



ISPA response to the European Commission Public Consultation on Safer Internet and online technologies for children

ISPA

The Internet Services Providers' Association (ISPA) UK is the trade association for companies involved in the provision of Internet Services in the UK. ISPA was founded in 1995, and seeks to actively represent and promote the interests of businesses involved in all aspects of the UK Internet industry.

ISPA UK membership includes small, medium and large Internet service providers (ISPs), cable companies, web design and hosting companies and a variety of other organisations. ISPA currently has over 190 members, representing around 95% of the UK Internet access market by volume.

ISPA UK was a founding member of EuroISPA. EuroISPA is the voice of the EU Internet industry and the largest umbrella organisation of ISPs globally.

Fighting Illegal Content

ISPA UK believes that the positive impact of the Internet on the lives of children is important and should not be ignored. The Internet has become an invaluable resource for education and social interaction, benefiting children across Europe. ISPA is concerned that the consultation offers minimal evidence to support the risks that have been identified and would like to recommend that more research be undertaken in this area.

ISPA UK has played an active role in improving the safety of children on the Internet in the UK, having played a major role in the establishment of the Internet Watch Foundation (IWF). The IWF was founded by the online industry in 1996 to work in partnership with industry, the police, Government and the public to minimise the availability of illegal online content, particularly child abuse content. The success of industry working in partnership with the IWF to reduce the number of Child Abuse Images (CAI) hosted in the UK to below 0.4% has received regular commendation from Government both in the UK and abroad.

ISPA UK takes part in various initiatives designed to promote the safety of children online including the Home Secretary's Taskforce for Child Protection on the Internet and the various associated project group.

1.1 In your opinion, is there a need beyond the year 2008 to pro-actively fight against illegal content?

ISPA UK believes that the pro-active approach to combat illegal content is very important and should continue after 2008.

1.2 If so, please give indications on what kinds of illegal content/material should be dealt with.

ISPA UK feels it is not appropriate to comment on which types of illegal content and material should be dealt with. However, ISPA feels that the network of EU hotline should continue to be a priority. It is important that national hotlines continue to receive political and financial support at EU level and to grow the network. Down-scaling or closing any of the hotlines, is open to exploitation.

1.3 Which should be the means of fighting the production and distribution of illegal content, in particular child sexual abuse material, and what stakeholders should take initiatives (industry, governments, NGOs, financial institutions)

etc.)? Please suggest ways in which the different stakeholders can contribute in fighting against production and online distribution of illegal content.

In the UK the IWF operates a notice-and-take-down to alert hosting service providers of criminal content found on their servers. This model has been particularly successful, reducing CAI hosted in the UK to below 0.4%. The IWF has also built successful working relationships with specialist law enforcement agencies and developed intelligence sharing networks to improve understanding of how criminals distribute illegal content online. This may be helpful good practice for other EU member states.

The UK has also introduced other mechanisms to help combat the production and distribution of CAI. These include the Home Office Taskforce on Protection of the Child, which brings together many relevant stakeholders, and partnerships between ISPs and children's charities. There has also been cooperation between law enforcement and the UK Payments Associations, APACS, to frustrate the financial flows between those who consume and distribute illegal content.

1.4 A central element of the fight against illegal content for the Safer Internet plus Programme has been to support an international network of civilian hotlines where the public can report illegal content, should they chance upon it online. In your opinion, is this the most appropriate way of dealing with illegal content beyond 2008? How could their cooperation with law enforcement agencies be strengthened?

ISPA UK supports the use of civilian hotlines in preventing access to illegal content. In addition to the 'notice and take-down' service, the IWF operates the UK 'Hotline' for the public to report potentially illegal online content which has been widely praised as an example of best practice self-regulation.

However, the effectiveness of hotlines is dependent upon it being given adequate funding. The confidence that law enforcement have in the hotline to carry out its remit successfully is of critical importance. The standard and effectiveness of the hotlines operating across Europe is extremely diverse. It is therefore important that networks of national hotlines continue to grow and that they continue to benefit from political and financial support at EU level.

