Bytes and Rights F+E Con 2024 Video.m4a

[00:00:00] Okay, well, good afternoon, everybody. I think we're just closing the doors and getting ready to start. So, welcome back to the afternoon session. My name is Lorraine Finlay, and I'm Australia's Human Rights Commissioner. And so excited to be here with a fabulous panel for you this afternoon to be talking about Bites and Rights, Human Rights in the Digital Age. And I'd like to begin by echoing the earlier acknowledgements of the traditional custodians of the lands on which we meet today, the Gadigal people, and extend our respects to Elders past, present, and emerging. And whenever we do the acknowledgement of country, one of the things that we like to think about at the Commission is making sure it's not just a tick-the-box exercise; we do an acknowledgment and move on, but to think about how it connects to what we're actually talking about.

[00:00:45] And I've been thinking throughout the conversations we've been having today, and the conversation we're about to have this afternoon, that really, whether we're looking at the traditional custodians of the lands on which we meet today, the Gadigal people, or looking back at those who came before us and acknowledging their contribution, or looking ahead to the future, which is what we're about to do this afternoon, what I hope is the common thread that guides us through all of those conversations is that recognition of common humanity, and that idea that's really the theme of this conference, which is about every individual being born free and equal in dignity. And so, to me, the real question for this afternoon is how do we take that common thread and ensure that it is appealing to all of us?

[00:01:24] And so I'm really excited to introduce a fabulous panel for you to have that conversation this afternoon, and I'm not going to go into order down the line. I'm going to go in alphabetical order and start by introducing Hannah Ferguson, who is the co-founder and CEO of Cheek Media Co., move to Commissioner Carly Kind, who is Australia's Privacy Commissioner, commencing in that role only a few months ago, earlier this year. We also have Sam. Sam Kozlowski, who is the co-founder of the Daily Aus, and Professor Toby Walsh, who is the Chief Scientist at UNSW and one of the 12 members of the Federal Government's Expert AI Group. So if you could join with me in welcoming our panel and giving them a big round of applause.

[00:02:14] Now, I gave you a two-second bio of each of them, because if I'd been here and actually gone through their full list of accomplishments, we would have been here all day and not gotten onto the actual, actual discussion that we want to have. And I don't know about you, but I'm keen to just jump right in, because when we were thinking about this panel, the work that the Australian Human Rights Commission does in technology and human rights covers such a wide range of challenges and risks. So whether it's about risk to privacy, algorithmic bias, the growing digital divide, misinformation or disinformation, just starting to think through that list starts me to feel really overwhelmed and really worried, about the future.

[00:02:56] But before we get really negative, we actually thought it might be a good idea to remember that amongst these new and emerging technologies, there might be some benefits. And so it might be useful to start the panel by actually looking at some of the positives before we then

drop the mood and focus on the challenges and the risks. So I wanted to just not necessarily go down the panel, but ask each of you in turn, if you could let me know, what's one example of something that you think might be useful to start the panel with? Something that you're actually really excited about when it comes to new and emerging technology. I might start with you, Sam.

[00:03:29] Well, the fact that it allows young Australians to have access to systems, processes, people, information that, unless they went and bought a newspaper 20 or 30 years ago, they wouldn't have had access to. You know, we partnered with the Australian Electoral Commission before the last federal election to boost enrolment amongst young people by actually providing tailor-made messages to 18- and 24-year-olds for the first time. And as a result, not just because of us, but because of a whole range of initiatives, it was the highest youth voter turnout in history. So, really effectively using digital channels to encourage people to engage in the world around them. It works, and people feel really empowered, and who knows what other decisions those people who took that step to go and vote have made in the couple of years since.

[00:04:15] I think, in the same vein, like social media has created my job. It's allowed young people to access the news and access the information that they care about, and have felt traditionally disempowered and disconnected from politics and the law, especially, and actually given them a new avenue to access that information from people that they trust. But also, we've got to remember that as much as I'm going to spend a lot of the next hour demonizing the very thing that created my job, that it also is basically about connectivity. While it's sort of blown out of proportion to influencer culture and celebrities and following someone you went on a date with five years ago that you don't care about their engagement now, it's very much something that is about, you know, the rise of run clubs, you know, actually socially connecting with people and meeting for book clubs, it is a space where people meet and connect and sort of rebut loneliness as a concept.

[00:05:01] It's gotten out of control, but I agree there is a thread of humanity there that we can reconnect to and that is important to continuously come back to as the main purpose of social media, especially. Well, I've spent my whole life working in AI because actually I do see net positive. You know, we've listed a catalogue of things that we need to worry about. I don't think those are insurmountable. And I do think there are some things that we need to worry about. There are some immense positives. So this is a human rights conference. And so one area, for example, is looking at people with disabilities. I think of what are the technologies that are going to give people who have limited vision sight, that's computer vision, artificial intelligence.

[00:05:39] What is, for example, the thing that's giving people with limited hearing the ability to understand what we're saying? It's the AI that's captioning what I'm saying at this very moment. Oh, my God. Cool. I'm listening. Commissioner? What am I excited about? Metaverse. No, just kidding. I suppose from a really wonky perspective, I'm excited about new technologies that enable us to essentially have our cake and eat it too. That is, to have our privacy and still be online. So things like differential privacy, like technical approaches to ensuring privacy, things like on-device processing of information. I mean, I just read today that, you know, Google's now going to be able to store location data history on your device rather than in the cloud.

[00:06:31] You know, those very small and, as I said, a little wonky developments that each step of them calls back power for the individual. Fantastic. And a number of those things we're going to come back to in some of the questions we'll be exploring in a moment. But I wanted to now shift you to the other end of the spectrum. We've all had that hit of positivity. And I might go down the other way this time. So start with you, Commissioner. What's the key challenge that you see then from a human rights perspective in terms of these technological developments? Big question. I would give you a big answer, which I think is power. I think that one of the biggest challenges of the digital domain is the consolidation of power in a very few actors.

[00:07:12] And the growth in AI technologies is really cementing that power consolidation. We see most of the big large language models coming out of organisations that already hold most of the power in the digital realm. And privacy is really one of the big victims of that power concentration. From a human rights perspective, I see the challenge of accountability vis-à-vis those powerful corporate actors as being a really big one that we have to engage with as a human rights community and also as a regulator community. I'd agree with power. But I'm going to throw in another big word, which is trust. The breakdown we have in trust that we have — with the institutions that are essential for the running of our democracy, whether that be government or journalism or all the other institutions; unfortunately, how tech, social media is driving a lot of that.

[00:08:08] And the latest thing, the fact that truth is now going to be completely up for grabs, and all of the deep fake that we're going to be seeing is going to be influencing how we vote and influencing what we think. That I worry about. And I think in saying that, you know, we're talking about deep fake technology and how it impacts elections. But also more than that, you know, we know that a lot of deep fake technology, it's up to 90%, I believe, is actually pornographic and nonconsensual in nature, specifically depicting women. And so we have this normalization of violent and exploitative behavior that lacks enforceability because we're seeing it's a borderless issue. And international law is failing to actually manage that. But also at a domestic level, Technology is outpacing our ability to legislate ahead.

[00:08:55] And we know that, and we see that. We're expanding the powers of the eSafety Commissioner. We're seeing the government try to keep up. But it's terrifying because we know they simply aren't. I think the thing that I'm most worried about is the idea that we all hold really closely of a democratic society and democracy and what elements of democracy have previously been relatively untested, that are going to be tested when you have powerful AI and technology. And Jon Stewart just said that. He just started a new podcast this week, The Love of My Life. And he was speaking about how, you know how when you send a hacker into a company to expose issues in it, he says that Donald Trump is kind of doing that to democracy.

