Parliamentary Joint Committee on the Australian Crime Commission

Inquiry Into Cybercrime

The Secretary
Parliamentary Joint Committee on the Australian Crime Commission
Suite S1 107
Parliament House
Canberra ACT 2600

May 7, 2003

RE: The Parliamentary Joint Committee on the Australian Crime Commission, Cybercrime Inquiry

To the Secretary,

The National Child Protection Clearinghouse[1], at the Australian Institute of Family Studies would like to submit the following information to assist the Cybercrime Inquiry with its deliberations.

The information presented below is an abridged version of an Issues Paper produced in 2001 by the National Child Protection Clearinghouse, 'Child abuse and the Internet', authored by Dr Janet Stanley

Summary of Key Recommendations

- **Internet service providers should be required to take greater responsibility for the protection of children by moving from self-regulation to quasi-regulation or explicit government regulation, both of which are common in other industries in Australia.**

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[1] The National Child Protection Clearinghouse is funded by the Commonwealth Department of Family and Community Services as part of the Commonwealth's response to the problem of child abuse. The National Child Protection Clearinghouse, has operated from the Australian Institute of Family Studies since 1995, and provides an information/advisory service to workers in the child abuse prevention and child protection field.

The Clearinghouse aims to inform policy, practice and research into child abuse prevention, it has an extensive library, and disseminates information resources to a network of clients through regular paper and electronic publications. The Clearinghouse also moderates an Email discussion list for professionals working in the field as well as a program evaluation consultancy service. This service supports service agencies who are in the process of developing or refining child abuse prevention interventions, and in particular, assists agencies to adequately evaluate their programs.

- Criminal prosecution of Internet offenders requires appropriate legislation within national boundaries and a substantial degree of international co-operation, especially between law enforcement agencies

- Substantial penalties should be given to those offenders convicted for the distribution of child pornography on the Internet.

- There is an urgent need for research to investigate the impact of exposure to sexually explicit and/or offensive material, and the relationship between viewing pornography and offending.

- Advances and the changing nature of the internet means that there is a need for better cooperation between social scientists and Internet technologists to develop strategies to address offensive Internet content.

- Less emphasis should be placed on developing prevention measures which are structured around individual responses such as parental supervisions as a means of preventing of children from accessing offensive material on the Internet rather than on societal responses

- The welfare and rights of children, should be guiding internet policy rather than adult rights to free speech and privacy.

- There is a need for greater public awareness and informed discussion about the exploitative and abusive aspects of the Internet.

- Prevention programs for 'at risk' children need to be developed

- Blocks or filters which aim to restrict children's access to inappropriate material need to be improved.

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What is known about child abuse and the internet?

The past decade has seen the rapid development and tremendous growth in the use of electronic, computer-based communication and information sharing via the "Internet". The speed at which society has adopted this technology, its spread internationally and its significant penetration into work, school and family life, has been described by some as a "revolution" (Slattery 2001: 13).

Typically, Australians adopt new technology rapidly and the uptake of computer technology and use of the Internet is proving to be no exception. Australia is currently the third highest Internet user, after the United States

and Sweden (Editor 2001a). Children and young people, in particular, have readily embraced the new communication medium.

Solicitation of children

Just as the Internet has become a source of significant positive change, it has also created new opportunities for the abuse or exploitation of children and young people. Although definitive data does not exist, it would seem that a significant number of Australian children are being targeted for sexual purposes via the Internet and/or exposed to material that is offensive or developmentally inappropriate. Using Australian population figures and extrapolating from US research (Finkelhor et al. 2000), based on the assumption that approximately one-third of Australian children, aged 10-17 years regularly use the Internet, it may be that over 50,000 children will be approached annually on the Internet, for sexual purposes.

The sexual exploitation of children via the Internet has become so prevalent that it is said to have become "a serious problem" (End Child Prostitution and Trafficking (ECPAT) 2001). The Internet has become a popular means of recruiting children for sexual purposes because it provides both easy access to children, and a reduced risk to offenders of being identified (Feather 1999). The internet also provides an opportunity for offenders to remain anonymous or to misrepresent their identity and intent, leading a child to believe that he or she is talking with another child, a trusted "friend" or a caring parent figure (ECPAT 2001). An offender may lurk in Internet chat rooms, gathering information until an opportunity arises to move the conversation with a child to a private chat room or to a mobile phone, and then ultimately arrange a real life meeting (Aftab 2000; Carr 2001). Such dangers are exacerbated because parents' or teachers' warnings about the dangers of talking to strangers or agreeing to meet with them (sometimes referred to as "stranger-danger"), may not be triggered in children meeting others on the Internet (Aftab 2000).

