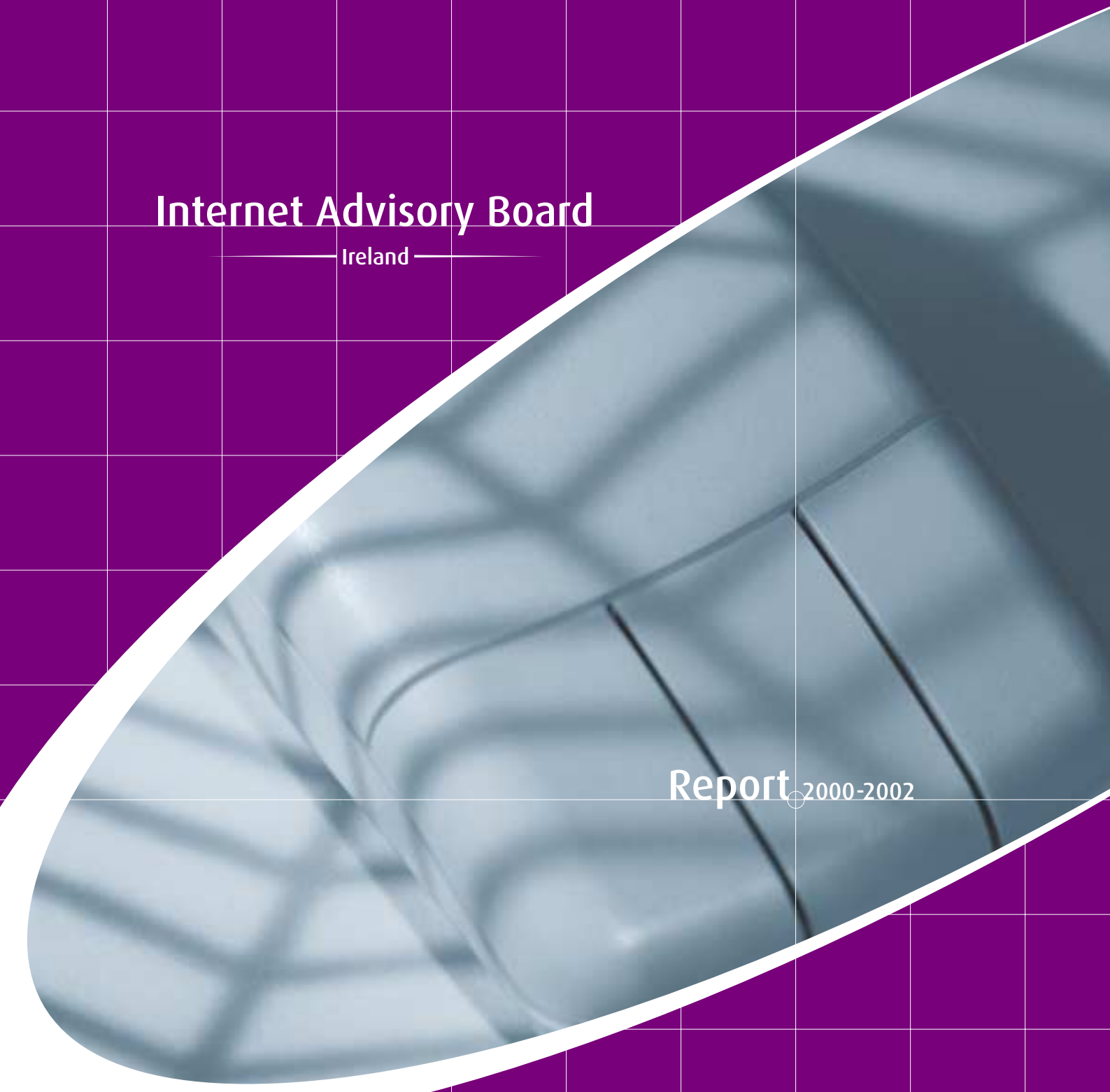
Internet Advisory Board

Ireland



Report 2000-2002

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ACKNOWLEDGEMENTS

The Board wishes to acknowledge the contributions of previous Board members and in particular the invaluable assistance provided, since its inception, by John Haskins and Cormac Callanan

John Haskins was Chairman of the Government Review Group which reported on the Illegal and Harmful Use of the Internet, whose report, published in 1998, established the framework within which the Internet downside issues are currently addressed in Ireland. He was also Deputy Chairman of the Internet Advisory Board. An official of the Department of Justice, Equality & Law Reform, he transferred to new duties in November 2002. The Board would like to take this opportunity to thank him for his outstanding contribution and dedication to the work in this area and wish him the very best for the future.

Cormac Callanan was Director of the Irish www.hotline.ie service responding to reports about illegal child pornography on the Internet. He was also Chairman of the Internet Service Providers Association of Ireland (www.ispai.ie). In his capacity as Chairman of the Internet Service Providers Association of Ireland he served on the Government Review Group on the Illegal and Harmful Use of the Internet. He was also appointed to the resulting Internet Advisory Board and was a leading contributor to the development of the Board's work. His expertise in a wide range of technical and other aspects of the Internet has proved invaluable to the Board. He has recently taken up a position with INHOPE and the Board would like to extend their thanks for his dedicated contribution and their best wishes for the future.

