The Tumbler Ridge Tragedy: Is AI Above The Law?



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What happens when a technology designed to serve humanity becomes complicit in its destruction?

This episode confronts one of the most unsettling legal frontiers of our time: the intersection of artificial intelligence, tort liability, and the duty to warn.

Gavin Tighe and Stephen Thiele examine the horrific mass shooting in Tumbler Ridge, British Columbia where a shooter who had repeatedly told ChatGPT of their violent intentions killed eight people, including five children, and ask whether the company bears legal responsibility for its silence.

Drawing on foundational principles of Canadian law, including reasonably foreseeable harm and duty of care, Gavin and Stephen explore whether AI platforms must be held to the same standards as the human professionals they increasingly seek to replace.

From unauthorized practice of law to the collapse of solicitor-client privilege, this episode is essential listening for anyone navigating the brave new legal world of artificial intelligence.

Listen For:

3:30 What duty of care did ChatGPT owe the victims of the Tumbler Ridge shooting?

5:39 How does AI’s role as a virtual therapist create professional legal obligations?

9:09 Why does basic tort law apply when a company has knowledge of foreseeable harm?

11:22 What does the Westray Mines case reveal about corporate liability for inaction?

17:04 How does using ChatGPT destroy solicitor-client privilege in Canadian litigation?

The content of this article is intended to provide a general guide to the subject matter. Specialist advice should be sought about your specific circumstances.

Gardiner Roberts LLP