[00:09:37] And that the opportunity we have is how has Donald Trump used technology to expose vulnerabilities in systems that we haven't particularly thought about before. He's an excellent user of technology, I think. I mean, he literally got banned from social media. I mean, that's another one. I mean, that's a stroke of genius. So, what is he exposing in our technological world that we can learn from if he's that like white knight hacker that's trying to penetrate democracy and we have

an opportunity to learn from that? Well, it's that important reminder, isn't it, that neither democracy nor human rights, as important as they are, are inevitable. And so they need that constant reinforcement and reexamination and recommitment to make sure that they're strengthened. Yeah. And to quickly touch on the power point.

[00:10:22] I think it's a really interesting shift for young people in power as well. So, for example, media owners - inevitably powerful people in society, like we have been attracting pro-Russian government-sanctioned propaganda. There was a report in the ABC this week that we were one of the list. Now, I just thought about like 50, 60 years ago, a young journalist would have been perhaps like approachable. I mean, it's not like we're being approached at a bar by somebody who's a spy to try and get information. But it's so hard for our journalists to work out what's what. And so that ability to detect bullshit has also shifted and really well-organized government-sanctioned malicious stuff as well. And it brings up a really interesting point because we've got two people on the panel, not to say that not everybody on the panel is young because we all are.

[00:11:17] But two people on the panel who are really aiming media at bringing young people into politics. And so, we've got two people on the panel who are really aiming young people into information and digesting media in ways that perhaps haven't been done before. Now, it was only last week that the Minister for Cybersecurity, Claire O'Neill, said that just about every problem that we have as a country is either being exacerbated or caused by social media. And there has been a discussion recently about, well, maybe we should just ban young people from social media. So I'm really interested in your perspectives. And then we'll open it up to the panel about, is it even possible to ban young people from social media?

[00:11:52] How do we go about putting those guardrails around it to allow them to gain the benefits but protecting them from what we know are the negative impacts that are there? Do you want to start? Yeah. I think it's interesting because of course it's possible. It's possible to ban most young people. You can put barriers in place. You can't ever truly get someone off the internet and off social media because there's always going to be a way for them to circumvent it. But at the end of the day, I don't think that should stop us from trying because, you know, I'm a member of Generation Z. I have had Facebook since I was in Year 7. And that means that, you know, I think I was part of that first generation.

[00:12:26] We were both part of that first generation where social media was a part of our lives before an age that we could even truly conceive of ourselves. And to understand who we were without the actual reflection of the people around us and accessibility and connection at all times. And we're seeing, you know, even adults in corporate industry now recognize the need to disconnect. We're seeing the right to disconnect from work introduced this year. But it's because it's such a pervasive - it's a public mental health crisis. And we will know in decades just how bad it was now. But we're all feeling the effects. And I think that the calls from different state governments in the last couple of weeks and the Prime Minister's backing of that is a good thing.

[00:13:02] I think it's a bit precarious debating 14 or 16 and how permission should work with adults. But I think oftentimes as well we're seeing a lot of argument that parents should just be in

control. And we just know that's not possible. I was the most goody-two-shoes at school, and I was still on Snapchat doing things I know I shouldn't have been when I was 14, 15, 16. We know that this is so damaging to young people's mental health before they even have an understanding of how to use social media, let alone media literacy itself. I think that, you know, I think that also the government's introduction of age-verified verification technology for pornography is a huge step, with a $6.5 million commitment.

[00:13:39] And I think that's going to see steps as to how this could function because we know as well with state jurisdictions it's hard to implement like a geolocation blocker as opposed to a national approach, which would be far more effective. But I am interested to see because it's been a quick pivot from the government with that pornography viewpoint and stance. And I'm interested to see how they pursue the social media guardrails, because I think it's incredibly important. Despite benefiting from so many young people, myself, being on the internet and wanting to engage with social justice issues. But we know that the dark side of that is not a net positive. It is a negative overall for young people before they can even understand their own media literacy. Yeah, I agree with Hannah.

[00:14:19] I think that...I don't know. I don't agree with there being any increase to the age limit on social media. I did an interview with Whipper, Michael Whitley, who's leading a 36-month campaign, had a really interesting discussion with him about it. I mean, if we're going to do that, then we should also raise the age of criminal responsibility, in my opinion. I mean, that's just ridiculous. And I think that it's a bit of a red herring in that it's actually almost absolving us of responsibility for doing what actually needs to be done, which is equipping young people with the right tools to be able to more adequately look after their own lives. To be able to look after their own mental health and understand the technology environment around them.

[00:14:54] And it just didn't make sense to me that, you know, we were just delaying the shitstorm that hits you when you join social media for two years and there'll be another shitstorm. And so I think it's just kind of, you know, not the right way to approach a problem that feels like whack-a-mole.

 Can I before going to you, Toby, and you, Commissioner, tweak the question just a little bit? Because one of the things that you mentioned earlier was this idea of the problem. Of large, big tech companies, and large social media companies, and we're really when we think about social media that reach and that impact is what the difference is these days, in terms of just key decisions about our lives being either made or influenced by companies that are bigger than national governments and more powerful than national governments in many respects.

[00:15:43] So given that power difference, is it feasible for a national government still to actually regulate these things and how do they go about placing those guardrails when you are dealing with big tech? I think it's a really complicated question. My starting point is maybe slightly different. I certainly don't think that we should be banning people's access to technology in any way. I would like to see a version of social media that is designed with change in mind first and by that I mean that actually respects children's right to privacy doesn't take their data and use that in a way to

target them with harmful content I mean I'm a privacy lawyer so I see

[00:16:28] everything as being related back to privacy but you know I think if we didn't if we had a social media ecosystem in which children's data was not allowed to be collected and processed for the purposes of targeting you would see a different online environment in fact if we had a social media ecosystem that was not allowed to be collected and processed for the purposes of targeting You would see a different online environment, in fact. If we had a social media ecosystem where personal data generally wasn't a currency or part of the business model that drove the delivery of content, you know. We would see less incentives to deliver outrageous, misogynistic, bombastic content. We would see um targeting dramatically reduced to kind of contextual-based advertising rather than very micro-targeted advertising.

[00:17:05] And we may see an online ecosystem that's healthier, and in which crazy content doesn't get you more money at the end of the day. So I'd really like us to think about that, and I think it's really Important, that we think about working on fixing the ecosystem rather than focusing on stopping access to a broken ecosystem. That would be my approach. Now again, as a privacy lawyer, so you know when you're a hammer or you see your nails; when you're a privacy lawyer, you see ways to fix things using privacy law. So I think with changes to privacy law here and around the world, we could stop that inflow of personal data that gives rise to an online economy that's driven by personal data. Certainly, these companies are not outside the jurisdiction of privacy law.

[00:17:44] So I think we need to think about that, and I think that's uh, you know. Re-think regulations, a real responsibility, but making sure that we finish. It's you know, it's we think there's legal content out there, but in the United States, it does require coordinated effort and that is happening I think in different and interesting ways, including through the European Union's you know very coordinated effort so I have hope that one way to come at it might be through that issue. I'm going to disagree with the last two people because I think what you're talking about is ways to fix social media which would make it a better place for us adults but to make it a better place for children, I'm very I'm very Dubious, though, you got us talking about young formative minds.

