Overview: The Attorney-General's Department is considering the development of a consistent framework for the use of automated decision-making (ADM) in the delivery of government services. A public consultation process to inform the development of the ADM framework opened on 13 November 2024 and concluded on 15 January 2025. This document provides a summary of the consultation process and key findings.

Consultation Process

The consultation process involved:

- A **consultation paper** discussing key policy issues and seeking public views about transparency and safeguard mechanisms required for the use of ADM in government services.

- A **plain language summary** of the consultation paper to support accessibility for the broader public.

- An **online survey** focussing on users' experiences with ADM.

- A series of **stakeholder roundtables and bilateral discussions** with civil society and government.

- The survey and plain language summary of the consultation paper were **translated into 7 languages**.
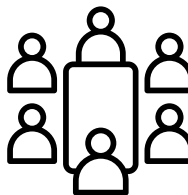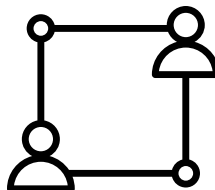
Responses Received

41
public submissions

20
survey responses

8
roundtable meetings

3
bilateral discussions

Who We Heard From

General public

Computer scientists

Legal experts

State and territory government agencies

Peak advocacy bodies
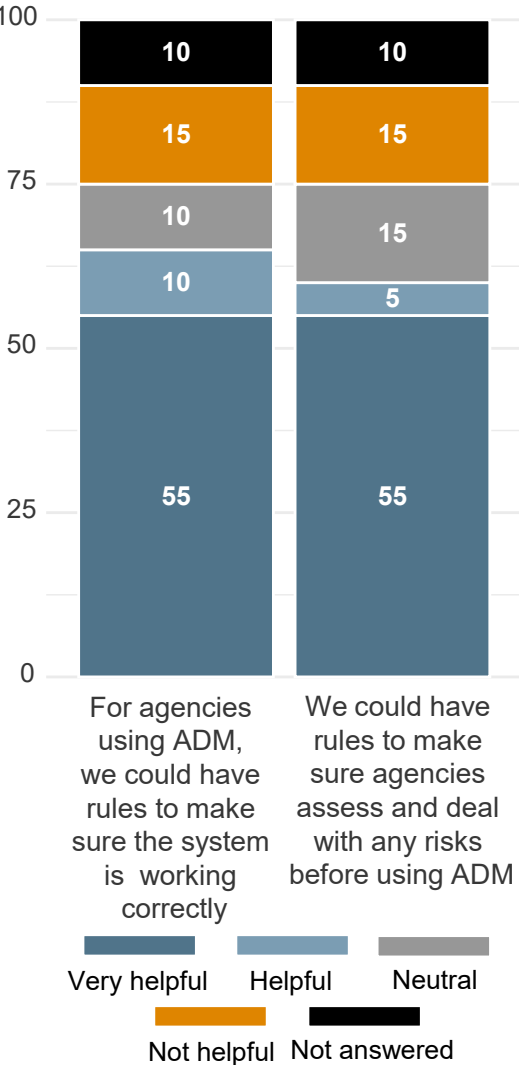(including those representing vulnerable end users, employees and businesses)
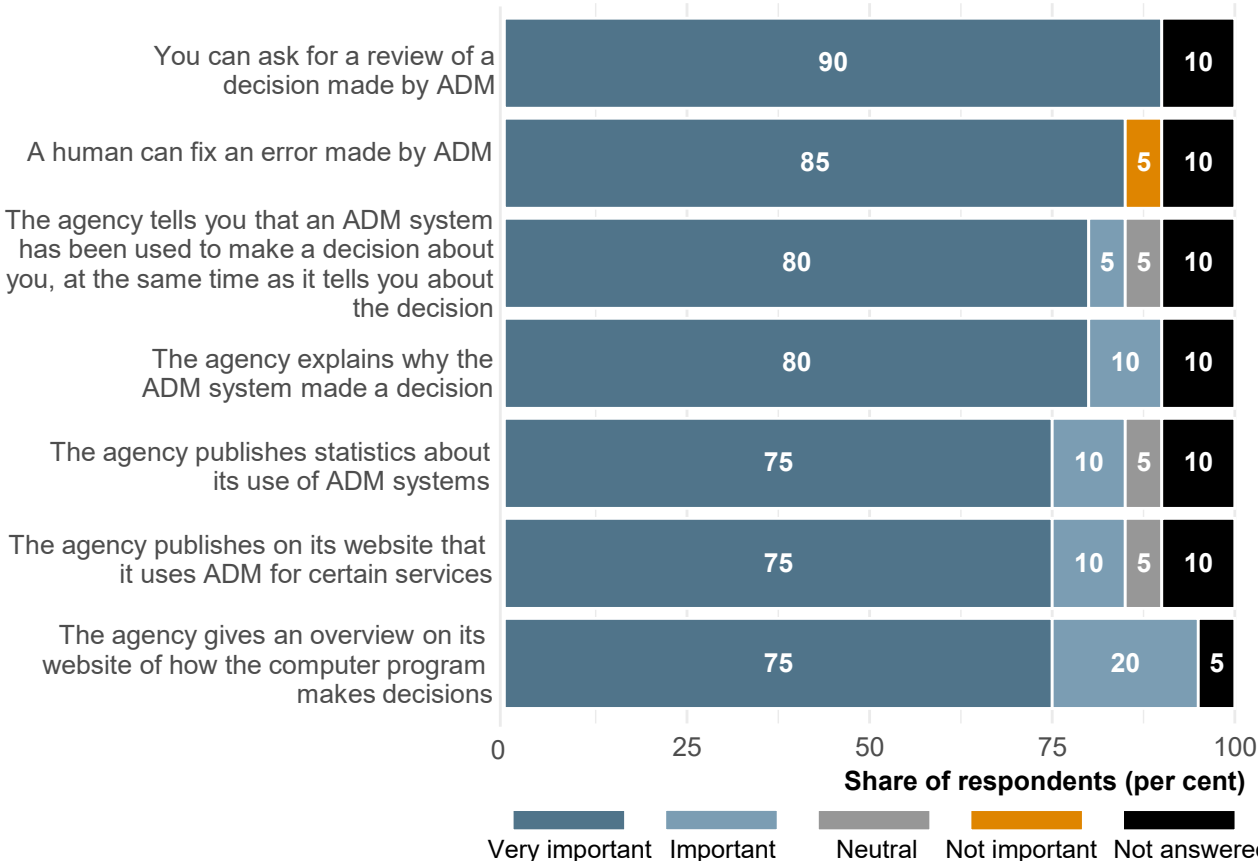
Private sector

