Artificial Intelligence in Education and Research

Artificial intelligence is the most recent development in digital technology with the potential to transform education and research in unprecedented ways. As with all developments in technology, AI platforms offer many new opportunities for the creation, modification, presentation and delivery of data and materials in education and research. However, these technologies also pose many new risks and uncertainties that must be managed responsibility to ensure legal and ethical standards are observed and maintained.

The university has published a [Guidance Note for Researchers on Using AI](#) that offers general advice to researchers in mitigating the risks posed by the use of AI in research. Support is also available for teaching staff on ideas for including and managing AI in teaching on [Teche](#) and [Sharepoint](#).

What is AI?

AI involves using computers to do things that traditionally require human intelligence. AI platforms can search and mine data, recognise patterns, make decisions and continue to "learn" by repeating this process. One of the more prominent uses of AI in education is through generative AI.

Generative AI platforms can create new content (visual, textual and animated) with very little human input. These platforms usually undergo a process of 'machine learning' which involves using large amounts of existing data to 'train' the platform to behave in a certain way.

AI and Copyright in Australia

The use of AI in Australia raises a number of copyright issues which are yet to be considered by the courts or parliament. This means that using AI in Australia may raise some copyright risks.

Copyright law varies between countries. Certain uses of material may be permitted in some countries that may not be clearly allowed by Australian copyright law.

In Australia, it is currently unclear whether platforms need permission from copyright owners to use their work as part of machine learning. This is because Australia does not currently have a broad fair use exception (like the US) or any specific exception (such as a data and text mining exception like that in the UK or Europe) that may apply to the mass copying of material and datasets for machine learning.

It is also unclear whether a work generated or modified using an AI platform is protected by copyright in Australia. Australian copyright law requires a work to be "original" and the creation of a human author using "independent intellectual effort" in order to qualify for copyright protection. These requirements make it unlikely for AI outputs to be eligible for protection under the current law. However, without further guidance from the Australian courts, or target reform of the copyright act, this position is not certain.

AI and Copyright Advocacy

The Australian education sector has long been advocating for the introduction of a broader US type Fair Use in Australia or a more limited data and text mining exception to provide much needed confidence regarding the use of various digital technologies, including AI.

The federal Attorney General's Department is currently considering these issues. It has established the Copyright and Artificial Intelligence Group (CAIG) to explore these issues and the need for legislative reform. The CAIG group comprises of a range of stakeholders, including Universities Australia, the industry body for the tertiary sector.