[00:18:14] I suspect in 10, 20 years time, we're going to look at social media like we look at alcohol and tobacco which is young formative minds need to be protected from these powerful drugs. And the only way to do that is to have an age limit on it. I'm against populist policies, but you know the Guardian survey earlier this week? Two-thirds of the population Australia want the age of consent for social media raised to 16. I don't see why the federal politicians don't have the guts to do that. Can I add one quick complexity to this because it's super simple discussion we're Having said that, there's another thing that we don't talk about enough. As soon as the government kind of twists the regulatory screw a little bit more on any of these companies, they'll just leave.

[00:19:06] They don't; they don't, that's what they said with the media bargaining rules. And I assume that will probably be off Instagram within the year, so these guys. I mean, in Canada, news has been banned for eight months now on Meta, and there's no sense of it coming back at all, so all Canadians have no access to news on social media. So, I think, I think that the the social media

companies, the big ones are now so big that they're kind of okay if they lose. The Australian market, I mean Instagram, Facebook for example. In there, that's what I'm going to disagree with you because they fought really hard when we introduced the media bargaining laws here. Because not because they cared about the Australian market, 25 million people; what do they care?

[00:19:49] A small change in the amount of income they're getting. But they knew it was going to set a really important precedent for the rest of the world and it did. You know, in France and Canada and various other places, they realized that this was going to set a precedent. It was worth fighting hard over. So, and look, yeah, we don't matter on the big Scale of things, but we do matter. We set a precedent that's going to destroy their market, of course. But I think it from the conversation I've had directly with Meta - they are more likely just to exit if there's something like a revenue tax introduced or a public interest journalism fund that's funded compulsory, or big fines, or whatever. They just don't care.

[00:20:26]

You know what occurs to me in terms of this back and forth, which I think is so fascinating? It's how much the conversation has shifted, because if you look back to when digital spaces started to emerge, there was a lot of optimism about what it might mean in terms of you know democratization of information increased access to things breaking down barriers opening up Civic space and the conversation that we've just had suggests to me that actually what we've seen is a lot of the opposite that we've seen reduced access for people we've seen a shrinking of Civic spaces we've seen things shift in a way that perhaps wasn't anticipated so I wonder if I could open it up to the panel and just ask how do we actually go about getting

[00:21:11] back to the idea of what digital space was meant to mean for humanity as an enhancement of human rights as opposed to perhaps what it's become in many senses and I know that's just a really simple easy question um so did you have any thoughts Sam to kick it off um I think that we can do our best work um as the human rights community uh when we are in smaller groups digitally so I think the idea of using mass channels of distribution of communication for really meaningful social change is going to get harder and harder but I think the idea of connecting with somebody on the other side of the country is in the same situation as you for whatever particular reason and working on solutions together and those kind of assets that are presented by social media is going to get stronger like I think that the idea of a WhatsApp Group is going to be the new Facebook feed, and that you'll be bound in a small group by people.

[00:22:13] There'll still be toxicity, and there'll still be it; it'll still be crap, but it will be less crap than Twitter. I I think. I mean, if you look back 10-15 years ago, there was much more pluralism online, and pluralism in the way of multiple small communities in different places.

 I was listening to a podcast recently, and they were talking about the the success of Reddit. Now, we all know that Reddit is a bin fire sometimes, but there are so many successful niche communities on Reddit that have their own moderation rules and maintain Their own sense of discourse, civil discourse, using upgrading, down voting, and community moderators in like a really

small way, and that has been a long-term success.

[00:22:58] Now, actually, whereas what you had with Facebook was one community, one place, designed in one way, with a Silicon Valley mindset, that's gotta suit everyone, and one set of content moderation rules that apply to everyone. And I think there's a lack of pluralism there in online spaces that have, again, serving my original argument, because of this concentration of power, we've got a few places that are determining the rules. But a way to decentralize and disaggregate online spaces for individuals, I think, has to be part of the solution. Well, so the solution is antitrust, right? Unfortunately, it doesn't rest with us, right? We are going to have to break up the big tech companies. And public investment in digital infrastructure. There can be public forms of Instagram. There could be a public social media platform.

[00:23:46] There could be public forms of messaging apps, for example. Governments could invest in developing alternatives as well. Right. I mean, it never served us to have the media concentrated into the hands of a few media barons. It's not serving us to have the internet concentrated into the hands of a few tech players. It was no benefit to the consumer that Facebook brought Instagram and WhatsApp. That just is. It's stifled competition. And I think we live in a world currently as social media consumers where it's incredibly hard to actually disconnect yourself from an application that feeds you exactly what you want to hear about your own lived experience over and over again. The algorithm is designed to make you feel good and stay on the app for longer.

[00:24:30] And any time that really you reach outside of that and try to get out of your own silo and engage with something that you might disagree with, you look at the comments section and run for your life. It is terrifying. It is terrifying. To be a person on social media, it's terrifying to be a person in media on social media. And it's a dangerous place. And I think that that's why we require this disconnection from big tech. But we're not going to be able to do that ourselves as individuals because we get so much we think that's positive benefit from these apps that are actually slowly killing us. Well, although it's right to blame the tech companies in many respects, but it's also human behavior. It's also why do we behave so badly to each other?

[00:25:10] Why do we behave so much worse online? Yes. Well, why? Why? I mean, it was the categorical mistake we made, which was also the categorical benefit of the internet we started with, which was making everyone anonymous. But it's deeper than just that. Can I run with that question and explore that a little bit further? Because one of the things that you do notice on digital spaces is people seem to think that behavior that would be completely unacceptable anywhere else in the world is actually normalized and fine to do online. So my question is: how do we go about attaching accountability to behavior in online spaces and really reinforcing that message that actually human rights do exist online in the same way as they do in the physical world?

[00:25:56] Well, legislation often actually doesn't allow for enforceability. And even I remember in January of this year, there was a case in the UK where a 16-year-old girl was actually raped in the metaverse. And obviously the UK police were investigating, and they were like, 'Oh, no, no, no.' But the common thread and response was: 'Well, it's not a real crime.' Because it didn't physically happen, but all of her psychological and trauma responses were exactly that of a survivor of a real

act of sexual violence in the real world, right? Even me using language of real, right? And it's interesting the way that we use language and the way we frame these actions because we know that so much of new and emerging technologies actually thrive, especially in the sexual violence space.

[00:26:33] And in domestic violence as well, the introduction of Apple AirTags are used by perpetrators to track their ex-partners, their current partners; we know that so many forms of technology are utilized. But without the understanding from much of the public that the crime is just as real if it occurred in a technological space. And so I think we need to apply that sort of thinking and conversation to the way that we actually behave, the words that we type, the conversations that we have. So many of us are more likely to send a mean messenger request to one of our friends that we don't want to be their bridesmaid or something than have the conversation in person because it actually feels so much harder, even though the conversation is so much easier and so much more easily gets out of hand in these spaces because we're able to hide behind the wall.

[00:27:16] And I'm really interested in your privacy perspective because I really struggle with the idea that people should be allowed to be anonymous when they say horrible things. Yeah, and I'm sure you're subject to a lot of them too, Hannah. I really feel that. So it's easier to talk about in theory than I think it is in practice. I suppose from a principled perspective, I do think the right to anonymity online is important. It's been shown to be really critical for human rights defenders all around the world to have that ability to be online anonymously. I haven't revisited this for some years, but there was some research that showed that actually being anonymous or not isn't a determining factor on how likely you are to express, you know, problematic views online.