The Board's acknowledgement would not be complete without a reference to its first Secretary, Ann McCabe, who worked with the Board from its establishment until February 2002. The Board would like to extend its thanks and appreciation for the assistance she provided in its early development and wish her the very best for the future.

INTRODUCTION FROM THE CHAIRMAN

The Internet holds out enormous potential for the betterment of society but as with all major societal developments we must, in embracing that potential, be aware that it can be used negatively by those who constantly seek new ways to carry out old crimes. Flexible structures are needed to repond to these challenges and the Internet Advisory Board is an example of the new relationships required to address the shared responsibilities implied in addressing downside issues relating to the Internet.

The members of the Board have a broad range of knowledge, experience, expertise and indeed perspectives, and they have given selflessly of their time and energies since the Board's first meeting in February 2000. Since then, the Board has overseen the development and implementation of a system of self-regulation by the Internet Service Provider industry and continues to support, monitor and evaluate this system. It has carried out research into Irish and international Internet issues, monitored international developments, and conducted awareness campaigns. The Board also hosted a major conference on responsibility for Internet safety, and continues to act as an information resource in relation to Internet safety issues.

In this age of rapid technological change, there is no room for complacency, and the Board must continually keep abreast of new developments to ensure that it continues to be well placed to contribute to the important work of protecting our society from the downside of the great resource that is the Internet.

Eamonn M. Barnes
Chairman, Internet Advisory Board

2003

Introduction and background information

The Internet Advisory Board was established by the Minister for Justice, Equality and Law Reform in February 2000, with a general remit to supervise a system of self-regulation by the Irish Internet Service Provider industry. The establishment of the Board arose from the work of an earlier Working Group whose first report, Illegal and Harmful Use of the Internet, was published in 1998.

Illegal and Harmful Use of the Internet - First Report of the Working Group

In its report, the Working Group concluded that the educational and entertainment advantages to children offered by the Internet are endless but, as with all such major developments in society, the Internet has its negative as well as its positive influences.

The negative influences range from child pornography, violent, hate based, or racist material to facilitating fraud, terrorist activity etc.

The Group's package of strategic measures focused on four main areas:

- the introduction of a system of self-regulation by the Internet service provider industry to include common codes of practice (COPs) and common acceptable usage conditions (AUCs)
- the establishment of a complaints hotline to investigate and process complaints about illegal material on the Internet
- the establishment of an Internet Advisory Board (IAB) to co-ordinate measures so as to ensure a safe Internet environment within the self-regulatory framework
- the development of awareness programmes for users which will empower them to protect themselves, or others in their care, from the illegal and harmful material on the Internet.

The Executive Summary of the Report of the Working Group on

the Illegal and Harmful Use of the Internet is at Appendix A.

The purpose of the Board

The Board assists and supports the Irish Internet Service Provider industry to deliver an effective self-regulatory environment while monitoring developments relating to the illegal and harmful use of the Internet. The Board also commissions research on Internet downside issues and promotes awareness. The Internet is a frontierless medium, and the Board also monitors and contributes to international developments, at EU level and beyond (see Other Board Activities - page 13).

Apart from carrying out its general function of monitoring the overall mechanisms of self-regulation for the Internet Service Provider industry and the working of the Hotline, the Board's work programme includes:

- promotion of advice and research on Internet downside issues;
- identifying and addressing legal liability and data protection issues;
- developing and maintaining a website to advertise the Board's activities and provide information on Internet safety;
- developing protocols between the Hotline and the Gardaí;
- standardising on agreements between the Service Providers and Users;
- developing and maintaining links with other organisations both nationally and internationally, as well as encouraging and facilitating interactions between national organisations working in this field.

Composition of the Board

The Internet Advisory Board comprises representatives from the Internet Service Providers Association of Ireland, The Office of the Film Censor, An Garda Síochána, Child Protection interests, relevant Government Departments, The Information Society Commission, The Office of the Data Protection Commission as well as a legal expert.

(See Appendix B for list of members).

How the Board has been funded

The Secretariat for the Board is provided by the Department of Justice, Equality and Law Reform. Funding for projects undertaken to date has been provided by the Information Society Fund.

Financial reports are at page18

Legislative framework for Board activities

In accordance with the recommendations of the original 1998 Report on the Illegal and Harmful Use of the Internet, the Board was set up on a non-statutory basis to provide maximum flexibility of operation in a fast-changing environment. It operates by facilitation and cooperation with all parties concerned with the illegal and harmful use of the Internet.

See Appendix I for summary of relevant Irish and international legislative provisions.

Inaugural meeting

The Internet Advisory Board held its inaugural meeting on 25th February, 2000 and has met on a regular basis since that date.

