For the past five years, the ABA has administered a co-regulatory scheme for Internet content under Schedule 5 to the Broadcasting Services Act. The scheme provides a coordinated and comprehensive response to community concerns about illegal and offensive Internet content through the investigation of complaints, development of industry codes of practice and by raising community awareness about Internet safety.

Five years on: Internet content regulation in review

Investigating complaints

The ABA began accepting complaints about Internet content on 1 January 2000. Since then, the ABA has investigated more than 3500 complaints about illegal and offensive ('prohibited') Internet content received via its complaints hotline (http://www.aba.gov.au/hotline). In the 2003–04 financial year, the ABA completed more than 800 investigations into Internet content complaints. While prohibited Australian-hosted content as a proportion of all prohibited content investigated by the ABA has generally been very small (averaging approximately 10 per cent in total from January 2000 to June 2004), increased awareness of the scheme among industry participants and users over time has seen a consistent decrease in complaints about prohibited sites hosted in Australia (representing approximately 10 per cent, four per cent and one per cent of total prohibited content investigated by the ABA in each of the last three financial years, respectively). The ABA is encouraged by these figures, noting that the declining levels of prohibited material hosted in Australia is a measure of the success of the scheme.

Overseas sites

The vast majority of prohibited Internet content investigated by the ABA is hosted overseas. The scheme explicitly recognises the need to address such content and provides an effective means of redress through the filter referral mechanism presently established under the Australian Internet Industry Association's content codes of practice (http://www.iia.net.au/contentcode). In 2003–04, the ABA referred more than 700 items of prohibited overseas-hosted Internet content to manufacturers of filters listed in the codes of practice, so that access to such content by users of those filters would be blocked. The ABA sees the role of industry, and that of the codes of practice (which are currently being reviewed by the Internet Industry Association), as vital to the effectiveness of the co-regulatory scheme, particularly given the recent increase in complaints about prohibited overseas-hosted material.

Referrals to hotlines and law enforcement agencies

In 2003–04, more than 99 per cent of prohibited Internet content investigated by the ABA was hosted overseas. Approximately 65 per cent of this content was sufficiently serious to warrant immediate referral to the appropriate law enforcement agency or overseas hotline. This underscores the importance of the ABA's close work with law enforcement agencies such as the Australian High Tech Crime Centre which, through its ties with international law enforcement agencies such as Interpol, is able to facilitate the further investigation (and prosecution) of overseas-hosted content. As a member of the Internet Hotline Providers Association, the ABA has established cooperative referral mechanisms with member hotlines in 18 countries to deal with sufficiently serious content. Through this alliance, which involves regular participation in joint initiatives and working groups (two of which are chaired by the ABA), the ABA is able to engage the assistance of hotlines such as the US-based CyberTipline and its in-house US federal law enforcement resources. In the first six months of 2004, the ABA referred more than 200 items of Internet content to the CyberTipline.

Research and education

Since the scheme began, the ABA has also commissioned research into Internet usage in Australian homes and filter software effectiveness. The research is available on the ABA's web site at http://www.aba.gov.au/internet/research/internet_usage.htm. The ABA regularly undertakes collaborative work with schools, police and community groups to foster safe Internet practices, particularly among children. For example, in September 2004, ABA staff participated in a NSW Police exhibit at the Sydney Children's Festival to promote Internet safety messages to Australian families.

Parents and carers of children play an essential part in the co-regulatory scheme, by ensuring that filtering software is installed and regularly updated, that Internet rules are implemented and observed, and that children receive appropriate supervision when accessing the Internet. To ▷

assist in this process, the ABA publishes Internet safety information and advice for parents, teachers and children on its Cybersmart Kids web site (http://www.cybersmartkids.com.au), in print-media articles and in brochures. Copies of the brochures are being distributed to all primary and secondary schools in New South Wales, in conjunction with a project to roll-out Internet access to all students.

The ABA released its new Internet safety brochure, *Cybersmart Guide*, which has been endorsed by all Australian law enforcement authorities, in September 2004. The guide provides helpful information for kids to make the most of the Internet safely. Copies of the ABA's Internet safety brochures may be ordered through online@aba.gov.au

Review of the scheme

In its recent review of the Internet content co-regulatory scheme, tabled in Federal Parliament in May 2004, the Department of Communications, Information Technology and the Arts found that the majority of submissions expressed clear support for the scheme's continued operation. The report noted that the ABA's operation of the complaints hotline, cooperation with law enforcement agencies and overseas hotlines, and community awareness functions provided especially valuable community safeguards.

Looking to the future, the ABA continues to contribute a range of strategic responses to help make the Internet a safer environment for Australian users, particularly for families with children. Together with the Australian Communications Authority and the Department, the ABA has commissioned advice on technical and commercial aspects of emerging mobile services and applications (such as Internet-enabled mobile telephones). The Department is currently reviewing the regulation of content delivered over mobile communications devices.

Submissions to the review may be viewed at http://www.dcita.gov.au/broad/consultation/a_review_of_the_regulation_of_content_delivered_over_mobile_communications_devices

Liaison with regulatory and other relevant bodies overseas about co-operative arrangements for the regulation of the Internet industry is an ABA function under the Broadcasting Services Act. Andree Wright, the ABA's Director, Industry Performance and Review, attended an INHOPE meeting, following meetings in London with organisations with a particular interest in mobile Internet safety awareness issues. These included ChildNet International, the Children's Charities' Coalition on Internet Safety and Vodafone UK. Here is her report on the meetings.

INHOPE

INHOPE holds members' meetings approximately three times a year. The purpose of the meetings is to review the work of the association and the work of the individual hotlines, to encourage the sharing of knowledge and experience among the hotlines and to provide essential training on key issues facing hotlines and the association by external experts. The meetings are usually hosted by one of the member hotlines and last for three days with a very detailed and complete agenda.

At its third meeting for 2004, INHOPE held a special workshop in Salzburg from 29 September to 1 October. The emphasis was on technical training to facilitate the tracing of child pornography online by hotline investigation staff. Attendees showed particular interest when, on 30 September, the issue by Operation Auxin in Australia of around 400 search warrants into online child sexual abuse matters became international news (for information about this operation go to: http://www.ahtcc.gov.au/MediaReleases/MR30092004OpAuxin.pdf). This operation was the result of extensive intelligence analysis including information from a large investigation in the USA last year. Other INHOPE member countries have either completed or are completing operations that have flowed from the American operation.

INHOPE has five working groups to enable the development, between meetings, of specific key issues facing INHOPE members. Working groups research areas of interest to the broader membership, and provide comprehensive and detailed recommendations for vote by the wider membership. At the September workshop the Personal Mobile Devices Working Group, which deals with mobile Internet, agreed to submit its guide to notification and take down procedures for mobile devices to the next INHOPE meeting for adoption. It is also developing a guide for hotlines for dealing with mobile network operators. Like the Content Working Group, the Personal Mobile Devices Working Group is chaired by Australia.

The London meetings coincided with Vodafone UK's launch of Staying in Touch: A Parent's Guide to Mobile Phones, a booklet developed in conjunction with the National Family and Parenting Institute (see http://www.vodafone.co.uk/cgi-bin/COUK/portal/ep/home.do). Vodafone UK emphasises that, in launching this booklet, it is the first mobile network operator that has tried to help parents understand the complexities of new mobile phones and mobile phone technology. The new services can be great fun for children, particularly as they offer an increased ability to interact with others. Vodafone is also aware that safety issues stem from the fact that phones are more than just talk as they allow users to send and receive messages and pictures, play games, take photos, access the Internet and use chat rooms. The booklet takes this into consideration and includes explanations and guidance about: