

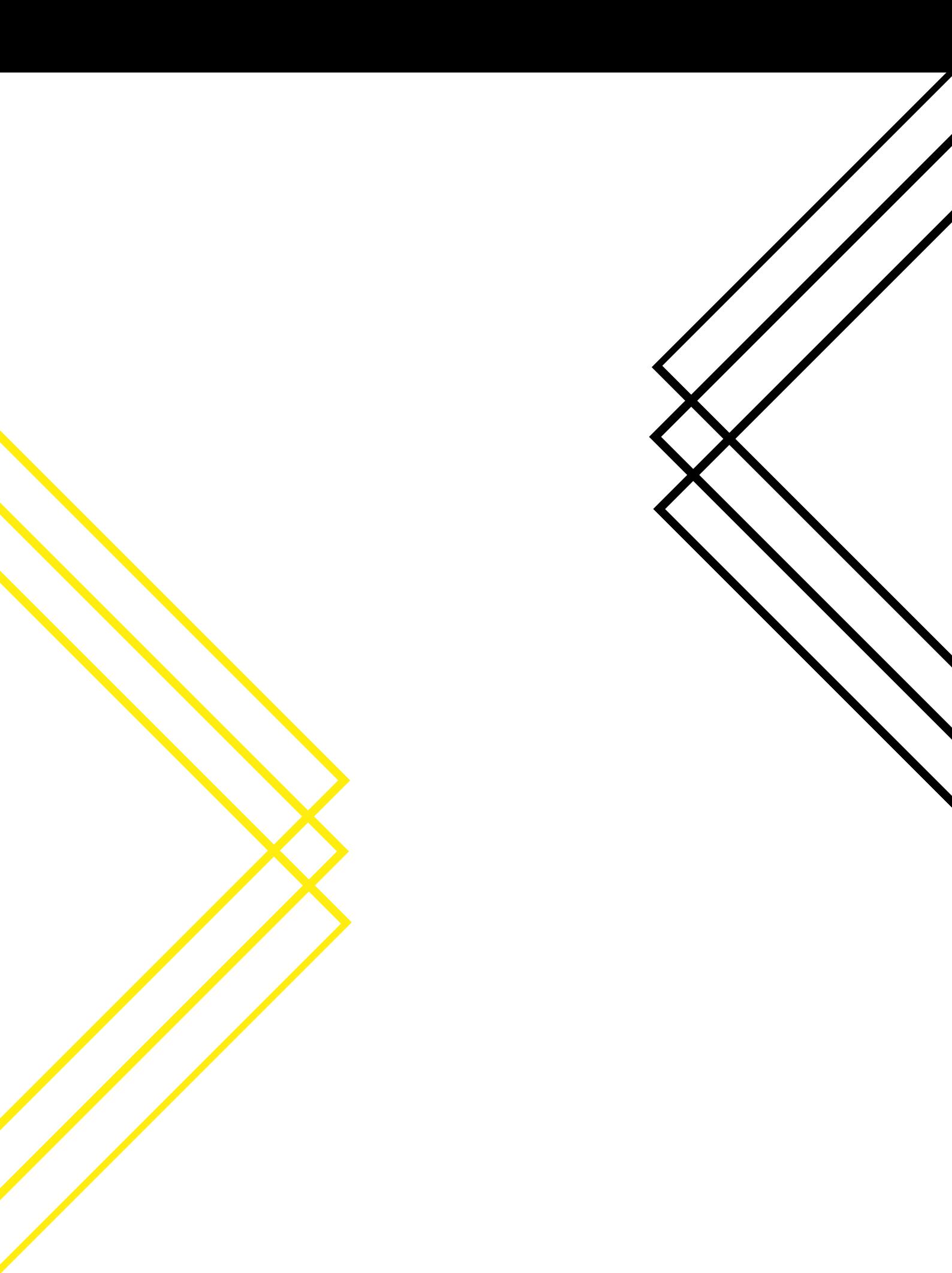
ANNUAL

2024

REPORT

DIGITAL RIGHTS WATCH





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INTRODUCTION

Our vision is for a digital world where all humanity can thrive, and where diversity and creativity flourishes.