Activities of the Internet Advisory Board 2000-2002

Summary of highlights 2000-2002

November 1999	ISPAI Child Pornography "Hotline " launched
February 2000	First meeting of the Board
September 2001	Completed research project presented to the Board
September 2001	Ms Ruth Dixon, Internet Watch Foundation addressed the Board on the issues surrounding childrens' use of chatrooms
October 2001	Radio Ad campaign was run on RTE and Today FM over a period of three weeks, with five slots a day.
October 2001	Research findings published
October 2001	New IAB website launched in Dublin Castle
December 2001	Radio Ad campaign repeated
December 2001	Final draft of Codes of Conduct and Ethics agreed with Internet Service Providers Association of Ireland
January 2002	New ISPAI Code of Conduct and Ethics launched
January 2002	First Report of child pornography "Hotline" launched
June 2002	Garda/Industry Seminar
July 2002	"Be Wise on the Net" produced by NCTE and launched by the Minister for Education & Science
October 2002	Board members attended the annual conference, in Dublin, of the International Centre for Missing and Exploited Children (ICMEC)
November 2002	Conference - "Internet Safety - a shared responsibility"
December 2002	Radio Awareness Campaign run from 2 December 2002 to 5 January 2003 inclusive on National and Local Radio stations.
December 2002	Poster Campaign run in conjunction with radio campaign and displayed in 210 locations across the country from mid-December 2002 to mid-January 2003.

Subgroup Activity

In order to progress its work, the Board initially set up four subgroups:

- Cybercrime
- Awareness
- Research
- Codes of Conduct

Cybercrime Subgroup

The Cybercrime Subgroup was set up in March 2001 to provide an ongoing forum for the identification and resolution of issues relating to cybercrime insofar as they relate to the need for co-operative action between the parties represented in the Group, as well as to educate the various parties about these issues. One of the major focus areas of the Group was the need to develop specific targeted policies in the area of cybercrime which strike a balance between the law enforcement requirements of the Gardaí, privacy requirements of data protection, and the legal and business constraints of the Internet industry.

Issues considered by the subgroup included:

- completion of protocols on information exchange;
- general EU developments (including existing Mutual Assistance Programmes);
- retention periods for different types of data;
- the implications of the Council of Europe Cybercrime Convention;
- other cybercrime related issues such as unsolicited commercial email (UCEs), spam.

Garda/Industry Seminar

On a specific level, the Group considered that there was and is a need (a) to further develop protocols covering the exchange of information between the Gardaí and the Internet Services Providers and (b) to make available specialist training on an ongoing basis to the Gardaí.

In this context, in June 2002, the Board arranged a 1-day seminar at which members of the Garda Síochána and representatives of a number of Internet companies discussed matters of mutual interest, including protocols for information exchange in the investigation of Internet crimes. Both sides expressed satisfaction with the outcome of the seminar and identified a number of topics for an ongoing series of meetings.

In the foreseeable future, the focus of the Cybercrime Subgroup will continue to be on data protection issues, issues arising from the Council of Europe Cybercrime Convention, signed by Ireland in February 2002, as well as other national and international developments in this area.

Cybercrime Subgroup Members

Cormac Callanan
Superintendent Noel Clarke
Audrey Conlon
D/Inspector Tom Dixon
Ronnie Downes
Michael English
John Haskins
Fintan Lawler
Brian Lucas
Superintendent Donal Neill

Research Subgroup

The remit of the Research Subgroup is the commissioning of detailed research on Internet downside issues with particular reference to the attitudes and perceptions of parents and young children.

The benefits to and concerns for children identified in the National Children's Strategy are a particular focus of the Board and of this subgroup.

While the Board is currently in the process of developing a broad long-term research strategy in this complex area, it wanted to specifically encourage Irish research on Internet downside issues. Accordingly, in May 2001 the Board decided to invite research proposals for a short-term project within defined parameters.

In May 2001, the research contract was awarded to Amárach Consulting.

The commissioned research was completed in August 2001 and was presented to the Board in September 2001.

The results of the research project are available on the Board's website www.iab.ie and were used to inform the Board's strategy on Internet safety issues.

Plans are currently being made for a new series of research projects to be carried out in 2003.

An outline of the research project and its findings are at Appendix C

Research Subgroup Members

Cormac Callanan
Audrey Conlon
John Haskins
John Hurley
Marie Murray

Awareness Subgroup

This Subgroup examined the promotion of awareness of Internet downside issues among parents, children, and the wider public, and has planned awareness campaigns to identify gaps.

IAB Website

In May 2001, the Board invited tenders from Web Design companies to develop a website that would serve as a public source of information about the illegal and harmful use of the Internet, with particular reference to the activities of the Board and the safety measures which are available for all users. It is envisaged that the website will over time evolve towards a central source of information on Internet safety.

A request for Tenders was issued to a total of fourteen companies and eleven companies in all responded.

In July, 2001 the contract was awarded to Terminal 4.

The new website (www.iab.ie) was launched in October, 2001 in conjunction with the publication of research on Internet downside issues and the airing of the radio campaign to raise public awareness.

The launch was held in the Erin Room, Dublin Castle. Then Minister for Children, Mary Hanafin, T.D., (Guest of Honour) addressed the gathering. The launch was well attended by representatives of the media, children's groups, the Internet Service Provider industry and Government Departments.

The IAB website, which is updated regularly, gives safety tips for both children and parents, relevant information on Internet safety issues and access to research commissioned by the Board. It also provides links to filtering software manufacturers as well as Irish and international initiatives involved in the area of Internet safety. The website also posts information relating to Board activities (conferences, advertising campaigns).

Safety Tips Information - extract from IAB website is at Appendix D

Minister for Children, Mary Hanafin, T.D., at the launch of the IAB website in October 2001.