'At risk' children

Sexual offenders often target children with particular characteristics (Mitchell, Finkelhor and Wolak 2001; Petraitis and O'Connor 1999). These may be children in the care of the state; children who have experienced prior maltreatment; emotionally immature children with learning or social difficulties and problems with peer friendships; love or attention deprived children; children with strong respect for adult status; children from single parent families; children who will co-operate for a desired reward (such as money, computer games); and, children with low self esteem. A study of children aged 10-17 years in the United States found that children over 14 years who were "troubled" (defined as being exposed to negative life events,

maltreated and/or depressed) were more likely to be solicited (Mitchell et al. 2001).

Reporting the abuse

It would appear that children often do not report sexual solicitation, even when the offender attempts to contact them outside the Internet. In the US study reported above, only one-quarter of the children who had encountered a sexual approach reported this to a parent, and only 10 per cent of approaches were reported to the police, an ISP, or another authority such as a teacher (Finkelhor et al. 2000; Mitchell et al. 2001). Similar findings were reported in the small Australian survey of adolescent students reported above (NAPCAN 2001) where only one-quarter of the children who had been sexually solicited told a parent, and no reports were made to the police. One-third of the children did not disclose the solicitation at all. The Australian Broadcasting Authority (ABA) (2001b) also recently undertook a study which found that 44 per cent of the children who had been exposed to undesired Internet content had reported this experience to a parent (ABA 2001b). These studies provide some support for the view that children often keep such "cyber-friendships" a secret from parents and sometimes friends (ECPAT 2001).

Offenders

It has been suggested that child sexual offenders on the internet have different characteristics to other child sexual offenders. While the "overwhelming majority" of child sexual offenders are typically reported as being mature-aged males, many of whom are known to the child victim (Queensland Crime Commission and Queensland Police Service 2000; Tomison 1995). A US study found that under one-third of offenders were reported by the child victims as being female, with nearly half of the perpetrators reported as being under 18 years of age, with very few aged over 25 years (Finkelhor et al. 2000). However these figures do need to be viewed cautiously, due to the possibility for child sexual abusers on the internet to misrepresent themselves being younger than they are.

However despite this caution, it may be that the opportunities for solicitation on the Internet have enabled a wider group of people to become offenders. This viewpoint is supported by a UNESCO meeting of experts on child sexual abuse and the Internet, who report that there has been a recent increase in offences by people who are sexually indiscriminate and use children if they are available (Arnaldo 2001). Thus, the increased opportunities for criminal behaviour provided by the Internet would appear to be leading to an increase in the sexual exploitation of children and young people (Carlsson 1999) by a greater range of people than traditionally have been known to offend (O'Connor, personal communication 2001).

Paedophile networking

As well as being used for direct sexual solicitation, the Internet is used by paedophiles to legitimise, reinforce and facilitate their sexual inclinations (Feather 1999). An Australian study noted that "extensive paedophile activity and organisation" can be found in publicly accessible parts of the Internet (Forde and Patterson 1998: 6). Contact between paedophilies on the internet may be organised formally through people or sites on the Internet, known as "facilitators". Such sites provide support, advice and encouragement, such as: location of the "best" newsgroups; assistance with organisation and distribution of material; technical advice, such as down-loading and on decoding pornographic material, and remaining anonymous; and, general integration into the virtual community (Feather 1999; Forde and Patterson 1998; O'Connell 2001).

Internet chat rooms are often used by paedophiles to indulge in sexual fantasies (Aftab 2000). Sellier (2001) reports that over 23,000 sites and 40,000 openly advertised chat rooms are devoted to the defence of adult-child sexual relations. One prominent paedophile group that has developed an Internet presence is the North American Men/Boy Love Association (NAMBLA). The stated goal for this organisation is "to end the extreme oppression of men and boys in mutually consensual relationships" by "building understanding and support for such relationships" and "educating the general public on the benevolent nature of man/boy love" (NAMBLA 2001).

Child pornography

Although it is difficult to gauge the extent of child pornography on the Internet, there are estimates of 14 million pornographic sites (Costello 2001), some of which carry an estimated one million pornographic images of children (Wellard 2001). The rate of discovery of activity by law enforcement agencies gives an indication of the extent of child pornography. In the United States, the rate of convictions for online offences against children is about 1,000 people annually - and rising - with known activity being substantially higher than actual arrests (Carr 2001). Recent publicity has been given to the trial of seven men in the United Kingdom who were members of the W0nderland Club, an Internet organisation of paedophiles operating in Europe, Australia and North America (see, for example, BBC News online 2001; O'Reilly 2001). During the investigation into the W0nderland Club, law enforcement officers seized 750,000 pornographic images and 1,800 pornographic videos of children; 1,236 different children were identified from the images and videos seized (Hunter 2001).