WHERE DID WE HEAR FROM?

1, 4, 1, 1, 4, 4, 5

Not answered or prefer not to say

WHAT IS HELPFUL?

Share of respondents (per cent)

For agencies using ADM, we could have rules to make sure the system is working correctly
- 55 (Very helpful)
- 10 (Helpful)
- 10 (Neutral)
- 15 (Not helpful)
- 10 (Not answered)

We could have rules to make sure agencies assess and deal with any risks before using ADM
- 55 (Very helpful)
- 5 (Helpful)
- 15 (Neutral)
- 15 (Not helpful)
- 10 (Not answered)

Legend: Very helpful, Helpful, Neutral, Not helpful, Not answered

WHO DID WE HEAR FROM?

20%	**30%**	**40%**	**10%**	**10%**	**65%**
LGBTQIA+	with a disability	regional, rural or remote	CALD[1]	First Nations	female

WHAT IS IMPORTANT?

	Very important	Important	Neutral	Not important	Not answered
You can ask for a review of a decision made by ADM	90				10
A human can fix an error made by ADM	85			5	10
The agency tells you that an ADM system has been used to make a decision about you, at the same time as it tells you about the decision	80	5	5		10
The agency explains why the ADM system made a decision	80	10			10
The agency publishes statistics about its use of ADM systems	75	10	5		10
The agency publishes on its website that it uses ADM for certain services	75	10	5		10
The agency gives an overview on its website of how the computer program makes decisions	75	20			5

Share of respondents (per cent)

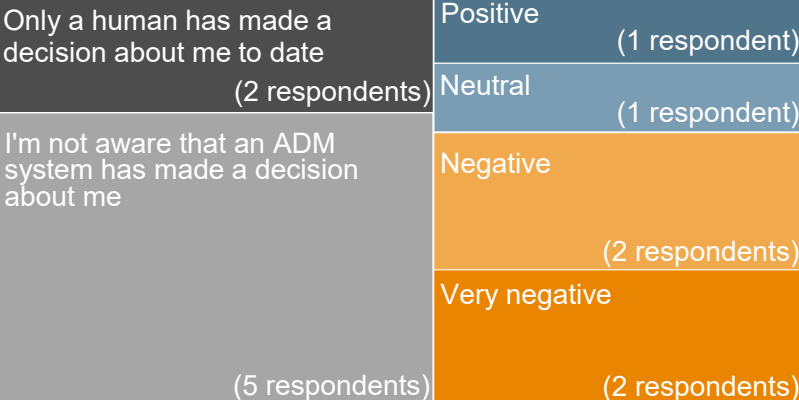Legend: Very important, Important, Neutral, Not important, Not answered

