a regulatory body responsible for monitoring and responding to risks, ensuring that protections, regulation and legislative change are not fragmented across multiple agencies or departments. International examples show this is feasible. The European Union's AI Act demonstrates that comprehensive frameworks can be developed to encourage innovation while protecting rights and safety. Without a similar mechanism, Australia risks falling behind.

The rapid creation and escalation of harms that impact women highlight why AI-specific regulation cannot be delayed nor remain a last resort. Technologies now enable the rapid and widespread scaling of abuse. General AI tools are being deployed in health and social care, omitting women's care needs in AI-generated case notes or providing incorrect medical advice. Not only does this accelerate existing inequalities, but AI-generated errors also compound structural disadvantages, making access to safe and accurate healthcare even more difficult. Menstrual cycle tracking apps are a salient example of this exacerbation. With over 11.5 million users, many operate without privacy policies, fail to comply with standards¹³, and are exempt from TGA medical device regulation. A lack of clinical oversight means these tools can produce incorrect predictions or mishandle sensitive reproductive health information, amplifying risks to women's health.

At the same time, AI is creating entirely new harms. Deepfake technology has introduced a new form of image-based abuse, generating sexualised and non-consensual content that disproportionately targets women.¹⁴ Explicit deepfakes have increased by 550% year-on-year since 2019,¹⁵ with over half a million shared on social media in 2024.¹⁶ There are now more than 127 nudifying apps on the market¹⁷, and more than 100,000 people access the "Undress AI" website daily.¹⁸ Yet, federal legislation still does not adequately define nor prohibit deepfake creation, leaving women vulnerable to abuse and harassment. AI-generated child sexual abuse material has also emerged, with images so convincing that police warn resources are being diverted away from protecting real children.¹⁹ These emerging risks to women's and children's safety are immediate and profound.

Recommendations

- Enact a national AI Act, establishing a federal regulatory AI authority.

- Explicitly prohibit the creation of deepfake sexual imagery.

Data Access and Privacy

Without safeguards, expanding data access can contribute to exploitation and abuse. A lack of regulation around the training data that large language models use threatens privacy rights and exposes people, and especially women and children, to higher risks of cyber breaches and exploitation.

Some of the largest AI systems are trained on images of children scraped from public sources like YouTube and school websites, often without family consent. These images, including those of newborns and young girls in swimsuits, can feature full names and ages, raising serious safety, privacy, and ethical concerns.²⁰ Since AI models are incapable of forgetting training data, children's personal information may be replicated and shared indefinitely, posing significant challenges to future data protection as well. In these contexts, the notion of meaningful consent is undermined by opaque data collection practices and automated profiling.

It is vital that the links between data access and domestic and family violence are not overlooked either. Vehicle location data has been misused to stalk and intimidate victim-survivors²¹, and rental, financial, and telecommunications data can likewise be exploited in coercive control situations. It is important to consider that data which may not be classified as 'sensitive' can still expose women to harm.

Data Sovereignty

Advances to the breadth of data available to large-language models threatens Aboriginal and Torres Strait Islander data sovereignty, jeopardising cultural integrity and self-determination. Cultural works like artworks, languages, poetry, and stories are being scraped into AI systems without consent, practices that directly undermine cultural rights and perpetuate colonisation in digital form. Aboriginal and Torres Strait Islander communities have the inherent right to govern how their cultural knowledge and data are collected, accessed, and used. Without community-led governance, the expansion of data access will continue to exploit culture as a commodity, rather than respecting it as a living and relational system of knowledge.

Recommendations

- Explicitly include AI in laws to protect Indigenous Cultural and Intellectual Property that are currently being considered by government.
- Embed Indigenous data sovereignty into AI systems and practices.

The Right to Erasure

International frameworks have shown that erasure rights can be implemented effectively, balancing innovation with privacy. Without a right to erasure, there is little recourse when personal information or images are shared without consent, leaving women and children vulnerable to ongoing harm or re-traumatisation.

The introduction of a right to erasure would offer women greater control over their digital footprint and reduce the capacity for personal data to be weaponised against them. This safeguard is critical for women experiencing domestic or sexual violence, where safety often depends on the ability to limit unwanted exposure of personal information.

Beyond the immediate privacy benefits, establishing a right to erasure would also bring Australia into line with international peers who have recognised its importance.²² Aligning with these standards would give women the protections they deserve.

Recommendations

- Implement a right to erasure, especially in relation to sexual exploitation and harassment.

Training and Upskilling

While full automation of jobs is not yet a widespread reality, even in sectors that predominantly employ women, hiring into AI-related jobs has more than tripled since 2015 in Australia.²³ With AI rapidly reshaping jobs, reskilling is increasingly necessary to stay competitive and remain employed. By 2026, more than half of workers will need to be either digital experts or digitally enabled.²⁴ There are 23,000 Australian job postings that call for AI skills,²⁵ and more than two in three employers say they would prefer to hire someone with an understanding of AI, even if they are less experienced.²⁶

In Australia, only half of women in the workplace use and trust generative AI, compared with 70% of men, and Deloitte predicts that in 2025, women will only account for two in five AI related educational enrolments and only 20% of AI employment participation.²⁷ For women, opportunities to upskill and retrain are neither accessible nor available. Women are overrepresented in low-paid, insecure jobs that do not offer employer-sponsored training.²⁸ Nearly half of women report receiving no training support at all from their employer.²⁹ At the same time, women, on average, perform 32 hours of unpaid care each week, nine more than men³⁰, leaving little time to pursue additional education. Structural barriers place the onus on women to retrain, with no support to do so, and little promise of meaningful or well-paid employment.

However, there are programs focused on closing the digital divide that could be scaled nationally. For example, the Digital Sisters program by the Good Things Foundation provides free local support and online learning opportunities for migrant and refugee women.³¹ Delivered through local community organisations with bilingual digital mentors, the program supports migrant and refugee women to stay safe online using easy English and culturally responsive approaches. Since its rollout in 2023, Digital Sisters has reached more than 4,500 women across 55 community organisations, with 88% of participants reporting improved digital skills, and 83% reporting increasing knowledge of AI. Programs like these are essential for ensuring women can participate equally in the future of work.

Recommendations

- Implement recommendations 7 and 13 from the Select Committee on Adopting Artificial Intelligence (AI) report, ensuring workers are consulted on the impact of AI on workplaces and that the Australian Government coordinate the growth of AI infrastructure in a sustainable way.
- Establish a gender responsive framework to evaluate the impact of AI in the workplace.
- Fund gender-sensitive and paid training pathways for women to develop the requisite AI skills to transition their careers sustainably.

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