Of major concern is the use of children to produce this pornography. Although advances in digital technology have enabled the production of "morphed" images (that is, the manipulation of images of adults in sexually explicit poses into sexually explicit images of children) (Calcetas-Santos 2001), digital technology has also made it easier and safer for amateur collectors to use children for the production of pornography and to electronically transmit their material (ECPACT 2001; Queensland Crime Commission and Queensland Police Services 2000). Exposure of the W0nderland Club revealed an exceptionally sinister side to Internet paedophile activity where those who actually filmed and published their own acts of sexual abuse online, were feted as heroes (O'Reilly 2001: News 1).

Relationship to offending

Child pornography relayed through the Internet is "regularly" used as a means of desensitising children and normalising sexual activity between adults and children (Feather 1999: 6). Children depicted in the pictures are often smiling or have neutral expressions, a factor that appears to be designed to represent children as willing participants in sexual or degrading acts (O'Connell 2001). There is a recent trend for pictures to be taken in domestic settings such as a kitchen or bedroom, thus further "normalising" the activity for children who view the images (Queensland Crime Commission and Queensland Police Services 2000). Exposure to such child pornography may also serve to desensitise and reduce adult inhibitions.

Exposure of children to inappropriate material

In the Australian Broadcasting Authority's (ABA 2001b) study of children's exposure to offensive material on the Internet, it was reported that 47 per cent of young persons aged 11-17 years had unintentionally accessed material on the Internet that they found to be "offensive or disgusting". This material was mainly pornographic in nature, but also included nudity, "rude stuff", tasteless jokes, talk in chat rooms and violent imagery (ABA 2001b).

Apart from visiting pornographic sites, e-mail offers an additional means for children to be exposed to sexually offensive or developmentally inappropriate material. For example, a free e-mail service that is commonly used by children is saturated with commercial e-mails relating to sexual services, "adult" material and e-mails that appear to link to child pornography. Titles invite you to access "Teen Sex, Teen Pics, Teen Movies", a "Free review of new hardcore porn site", "Live sex see it now" and titles too offensive to reproduce here. In addition, e-mail addresses may be sold commercially to product marketers who send unsolicited e-mails, some of which may contain offensive material.

In addition to the sexually explicit material available online, children may access fictional and documentary violence on the Internet, including hate propaganda, information about drug and weaponry manufacture (Carlsson 1999, 2001; Feather 1999; Villani 2001), pictures of suicide and road accident victims, and advice on how to commit suicide (Carr 2001). Thirty-nine per cent of US teenagers are reported to have viewed sites featuring offensive music, while 20 per cent have seen sites featuring violence (Websense, Inc. and Yankelovick Partners 1999). Researchers have also observed chat room discussion on the topics of sexuality and aggression (Iannotta 2001).The discussion was found to be "explicit", outside the norms of "acceptable behavior", to have "little to do with relationships", and was associated with the degradation of women (Iannotta 2001: 36). Similar concerns have been identified in other research which found that violence against women portrayed on the Internet, often depicts women as being inferior to men (Carlsson 2001).

Impact

Research on understanding how children use the Internet to learn about sexuality "is in its infancy" (Iannotta 2001: 23) and opinion about the impact of this varies. However, it is acknowledged that the impact will depend on the child's developmental level and her or his reason for viewing the content (Iannotta 2001). Adolescents naturally tend to seek out information on issues of normal sexual development and sexuality. Where this is not readily provided, for example, by families or by schools, they are likely to turn to their peers and the media (Sutton, Brown, Wilson and Klein 2001, reported in Iannotta 2001).

Although the majority of children (aged 10-17 years) in Finkelhor and colleagues' (2000) study stated that they were not very upset or afraid when exposed to unwanted sexual material on the Internet ("normal" and offensive material were not differentiated), a sizeable proportion (23 per cent) reported being very, or extremely, upset by the exposure. The majority of these children (20 per cent of the total) reported at least one symptom of stress, in the form of avoidance behaviours, intrusive thoughts or physical symptoms.

There has been some concern expressed about the potential disruption of adolescent development by exposure to even "normal" sexual material viewed on the Internet (Tidmarsh, personal communication, 2001). A known consequence of children viewing pornography over the Internet is desensitisation to the material, a factor linked with children and young people becoming sexually abusive to others (Wellard 2001).