It is important that Member States engage with each other and outside of Europe, especially with those countries identified by the IWF as the main source of hosted content, to improve cross border investigation and also to share best practice.

1.5 How can other organisations support national/local and international law enforcement agencies in dealing with the production and online distribution of illegal content?

As mentioned above, ISPA UK believe that informal networks and intelligence sharing is a key component of combating the production and online distribution of illegal content. The Child Exploitation and Online Protection (CEOP) centre works across the UK and internationally to tackle child sex abuse. It is also important that discussions on the international issues at G8 level continue to be a priority and benefit from strong political support from member states and the EU.

1.6 The Internet has a global dimension: illegal content can be produced in one country, distributed from a second, and accessed/downloaded in many countries across the world. Please specify which actions should be taken internationally. Are there specific countries which should be focussed on?

The IWF has recently reported that over 80% of all CAI were hosted in the US and Russia. ISPA UK believes that whilst preventing end-user access to images is helpful, pro-active action must be taken to tackle the problem at the source in these countries.

Where investigations have a cross border element, close working relationships between forces at international level are critical, as are robust procedures on cross border requests for evidence. The current MLAT processes are lengthy and complex. There is scope to speed up the making of requests at both EU and international level.

1.7 Research and development of efficient technological tools (filtering systems, image recognition etc) can contribute to reducing online distribution and indirectly the production of illegal content. Which are the subjects which should be addressed when supporting the development of technologies?

There are a number of different technological tools that are currently being employed by ISPs and leading industry players. For example:

- Some access providers offer a 'family service' which enables parents to set filtering preferences for their children.
- Search providers have developed search filters that use advanced technology to block pornographic and explicit content from the search results.
- There is a range of commercially available software packages for users to upload on their desktop computers which filter content and offer security tools (e.g.: anti-spam, anti-virus).

Our members find that the challenge is not a lack of innovative technical solutions but educating users to deploy them. The EU's efforts may be best focused in this area. If the EU is, in any case, minded to fund R&D to develop new technology, it is critical that it is pro-competitive and does not undermine this thriving market.

1.8 Analysis of psychological effects of victims and studies of how offenders use the Internet to distribute the evidence of the sexual abuse of children can also contribute to the fight against illegal online content. Which are the subjects which should be addressed in these areas when conducting research?

ISPA UK believes that it is critical that all EU policy making is underpinned by a strong evidence base of research. While the effect on victims is an important area for research, ISPA UK members also feel that research should look at how children and criminals behave online and the attitudes of parents and children to Internet safety issues. This way, we can identify gaps and understand where to best focus efforts. The differences between the users and hosts of commercial websites and those of non-commercial websites would also be of interest.

1.9 The legal situation concerning online distribution of illegal content and indeed the definitions of what is illegal differ across the EU Member States. Which are the issues which should be addressed when harmonising legal provisions across Member States?

As mentioned above, ISPA UK would support an increase in cross-border cooperation between law enforcement agencies, including the use of Mutual Legal Assistance Treaties (MLATs) and the speeding up of the request process which law enforcement currently finds cumbersome.

ISPA UK is unsure about the harmonisation of legal provisions across Member States. Whilst theoretically this may be a positive move, the harmonisation in some areas might not serve to combat the problems as intended. Standardising the age of consent to prevent children just under the age of consent from becoming victims of child abuse has been discussed. However, this is a politically and culturally sensitive matter and one which may not merit consideration at this time given that 80% of CAI feature children under 12 years old (IWF Annual Report 2006).

Fighting Harmful Content

ISPA UK is concerned that the subjective nature of determining what constitutes harmful content means that it would be difficult to generate a common definition, given the cultural variations that exist across Member States. Whilst uniformity has its benefits, it must be evidence-based and not to the detriment of sensitive cultural identities.