Radio Campaigns

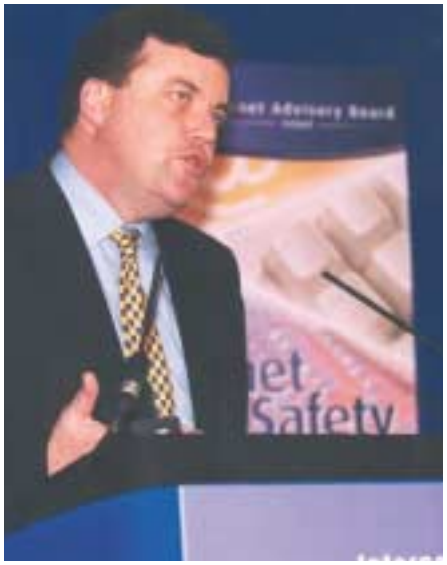
To date the Board has run two radio campaigns to promote awareness about the Internet to a wider audience.

While use of the Internet has become the special domain of children, many parents are not computer literate and are consequently, excluded from the awareness promotion measures on-line. As a first step the Subgroup identified the need to alert parents to the Internet's downside using the most user friendly and accessible medium for that particular audience i.e. nation-wide radio.

In May 2001, the Internet Advisory Board invited tenders from Advertising/Media agencies for a radio campaign designed to promote awareness of the issue of child safety on the Internet. The Board's approach to the campaign reflected both sides of the debate i.e. the balance between the opportunities parents are giving their children by having Internet access in their homes and any possible danger their children might encounter on the way.

The radio campaign was run on RTE and Today FM with five slots a day over a period of three weeks, in October 2001 and December 2001. Voice-overs were provided by the well-known radio personality Ian Dempsey.

In December 2002, the Board ran a further radio campaign on all national and local radio stations. It was aimed, in particular, at parents who were considering or



Minister for Children at the Department of Health and Children, Brian Lenihan, T.D., speaking at the IAB Conference on Internet Safety in November 2002.

intending to purchase computers and go online during the Christmas/New Year period.

While acknowledging that the Internet is a great resource, the campaign, through a series of thought-provoking scenarios, highlighted the potential risks of Internet use in the home and encouraged parents to use it wisely.

Funding for the campaigns was provided by the Information Society Fund.

National and local radio airtime schedules for the December 2002 campaign are at Appendix E.

IAB Poster Campaign

In December/January 2002/3, the Board ran a poster campaign in conjunction with the radio campaign. The posters were displayed in 210 prominent locations i.e. shopping centres, malls, and major roundabouts throughout the country for a four week period. They were intended to augment the radio campaign, and to re-inforce the latter's message. The posters received wide attention from both the public and media.

A sample of the posters used in the campaign is at Appendix F.

IAB Helpline

A helpline was opened in December 2002, in conjunction with the radio and poster campaigns, to assist the public with queries on Internet safety. During the course of the radio campaign the helpline, which is staffed by the IAB Secretariat, received 38 calls from the public. During the same period, the IAB website received a total of 28 queries from the public, in response to the radio and poster campaigns. The helpline is intended as an alternative to the IAB website for those who prefer to make personal contact.

Conference on Internet Safety

In November 2002, the Board hosted its first conference on Internet safety. The conference, entitled "Internet Safety - a shared responsibility", was opened by the Minister for Children at the Department of Health and Children, Mr Brian Lenihan, T.D. It focused on addressing the need for everyone concerned to take responsibility in relation to safety issues because the Internet is becoming an integral part of our business and daily lives. Eleven expert speakers participated, and each provided a unique perspective. The topics included: data protection considerations, racism/xenophobia, child pornography, role of the Internet Service Providers, contributions of schools/teachers/parents, law enforcement, role and responsibility of the media, strengths and weaknesses of the legislative process, and an international perspective.

Keynote addresses were made by Richard Swetenham, of the Information Society Directorate-General of the European Commission and Professor Sonia Livingstone of the London School of Economics and Political Science. The conference was attended by senior management in organisations with a role in child protection, parenting, education, law enforcement, health and safety in the workplace, as well as commercial and retail organisations, unions, the media, public representatives and all those concerned with shaping laws in this area.

The Conference Programme is at Appendix G.

Other Awareness Activities

The Awareness Subgroup also established links with the National Centre for Technology in Education and the Cyberspace Research Unit in the University of Lancashire, United Kingdom to further its understanding of the issues involved in promoting awareness of potential dangers for children.

Awareness Subgroup Members

Cormac Callanan
Audrey Conlon
John Haskins
John Hurley
Marie Murray

Codes of Conduct Subgroup

As part of the ongoing implementation of the Working Group's Report on the Illegal and Harmful Use of the Internet, one of the primary responsibilities of the Board is to supervise the system of self-regulation of the Irish Internet Service Provider industry.

Throughout 2000/2002, the Subgroup engaged with the industry on a range of topics including the development of an industry code of practice and the consolidation of the industry's Association (the Internet Service Providers Association of Ireland - ISPAI).

In September 2001, a final draft of codes of conduct was produced and was presented to the Internet Advisory Board in October 2001.

After agreement by the ISPAI, a final draft of the Code of Practice and Ethics was approved by the full Board at its meeting of December 2001 and was launched in January 2002.

Subscription to the Code of Practice and Ethics is a condition of membership of the Internet Service Providers Association of Ireland.