Impact based on research on other media

Given the current lack of research on the impact of children accessing sexual, violent and offensive material via the Internet (Finkelhor et al. 2000; Villani 2001), an exploration of research on the effects of other media sources, such as television and film, may be informative. Research has shown that children learn behaviours and values from the media (Villani 2001). It has been found by some researchers that children who devote considerable time to using such media are at risk of developing an altered perspective on human relationships, and engaging in "increased violent and aggressive behavior, increased high-risk behaviors, including alcohol and tobacco use, and accelerated onset of sexual activity" (Villani 2001: 392).

Children exposed to media violence and sexually violent content have been shown to have increased hostility, they may act out violently (imitating the violence), and display fear and anxiety responses (Iannotta 2001; Wartella Olivarez and Jennings 1998). Others have found that children exposed to media violence and sexually violent content have been desensitised to actual violence. It is unclear whether these changes in arousal and attitude after viewing sexually violent content are short or long term, or if the impact is cumulative (Iannotta 2001).

Other forms of child abuse

There are a number of other dimensions associated with the Internet that have the potential to be child abusive. However, even less is known about these forms than the little known about aspects of child sexual exploitation, discussed above. While use of the Internet to promote child sexual tourism, harassment, the commercial exploitation of children, and the extended use of the Internet by children, has received some attention, the nature and extent of other issues, such as children's use of Internet gambling sites and the role of the Internet in facilitating the trafficking of women and children, remains largely unknown.

Promotion of child sexual tourism

A member of the Expert Meeting on Sexual Abuse of Children, Child Pornography and Paedophilia on the Internet, has stated that child prostitution and the commercial sexual exploitation of children have grown to "unprecedented levels in recent years", especially in many Asian countries where there is extreme poverty (Aloysius 2001: 157). However, it may also be that there is greater awareness of child exploitation than in the past.

In 1999, Australian child sex tourists were identified as actively soliciting or engaging in sexual practices in over 22 countries (Editor 2001c). There are suggestions that such offences are advanced by the Internet, with Internet facilitators assisting with access to child prostitutes, the location of child sex tourism operators and the sale and trafficking of children (Children's Legal

Centre 1997; Sellier 2001). At least 600 Sri Lankan boys are presently directly advertising their services on the Internet (Aloysius 2001). In 2000, Australia developed a National Plan of Action in relation to the commercial sexual exploitation of children (Department of Family and Community Services 2000).

What should be done to prevent child abuse on the internet?

Internet service providers should be required to take greater responsibility for the protection of children by moving from self-regulation to quasi-regulation or explicit government regulation, both of which are common in other industries in Australia.

Internet service providers are in a key position to assist with the prevention of child abuse on the Internet, and arguably should therefore be "more visible and proactive on this front" (Finkelhor et al. 2000). A (limited) exploration of web-sites undertaken for this paper suggests that, despite self-regulation, the Internet industry in Australia does not have a significant presence in addressing child protection issues. The Australian based Internet Industry Association states that it is focused on "market-led, market driven solutions" (Internet Industry Association 2001). It has also stated that the industry is not expected to endure "unnecessary" expenses to protect children (Family and Community Development Committee 2000: 153). It is not clear what this means in practice.

Although a direct comparison cannot be made, it is interesting to note the findings from a study on the success of self-regulation in the video industry in Japan (Bureau of Citizens and Cultural Affairs 1991, reported in Kodaira 1998). Over half of those surveyed who were associated with video shops believed that horror and adult videos had a negative influence on children, yet no shop enacted self-regulation on selling or renting these videos, because of financial considerations. Indeed, the Internet industry does not appear to meet accepted criteria for the operation of industry self-regulation, which is only to be used where "there is no strong public interest concern, in particular, no major public health and safety concern" (Coghlan 2000: 7).

According to welfare economics, industry should pay the true costs of production, including social and environmental costs (Pigou 1960). At present the wider community is meeting most of the costs of the Internet Industry in the areas of child abuse treatment and prevention. Thus, in effect, the community is subsidising private industry. These costs are being met by non-profit community watch-dog and service groups (such as kIDs.ap and Cyberangels), federal and state governments (through law enforcement and other agencies and initiatives), and the endpoint user, including schools and

parents, and of course children. There is a strong argument that the Internet industry should meet a substantial proportion of these costs, along with a smaller proportion being met by other stakeholders, particularly, governments. It could be argued that some Internet services (such education and information services) provide the community with a social good, and thus a certain level of government subsidy is warranted.

The right to operate as an ISP could be subject to a system of accreditation which requires certain levels of operating standards, such as the filtering of material deemed to be offensive by government or other regulatory authorities, prior to relay. Alternatively, ISPs could contribute to the cost of preventing child abuse though a taxation system which reflects the volume of material relayed.