To ensure this, our digital world must be underpinned by equality, freedom and established human rights principles. Its evolution and future must be guided and driven by the interests of all people and the environments we live in.

Digital Rights Watch exists to defend and promote this vision – to ensure fairness, freedoms and fundamental rights for all people who engage in the digital world.

Our mission is to ensure that Australians are equipped, empowered and enabled to uphold their digital rights. We believe that digital rights are human rights which see their expression online.

Digital Rights Watch acknowledges the traditional owners of country throughout Australia and their continuing connection to land and community.

We acknowledge the Aboriginal and Torres Strait Islander peoples as the true custodians of this land that was never ceded and pay our respects to their cultures, and to elders past and present.

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UPDATE FROM THE CHAIR

In 2024, Digital Rights Watch once again demonstrated that a civil society organisation with a focus on human rights in tech policy is a vital part of our democracy. We made ten submissions, took part in multiple roundtables, gave evidence at three parliamentary hearings, and appeared in the media dozens of times.

It's quite clear now that governments have tools at their disposal to protect the rights of people against the power of big tech, and the body politic expects their representatives to act. Industry cannot be trusted to take the necessary steps itself, or at the very least, bad faith actors mean inaction from policy makers will no longer cut it. But the question is, what policies will be taken up? Too often our media cycle rewards appearance over substance and poor policy making follows. Issues like online safety, the protection of young people and the integrity of our democracy are too important to experiment with. We need policy that is based in evidence, that is crafted to be effective.

Our strong view is that a rights-based approach is the way forward. That's true for privacy reform, online safety and AI regulation - if we make policy that aims to treat people with dignity and safeguard them from over-reach by industry and government alike, we give our society the best chance at making the best of digital technology. Our focus has been to advocate for people in these policy discussions, who are too often considered as an afterthought, crowded out by the profit motive and vested interests jostling for power.

There is lots to do, and while I'm always thrilled when I reflect upon how much we are in demand as an organisation, it's a constant struggle to resource this work properly. We are, as always, grateful for the financial contributions made by our supporters and also our donors.

Lizzie O'Shea

Chair - Digital Rights Watch



HIGHLIGHTS OF 2024

For several years now, Digital Rights Watch has been campaigning for bold privacy reform in Australia. We are miles behind other jurisdictions which offer far greater protections over people's personal information. Our laws have not been meaningfully updated in over four decades, and we have participated in multiple reviews of the relevant laws, which have recognised the need for change.

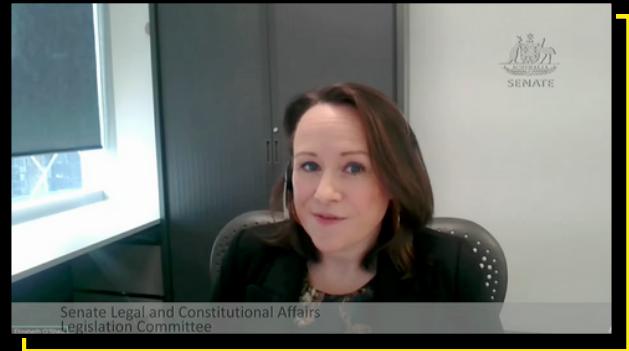
WIN: PRIVACY LAW REFORM

We were thrilled when the first tranche of privacy reform passed both houses in the last parliamentary session of 2024.

The bill faced significant opposition from a range of vested interests, but the reality is that a very significant number of

Australians understand the need for privacy reform. Data extractive business models are driving harmful experiences on the web, as well as posing significant risks to our democracy. Among other things, Australians will have access to a statutory tort for serious invasions of privacy (something that has been discussed for nearly sixty years!) and a Children's Online Privacy Code will now be developed.

We look forward to working on the next stage of reform to get the job done.



Pictured above: Digital Rights Watch Chair, Lizzie O'Shea appearing before the Senate Legal and Constitutional Affairs Legislation Committee regarding the Privacy and Other Legislation Amendment Bill 2024.

Left: Lizzie and Sam alongside John Pane from EFA deliver open letter to Attorney General calling for bold privacy reform.