There was a commitment to review the Codes of Practice and Ethics one year after its adoption in January 2002. This review will form part of the work programme of the Subgroup and the Board for 2003.

Codes of Practice and Ethics - Consumer Version

Part of the Board's work programme for 2003 will involve the production, in conjunction with the ISPAI, of a "consumer" version of its Code of Practice and Ethics document.

General requirements for membership of the Internet Service Providers Association of Ireland - membership/fees paid is at Appendix H.

Codes of Conduct Subgroup Members

Cormac Callanan
Professor Bob Clark
Michael English
John Haskins
Fintan Lawler
Brian McAufield

Other Board Activities

EU and International links

In the period 2000 to date the Board has continued to monitor international developments in the area of self-regulation for Internet Service Providers and met with UK experts in this field.

Board members attended the European Forum on Harmful and Illegal Cyber-Content, at Strasbourg on 28th November, 2001.

Safer Internet Action Plan

The EU Safer Internet Action Plan was designed to support non-regulatory initiatives for promoting safer use of the Internet. The original Action Plan had a 4-year work programme from 1999 to 2002 (now extended by a further 2 years to 2003-2004), and 4 main action lines:

- Creating a safer environment
- Developing filtering and rating systems
- Encouraging awareness actions
- Support actions

Support for projects is made available, generally in the form of financial support of a proportion of the costs, usually involving some element of transnational partnership, and are generally between one and two years' duration.

Hotlines

As part of the first Action Line, the Safer Internet Action Plan called for the set up of a European network of hotlines which allow users to report content that they consider to be illegal or harmful. The Action Plan has contributed by funding the INHOPE Association – the network of hotlines, as well as a number of individual national hotlines.

Filtering and Rating Systems

In order to promote the safer use of the Internet, it is necessary e.g. for parents to be able to identify potentially illegal or harmful content. One of the ways of tackling this is through the use of rating and filtering systems. With appropriate content labelling, users can use filtering software to set parameters that specify which content codes they will accept and those they will reject. This approach allows parents etc to specify what children may/may not access.

Awareness Actions

Awareness Actions funded under the Internet Action Plan have been directed towards parents, teachers and children as a mechanism of increasing trust and confidence and making the children Internet-aware. The Action Plan has funded 12 awareness projects.

Overall Actions

The programme execution is supported by target actions and other activities, some internally organised and undertaken by the European Commission and some externally organised.

Projects under the auspices of Internet Advisory Board constituent organisations have benefited from funding under the Action Plan and will, we anticipate, continue to receive support under the extension. These include the ISPAI Hotline, and a number of projects being carried out by the National Centre for Technology in Education. (See page 15).

The Internet Advisory Board is represented, through its secretariat, on the programme's Steering Committee.

Visit to Child Studies Unit, University College Cork

In September 2000, members of the Board visited the Child Studies Unit, NUI Cork to examine the work being done by the University in the area of combating child pornography on the Internet. The Unit, under the direction of Professor Max Taylor, is acknowledged world-wide as a leader in this field.

Presentation by Internet Watch Foundation (IWF) and Internet Content Rating Association (ICRA)

In March 2001, the Board invited Mr David Kerr, Internet Watch Foundation and Mr Steve Balkham, ICRA to address the group on content rating of websites. Due to the Foot and Mouth disease outbreak, this visit was rescheduled to October, 2001. The Internet Content Rating Association (ICRA) is an international independent non-profitmaking organisation based in Brighton, UK and Washington DC, USA. ICRA does not rate Internet content, this is done by the providers using the ICRA system.

The filtering categories of concern for ICRA are:

- Chat
- The language used on the site
- The nudity and sexual content of a site
- The violence depicted on the site
- Others such as gambling, drugs and alcohol.

In March 2002, ICRA released its demonstration software ICRAfilter which is available as a free download from the ICRA website (www.icra.org). Over 100,000 sites have been labelled and ICRAfilter has been downloaded 125,000 times since its inception.

In addition to this, ICRA is building a modified version of ICRAfilter called ICRAplus. This system is offered as a free download from ICRA's website. It is due to be launched in July 2003 and will replace ICRAfilter at that stage. It functions the same as ICRAfilter but, in addition, makes it possible to plug into other filtering technologies e.g. control tools such as Filterix, developed by the Greek National Centre for Scientific Research "Demokritos", which is a state-of-the-art artificial intelligence agent trained to classify web pages in terms of their nudity and sexual content.

An ICRA Template Creation Tool (ICRAtct) is also available online for use by organisations such as film classification boards, large content providers and aggregators who want to produce a filtering 'template'.

Interviews with the Media

Board members have taken part in numerous interviews, on radio, television and in the print media, in relation to internet safety issues. The most recent included:

Radio

- Eamon Dunphy, Today FM
- Newstalk 106
- Today FM
- Midlands Radio 3
- 98FM
- East Coast FM
- Clare FM (Minister of State for Children, Brian Lenihan T.D.)

Television

- RTE News
- Network 2 News
- RTE - Questions & Answers (Minister of State for Children, Brian Lenihan T.D.)
- TV3 - Ireland AM

National newspapers

The Board contributed to articles in relation to Internet downside issues.