[00:27:56] And I don't know if other people have that experience. You probably have more firsthand experience of whether or not the people are likely to identify themselves or not when they're coming after you. I suppose that I would say that I do have some faith in my faith that the law can reign in the worst parts of this problem. I mean, the example you gave, Hannah, I think most lawyers would say that is captured by some aspects of criminal law. And the challenge that I've seen is that police often aren't equipped with the capabilities to understand how to do the investigation and take the case forward, even when the well, you know, the good intentions are there to want to be able to prosecute it.

[00:28:33] Equally, I would say that there are many ways in which privacy law, both now and a reformed version of our Privacy Act, might be able to do that. And I think that there are many ways in which privacy law might start to reign in some of those aspects. For example, there's a proposal on the table to introduce a new test of fair and reasonable: that it must be fair and reasonable, that online entities and platforms ask for your information and use it in particular ways. And I think by using new standards like that, we could start to reign things in without having to give away things like, you know, the right to be anonymous online. I don't want to demean in any way at all that crime, but I would say I think we should have some liability associated with the people.

[00:29:09] I think we should have some liability associated with the people building those spaces.

How did they build the space? I mean, it's not unexpected, right? How did they build the spaces and not put in safeguards to prevent that sort of behavior happening? Because you can in the digital. I mean, that's the beauty of the digital world. You are a complete master of it. You can actually make it impossible, digitally impossible for that behavior to have occurred. And yet they didn't. But again, it's like we're going back to power and the spectrum of crime. And while the individual can be held responsible, I think in the UK they are actually attempting to prosecute. You've got the bigger issue of the big tech players not being the ones who are consistently evading this and creating the spaces that allow this to happen.

[00:29:46] I completely agree. In my lived experience, most people who send death threats to me or that kind of stuff actually just use their real name. So yeah, like I can see where they work and that they're an accountant from Brisbane. Probably a real example. And we have to laugh or we'll cry, right? Yeah. I understand the emphasis on anonymity is a part of this discussion, but I think we just have to figure out how to get the proper protections for people who are just using their real name first. The other thing is, I've had this big idea this week. And I think this is a good room to say it too, because after I put this idea out there, I want nothing to do with it. I just want to see it happen.

[00:30:34] But I have been doing some writing about the 'buy now, pay later' regulation. That's come into force this week. But basically, after paying zip, you're going to be held to the same standards as a credit card. And I was like, 'holy shit,' we do credit checks on people to give them something that's a privilege to have. And that's a suitable product for them. Imagine if you could do like a credit check before you sign up to a new social media platform, previous violations or not. But they should have on dating apps as well. Yeah. But why do we hold financial institutions to these standards? And they don't fail. And they're not a social media company. Food for thought; I'll speak to you in five years. You want somewhere on the dotted line your name.

[00:31:18] I want a good person check that you have to have before you. Can I just say, Sam, my memory of this is maybe a little longer because I've been in this digital rights space for about 15 years, but there was a lot of uproar about five, 10 years ago about the Chinese version of that, which is for the social, well, many people will say that the social credit scoring system doesn't exist in the way that we can. The US advice for the changes comes from China; digital awards, credit instruments coming in from China's government, and a million years ago, we also reached out to a bunch of hard-hitting law firms, ADI traction other ways to conquer the web practice, and they. But I think that's the message there. Yeah.

[00:32:04] Well, good point, Ian. We'll go once towards a new, different concept.
A rating above, you're actually asking for him or her to be fired because if their rating goes beneath 4.0, they are not allowed to be an Uber driver, but then and people don't actually realize that, and but it's divisive on our society. If every interaction you're having to be upvoted or downvoted by the person who gave you the coffee or drove you to him, then doesn't it get back to your original observation in terms of power that is who gets to make the decisions about what those standards are and how they get enforced? So if we're talking about giving people a credit check before they go online, where do those standards come from, and whose opinion about your behavior online is

the opinion that counts?

[00:32:47] And how do you create an environment for human rights with those universal values in a world where we can see different different places have very different ideas about what those universal values are? Well, I think if you've committed a criminal offense like sending a death threat to somebody, then that's the standard that we all see and we're all aware of, and we're all Aware of, and we're all aware of. We're all aware of sign up to be members of the society is the Crime Act, so let's start there. I mean saying people in jail shouldn't be allowed to use social the idea or people who've already served a sentence. I think it's an interesting idea to contend that if you've used a communication platform to send a death threat to somebody or you've used it for sexual abuse or you've used it for something else, there's an interesting conversation to have there about should you be able to go and do that again.

[00:33:33] You said you liked that, I know you've said that a moment ago, that's brought to you by President. Putin, who I am as per as per the communications this week, is a big supporter of. I mean, you said a moment ago, oh that's why you shouldn't take a big idea and just throw it out. Actually, this is the exact environment we should be putting big ideas and throwing them out and having these conversations. Because, you know, this the digital space when you're thinking about how we regulate them and you know how we approach them in the future. This is where the human rights conversation lies, and how do you how do you ensure safety while at the same time ensuring diversity and experience and benefits?

[00:34:11] It's a really tricky conversation and
There are no rules, there are really none, I mean this is uncharted territory that we're trying to work out. I mean just to speak for Hannah and I for a moment, we're trying to work all of this out and be good members of society, and actually learn how to try and make money out of it. I mean, like my god, it's it's so precarious, yeah it's incredibly precarious. Right? I mean the funny thing is, we were sitting here saying, 'Oh, the Chinese social credit scoring system, how terrible that would be,' but we have the capitalist equivalent of it, that's what we do with each other on Uber or when we rank on Uber, yes, or any of these sites where we're Ranking and rating each other did something bad happen on Uber?

[00:34:53] Are you telling us something? I know that I'm going off a friend of mine has this problem. I'm going away from the pre-planned questions here, Toby, but you and I have discussed this before about how, at the end of the day, that example shows it's not the technology per se but how it's used because if you use another example from the um the headbands that were used in Chinese schools and there was a trial of and this is getting into neurotech rather than AI, but they were mapping um the brain waves of students at school to ensure that they were paying attention which From a human rights perspective, raised more than a few concerns for me.

[00:35:27] But the flip side is I've also seen similar tech used on truck drivers to help identify when they're about to fall into a micro-sleep, which from a work health and safety perspective actually has significant benefits. So it's same technology, but different uses, different intentions, different guardrails. Does that make a difference? Yes, entirely I mean that's we're coming back.

We started the panel by saying the positives you're in there, I believe certain cars already have it, but the the camera that's in in the rear-view mirror is going to be watching. You and if they see your eyelids dropping, they're going to shake the wheel, and maybe that's going to save someone's life, that's going to be fantastic. But equally, you know, um, who knows what else they're going to be doing with that data well?

[00:36:09] And this brings me on to the next thing because inevitably I would argue the universal values of human rights is something that's consistent and can be used as a bit of a touch point for a lot of these things. But we have the comment, for example, from Vince Surfer um from Google, that privacy is an anomaly, and the suggestion that in the digital age it's going to be increasingly um unfeasible for us to expect to have any sort of privacy whatsoever so i wanted to ask the privacy commissioner um as a starting point um whether you thought privacy was something we can still have in digital spaces or is it a luxury that we

[00:36:45] should just be prepared to give up i mean i think you know what my answer is going to be so i'll start by saying i i'm not sure why vince surf's opinion on privacy is relevant i mean he has a clear financial interest he's the father of the internet yes but he also has a clear um i've been on a few panels with him yes um he has a clear incentive in saying that privacy is is over because there is a you know a whole economy Built off the back of erosion into privacy in the digital realm, um, you know I, I think having worked in privacy for a long time, um, there are strong instinctive human connections with the notion of privacy and it's connected very clearly with human dignity.

