

## Supplementary Submission No. 2.1



Friday 2 July 2010

Parliament of Australia  
Joint Select Committee on cyber-safety

Dear Secretariat

I am conscious of the fact that the Committee's terms of reference were expanded after I made a submission on behalf of Yahoo!7 on 5 May to include a reference to the merit of establishing an Online Ombudsman to investigate, advocate and act on cyber-safety issues. I would like to supplement Yahoo!7's earlier submission with our brief thoughts on this addition to the reference terms.

We remain committed to making the Internet a safer place for all users, especially those who are more vulnerable such as children, and working with government and community stakeholders to take positive steps forward in this respect. Whilst we would be very happy to consider ways in which government, industry and relevant communities could work in a more coordinated manner towards this goal, we are not convinced that the appointment of an Online Ombudsman would be an effective step in the right direction. At present, most of industry works both individually and collectively with various government departments who have an interest in cyber-safety and have informal processes in place to deal with issues as they arise. All websites should have mechanisms in place which allow users to report illegal or offensive content directly to them in order that the content can be taken down expeditiously. We appreciate that awareness of these mechanisms may not be top of mind for some people and the Internet Industry Association is currently preparing a reference guide which identifies how to escalate these sorts of issues for each of the more popular social networking websites. We fear that the scope of work which would logically be tasked to an Online Ombudsman may be duplicative and ignorant of relationships and processes that are already in place. We are also mindful of the fact that many of the more popular social networking services (where safety concerns are of greater concern) are operated out of the United States and an Online Ombudsman may not have jurisdiction to actually compel these companies to take action where there has not been a breach of the website terms of use. Lastly, whilst we think that coordination between government, industry and community stakeholders could be better coordinated and harnessed, we would rather see the investment that would be required to establish an Online Ombudsman's office used to supplement funding to existing organizations that are doing very important work in this area such as law enforcement agencies and the ACMA.

We would be very happy to discuss these issues with you in more detail, or to answer any questions you may have.

Kind regards  
Samantha

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