- The Examiner
- Daily Mirror
- The Star
- Irish Independent

Related Activities of Board Members

ISPAI Hotline www.hotline.ie

The www.hotline service was launched in November, 1999 by the then Minister for Justice, Equality and Law Reform, John O' Donoghue T.D. The Internet Service Providers Association of Ireland funds the operating costs of the Irish hotline, with support from the EU's Safer Internet Action Plan. The Government, through the Information Society Fund, made a once off contribution to its promotion and launch.

The hotline provides a central point of contact for members of the public who become aware of child pornography on the Internet in Ireland. The hotline attempts to identify the source and if the material is hosted in Ireland, it will request the relevant Internet Service Provider (ISP) to remove it. The hotline liaises with the Gardaí as appropriate. If the material originates in another jurisdiction, the hotline will notify the relevant authority there who can take appropriate action.

The Irish Hotline is a member of INHOPE (Internet Hotline Providers in Europe Association) (www.inhope.org). The Association's key purpose is to facilitate the work of European hotlines in responding to illegal use and content on the Internet through, exchanging expertise, supporting new hotlines, exchanging reports, interfacing with initiatives outside the EU, educating and informing policy makers, particularly at international level.

National Centre for Technology in Education

The National Centre for Technology in Education (NCTE) is an agency of the Department of Education and Science. It is responsible for the implementation of government policy with regard to technology and its use in learning and teaching. The NCTE is a partner in a number of EU funded initiatives promoting the safe and responsible use of the Internet including .Safe, ONCE (Online Children's Education) and SAFT (Safety Awareness for Teens).

NCTE provides advice and information on the safe and responsible use of the Internet to schools and has published a number of publications on Internet safety since 1998. These have included:

1998 NCTE Internet - Acceptable Use Policy - guidelines for primary schools.

2001 Teachers perceptions of Internet safety issues at school.

2002 Use of and Access to the Internet preliminary findings report.

2002 Children's views of the Internet publication.

2002 For Kids By Kids Online website (FKBKO) available in both English and Irish language.

2002 Be Wise on the Net - information for parents and guardians to help children stay safe on the Internet. 500,000 copies disseminated to all schools, pharmacies, libraries, parents associations, GP's surgeries, education centres, youth centres and also available on the NCTE website.

2002 Be Wise on the Net posters and advertising campaign on supermarket receipts - 30,000 posters distributed and over 6 million receipts printed.

2003 Be Wise on the Net - Information and Advice for Schools. This booklet is now available in all schools providing practical and comprehensive advice for teachers on how to use the Internet effectively and safely as a learning tool.

2003-2004 SAFT - Safety Awareness for Teens

This project commenced in September 2002 and aims to highlight the positive aspects of the Internet whilst educating students to use the Internet safely.

NCTE is the lead partner in the education work-package which aims to develop an education programme targeting parents, teachers and students aged 8-10 years. To date research findings have indicated that students engage in online risk behaviour at home rather than in school. For this reason it is imperative that parents are targeted in all awareness raising activities. Therefore, the SAFT education programme aims to foster a sense of shared responsibility by parents and teachers in protecting children online.

The programme consists of both take-home activities and classroom activities, which are designed as fun interactive learning tools for all concerned.

SAFT also aims to work more closely with industry organisations and other Internet safety stakeholders. The SAFT programme will develop a safe use guide, which will reflect Internet safety messages agreed by all stakeholders.

SAFT will develop an Internet safety portal in each member country and it is expected that this portal will act as a "one stop shop" for Internet safety awareness raising with support from all national stakeholders.

NCTE is currently engaged in a SAFT research study into childrens risk behaviour online. The findings of this study will be available in May 2003.

NCTE is currently evaluating 7 filtering software titles in conjunction with selected schools. The evaluation reports will be available from the NCTE website in May 2003.

Information Society Fund

The Information Society Fund has provided funding for the Board's projects since 2001. The Fund is administered by the Department of Finance with an evaluation team from the Department of Finance and the Department of the Taoiseach. It is a fast track mechanism to resource public sector initiatives that progress the objectives of the Government's Information Society Action Plan.

The Board would like to express its gratitude for the Fund's help and support, and looks forward to continued co-operation and mutual assistance.

IAB Financial reports from 2000 to 2002 can be found at page18

Future Direction of the Board's activities

Sustaining the momentum of 2000 to 2002

The Internet, by its very nature is an ever changing phenomenon. Technological advances are happening on an almost daily basis. These present ongoing challenges for those who are charged with protecting society from the downside of Internet usage.

It will be a challenge for the Board sustaining the momentum generated over its first three years, to build on the contacts, practices and procedures already in place, to acquire new knowledge and to develop new linkages.

Monitoring of Industry self-regulation

As part of the Board's monitoring function in relation to self-regulation it proposes to focus on:

- holding review meetings with the ISP industry;
- assisting in compliance with the Code by membership of the ISPAI;
- promoting greater awareness of the Code of Practice and Ethics.
- reviewing the effectiveness of self-regulation as a mechanism for addressing issues of harmful and illegal content.

Completing a new programme of work including new research on Internet safety

Initiatives proposed for inclusion in the Board's work programme for 2003 are currently being developed.

More intensive awareness campaigns

As more households begin to use the Internet the Board will continue to promote greater awareness of the downside issues of the Internet. In 2003, it is proposed that the Board will look at new ways to increase awareness levels, particularly among parents and children.