[00:37:29] If we divorce it from the digital realm, privacy is very important to people across cultures, across countries, and they demonstrate that in different ways. But the notion that you should have an autonomous space to decide what happens to you is clearly important to who we are as humans. So out of ground level, I think this is a key enabling right to what extent is it imperiled? By the digital ecosystem, to a large extent, absolutely. And to what extent can we roll that back? I think, to a large extent, I think we have this. These are technologies that are within our control, even AI. It is at the moment, humans all the way down, as they say. You know, that is really, really important for us to remember: these are human-made things, and we, as humans, can control what we want to do with them.

[00:38:15] And I think, really resisting that sense of technological determinism that everything is already happening, there's nothing I can do about it you know, I've just got to give up all my data because how else am I going to use technology? Is so so important to remind ourselves, we have agency and control. Now, there's a limit to what you as a citizen can actually control in the digital realm, and that's why it's important that I, as a regulator, step in there to start to reassert some control in the digital domain. We all have roles to play: activists have roles to play in pushing governments have roles to play in legislating. Um, but but I think we have to say that these after all are technologies that are less than 20 years old; they are not here forever necessarily, and they are not here forever in their current instantiation.

[00:38:57] We can shape them into the thing We want them to be a really interesting, uh, new uh sentiment emerging amongst young Australians is that they think that their data is already out

there and that it's too late and doesn't really matter. And I think that that's something really interesting that we're going to have to work through over the next couple of decades, even just with Optus, Medibank, Ticketmaster, etc. Their sense is, well, you know, it's done out there, so um, yeah. The kind of younger cohort of Australians are having those sort of conversations which I think is really interesting; it's fascinating. And I think you're totally right. You also see young People know how to change the algorithm by changing their behavior, particularly on TikTok.

[00:39:41] So there's a quite an in-tune sense to how their data is feeding into what they see, yeah. And you also research also shows that children um using social media have a really good um control of privacy settings vis-a-vis their parents using social media. They know how to make sure their parents can't see what's going on their social media feed, even if everybody else might able to. So it's a nuanced picture, I think. The premise of the the premise of the question is false. Privacy is not a historical anomaly. It's the rise of technology that allows us to surveil at speed and scale, that is the thing that's new. Previously, we had privacy and if you think about it many of the things that we think are important the fact that women got the right to vote, we can't count indigenous people in the population because people had privacy to think things that were unthinkable at the time.

[00:40:30] I also wonder how and I'm someone who actually also suffers from that belief that like it's already out there, it's already done. And, actually, as someone who posts their really hard left-wing opinions on the internet every Day, of course, I think it's done; everyone already knows what I think about everything, right? And so I'm like, well, I can't walk that back. But I also wonder, on a in a potentially positive spin, what it means for the future of leadership in this country, looking at it from a new angle. And I think it's important for me to say that. And I think it's important for me to say that. It's important that I think it's important for me to say that. Generation Zed kind of has this understanding that we all have a digital footprint, you know.

[00:41:00] It's not like our parents used to say, 'Don't get tattoos; you won't be hired for work.' Don't get another Piercing, don't do that. And I think like everyone has a drunk photo on Facebook; everyone has you know the majority of people under the age of 30 have probably sent a nude image. It's we're kind of getting past a point of shaming and thinking these conversations are taboo. And I'm accepting of people as a full person when they enter politics when they enter leadership positions, that we don't have to engage in this LinkedIn corporate speak all the time. And that potentially we have an opportunity to speak as humans together because we have so much of ourselves that is representative of our whole personhood on social Media so, I think there is opportunity for connection again, even in all of this darkness.

[00:41:45] Can I jump in and just explore that a little bit because it's really I think lovely the idea that as a society we're going to become perhaps more forgiving and compassionate to recognizing that people are human beings and can make mistakes? But my experience hasn't been that social media is a particularly forgiving place, necessarily. And I'm just wondering if anybody wants to comment on that. I think I will, like obviously, I make mistakes on social media all the time; I'm one person behind a media page with 135,000 followers, and to be Publishing my views in a changing landscape where new facts are learned every single day means that, when someone shares my

post from six months ago on a topic that's rapidly changed, they're saying I got it wrong.

[00:42:28] But, in fact, and sometimes, and often, I do get it wrong. Often, though, they're drawing old facts to make new material about me and impose an opinion and view of me that isn't actually accurate. And that's hard to stomach. But I think what would be harder than that even would be to exist on the internet with the belief that you can never fail or never be criticized. I think that social media ultimately is really damaging to our health. But I think it's taught me a lot in a very short period of time, and I think it's really important that we think about ourselves and how to respond to negative criticism, and what to take as trolling and hate speech, and what to take as something as a form of feedback, like in any workplace.

[00:43:01] And I think you know again, we shouldn't be accepting damaging language and dangerous ideas, you know, death threats in our inbox that I have received. But I think it can be a space to explore parts of ourselves that weren't possible without it. So Hannah, given your footprint in social media, do you think you could seriously run for political Office? Oh, that's the plan. If you Google me, the first three articles that come up are 'I want to be the Prime Minister' — here's an interview about it. But you don't see, I mean, the way the politics is conducted today; but they'll just drag those things out. That's fine. Hold those opinions against you. To take it off track. And you can't say... but I was 17 at the time.

[00:43:41] My dad rang me six months ago and said, 'You keep talking about sex and relationships and vibrators on your media platform, and you're never going to be elected.' And I said, 'No, the world is going to change. No, the world is going to change.' No, the world is going; we are going to change the world. The way that we talk about things, the way that we have conversations in these social spaces, actually allows people to engage with material they never had before and engage with progressive ideas because you might not be able to talk about sex or politics with your friends, but you might follow an influencer who does; and over time, having that in your feed can be one of the most healthy and exploratory, curious, curiosity-building moments of your life, to change who you are and have those conversations in your own social circles.

[00:44:20] And so. My dad can ring me and shame me all he wants, but I've already decided what's happening. He's not shaming you; he's looking out for you. He's looking out for me from the view of men his age who think just like him. My decision is my I want it to be that we are allowed to fail, we are allowed to make mistakes, and we can't tolerate hate speech. But if we have a willingness to be wrong in print on socials, we've all got a Facebook memory that's popped up from 12 years ago that was absolutely terrifying. You know, and I think that our ability to acknowledge it and go, that was awful; I'm not that person anymore. Can be one of the most healthy things that we can do.

[00:44:59] So, I think social media can be an amazing space for personal growth as well. Could I add on to that though? Because, one of the interesting things you mentioned was this ability to just access information that you've never had access to before, to explore things that you've never explored before. And I think that was one of the really exciting things initially about digital space: the idea that democratizes information, that allows people... You know, you can access the entire

history. Yeah. Of the world and all human knowledge on your phone, which is incredible, and yet, despite humans now having more information at their disposal than ever before, there seems to be less engagement with a lot of that information and less interest in exploring things outside of your normal sphere.

[00:45:41] I'm just wondering if the panel could comment on firstly, how do we ensure having all of this information at our fingertips, we're engaging in authentic, trustworthy information, which is one of the real issues at the moment with all of the misinformation and disinformation that we see? But secondly, how do we escape the algorithms to make sure that we're not simply exposed to information within our silos, and that we're actually getting a variety of perspectives and opinions?
That's full richness and diversity of human experience. Well, firstly, I also will be voting for you. Thanks, Sam. And I've read all your posts. Yeah. And the only other point I was going to add to the previous question is that I think that's what Sam was saying.