GRAPPLING WITH SOCIAL MEDIA

Social media has been a focus of intense regulatory attention this year, with multiple reviews and regulatory initiatives aimed at addressing the many and varied problems created by these platforms.

Digital Rights Watch consistently put forward a position that data extractive business models which drive the economic growth of this industry should be the focus of reform efforts. Policy initiatives aimed at protecting young people, tackling mis/disinformation and strengthening our democratic processes all require that we come to terms with what makes these businesses profitable. These business prioritise engagement above other metrics because it allows them to extract more and more personal information from us, giving them insights which they can sell to advertisers.

Effectively regulating social media to ensure it is a safe environment, with high quality information for users, is a complex task, but we maintain it is possible and necessary. We have joined our colleagues in a range of organisations to resist simplistic solutions like age-based bans, which too often comes at the expense of more considered and effective reforms, like privacy reform.

The screenshot shows a news article from The Guardian. At the top, there's a navigation bar with links for News, Opinion, Sport, Culture, Lifestyle, and a yellow-highlighted 'Social media' section. Below the navigation, there's a sub-navigation bar with links for Australia, World, AU politics, Environment, Climate crisis, Indigenous Australia, Immigration, Media, and Business. The main headline is 'Explainer: Should Australia ban children under 16 from social media - and how would it actually work?'. A sub-headline below it reads 'Despite concerns about the impact of tech platforms on young people, some experts are sceptical that a ban could be implemented safely and effectively'. The entire screenshot is framed by a thick yellow border.



Pictured right: Digital Rights Watch Head of Policy, Samantha Floreani, appearing on ABC's 730 Report discussing the (then) proposed policies to ban young people from social media.

UNDERSTANDING MIS/DISINFORMATION

Mis and disinformation was a big topic this year, as a significant number of democracies went to the polls and there were serious concerns that social media may be contributing to misleading content and poor quality information ecosystems.

The Australian government proposed a bill to address this issue, which was the subject of significant controversy. Some of this concern was valid, but much of it was not. We sought to engage constructively with policy makers, and convene opportunities to strategise with civil society organisations.



A screenshot of a The Guardian news article. The header features the newspaper's logo and navigation links for News, Opinion, Sport, Culture, and Lifestyle. Below the header, a sub-navigation bar includes links for Australia, World, AU politics, Environment, Climate crisis, Indigenous Australia, Immigration, Media, and Business. The main content area is titled 'Opinion Social media' and contains the following text:

We must target the root cause of misinformation. We cannot fact check our way out of this

Samantha Floreani and Lizzie O'Shea

One of the best tools we have to clean up this mess is already in our hands

Ultimately the bill was abandoned. It. We think there were parts of the bill that were sensible and necessary, including the requirements for improved transparency from social media platforms with respect to content moderation. We advocate for a human rights approach to the issue, which respects freedom of expression, but also holds platforms to account for business models that undermine our democracy.

The Australian Government signalled an interest in regulating Artificial Intelligence, following the examples of countries like the UK and the UK, and the European AI Act.

DRW provided input into this process, including through submissions and consultative round tables. One of the key initiatives of the Federal Government was to introduce mandatory guardrails for the use of AI, about which DRW provided a submission.

Our view is that AI technologies offer plenty of promise (as well as a decent amount of hype!) but these will only be delivered on if human rights are considered at all stages of design and deployment. This includes strong privacy protection which shapes many of the datasets used to train AI systems, as well as effective and timely feedback loops. We also think that there needs to be clear lines of accountability and liability, given the complexity of the industry.

Too often, concerns about AI are framed around some kind of nebulous existential threat, but in our view, automated decision making is being used in the here and now to shape people's lives in a variety of large and small ways. The need to embed human rights is urgent, and we continue to advocate on this basis.

Submission to the Select Committee on Adopting Artificial Intelligence (AI)

regarding the inquiry into

The opportunities and impacts for Australia arising out of the uptake of AI technologies in Australia

17 May 2024

AI HYPE AND REGULATION

ONLINE SAFETY AND HUMAN RIGHTS

DRW has had a long term commitment to engaging with the Online Safety Act 2021 and advocating for a human rights approach. In 2024, this included making multiple submissions about various regulatory initiatives by the eSafety Commission, as well as extensive media commentary about these topics.