Intensifying co-operation between Industry and the Gardaí

It is proposed that the Board's work programme will include provision to continue the series of seminars begun in 2002.

Monitoring of international legislative and technological developments

The Internet is an international phenomenon and, therefore, poses serious limits on what any one country can achieve in addressing the downside issues. In this connection, international organisations such as the European Union, the Council of Europe and the OECD are developing and reviewing mechanisms to combat illegal and harmful uses of the internet.

In parallel, technological changes are happening at a phenomenal pace. For example, the advent of broadband technology will have an enormous effect on the Internet and its usage over the next few years. Broadband technology takes advantage of high-bandwidth technology to offer new or enhanced services. The broadband connection to the Internet provides the user with download times of up to 10 times faster and it is an ideal vehicle for sending and receiving large digital files, ie: music/video. With a broadband connection the user's system is continuously connected to the Internet which means no dialing up and instant connectivity. Issues may arise with regards to the regulation of broadband, in that it may rival existing forms of broadcasting media, but not have to follow the same regulating criteria. There is clearly enormous potential for illegal and harmful uses, and the development of robust mechanisms for protecting children online will be ever more important.

On this basis, international co-operation is crucial if an effective response is to be achieved. The Board will continue to monitor these developments, to contribute to the international debate and exchange of information, and disseminate the information gathered as appropriate.

Financial Reports 2000 to 2002

Expenditure Items	2000		2001		2002
	£	€	£	€	€
Research and Development			41,562.00	52,772.85	
Information/Publications/ Awareness Campaigns			35,196.00	44,689.70	195,264.04
Web Site development and maintenance			14,712.00	18,680.39	2,873.75
Meeting Expenses	2,038.53	2,588.40	2,342.38	2,974.11	5,205.19
Travel and Subsistence	1,912.97	2,428.97	2,619.38	3,325.93	2,100.15
Miscellaneous			1,043.00	1,324.34	97.52
Total	**3,951.50**	**5,017.37**	**97,474.76**	**123,767.32**	**205,540.65**

In April 2001, a total of £110,000 was approved from the Information Society Fund, of which £92,996.21 was spent, to further progress general 'Measures to alleviate the Illegal and Harmful Use of the Internet'.

In 2002, a total of €199,881.28 was provided by the Information Society Fund.

The Department of Justice, Equality and Law Reform provides the secretariat for the Board and also funds the balance of the Board's operating costs, e.g. meeting expenses, travel & subsistence, and overheads.

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Appendix A

EXECUTIVE SUMMARY

ILLEGAL AND HARMFUL USE OF THE INTERNET - FIRST REPORT OF THE WORKING GROUP

Background

Internet not amenable to traditional analysis

The accelerated development of the Internet over the last few years is one of the most significant societal phenomena of the century and resonates through the commercial, economic, cultural, social and moral aspects of our lives. Any evaluation of this significance must, however, take into account the fact that as a phenomenon, it is in a state of constant and rapid evolution and our traditional tools of measurement and analysis do not readily lend themselves to forecasting its effects or planning our future responses.

Need for balance

As with all such major developments in society, the Internet has its negative and positive influences. While this Report is mandated to evaluate its negative side, there is a constant need to strike the right balance between ensuring that we, as a country, are positioned to benefit from its many advantages and at the same time have a clear and structured approach to the protection issues which arise from its illegal and harmful use.

New partnerships and approaches needed

These protection issues are wide-ranging, technically and legally complex and are international in their dimensions. They pose special challenges to the international community, governments, industry, educators, parents and indeed, individual users of the Internet. New partnerships, new approaches and new levels of flexibility will be needed to ensure that our exploitation of the Internet incorporates safety measures specifically designed to ensure maximum protection for those who are vulnerable to its downside.

Child issues and framework strategy are a priority

The illegal and harmful use of the Internet involves a very wide range of issues including areas such as national security, child protection, economic security, racial discrimination, pornography, privacy protection, gambling, sale of controlled drugs, libel, and information security. Indeed, it can be said that almost all aspects of societal activity are part of an analysis of the downside of the Internet. However, in keeping with the priorities identified in its terms of reference, the Group focused for its first report on (a) an analysis of child protection issues and (b) the development of an overall framework within which these, and other downside issues, can be addressed.

The Internet phenomenon

The analysis of Internet issues and the response to them is best understood against a backdrop of knowing its basic technology and the services which it provides. Essentially, the Internet is a "network of networks" of computers linked together using a series of protocols or rules which, for all practical purposes, represents a common language or Internet "Esperanto". The Internet can also be viewed as a source of services in the area of sound, text, and video. The main services include;

- the world wide web (WWW),
- electronic mail,
- discussion groups (newsgroups and mailing lists) and
- "Chat" (direct on-line communication).

Each of these services can be used in different ways to distribute and access illegal and harmful material and operate independently of where the material is accessed or stored. Each has different legal and policing implications.

The "Internet Factor"

International phenomenon

Because of the essential nature of the Internet, there are serious limits to what any one country can achieve on its own in the area of addressing the downside issues. The Internet itself is an international phenomenon in every sense of the word and any effective response will hinge on high levels of international co-operation.