Criminal prosecution of Internet offenders requires appropriate legislation within national boundaries and a substantial degree of international co-operation, especially between law enforcement agencies

Evidence that this collaboration is beginning to take place can be seen with the arrest of 180 members of the W0nderland Club (four of whom were based in Australia). These arrests were preceded by four years of planning and coordination between 13 countries (O'Reilly 2001). Similarly, in April 2001, Spanish police broke an international child pornography ring of approximately 80 people, from 21 countries (European Commission Information Society 2001b).

However, despite these reported successes, a number of features of the Internet create difficulties for law enforcement. As Internet crime (in general) usually transcends state and national boundaries, it is often unclear where the offender should be prosecuted and how differences should be reconciled between state and country legislation in relation to criminal law, infringement of privacy, computer hacking, trade secret protection and illegal contents.

In Australia during the mid-1990s, specialist Internet investigation squads were established in New South Wales, Victoria and Queensland (Editor 2001c). In addition, there are other specialist groups located within state-based child exploitation or sex offender squads that take responsibility for law enforcement in relation to child sexual abuse associated with the Internet. These squads have developed strong inter-agency liaisons with police forces overseas and adopt a preventative stance rather than having a solely reactive perspective (O'Connor, personal communication, 2001).

However, the creation of a national child exploitation law enforcement agency would be of considerable advantage to law enforcement policies and programs (O'Connor, personal communication 2001). Such an agency could facilitate Australia's co-operation with international agencies that investigate

and prosecute Internet crime, and facilitate inter-country agreements about legal jurisdiction and searching and seizing across country boundaries (Directorate General, Justice and Home Affairs 1999).

This might include actions such as the placement of police liaison officers overseas to track the behaviour of their own nationals where they are a threat to children (Children's Legal Centre 1997). Such a law enforcement agency could act as a Centre of Excellence to understand and respond to Internet crime and provide specialised training, as well as undertaking systematic monitoring and scanning of the Internet. It could also include the reinstatement of the recently disbanded Australian Federal Police's child sex unit, established in 1995 to address law enforcement issues in relation to paedophiles operating between Australia and Asia (Ludlow 2001).

Legal loopholes and legislative variations are often exploited by the paedophile community (Directorate General, Justice and Home Affairs 1999). For example, Interpol reports that most of the child pornography available on Internet sites now originates in Japan due to their lack of laws prohibiting its production (Editor 1999). On a more positive note, over 20 countries have allowed extraterritorial legislation to be applied in the case of sex offenders, although the number of prosecutions based on this legislation is very small (Dionne 2001).

While a country may have laws aimed at prohibiting sexual offences against children, it is often difficult to obtain a prosecution. In many countries, including Australia, existing laws on sexual assault and child pornography are inclusive of illegal Internet activity. However, there are difficulties in translating these laws to the Internet media (Ferrier 2000). Most child pornography legislation assumes that an actual child is the model and does not extend to the morphing of images of children (Calcetas-Santos 2001)

It would appear that Australia has similar translation problems. Charges against a suspected offender who allegedly attempted to procure a child to commit "an indecent act", were recently dismissed by a Queensland magistrate (Editor 2001e). The man was apprehended after a Queensland Crime Commission investigator posed as a 12-year-old girl in a chat room. The case was dismissed because there was no actual child and the offender was seen to be only preparing to procure a child, not attempting to procure a child. Similarly, child protection authorities were reported as being unable to prevent a 14-year-old child leaving Australia with a 38-year-old man she met in a chat room (Murphy 2001).

Some Australian states and territories have moved to create new or amended legislation. Victoria, Queensland, Western Australia and the Northern Territory have passed legislation specific to illegal Internet content but their effectiveness remains largely untested in court (Family and Community

Development Committee 2000). The Australian Capital Territory has recently amended its Crimes Act to make it an offence to use electronic media to encourage a child under 16 years to become involved in a sexual act (Field 2001). A recent development in New South Wales requires child sexual offenders, including those convicted in relation to child pornography, to be registered with the police for a period of between eight and 15 years (Nott 2001).

Finally, the Victorian Parliamentary Committee's 1995 Inquiry into Sexual Offences against Children and Adults (Crime Prevention Committee 1995) offered some food for thought. Although the Committee's recommendations have not yet been adopted, some are worthy of consideration on a national basis. These include the development of uniform laws to regulate the content of electronic Bulletin Boards, and the mandatory reporting of all child pornography detected by commercial photographic processors, including "discreet" processors often attached to adult shops (Hopley 1994, reported by Crime Prevention Committee 1995: 294).