Digital Rights Watch joined numerous civil society organisation (including a number with a specific focus on the well being of young people) to raise serious concerns about age restrictions for accessing social media. This is a topic we have had an interest for some time. The eSafety Commission has also has considering whether and how to apply such restrictions to certain kinds of adult content as part of its regulatory code making process.

In respect of age verification generally, we remain concerned that such proposals are technically difficult to implement without serious invasions of privacy. Age restrictions on social media also have the capacity to harm young people in a variety of ways. We think bold privacy reform will improve the experience of the web for everyone, because it targets data extractive business models that prioritise engagement above other considerations. Our position has been that policy makers who care about the wellbeing of young people should do all they can to protect their privacy.

The screenshot shows a news article from The Guardian. The header includes navigation links for News, Opinion, Sport, Culture, Lifestyle, and a menu icon. Below the header is a sub-navigation bar with links for Australia, World, AU politics, Environment, Climate crisis, Indigenous Australia, Immigration, Media, and Business. The main headline reads: 'Explainer: 'No country in the world has solved this problem': can Australia make age verification work for social media?'. A sub-headline below states: 'Previously unreported documents suggest age assurance technology has not been successfully implemented anywhere in the world'.

Hand over your ID or your facial data? The would-you-rather buried in the teen social media ban

By national technology reporter Ange Lavoipierre

Social Media

Sat 30 Nov



COMINGS AND GOINGS

SAMANTHA FLOREANI

Head of Policy

Sam joined Digital Rights Watch in May 2020 and has been an enormous contributor to the successes of the organisation. Sam is a passionate advocate, activist and writer and has played an essential role in building the digital rights movement in Australia.

Sam is now full time working on her PhD examining technology and housing and we can't wait to see her research in the world. As a result, she's scaled back her work with DRW, but still remains a trusted friend and sometime contributor to our work. .



KATHRYN GLEDHILL-TUCKER

Campaigns and Advocacy Manager

Kat is a Nyungar technologist, writer, and digital rights activist. Kat is highly experienced in a range of settings, so we were thrilled they could join us as DRW's Campaigns and Advocacy Manager. Kat also writes poetry, science fiction, and essays that explore surveillance, digital colonialism, and our relationship with machines. It's been a pleasure to have such an esteemed writer join our ranks, and we've benefitted from both Kat's cross-disciplinary perspective as well as their technical and policy knowledge.

SPEECHES, PANELS AND EVENTS

- Lizzie participated in the Human Technology Institute's inaugural **Shaping Our Future Symposium**
- Sam hosted a panel with OVIC for **Privacy Awareness Week**
- Board Members Piotr and Lilly teamed up for the **IAPP** event 'A Day in the Life of a Privacy Professional'
- Lizzie spoke at a **FARE** event in Canberra
- Kat joined a panel event for **Privacy NZ** on the role of advocates in the privacy ecosystem
- Lizzie spoke at the **Future of Privacy Forum** event Connecting the Dots on Privacy, Security, & Online Safety for Young People



- Lilly Ryan gave a talk at **Beaker Street Festival** on facial recognition technology
- Lizzie participated in a panel at the **Festival of Dangerous Ideas**
- Lizzie gave a lunchbox talk with Experimenta: '**Who owns you?**'
- Lizzie joined a panel event at **Vogue Codes**
- Lizzie gave a talk on **Big Tech and your Privacy** at Altona Meadows Library
- Lizzie joined a discussion on Privacy vs Safety at **SXSW Sydney**
- Piotr spoke at the **OVIC's Victorian Privacy Network Meeting** on whether AI compatible with the right to privacy
- Lizzie participated in a panel discussion for the launch of Edward Santow and Daniel Nellor's book, *Machines in Our Image: The Need for Human Rights in the Age of AI*

