South Australian Civil and Administrative Tribunal

Artificial Intelligence

Obligations and responsibilities when using AI at SACAT

What is AI?

Artificial intelligence can be used to describe a number of different technologies that continue to change. This fact sheet discusses generative AI which can generate text, images, video and sound based on prompts from the user. Well-known AI models include ChatGPT, Gemini and Co-Pilot.

Can I use AI in a matter at SACAT?

There is no prohibition on the use of AI in relation to SACAT matters. Participants who use AI should be aware of their obligations and responsibilities to the Tribunal.

What are my obligations and responsibilities when using AI at SACAT?

You are responsible for the statements you make in your written material. You must be able to explain your written material if asked to do so.

AI may make mistakes in generating content about SACAT matters. It may generate cases or laws that do not exist. It may also misinterpret the law.

You should always check content generated by AI before providing it to SACAT. If you give information to SACAT that is wrong, you are responsible for that error even if AI generated the information. If you provide misleading or inaccurate information to the Tribunal, SACAT may dismiss your application.

If a Tribunal Member asks you if information you have provided to SACAT is AI-generated, you must tell the truth.

Can I input information I receive from SACAT into AI?

Tribunal participants who use AI to interpret Tribunal orders or decisions should be aware of the Tribunal's confidentiality requirements.

Most public AI models learn from the information that users provide it. That means that any information or documents that you upload may be used to generate information for other users.

Some types of matters at SACAT are confidential. This includes matters under the *Guardianship and Administration Act 1993* and *Mental Health Act 2009*. The Tribunal may also make confidentiality orders that prohibit publishing SACAT's decision or any evidence given to SACAT.

A person that inputs these orders or evidence into an AI model may be in breach of the Tribunal's confidentiality requirements.

AI may also incorrectly interpret a decision or order of the Tribunal.

How does SACAT deal with AI generated content?

SACAT will deal with AI generated information on its individual merits. The way AI generated information is treated by a Tribunal Member depends on the circumstances of the matter in which it is provided.

Legal practitioners

Legal practitioners appearing before SACAT should refer to the Courts Administration Authority *Guidelines concerning the use of Generative artificial intelligence in litigation in South Australian Courts*.

Further information

You can access free legal information and advice to assist you in your SACAT matter: https://www.sa.gov.au/topics/rights-and-law/rights-and-responsibilities/free-legal-advice.

You may also contact SACAT for general information about SACAT's processes and procedures. SACAT cannot give you legal advice. You may contact SACAT on 1800 723 767 or sacat@sacat.sa.gov.au.

This information sheet does not constitute legal advice and does not relate to the circumstances of any individual matter. If you wish to have legal advice you should seek that independently.