

8 April 2026

Our ref: KB:MC

Dr James Popple  
Chief Executive Officer  
Law Council of Australia  
Level 1, MODE 3  
24 Lonsdale Street  
Braddon ACT 2612

By email [REDACTED]

Dear Dr Popple

**Fair Work Commission consultation: exposure draft Guidance Note on the use of generative artificial intelligence**

Thank you for the opportunity for the Queensland Law Society (QLS) to provide feedback on the Fair Work Commission's ('FWC' or 'Commission') draft Guidance Note on the use of generative artificial intelligence in Commission cases ('guidance note').

We acknowledge the FWC's statement about its increased workload and the prevalence of AI tools to prepare documents lodged in the Commission.

In the time available for review, QLS generally considers the guidance note provides instructive and sensible guidance for parties.

However, consistent with our recent submission to The Honourable Justice Bowskill, Chief Justice of Queensland, we consider it is appropriate for requirements 2 and 3 of the guidance to apply broadly and not simply to documents where parties have indicated GenAI tools have been used.<sup>1</sup> Our members have emphasised that the Commission's expectation, including to check documents and witness statements for accuracy, are important in all contexts.

We recognise there are risks and resource impacts associated with the use of GenAI. In this regard, the Commission could highlight the specific risks of GenAI and that extra care should be taken when GenAI tools are used but reiterate/confirm obligations on all parties irrespective of how a document was created.<sup>2</sup>

The FWC should continue its education about AI use, particularly for self-represented parties, including with respect to risks with inputting personal or confidential information into AI systems

<sup>1</sup> See [correspondence to the Queensland Chief Justice dated 4 February 2026](#).

<sup>2</sup> QLS expressed similar views in [correspondence to the Queensland Chief Justice dated 4 February 2026](#).

**Fair Work Commission consultation: exposure draft Guidance Note on the use of generative artificial intelligence**

and tools. This should be available in several formats to support accessibility. For example, it would be of assistance if the guidance note, upon finalisation, could be converted to a short video overview and added to the Commission's extensive online learning portal.

If you have any queries regarding the contents of this letter, please do not hesitate to contact our Legal Policy team via [policy@qls.com.au](mailto:policy@qls.com.au) or by phone on [REDACTED]

Yours faithfully



Peter Jolly  
**President**