POLICY SUBMISSIONS

- Submission to the Senate Standing Committees on Economics regarding the inquiry into the **Digital ID Bill 2023 & Digital ID (Transitional and Consequential Provisions) Bill 2023** (January)
- Submission to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts regarding the Online Safety (**Basic Online Safety Expectations**) Amendment Determination 2023 (February)
- Submission to Attorney-General's Department regarding the **Doxxing and Privacy Reforms** (March)
- Submission to the Select Committee on Adopting Artificial Intelligence (AI) regarding the **inquiry into the opportunities and impacts for Australia arising out of the uptake of AI technologies in Australia** (May)
- Submission to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts regarding the **statutory review of the Online Safety Act 2021** (June)
- Submission to the Joint Select Committee on Social Media and Australian Society regarding the **Inquiry into the influence and impacts of social media on Australian society** (June)
- Submission to the Senate Standing Committee on Legal and Constitutional Affairs regarding the Criminal Code Amendment (**Deepfake Sexual Material**) Bill 2024 (July)
- Submission to the Senate Environment and Communications Legislation Committee regarding the Communications Legislation Amendment (**Combatting Misinformation and Disinformation**) Bill 2023 (October)
- Submission to the Department of Industry, Science and Resources regarding the **Proposals Paper: Introducing mandatory guardrails for AI in high-risk settings** (October)
- Submission to the Attorney-General's Department regarding the **Privacy and Other Legislation Amendment Bill 2024** (October)
- Submission to the Environment and Communications Legislation Committee regarding the Online Safety Amendment (**Social Media Minimum Age**) Bill 2024 (November)
- Submission to the Treasury regarding the **review of AI and Australian Consumer Law 2024** (November)
- Submission to the Office of the eSafety Commissioner regarding the **Draft Consolidated Industry Codes of Practice for the Online Industry** (Class 1C and Class 2 Material) under the Online Safety Act 2021 (November)

**We pride ourselves on
working in strong
alliances of collaboration,
both in Australia and
across the world.**

Digital Rights Watch is a member of:

- Alliance for a Safe and Secure Internet
- Australian Digital Inclusion Alliance
- Australian Progress Labs
- Campaign to Stop Killer Robots
- Global Encryption Coalition
- Parents for Privacy Reform
- Save Australian Tech Campaign
- Save Dot Org Campaign
- WhyID Campaign
- #KeepItOn campaign

Access Now
Amnesty International Australia
Article 19
Assembly Four
Australian Lawyers for Human Rights
Australian Privacy Foundation
Australian Progress
Blueprint for Free Speech
Castan Centre for Human Rights Law
CHOICE
EDRI
Electronic Frontiers Australia
Electronic Frontiers Foundation
Fight for the Future
Freedom House
Future of Privacy Forum
Human Rights Law Centre
Human Technology Institute
Internet Society
The Juice Media
Liberty Victoria
National Justice Project
NSW Council for Civil Liberties
Open Media
Privacy International
Queensland Council for Civil Liberties
Queensland University of Technology
Reset Tech
Scarlet Alliance
Thoughtworks

**Digital Rights Watch
works with a range of
organisational partners
in the pursuit of strong
digital rights.**

PUBLIC AND PHILANTHROPIC SUPPORT

We are always deeply grateful to members of the public who donate to support the work of Digital Rights Watch. Direct contributions from our supporters allow us to work freely, and to respond to the most critical issues. Over 2024 we received XX public donations. A huge thank you to everyone who donated, took action with us, or shared our work. Your enthusiasm and support sustains us!

We would also like to extend a big thank you to the organisations and companies who made significant donations to Digital Rights Watch over 2024: Oak Foundation, Mannifera, DuckDuckGo, Award Force, Apple, and Google.

Balance Sheet

Digital Rights Watch Inc.
As at 30 June 2024

30 JUNE 2024

Assets

Bank	
DRW Main Account	158,831.04
DRW Payments Account	9,422.41
Stripe AUD	1,690.63
Total Bank	169,944.08
Total Assets	169,944.08

Liabilities

Current Liabilities	
Accounts Payable Annual	1,909.21
Leave Liability PAYG	4,434.00
Withholdings Payable	884.00
Superannuation Payable	770.00
Total Current Liabilities	7,997.21
Total Liabilities	7,997.21

Net Assets 161,946.87

Equity

Current Year Earnings	143,962.27
Retained Earnings	17,984.60
Total Equity	161,946.87

Profit and Loss

Digital Rights Watch Inc.