Substantial penalties should be given to those offenders convicted for the distribution of child pornography on the Internet.

Characteristically, such offenders have been given minor sentences perceived as being of insufficient severity to act as a deterrent (Hunter 2001). In 1999, the maximum penalty for possessing child pornography in Australia was two years jail and a $60,000 fine. However, few offenders - if any - have suffered the full force of the penalty, most only receiving a penalty of a few thousand dollars (Petraitis and O'Connor 1999). Similar issues have been encountered overseas. For example, in the United Kingdom, a member of the W0nderland club who had 24,342 child pornographic images on his computer was sentenced to a 12-month community-based order and was required to attend a sexual offender program (Devlin 1999).

In the last few years, there have been attempts to strengthen the penalties associated with Internet sex crimes both in Australia and across the world. In Victoria, for example, the maximum jail sentence for possessing child pornography was raised in November 2000 from two to five years (O'Connor, personal communication, 2001).

There is an urgent need for research to investigate the impact of exposure to sexually explicit and/or offensive material, and the relationship between viewing pornography and offending.

A dominant theme throughout the literature is how little is known about the impact of the Internet on children and society, with research on children's interaction with electronic media being "in its infancy" (Shields and Behrman 2000: 10). Although some research examining Australian Internet use is

currently being undertaken (ABA 2001c), there is still insufficient understanding of how long children spend using the Internet, and for what purposes (Department of Communications, Information Technology and the Arts 2001; Montgomery 2001). Further, there is almost no research on how media depictions of "normal" sexual behaviour influence children and very little is known about the effects of pornography on those who view it. Specifically, even less is known about the impact of viewing pornography on young children, and even less on the impact of sadistic and violent pornography (Carlsson 2001: 62; Iannotta 2001).

While children's exposure to violence on television and in films has been researched for some time, the complexity of the issues "make it difficult to reach clear-cut conclusions" (Sanson et al. 2000: ii). However, there is said to be reasonable consensus that prolonged exposure to violence is one factor which leads children to be more likely to display aggressive hehaviour in the long term (Sanson et al. 2000). At present, there does not appear to be any research which examines the impact on children of repeated exposure to inappropriate and offensive material. Indeed, the whole process of children's cognitive learning, and how attitudes and lifelong positions are formed, is not yet understood (Arnaldo and Finnström 1998).

In addition, research is needed on Internet offenders in order to understand who they are, and to gain further insights about paedophile Internet practice. In an allied issue, and taking into account privacy considerations, technological research is needed to ensure that an offender's ability to remain anonymous on the Internet is significantly hampered (Forde and Patterson 1998).

Advances and the changing nature of the internet means that there is a need for better cooperation between social scientists and Internet technologists to develop strategies to address offensive Internet content.

The nature of the Internet is rapidly changing. Barr (2001) speculates that by 2010 there will be an explosion in the number of connected devices, a dramatic increase in traffic, and ever burgeoning amounts of information across the system. There are reports on the development of a "radical" new Internet system called Freenet, which enables information to travel between home computers without the need for ISPs (Kleiner 2001: 13). This has potentially grave implications for children in an unregulated Internet environment. The article notes that the creator of the technology is a "free-speech absolutist who feels that today's Internet is vulnerable to censorship" (Kleiner 2001: 13).

The development of these systems raises many issues in relation to technology uncritically shaping our future lives and its likely impact, particularly on children. At present it appears that the community is allowing

scientists who design technological developments, in association with companies who market the products, to dictate the form and speed of changes in technological use.

It should also be noted that there is currently no requirement that Internet developers meet any of the costs associated with the "downside" of technological development or understanding adverse impacts. Indeed, there is no requirement that an "impact statement" be undertaken at any stage of development, as is now common practice in many industries, such as mining and forestry, and in infrastructure developments. Nor is there any form of ethics review or evaluation, as required by many academic communities and institutions.

One strategy mooted is the mandatory inclusion of Child Impact Statements, such as those suggested by Rayner (1994), requiring government and non-government agencies to consider the effect of particular technologies on children. Impact statements would allow planning to be undertaken to address possible adverse effects and provide a time lag in which to initiate research and establish prevention initiatives.

A major Australian research initiative has seen the establishment of a Cooperative Research Centre for Smart Internet Technology (Barr 2001). The initiative involves nine universities in five States, along with government agencies and major corporations, such as Hewlett Packard, Motorola and Telstra. The Centre aims to "research and develop a scalable, robust Internet that is 'smart' in assisting its end users" (Barr 2001). Unfortunately, the five listed objectives of this Centre make no mention about research on the impact of the Internet on society or children.

