Michael Gordon Smith, ABA Member spoke at the Internet Industry Association Seminar, held in Sydney on 5 November 1997. The following is an extract from his speech.

Current issues in Internet content regulation

Self-regulatory industry codes are the cornerstone of the ABA's proposed regulatory regime for on-line services in Australia.

The ABA favours a substantially self-regulatory regime based on practical and workable codes of practice, that does not hinder the growth and competitiveness of a new sector of the communications industry.

The ABA's experience demonstrates that codes can manage issues of community concern in a way that minimises administrative costs and can respond effectively to changes in an industry.

In the ABA, you find an organisation with skill in the code development process, familiar with content issues involving 'public interest' criteria, and used to a range of different industry structures.

Codes of practice must balance minimising the costs to industry with community expectations. They go beyond good customer relations and must provide a real measure of confidence for the public in the Australian on-line services industry.

Complaints handling

There must be a way to monitor compliance without imposing undue costs. Effective complaints handling is an essential component of this sort of framework.

There are unique practical difficulties posed by the global nature of on-line services and the complex transmission and retransmission of material across national and across state boundaries. Access providers have limited control over content passing through their systems. The task for the industry is to identify options for a practical response in this environment, including ways to

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* *Investigation into the Content of On-line Services*, ABA, 1996, price $20.

deter those who attempt to use on-line services in the commission of illegal acts including the promulgation of child pornography. It's a challenge the ABA is keen to help with.

Much of what I have said is not news. The ABA is pleased that the INTIA/IIA draft codes already include detailed processes for handling of complaints, including response rates and dispute resolution.

What do we do next?

The ABA is ready to work energetically with the industry to finalise its draft codes, and we're realistic in our understanding of the time it might take some industry groups to complete the code process.

The next step is for the ABA to work closely with industry bodies to ensure the codes meet the needs of key stakeholders and provide a level of confidence in the community about these new services.

The starting point is obviously the draft codes. The ABA will be contacting organisations soon to begin detailed consultation.

Labelling

The ABA has been asked to advise the Minister on content labelling as a strategy to protect children from unsuitable content.

The ABA canvassed the possibilities provided by labelling technology in its 1996 investigation report.* The Platform for Internet Content Selection (PICS) provides a tool which enables parents and supervisors to restrict children's access to material which is considered unsuitable.

The ABA sees advantages in voluntary labelling schemes which allow content creators to label their Web sites on the basis of a description of the nature of

the content. It is then the user's responsibility to decide whether and how to block material.

The ABA will soon be setting up an On-Line Content Labelling Task Force. The Task Force will comprise members drawn from relevant interest groups and will assist the ABA in considering the implications of content labelling for the Australian community.

It is envisaged that under codes, Internet service providers will be obliged to provide information about labelling to those who create content and build Web sites, and also to those responsible for children's use of the Internet.

We know there is a large educational task ahead to promote the rating of a critical mass of content and to inform parents and others about the availability of these tools.

There is much international interest in labelling. In July the ABA joined an international working group to discuss content rating, called the International Content Rating Group (ICRG). Along with the ABA, it includes the Internet Watch Foundation (UK), the Recreational Software Advisory Council (USA), the ECO Forum (Germany), and Childnet International (an international charity with offices in the UK and the USA).

The group aims to facilitate an internationally acceptable labelling system appropriate for cross cultural use. As a starting point the labelling system will consider the rating scheme developed for the Internet by the Recreational Software Advisory Council (RSACi). The aim of the ICRG is to develop a scheme which could accommodate the different value systems of a particular region or community.

Labelling is a clear example of the principle we've been discussing – of providing a solution oneself rather than having one imposed. ◻