EXPERIENCE WITH ADM

Were you aware that government agencies are using ADM systems to make decisions?
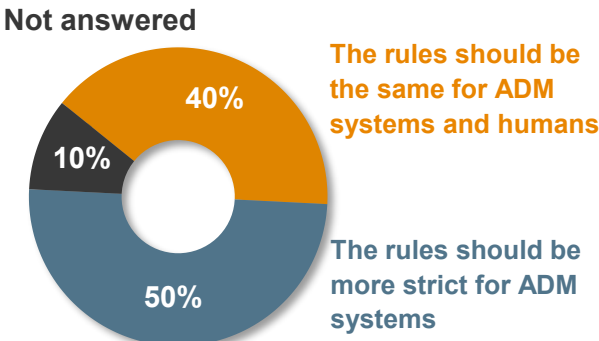
Not answered: 1 respondent
No: 6 respondents
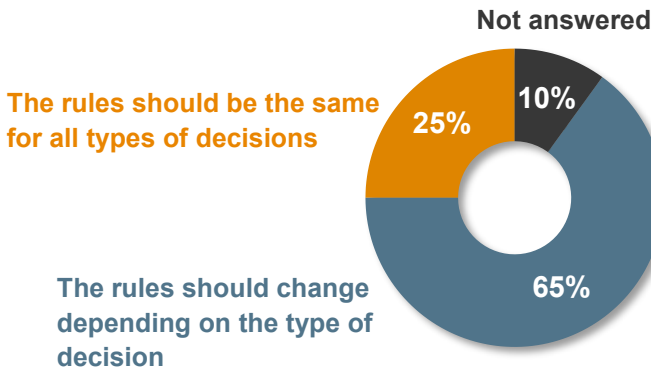**Yes:** 13 respondents, whose experiences with ADM were as follows:

- Only a human has made a decision about me to date (2 respondents)
- I'm not aware that an ADM system has made a decision about me (5 respondents)
- Positive (1 respondent)
- Neutral (1 respondent)
- Negative (2 respondents)
- Very negative (2 respondents)

ADM RULES

Should we have the same rules whether an ADM system or a human makes a decision?

- Not answered: 10%
- The rules should be the same for ADM systems and humans: 40%
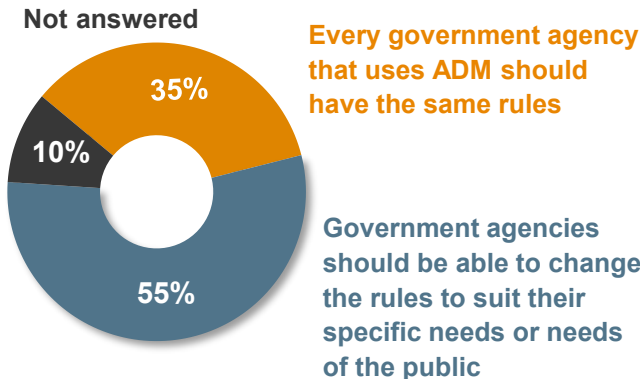- The rules should be more strict for ADM systems: 50%

*no respondent answered that the rules should be less strict for ADM systems.

Should the same rules apply to all decisions a government agency can make about you using an ADM system?

- Not answered: 10%
- The rules should be the same for all types of decisions: 25%
- The rules should change depending on the type of decision: 65%

Should all government agencies have the same rules when they use ADM systems to make decisions about you?

- Not answered: 10%
- Every government agency that uses ADM should have the same rules: 35%
- Government agencies should be able to change the rules to suit their specific needs or needs of the public: 55%

CONSULTATION KEY THEMES

Australian Government
Attorney-General's Department

OFFICIAL

Stakeholders care about

- Transparency, fairness and accountability
- Consistency across government

Key themes are derived from the analysis of

Consultation paper submissions

Roundtable meetings and bilateral discussions

Free text entries from survey submissions

Stakeholder concerns

- Awareness of ADM use
- Access to timely, adequate and clear explanations of decisions
- Access to review mechanisms

KEY THEMES

Transparency

Importance of transparency

Transparency rules are needed to keep people informed about ADM use and how it affects them.

Defining the boundaries of transparency

Transparency should apply generally with exceptions for sensitive information.

Notifications

Notifications should include reference to the extent of ADM use.

Public disclosure

Releasing information about ADM use (e.g. on agency websites) helps keep people informed.

Meaningful explanations

People should be given accessible, clear and meaningful explanations of decisions about them made using ADM.

Easily accessible information on ADM

The public needs information about government use of ADM to be accessible and easy to understand.

Safeguards

Importance of using a range of safeguards

Using a range of safeguards can help mitigate risks associated with ADM use.

Exemptions should be limited

Exemptions to safeguards should be applied in exceptional circumstances, such as for national security, law enforcement or protecting individuals from harm.

Evaluating risks and doing checks (pre-implementation)

Evaluating risks and impacts, and establishing suitable checking mechanisms are important pre-implementation safeguards.

Oversight mechanisms

Ongoing monitoring, error verification and correction and auditing can help ensure ADM systems are functioning as intended.

Human intervention

ADM systems should include clear pathways for human intervention at different and appropriate stages e.g. for oversight, review or substitution of incorrect decisions and auditing.

Review rights

People should be informed of pathways for internal and external review of ADM decisions, and how to make a complaint.

Next step: *Feedback from this consultation process is being considered in the development of a consistent framework for the use of ADM in the delivery of government services.*