[00:46:20] The previous question was: 'I don't even really care if people who I hire as journalists have media degrees anymore. I'm more just concerned about who they are online and how good their writing is, but the idea of a tertiary degree is kind of I'm a bit beyond it. So just in terms of the moving ways that we think about the world.'   This university professor is slightly wounded. He's sitting here like you've both undermined journalism. I'm like that was Rupert Murdoch, we're doing fine. You're undermining universities. But in terms of your question around trust: yeah. And making sure the information is right and making sure it gets to the right people. I think a couple of things.

[00:46:56] One, from a journalist's perspective, we need to ensure that the sensational pillars of great journalism are still maintained, even though the cover is a social media page. For example, we have a full-time fact-checker. So, we've got two editors and then an additional fact-checker, and she sits there and makes sure that every single sentence that goes on social media has a primary source. And that is a resource. We did not make any money off the fact that she's there. In fact, it costs us a lot of money, but it's a resource that we are willing to invest in to ensure that social media is good. The other big thing that we're seeing with all media companies is that social media is not the end point, even though we had hoped we could exist on social media as a social media entity.

[00:47:47] It's a really good opportunity to intercept somebody, harnessing an algorithm; something that might have cost tens of thousands of dollars, because you had to put billboards up around the city. We can now do with a hashtag, so we can be more efficient. And then that's when we say, 'Hey, you like what you're reading? Come on over to our email.' And then you can control the deliverability; you can control the feedback; you can control the identity to an extent. You can ensure that your information is delivered in the way that you want it to be delivered. So, like I said, it's a lot easier to use social media than to use traditional methods. I set out to try and build a company that didn't have email, and now we've got email as our fastest growing channel, and that's just a testament to how quickly this environment has changed.

[00:48:27] But you can't control the information on social media, so you have to find another way. It's not lost on me that tech is also responsible for decimating the income stream that has been supporting all of that really important, valuable, essential fact-checking and journalism that needs to go on; so I think we have to continue the fight that we started with media bargaining. I know you're a bit of a skeptic, but I think it's a fight worth having that you know journalism was supported by its advertising revenue, which was a useful deal. And you know we've got to find some way of supporting it and we need to continue and push back. You know, I think we haven't seen the end of that fight.

[00:49:11] You and me going head-to-head on the bargaining code is another session I would listen to that. You know, we've got to play hardball with these. I think these companies make huge great profits, right? I mean, the only business that makes a greater return on revenue is illegal. There's no other business that has you know 50% return. Am I allowed to give a 30-second why I don't like the bargaining code or is that relevant? Sure. Again, this is about free-flowing conversations. Could someone film this for a real 30 seconds? It's really good. Just one other data point as well, which is also in terms of protecting our the integrity of our elections and policing social media. They now employ less and less people doing that right, and we've got a billion people going to the polls.

[00:49:55] We have more elections happening in the next 12 months than ever before, and yet they're doing they've got less resources to do that. Not that they're short of money to be able to do that; that's something we just have to, I think, you know, insist that they do. It's the the price of doing business. Ready? Yeah, ready. The Media Bargaining Code existed to entrench big commercial media organizations and non-commercial media organizations in Australia, and to basically provide them with another revenue source because their advertising dried up and they weren't actually sure what to do next. So, the Daily Aus, which is the most read youth platform in the country, has much bigger readership for young audiences than Nine Seven Ten Guardian combined.

[00:50:37] In fact, in the last year or so, we've got a new media platform in Australia called The Iconic. So, we're in a world where people who are more independent and independent polling suggests that we're more trusted than all of those outlets as well. Don't qualify for the code, and Google and Facebook have given about a hundred million dollars each to large media companies. The Daily Aus has received zero. So a media code is only as good as those who can apply for it, and in a new brave world you don't get physical shops saying 'I'm going to go and sue The Iconic and get compensation from the Iconic.' Because now shopping is online, you get innovation, and so we have built a sustainable media business in 2024 that can employ a fact-checker, and we don't get money from big tech.

[00:51:15] But that's that's just a failure to define the regulation in the right way. Nothing per se wrong with the idea that tech should be subsidizing the good journalism. I don't believe that tech should be necessarily compensating Rupert Murdoch for the fact that he used to make a lot of money from making classified ads for second-hand cars. We agree on that. And this is why I love this panel, and the real danger is that I'm going to sit here and keep asking questions because it's

so interesting but I'm sure that everybody out here has some questions that they're interested in asking. So we do have the opportunity for some audience Q&A. We've got some roaming mics going around, so I wonder I've got a question right down the front, but if we have a few questions, we do have some time.

[00:52:04] Hi, panel. Thanks for your talk. I'd like to ask you to reflect on two things. So firstly, there's been a bit of conversation about our humanity, our humanness, personhood, and how that expresses itself in digital spaces. I'd love to get the panel's reflections on how the everyday citizen now is actually kind of two things at once: the physical person and the digital person. My digital identity, which I regret to confess, I probably spend far too many hours curating and you know, engaging the world, is quite different to who I am here in the room. And then the second thing I'd love to get your thoughts on is how that dynamic between the virtual self and the real-world self is changing the way we think about trust for authority and government and democracy.

[00:52:55] And I want to pick up on the point you made about ratings, because I think citizen appetite, or at least my sense, is that it's not just a matter of who you are. It's a matter of who you are as a person. It's becoming a bit more stringent in terms of its demands on government services. It wants government to deliver in the same way Uber does, to be here on time. And that is, you know, you could say that sort of culture permeates to the online dating space as well. It's a lot more consumeristic than it is in person. So I would love to hear your thoughts on those things. I'll just pick up the last thing you said, which is there has been, I think, a bit of writing on what's called the platformization of the state and this idea of 'mémes' a had a sense of friction and the notion of virtual state and government should be a platform.

[00:53:34] And I think I'll share your concern on that front. I think what we've seen is that one of the things that new technologies and social media brought us was this idea of frictionless interactions. And I think that there are many public services have tried to imbue that sense of no friction, in the way that you interact with government. And I think that there's some real benefits to experiencing a lack of friction. But I think in trying to get to the bottom of what you were saying, there's something very human also about friction and you know hannah made that point about how we'd rather text than call these days and i think it's true that

[00:54:09] there have been these kind of cultural changes that have come off the back of technology back into into the real world in which we we want to experience less friction and actually maybe there's something worth preserving about friction in our societies that is important to us i also think like it's it's a conflict diverse method to text or message rather than actually engage with each other but i also think we're conflict diverse almost with ourselves now because thinking about that first part of what you said and asked us to reflect on about the digital self versus the actual self and we all know in our friendship circles and our work circles some people have bigger gaps than others in what part of their personality they're willing to share online but i think a big part of this is we actually all believe now and i maybe i'm just speaking from a generation So, I don't want to blanket statement that even though I absolutely just did, um,

[00:55:00] is that we kind of have a personal brand now on our social media because I think that

Facebook initially sort of actually served as just a diary entry sort of platform when it started. But Instagram, especially, is a very performed space of curation and even Generation Z trying to move to like very honest, candid sorts of versions of ourselves. We are still playing into the silo and the algorithm we exist in, in the echo chamber of our friendship group, so some people would feel highly pressurized to have social impact conversations. Share political you know, who they vote for, how they vote in the referendum last year. How they feel about what's happening to Palestinians right now? Like these conversations take up a lot of our actual grid space, and it's considered like a personal brand.