For the year ended 30 June 2024

2024

Trading Income

Consulting income	1,140.00
Donations	131,548.00
Donations - Other	91,336.06
Interest Income	463.06
Merch Sales	21.13
Total Trading Income	224,508.25

Gross Profit

224,508.25

Operating Expenses

Accounting	1,481.74
Bank Fees	1,403.22
Contractors & personnel	1,500.00
Insurance	4,089.25
Leave Entitlements	1,980.00
Office Expenses	1,554.00
Registration fees	413.40
Subscriptions	2,761.93
Superannuation	6,325.12
Telephone & Internet	204.75
Travel - International Travel	289.00
- National Wages and Salaries	1,042.34
Total Operating Expenses	57,501.23

Net Profit

143,962.27



PRIORITIES FOR 2025

1. Campaign for the final tranche of privacy law reform

Strong privacy protections are an important line of defense against digital surveillance and expanding corporate power. Attorney General Mark Dreyfus has expressed his intention to reform the Privacy Act, and a draft bill is expected in 2024. This is a vital moment for privacy law in Australia, and we can't afford to waste the opportunity with weak or ineffectual changes.

Among other things, Digital Rights Watch sees privacy reform as a critical ingredient to advancing robust cybersecurity and combatting mis- and disinformation. Privacy reform will also be the foundation for the development of fair and responsible artificial intelligence and automated decision making.

2. Defend a rights-respecting approach to online safety

In Australia and internationally, proposals that threaten to undermine human rights are being made and passed under the banner of 'online safety'. This includes threats to end-to-end encryption (or mechanisms to side step it altogether such as client-side scanning), privacy-invasive methods for age verification, processes which undermine online anonymity, and the reliance on increased automated content moderation. Increasingly automation seeks to use artificial intelligence tools like machine learning classifiers to proactively detect, remove, and deter broad categories of content.

We anticipate significant developments in online content regulation in the next 12 months. Digital Rights Watch's advocacy for a rights-based approach is critical to preserve privacy and online security for at-risk users.



PRIORITIES FOR 2025

3. Promote effective, bold regulation of artificial intelligence and automated decision-making systems

Following the release of draft mandatory guardrails for the development of AI, we expect regulatory initiatives to continue with respect to AI and ADM throughout 2025.

Digital Rights Watch intends to engage with relevant government and industry bodies, as well as partner civil society and academic organisations, to ensure that Australia's approach is rights-respecting, effective and meaningfully addresses the harms that are already occurring. We think it is important to avoid becoming distracted by speculative futures.

We will also keep a keen eye on material ways that AI and ADM are impacting people's rights and well-being. Areas of interest where this is pronounced include: in social security, in the emerging RentTech sector, as well as online automated content moderation.

4. Fight for laws aimed at improving the information ecosystem

Fin 2024, the Federal Government withdrew their proposed mis/disinformation bill. We maintain there is more that can be done to improve the information ecosystem, including regulatory requirements for transparency around ad spend on social media platforms, as well as content moderation policies. These would protect freedom of expression while improving access to high quality information online.

Other key areas

We expect to participate in public debate and consultation processes in the following areas:

- Biometric surveillance
- Digital Identity
- Renter digital rights & RentTech
- Information sharing schemes
- Commercial and retail surveillance technologies

OUR BOARD

Lizzie O'Shea | Chair

Tom Sulston | Deputy Chair

Lilly Ryan | Treasurer

Piotr Debowski | Secretary

Lucie Krahulcova

Mark Andrejevic

Caitlin McGrane

SPECIAL THANKS

For participating in our events, projects,
working in collaboration, or helping us
think through policy challenges
throughout 2024

Aimee Brownbill
Amber Hawkes
Amy Denmeade
Angus Murray
Anna Johnston
Carol Bennett
Chloe Shorten
Ed Santow
Eliza Sorensen
Eric Kind
Giordano Nanni
Hiero Badge
Jathan Sadowski
Jennifer Duxbury
Julia Powles
Jacqueline Alderson
Justin Warren
Kate Bower
Nick Davis
Peter Lewis
Rafi Alam
Sophie Farthing
Suelette Dreyfus
Tahlia Davies
Tim Singleton Norton
Vanessa Teague

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