

Media Release

Under strict embargo until Wednesday 3rd July 2024

Alannah & Madeline Foundation demands stronger legislation after children's images exploited online

The Alannah & Madeline Foundation is urgently calling for stronger legislation and regulation including a Children's Online Privacy Code to protect children from exploitation online.

The Foundation is shocked and dismayed by the findings from [Human Rights Watch](#) that reveal personal photographs of Australian children have been "scraped" from the world wide web and used to train popular AI tools without the knowledge or consent of the children or their parents. This alarming discovery highlights the urgent need for increased measures to safeguard children from digital exploitation.

Human Rights Watch has revealed that the dataset used to train these AI tools contained links to identifiable images of Australian children. Disturbingly, some of these images were accompanied by children's names and other personal details. Many of these photos had originally been posted in relatively private or restricted online spaces – in some cases violating existing privacy policies.

The risks associated with using children's images to train AI models are significant. Malicious individuals could potentially use these models to create deceptive, offensive, or abusive images, including "deepfakes" of child sexual abuse imagery. Additionally, the very act of using children's images without consent violates their right to protection from all forms of exploitation, including digital environments.

While the organisation managing the dataset has pledged to remove the children's images, the rapid and powerful evolution of generative AI technologies means this is not the end of the problem. Current AI models cannot forget the data they were trained on, even if the data is removed. This potential permanence leaves children vulnerable to further exploitation.

Australian children and families have the right to freedom of expression and should be able to post photos and other expressions of their joyful moments online without fear of potential abuse. They would also be right to expect that government would protect their information from misuse.

Alannah & Madeline Foundation CEO, Sarah Davies is calling for immediate action.

"Children have the right to safety where they live, learn and play - including online. This recent breach of privacy is frightening and simply unacceptable. To prevent and address such violations in the future, changes are urgently needed in legislation, regulation, and industry practice."

The Alannah & Madeline Foundation is calling for a Children's Online Privacy Code, led by the Privacy Commissioner and applied to all services likely to be accessed by children.

Our recommendations include:



- **Children’s Online Privacy Code**
Define industry limitations on children's personal information use, focusing on upholding children's rights. Ban the trade in children's data and require clear, effective mechanisms for children and parents to report and ensure incidents of misuse are addressed.
- **Privacy Act Reform**
We understand legislation to reform the Privacy Act 1988 will be introduced to Parliament in August. It is crucial that this legislation includes provisions for a Children’s Online Privacy Code, including insurances of robust resourcing for enforcement and compliance.
- **Online Safety Act Review**
Advocate for stronger protections, led by an independent regulator such as eSafety, requiring child rights impact assessments and industry action.
- **New Safety Standards**
Support eSafety’s requirements for digital platforms to invest in systems to address child sexual abuse material and ensure industry compliance.

For too long, digital platforms have operated in ways that are unsuitable and even unsafe for children. This latest scandal demonstrates that cautioning children and their parents to “be more careful” online is not enough. Governments and industry must step up to create a digital world that upholds, rather than violates, children’s rights.

Read our full statement in response to the Human Rights Watch findings [here](#) and learn more about our Digital Rights Advocacy work [here](#).

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The Alannah & Madeline Foundation was founded 26 years ago by Walter Mikac AM, and a small group of volunteers in memory of Walter’s young daughters Alannah and Madeline Mikac, aged just six and three, who tragically lost their lives along with their mother and 32 others at Port Arthur in Tasmania on 28 April 1996. The Foundation was established with the belief that “*all children and young people should be able to live a happy and safe life, free from violence and trauma.*” Our mission continues today through our Care, Prevention and Advocacy programs – we fight for their right to be safe, so their future is strong. www.alannahandmadeline.org.au

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