ISPA UK believes that supporting and educating users, thereby raising awareness of the end-user filtering tools available would be the most effective focus of EU time and resources. The evidence base in the UK, for example, shows that parents are often ill informed of how best to help their children use the internet safely and how to protect their home PC from security risks such as viruses and spam.

2.1 In your opinion, is there a need beyond the year 2008 to pro-actively fight against harmful content? If so, please give indications on what kinds of harmful content/material (subjects to be covered) should be dealt with.

ISPA UK believes that there is a need to pro-actively fight harmful content, but for the reasons outlined in the response to question 1.2 in the Fighting Illegal Content questionnaire is unable to comment on the type of material that should be considered harmful.

2.2 Which are the means of fighting the production and distribution of harmful content and what stakeholders (media, governments, industry, NGOs, schools etc) should take initiatives? Please suggest ways in which the different stakeholders can contribute in the fight against the online distribution of harmful content.

The provision of Internet content and services today involves a long value chain. Each player has a role to play in their specific field. As outlined above, the UK has pioneered a Government endorsed multi-stakeholder approach and we have pro-active industry associations, such as ISPA, which encourage members to provide clear information for consumers and simple products for consumers to use to address online security threats. However, it is important to stress again the importance of user education and awareness-raising. Consistent messages from a range of stakeholders can be helpful here.

Additionally, the vast majority of ISPs have Acceptable Use Policies (AUP) that are designed to prevent problems such as the online distribution of harmful content.

2.3 In your opinion, should the media take an active part in the awareness-raising in this sphere and in what way?

It is important that the media raises awareness of the potential dangers of the Internet. For example, a more conscious media approach would help to educate and inform consumers about the wider range of content they might not wish to view online including harmful content.

2.4 Which role could education have in empowering children to deal appropriately with harmful content? Should it be integrated into school curricula? If so, which would be the best ways of doing so?

ISPA UK supports initiatives such as CEOP's 'Thinkuknow' campaign, which aims to make children aware of their vulnerability to grooming online. Raising awareness amongst children of threats to their safety online is of the utmost importance. However, initiatives focused in this area should be balanced with promoting a wider 'media literacy' curriculum for children covering more general issues including security threats, piracy, potentially disturbing news content etc,

ISPA UK would urge a more balanced approach to educating all consumers of potential dangers. Teaching children about the appropriate methods of dealing with harmful content would be more beneficial if supported by a commitment to raising media literacy amongst parents so that they can use the tools available to improve their children's online safety.

Becta, the UK organisation responsible for improving learning through technology, is committed to introducing Internet safety to the school curriculum from 2010.

- 2.5 A primary activity of the fight against harmful content for the Safer Internet plus Programme has been to support an international network of awareness nodes which promote public campaigns informing the public of the risks linked to the use of online technologies and on safeguard measures. In your opinion, is this the most appropriate way of dealing with harmful content beyond 2008? If so, please indicate in what ways this line of action can be strengthened.**

An international network of awareness nodes is an appropriate way of dealing with harmful content providing the individual nodes in each Member State benefit from effective stakeholder partnerships.

- 2.6 Efficient technologies can help to make the use of the Internet, mobile phones and game consoles safer for children to use (eg. filtering software by Internet Service Providers or at user's computer, age verification mechanisms etc). Which are the subjects which should be addressed when supporting the development of technological tools?**

Efficient technologies can improve the safety of the Internet for children. Many ISPA UK members provide a number of different technologies to give parents the tools to enhance their child's online safety. As mentioned above, there is a vibrant commercial market for technical solutions to help users and service providers are closely observing developments to see if any are suitable for their networks and can benefit users. Some newer technologies, such as age-verification, are showing promise but it may be some time before a commercially viable product is on the market.

We have already discussed how the effectiveness of the technological solutions that are provided is significantly restricted by the lack of consumer understanding of how to use them. Child safety online would be significantly improved if children and adults were educated about the tools that are available to them and how to use them.