Less emphasis should be placed on developing prevention measures which are structured around individual responses such as parental supervisions as a means of preventing of children from accessing offensive material on the Internet rather than on societal responses

To date, a significant amount of the responsibility for the prevention of child abuse on the internet has been left to parents, whom society expects to "take an active interest in their child's activities" (Feather 1999: 18). Certainly the United States courts have decided that the "burden" of protection of children from media content in the home "firmly rests on parents" (Ferrier 2000: 4). Similarly, the Assistant Director-General for Communication, Information and Informatics at UNESCO argues that solutions must come from the family, stating that "(p)eople in their own homes can control the events in their own living room. They can indeed turn off the TV!" (Yushkiavitshus 1989: 14) However such approaches assume that all children will be supervised by a parent or responsible adult, that the adult has time to devote to this issue, is computer literate; is informed about all hazards on the Internet; and is

motivated to take action. Such responses also assume that young people are keen to share information and involve their parent/s or caregivers in their computer activities. Yet research findings suggest that parents are not necessarily well informed about their children's activities on the Internet - in particular adolescents - due to their developing need for independence and privacy (Finkelhor et al. 2000).

Penn and Associates, for example, investigated the extent of parental monitoring of Internet activity in separate interviews with parents (N=401) and teenagers aged 14-17 years (N=311) in the United States (Penn, Schoen and Berland Associates 2000). They found many discrepancies between the reports provided by the adults and the teenagers (Penn et al. 2000). Hence, campaigns directed at parental monitoring may have limited impact. Further, rather than controlling or supervising Internet activity, there is anecdotal evidence to suggest that it is often the parent who asks the child or teenager for assistance in relation to the Internet.

Recognising that the degree of parental supervision will vary, it is critical that other prevention initiatives are developed to promote Internet safety for children and young people. Given that children and young people may be the source of much of a family's knowledge of the Internet, considerable advantages could be gained from their greater involvement in developing prevention measures. Young people could be involved in designing campaigns that would be relevant to them. A more active involvement in media production, for example, would provide children with a platform for their opinions and increased opportunities to affect their own conditions and engage in activities more meaningful to them (von Feilitzen 1998).

The welfare and rights of children, should be guiding internet policy rather than adult rights to free speech and privacy.

While children may be valued within society, there would seem to be a limit on how much emphasis society is prepared to place on the rights of a child, when these rights are in conflict with the interests and rights of adults (Goddard and Carew 1993). This problem could not be more clearly revealed than in relation to the development of the Internet where policy is driven by adult philosophies of free speech and privacy. Protection of children appears to have been an after-thought, rather than a principle guiding society's uptake of the Internet. Even UNESCO initiatives do not appear to recognise that there may be conflict between the needs of children and adults. UNESCO's Plan of Action, developed to take up "the fight against child pornography and paedophilia on the Internet", stated that child protection on the Internet "is not a matter of censorship. Ensuring that children are protected from harmful and illegal material must not compromise fundamental liberties, such as freedom of expression and information and the right to privacy" (Arnaldo 2001: 170).

The whole subject of Internet content (including the distribution of offensive material) is entwined with arguments relating to the merits - or otherwise - of censorship of information. Opposition to censorship on the Internet is sometimes well organised through mainstream organisations such as the American Civil Liberties Union, which is a vocal opponent to an Internet rating system in the United States (Calcetas-Santos 2001). Chifley (1999: 19) believes that "judicious censorship" is needed to control the exploitative side to society. He states that it is better to risk curbing a few adult rights to unfettered pleasure in order to protect the rights of children. Unfortunately, how the rights of adults impede on the rights of children, is a question rarely asked.

There is a need for greater public awareness and informed discussion about the exploitative and abusive aspects of the Internet.

A significant discrepancy exists in attitudes towards the monitoring of Internet use and that of other forms of electronic media. Australian research has found that 98 per cent of parents of young children claim to have rules which restrict their children's viewing of television in some way (Sheldon, Ramsay and Loncar 1994, reported by Durkin and Low 1998), yet a comparatively small number monitor Internet access in the same fashion. However, the failure of many caregivers to actively engage with young children in regulating Internet use is by no means limited to parents. Rarely do child protection authorities, for example, explore the issue of computer use when investigating child sexual abuse (Carr 2001).

Greater awareness is also needed in relation to links between child maltreatment and broader issues associated with the Internet, including the direction and likely impact of new Internet developments. It is argued that the impact on children of the present information age, of which the Internet is the latest addition, has changed family life to the extent that it has "outstripped many children's ability to adapt without harmful effects on their developmental health and wellbeing" (Vimpani 2001: 2).