[00:55:39] And I think this is not necessarily I think it is a bad thing in that we're not truly reflecting and having a conflict with ourselves about who we are and then who we represent ourselves as. But I think it's not the individual's fault because we constantly feel pressured by everything that we're seeing, and everything that big tech imposes on us, and that has such a deep Impact and so deeply, and deeply hard, valued and deeply highlighted, that it really conditions us to believe that we just have to perform to what the grid and the algorithm want. So I think back to the audience; it's really an exercise in saying: Think about your online self and your real self, and how would you like to bring those closer together?

[00:56:12] And is that actually removing yourself from social media? More so, there was that the wonderful promise of the internet it was that what New Yorker cartoon that says: 'You're on the internet; no one knows that you're a dog.' That you could reinvent yourself. Um, I think that's the beauty That you could have the protecting of your data and the that different representation there. But I do hate the idea that we're becoming so transactional in our relationships with the way that we rate each other. I thought there was something great about our humanity where you would do something nice and then you would just be left with the afterglow of the thought that the person was happier, not that they have now rated you five. I saw, so we had a question down in the middle there that I saw. And then another one.

[00:57:05] Thank you. Hi, I'm Mish. I'm from Scarlet Alliance, the Australian Sex Workers Association. So my question is around the conflict between rights, particularly in online spaces. And I see this in when discussions around young people's access to social media and also age verification for porn, and conflicting with so the right to be free from harm, however that's defined, against rights to employment for online sex workers, rights to participating in a democracy for young people and social media. I also would like some reflections on, particularly in young people's social media, the actual voices of young people. Because I think I've seen a lot of this debate to be quite paternalistic and not actually engaging young people and young people's advocates in how we can make either online spaces, quote unquote, safer for young people.

[00:58:00] Or if that's not possible. I think those are some amazing illustrations of just how complicated this situation that we find ourselves in. And we're literally trying to work out how to be the architects of a future where people do get fair access to democracy, fair access to work, whatever that work might be. You know, all of those core pillars that you outlined, whilst keeping every stakeholder happy. And the truth is that we're never gonna get there. But I think the point that you raised at the end is really interesting around where are those young voices? So we heard

about that Guardian survey for example. I mean that's an all-ages census-driven survey that started at 18. So, the people actually that would be affected by this change weren't included in that survey.

[00:58:56] There's also then huge questions around how hard it is to research that group of people. It's notoriously difficult to get a really good piece of research from 13 to 18-year-olds. And if it is possible, it's very expensive. So I totally agree with you. And I think, I mean, without making it kind of about what Hannah and I do, I think we need more, we need to be creating environments where more young people with more diverse opinions can become voices online. And in my situation, that's about employing journalists. And so, you know, we've got 14 journalists on staff and 10 of them are under 25. So, that's not under 18, as you pointed out, but we're trying to really amplify and elevate young people. But it's expensive and it's tough.

[00:59:51] And I also agree that I would love to have more kids on social media for the purpose of, like, again, what we do is educate young people and empower them to see their voices as important and invite them to engage with democracy. And, you know, I know that a lot of our coverage, especially, relates recently to the debate on letting 16s vote. Like, that is very much a conversation. Raising the age of criminal responsibility, these are all topics that young people should be empowered to know about and have a conversation about, like, every political conversation. But, again, it's about I think I really liked your point earlier about making it a space that can be safe for them because I really like the conversation.

[01:00:29] The conversations that we're having around things like banning beauty filters, as opposed to actually, and again, it comes back to a conversation around censorship as well and what is freedom of speech and freedom of access. And again, it's a complicated conversation. It does come back to, for selfish reasons a lot of the time, exactly what we do and how we're trying to engage and speak to young people. But I agree with you and I love the points you've made as well. I think it's about curbing and trying to reinvent what social media could look like safely for children that actually their parents could have more supervision on. And I think it's about bringing that vision over as well. We had a question just down the middle here.

[01:01:12] Thank you, panelists. My name is Dr. Farhana Zamani. I'm the lead and manager of the human rights education team at the Victorian Equal Opportunity and Human Rights Commission. We're doing quite a lot of work in the space of digital education with the Victorian public sector. I'm heartened to see that, in the joint standing, the standing committee's report, there is a section talking about media and what use there would be in a human rights framework. Obviously, interested in your experience in getting information on human rights, noting, and I'm leaving this question to Hannah and Sam, based on your experience of where you're getting your information from at the moment. And if we were to put together a human rights framework, what would that look like for you? How useful would that be?

[01:01:59] Well, selfishly, as somebody who did human rights law at university and freaking loved it, and then just thought I could go to a corporate law firm and that would still happen there, I didn't quite realize that I couldn't go straight into the pro bono team, so I left after two wonderful years in litigation at M&A. I have a real passion for getting human rights stories onto the platform,

so we had Professor Justine Nolan from UNSW on this week to talk through what would a Human Rights Act look like on the podcast. And it's, yeah, it was a fantastic conversation, and she really brought the conversation to an audience that isn't familiar with human rights law. So it's about having good leadership in the organization.

[01:02:43] You know, we had Jen Robinson come and talk to us about the Assange case, so our journalists could ask the really difficult questions about what is, I think is the single most complicated case in the world. So we're trying to, yeah, give as much exposure as possible, but I actually think that the education system, as you've devoted your career to, has as much role to play in that, because we often feel like in news and in youth media, we're left with the job of explaining some key fundamentals that should have been covered by the education system. To take a really silly example, we've got a whole bonus episode tomorrow that the Australian government has asked us to make on filing a tax return. Jesus. Yeah. Now, it's a little bit more complicated.

[01:03:25] It seems to me that if you're putting something like that as a compulsory part of being an Australian who earns money, that should be covered by schools, not by media. I did flick it to an accountant to make sure that I was correct. But yeah, I think we need to work together on education. I mean, how cool would it be to do a media literacy and human rights unit across schools? I love that you just said what you said, because it's exactly the same for me. I did legal studies in Year 11 and 12 and was like, this is going to be exceptional. I'm going to do law, and hated every single second of that degree. Finished it with honors, everything great, but hated every minute and thought I just wanted to volunteer and go straight into community legal center work and do pro bono.

[01:04:07] I volunteered with the Prisoners Legal Services and liked all throughout my whole degree, that was my focus. Didn't want to go into corporate law, couldn't do it. Worked for a trade union, quit when I could to do this full-time. No media background. And again, like the stories I am most proud of working on and the coverage that I do is a lot of the time on things. Like, you know, even seeing Queensland suspend its own human rights act last year in relation to youth offending and keeping children in adult watchhouses. I don't need to mansplain to the room what happened there and how horrific it is. But I think it's it's interesting because my belief firmly is that Generation Z are more interested than ever in human rights and in understanding what the mainstream media is failing to report on at the forefront, which is things especially like youth justice, First Nations deaths in custody.

[01:04:55] Like these are the issues that I'm finding are getting much higher engagement. I mean, no one wants to learn about tax returns. I'm I'm so sorry. Tell me the stats on tomorrow's episode. It's going to bomb. Yeah, but very exciting for those who do listen, which will be me because I do need to know. I think there'll be a lot of closet listeners. Yeah, I think so, too. But I agree. Like, again, it's so much for me about like on our podcast recently, we had Kieran Pender from the Human Rights Law Centre talking about the David McBride case. And again, these are high-performing episodes because young people. Generations that have a passion for learning about this.