- 2.7 Research on sociological issues and analysis of psychological effects of particularly of the harm to children on different kinds of harmful content can contribute to building knowledge about how to deal with these issues. Which are the subjects which should be addressed in these areas when conducting research?**

It is important that policy is guided by evidence-based research. However, ISPA UK would argue that children's attitudes to online risks would be a better indicator on which to base EU policy on awareness raising and education.

User-generated content and online communication

The ease with which people can now generate their own content and the rise of social networking sites have provided fantastic new platforms for children and young people to communicate and interact. There are however some risks associated with user-generated content but we believe these are best addressed by expanding existing mechanisms for combating illegal content and a collaborative approach on user education and public awareness raising.

- 3.1 Which are the best means of addressing these risks with the aim of child online protection, in particular grooming and bullying? Which stakeholders should be responsible for initiatives in this field, and what roles should they have (industry, media, governments, schools, NGOs etc)?**

A multi-stakeholder approach must be taken to address the risks associated with online bullying and grooming. In addition, interested stakeholders should support parents by providing information and ensuring that children have access to online safety tools. Schools

are a particularly effective medium to share safety information with children as part of the standard curricula.

3.2 Can you name further, not listed risks or further potentially dangerous forms of communication? Which are the best means and ways of addressing them?

The main threats to children have been satisfactorily identified. ISPA UK believes that the biggest risk children face is a lack of understanding of the implications of their actions online.

3.3. Which role could education have in empowering children to deal appropriately with harmful and illegal user-generated content? Should such issues be integrated into school curricula? If so, which would be the best ways of doing so?

ISPA UK supports a balanced approach to educating children about how to deal with harmful and illegal user-generated content. Whilst the focus on educating about the risks of grooming and issues such as cyberbullying is understandable, ISPA UK would urge a balanced policy on education to include an increase in media literacy. An effective way to reach children is by the education system, where children could be provided with online safety information as part of the standard curricula.

3.4 Should the media take an active part in the awareness-raising in this sphere and in what way?

ISPA UK believes that the media should also adopt a balanced approach to raise awareness about a wide range of the issues which affect child safety online. The media is a particularly effective way to disseminate awareness raising information to the general public.

3.5 A central element for the Safer Internet plus Programme in making Internet safer for children has been to support an international network of awareness nodes which promote public campaigns informing the public of the risks linked to the use of online technologies and on safeguard measures. In your opinion, is this the most appropriate way of dealing with communication risks and user-generated content beyond 2008? If so, please indicate in what ways this line of action can be strengthened.

An international network of awareness nodes is an appropriate way of dealing with harmful content providing the individual nodes of each Member State benefit from effective stakeholder partnerships.

3.6 Development of efficient technologies can help to make the use of the online communication safer (e.g. monitoring social networking sites, age verification systems etc). Which are the subjects which should be addressed when supporting the development of technologies within this field?

The effectiveness of many of the technological solutions that are provided to users is significantly restricted by their lack of understanding of how to use them. Child safety online would be significantly improved if children and adults were educated about how to use the tools that are available.

3.7 Research on sociological issues concerning use of online technologies, particularly how children themselves perceive risks, how offenders use online technologies to get into contact with children, the effects of grooming and bullying on children, as well as analysis of effective awareness-raising methods, can help to understand better how trends, behaviours and risks evolve in the society and to formulate awareness-raising initiatives in this field. Which are the subjects which should be addressed in these areas when conducting research?

It is important to undertake research regularly as the nature of the Internet means that trends change very quickly. More frequent research will ensure that initiatives address the issues that are current such as the current phenomenon with social networking sites.

ISPA UK suggests that research into how children use the Internet, specifically social networking sites, would be useful. Research into how children use different platforms to access the Internet and the nature of the material they view would also be beneficial.

3.8 The legal situation concerning grooming online differs across the EU Member States. Which are the issues which should be addressed when harmonising legal provisions across the Member States?

ISPA UK is unaware of the legal differences across the EU concerning grooming online and considers this an issue for law enforcement to address.