In Australia, many schools are integrating the use of computers into the curriculum. While this provides an introduction to this medium in a controlled setting, it needs to be accompanied by education in the areas of media literacy, critical analysis and the safer use of the Internet, for both children and parents (Iannotta 2001; Sanson, Duck, Cupit et al. 2000). There are a number of initiatives currently being developed or refined that will address this need. However, the response needs to be larger and more comprehensive. Consideration could be given to adoption of The International Society for Technology in Education technology standards for children at each grade, from kindergarten to year 12 (Committee on

Information Technology… 1999, reported in Shields and Behrman 2000). These standards cover skills in:

* basic operations and concepts of the Internet;
* social, ethical, and human issues;
* technology productivity tools;
* technology communication tools;
* technology research tools; and,
* technology problem-solving and decision-making tools.

Schools could take a lead in the education of parents on the use of computer technology and the Internet, familiarising parents with filter software, methods for safer Internet use, the use of hotlines to report offensive material, and where to find useful and age-appropriate web-sites. Guidance could be given as to how parents should approach the issue of offensive Internet material, as open communication with children is considered a far more effective means of prevention, rather than policing (Iannotta 2001). Internet Service Providers have an educational responsibility here also. Many simple measures could be taken, such as providing links to relevant information or web-sites via their home pages.

Prevention programs for 'at risk' children need to be developed

As noted earlier, research has suggested that children with certain characteristics, particularly those who have been victimised previously, will be the most adversely impacted by exposure to offensive material on the Internet. As previous trauma may have led to an adverse developmental impact on these children, they are less likely to have the resources to appropriately handle and/or divert offensive material and inappropriate approaches (Harter 1998). Perhaps not surprisingly, multiply traumatised children who may have experienced dysfunctional personal relationships previously, may be particularly severely affected by access to inappropriate and offensive material. Sexual predators do not overlook the vulnerability of this group of children (Mitchell, Finkelhor and Wolak 2001).

Although there are a number of primary prevention (whole population) programs that now attempt to address the dangers of the Internet for children and parents, no secondary prevention programs targeting "at risk" children and young people have been identified in this review. In addition, many of the primary prevention programs appear to underestimate the power that a determined sexual predator may hold over some children, particularly children who have already been victimised (Goddard and Stanley 1994; Stanley and Goddard 1995; Stanley and Goddard 2002).

This power rests in the ability of offenders to deceive children (through feigning friendship and pretending to meet emotional needs), and often through the generation of fear. Such a person may be very persuasive to a child, an issue overlooked in many prevention programs. In addition, sexual offenders are often involved in other criminal activities, including offences involving violence - hence the potential to control a child through the use of fear (Bagley and Prichard 2000; Stanley and Goddard 2002). The development of secondary prevention programs would appear to be an area requiring an urgent response. It is argued that a substantial onus for funding or providing such a response should rest with the Internet industry itself.

Blocks or filters which aim to restrict children's access to inappropriate material need to be improved.

There is an ever-increasing variety of filtering or blocking software designed to reduce children's access to inappropriate material from the Internet. Such packages are regularly updated to help keep pace with the growing availability of offensive material and attempts by offenders and others (see below) to beat the software. They are widely available and can be downloaded from the Internet. Although less well-known, software is also available which allows users to filter out unsolicited e-mails prior to them being down-loaded onto a computer (for example, see www.avirmail.com for free software) (Wright 2001).

However, filter software is only partly successful. Research on six of the most popular Internet filters used in the United States has shown that they fail to block one offensive site in five (European Commission Information Society 2001a, reporting an article by the US Consumers Union). Indeed, Wright (2001) talks about the "sheer impossibility" of restricting all access to pornographic sites on the Internet.

The problem with the software lies with the fact that the filtering is not comprehensive and there are ways to render the program less effective (Family and Community Development Committee 2000). Filtering software also has its opponents. Some free speech advocates seek to undermine filters because of their concern about "certain militant governments" misusing this software to limit information to their citizens (Feather 1999: 18). However, technological developments continue to improve the effectiveness of the software. For example, a new development relating to context-recognition is said to have the potential to automatically filter massive volumes of data before it reaches the home computer (European Commission Information Society 2001a, reporting on a Wired News article). However, at present the use of filtering software should not lead a parent or guardian to assume access to offensive material is guaranteed and that other preventative measures should not be taken (Iannotta 2001).

Thank you to the Committee for the opportunity to raise these points.

Yours Sincerely,

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