[01:05:28] But the problem is that we treat education as preparing people for jobs and we forget

it's about preparing people to be good citizens, preparing people to make something of their lives and become citizens. Well, I know as moderator, I'm not meant to insert comments, but I would just note: human rights is not a cross-cutting theme in our national curriculum, which interests me. So we have a question at the back. Thank you so much. I really enjoyed this discussion. The idea of forgiveness in the digital age is, I think, a really interesting explanation, too. But I suppose what I see, particularly for the way that online spaces become very hostile, particularly for marginalized people, women, people who are subject to racism, the sexism, transphobia - it's becoming a big issue.

[01:06:12] The break in shared reality that happens through the siloing of digital spaces is something that I would love to hear reflections on, because I do feel that's becoming a great threat to democracy and to our sense of rights. Particularly because while Generation Z is showing a lot more interest in this, we're also seeing that men under 27 are the most likely to believe that feminism has gone too far and that men have less rights than women now in Australia. You should see my inbox on Instagram; they do believe that. Like, Gamergate's happening again. It's only been, like, less than ten years since the last time we had these kinds of mass, like, outpourings of hate, and I guess, what do you see the role is in human rights enforcement, but in recognition of women's rights?

[01:06:55] I think it's really important that we have this kind of regulation in trying to create, find our pathways back to sharing a reality so we can have conversations. When platforms seem to be much less inclined to facilitate conversation as much as soapboxing at each other. I was going to talk before about recommender algorithms, which I think really go to this point, which is the role that again, personal information has in curating your feed to you. And how that results in echo chambers and filter bubbles and all that kind of stuff. And I'm very much in agreement with all of the rest which you've just described so well. I think let's again not forget that that technology is humans all the way down.

[01:07:34] So, the recommender algorithms are designed with certain metrics in mind, and the key metric being optimization for eyes on the platform for the longest period of time. Therefore, how long if you're a young male under the age of 25 who really wants to hear about how women are ruining the world, we're going to serve you more and more content to reinforce that position. Same if you're a conservative, you're going to need to bring that back into the conversation. Voter or a progressive voter, you want to hear more of what you already believe because that feels great. Hannah's point equally, we could design recommender algorithms to serve different ends and to meet different metrics. In my previous role, I worked at a think tank in the UK, and we did research on how the BBC was using recommender algorithms to achieve public interest outcomes, such as diversity of media that you receive, so you can fine-tune the algorithm to deliver people diversity of media or reach of certain types of media.

[01:08:25] For example, reach of information about an election that crosses political party lines; you can ensure that your consumers or your viewers are getting that diversity, and a pluralistic approach. And I think, really thinking then about... obviously coming back to regulation. Here to what extent can we require that algorithms be fine-tuned according to certain you know public

interest values? This is where government and regulation have let us down, right? So we decided that that we weren't getting enough competition, enough diversity in banking, so we decided we could have open banking. So you didn't like your bank, it was going to be relatively painless to move to a different bank. Well, in social media is a walled garden, right? How does Facebook continue to behave so badly?

[01:09:10] Is because you have no other choice; they own everything about you. Right, and if you leave Facebook, as I did many Years ago, it's your loss. There's a difference in response and that's the whole of the science. Then you miss out all of the opportunities. People can't en masse say, 'You know what, Facebook? You behave badly once too often. I'm going to go over to this other social media.' I'll take my friends, I'll take my photographs, and everything else because we haven't regulated that and they maintain it as a closed garden. So if we chose, we could introduce some competition diversity into that space because otherwise the natural phenomenon is it's a digital monopoly. And so Europe has recently adopted something called the Digital Markets Act, which amongst other things mandates interoperability.

[01:09:53] So in time, in Europe, you will be able to send a message from WhatsApp and it could hit Messenger, Signal, Telegram. So that kind of technical interoperability across platforms has now been mandated in Europe as a way to start to break down those walls. And that's one way in which regulation actually can start to make a difference. Dan or Hannah, did you have any comments on the question? My first thought when you said that was just that absolutely huge, huge change to drug dealing; that's going to cause a positive flip to the drug dealing market. I did see your face light up then. Yeah, I was like, hang on a second. I feel like I do need to just come in here and say that is not endorsed by the conference at all.

[01:10:36] Keep that in the recording. You'll find it on your favourite encrypted messaging app. We probably do have time for one or two more questions. I'm getting told from the back, so we've got one over here and a lot of hands over here. So if you've got any questions, I'm Brett Collins from Justice Action. I'd like to just bring into the conversation access to the internet as a right. Access to information, access for people who are otherwise excluded. So at the moment, for example, you've got all these kids and youth justice who are sitting around in cells around Australia, about a thousand of them, and none of them at all have access to a computer in their cells. None have access to information.

[01:11:19] Can't talk to their families, and they're locked in their cell on average about 15 hours a day. Now that's lack of access - no access to social contact, no access, never mind social media, no access to talk to their mothers and fathers, and access to education. The same thing here in New South Wales. We've just achieved Justice Action's achievement: getting a computer tablet to every prisoner in New South Wales, but they can't even access the right to, to the Australian Electoral Commission website in order to enroll to vote. They can't even vote. So, you have 30% of prisoners are actually Indigenous people, and they couldn't even enrol to vote for The Voice. So, that's the sort of thing that we'd be looking for, as a human right, if we could get a statement of some sort, maybe from the Information Commissioner, to say, you know, everyone should have access to the internet as a human right.

[01:12:11] And if you're a kid, how could you possibly have $1.6 million a year spent on kids in Victoria, and they don't have access to the internet? That's outrageous. I completely agree with you. I think access to the internet is a human right these days. I think it is an enabling right to access so many other things that you can't get to unless you have a computer, not least the right to vote. I completely agree with you. I don't know if the Human Rights Commission has done work on whether access is a human right. Well, and more broadly as well, not simply the access point in and of itself, but that broader digital divide about equality of access as well, and the fact that you see, for example, enormous divides between rural and urban areas, remote communities having access.

[01:12:55] And I think one of the examples we used is during the pandemic where you saw the access that kids had to online education was vastly different depending on where in the country they were, what school they happened to be at, how literate their parents were in a digital sense in terms of them being able to assist them with the technology. So I think it's an issue that is both immediate but also growing in importance. I think it's a really, the other part of this conversation that I don't have the answer to is the cost and whose responsibility is it to bear the cost of putting in a device that's made by a third party, and there's actually not that many providers of a tablet, for example.

[01:13:35] I fully agree with you and I think there should be. But then I think we should be asking Apple to say, 'You're not short of a coin.' You're clearly benefiting from the fact that we are; you've essentially built a human right in having technology. We need you to come to the party as well. Because I just think to like pen and paper is a lot, the barriers to entry to ensure that every prisoner has pen and paper in the 30s was a lot lower than making sure that every prisoner has an iPad now; both of which are fully 100% deserving because that's what we're using. But I just, it's a weird one because it's privately owned companies that we're talking to and that's just, I can't get my head around it.

[01:14:23] Now, it's come to that unfortunate moment where I know there are other questions and I apologize for not getting to every one of them, but we do have to draw the curtain to a close so that you can make afternoon tea and then the plenary session that will start, I understand, at 3:30 on the dot. But I'm walking away from this panel probably with more questions than I started with, which is — which actually is a sign of a really good conversation. So could I ask you to join with me in thanking our panelists?

[01:14:55] But just on a final note, the thing that it really has highlighted to me is that in all of our discussions about technology, it's humans down the line and at the end of the day it's keeping that humanity and human rights really at the heart of all of those conversations. So, on that, thank you so much for participating this afternoon. Thank you again to our panel, and I'll invite you to head out to afternoon tea. Thank you.