SENATE LEGAL AND CONSTITUTIONAL AFFAIRS LEGISLATION COMMITTEE

REVIEW OF THE CRIMINAL CODE AMENDMENT (DEEPFAKE SEXUAL MATERIAL) BILL 2024

Australian Federal Police

Question on Notice (Hansard page 49)

Senator Larissa Waters asked the following question on 23 July 2024:

"Maybe this one's for the AFP – how do you work out whether it's a deepfake? We're hearing that it's hard to do that. But can it actually be done, and how? And who's got the ability to do that, and do they have enough funding to do it?"

The response to the question is as follows:

Deepfakes impact various crime types and the AFP employs technology specialists, including in artificial intelligence (AI), across various operational Commands. The AFP's technology specialists are considered core business and are largely funded through base funding.

An average person may not be able to immediately ascertain on visual inspection whether something has been created or altered by AI. Recognising the increasing sophistication of deepfakes, the AFP is committed to exploring how technologies can be utilised to detect such content.

The Criminal Code Amendment (Deepfake Sexual Material) Bill 2024 has been drafted in a way that it is not necessary to prove whether the material was created through traditional means, such as film or photograph, or through the use of AI.