Policing is difficult

Tracing and proving illegal use of the Internet presents unique law enforcement challenges. Despite a proliferation of addressing systems, anonymous use of the Internet is still relatively easy and identifying the source of material placed on the Internet can be extremely difficult and indeed, sometimes impossible. The ease with which child pornography can be copied and disseminated in digital form is a serious barrier to any enforcement strategy which seeks to contain the problem.

Illegal use must be distinguished from harmful use

Different approaches are required in relation to illegal and harmful use of the Internet. While the determination of illegal use is complicated, final decisions on legality in any given jurisdiction are determined by due legal process. Harmful use of the Internet is a much more subjective issue.

What is considered harmful can vary between countries and indeed, within a particular country. It is sometimes a matter of taste, culture and value systems and is very much dependent on whether or not children are involved.

Response strategies will therefore vary in accordance with whether illegal or harmful material is involved. Whereas responsibility for dealing with illegal material is ultimately a matter for the State, responsibility for screening harmful Internet material will increasingly devolve to the level of the individual.

Traditional forms of censorship will not operate effectively in the new borderless virtual environment of the Internet and individuals involved with children's use of the Internet, be they parents or educators, must share the responsibility of ensuring that a safe environment is provided. Software tools specially designed to screen harmful material are now becoming available which will facilitate such individual responsibility.

Phenomenal pace of change

The responses to the challenges posed by the illegal and harmful use of the Internet must be sufficiently flexible to reflect rapid changes in Internet technology and services. Measures which do not provide for review and adaptation are not suited to an environment characterised by constant evolution. The specific measures suggested in this Report must be seen in the context of the particular stage reached in Internet development and must be sufficiently flexible to accommodate change.

The Issues

Child protection

The range and quality of services offered by the Internet makes its use very attractive for paedophiles. Quantification of the extent of the problem is difficult due to factors already mentioned but there are clear child protection issues involved. Research available to the Group, in particular the study by Professor Max Taylor from UCC, indicates that the Internet continues to be a major (if not the major) focal point for the distribution of child pornography and information about paedophile behaviour. No more than in other countries, the child protection issue is a serious one and must be addressed.

Legal implications

The Internet operates on an international basis. The law operates on a territorial basis. Thus we have the genesis of many of the legal issues surrounding the Internet. Material on the Internet is held worldwide and can be accessed worldwide. Some material is held and accessed locally. Other material is held outside the jurisdiction and is only accessed locally. The extent to which national law operates can therefore be a complex issue to decide. Liability issues often turn on the extent to which any particular party controls, or is aware of, illegal content. The concept of being aware or "knowing" has its own difficulties arising from the way in which the underlying Internet technology works.

Blocking illegal content

The very nature of the Internet poses limitations on the ability of service providers to block specified material particularly when there is no absolute way of knowing the full nature of the material, even if it is held within the jurisdiction. Blocking access to foreign web sites represents a particularly difficult problem.

It is important to understand that the issue is not about guaranteeing the blockage of all harmful and illegal material. It is more about adopting feasible policies in this area which;

- are sufficiently discriminatory and effective so as to maximise the full benefits of the Internet,
- are in conformity with legal provisions, and
- respect, in particular, the protection and interests of children.

This difficult task is best fulfiled in the context of a constructive partnership of all parties and an appropriate forum for common decisions on the many sensitive issues involved. The establishment of such a forum is among the recommendations in the Report.

Need for new structures

While there is a need to ensure that any new arrangement will attract the co-operation of all parties, the Group does not favour the introduction of statutory structures. We believe it is not only impossible but also counter-productive to attempt to "regulate" the Internet in the sense of introducing new national statutory provisions to specifically control its illegal and harmful use. The defining characteristics of the Internet already mentioned and explored in detail in the Report, do, we feel, reflect that belief. This is not to say that our national laws should not continue to take careful cognisance of the emerging

technology; "Internet proofing" of new legislation is among our recommendations.

The downside of the Internet, irrespective of the different perspectives and interests involved, represents a common enemy which will only be defeated through partnership and co-operation. This new partnership approach will involve new structures and active participation by all parties, but with the service providers having a key role. The positive co-operation shown so far by the Internet Service Provider's Association of Ireland (ISPAI) is an indication of how much can be achieved in a partnership arrangement.

A partnership approach, characterised by a willingness to see all issues as common problems and supported by Government and the service provider industry, is the best way forward at this point in time.

Awareness

A realistic assessment and knowledge of the issues involved in this complex area is essential for an appropriate and workable response to the downside issues. Moral panic based on poor understanding of the Internet is an enemy to progress. Awareness is a key part of any overall national strategy in this area and the Report makes detailed recommendations in this regard.

International Experience

A detailed analysis of international experience was carried out by the Group and is shown in Part 4 of the Report. There has been an acceleration of international studies of the downside of the internet over the first year with the realisation that very high levels of international cooperation will be needed to successfully address the issues. Initiatives are emanating from several areas within the EU and considerable effort is being put into co-ordinating the various responses. The OECD is also involved in a significant study of Internet content issues and US experience is also of great interest and relevance.

In essence, at least within the European context, international developments are broadly in line with the strategy envisaged in the Report. A self-regulation approach by service providers linked with new structures which include hotlines and overarching supervisory groups, are either already established or being contemplated by most EU member states. Voluntary codes of practice rather than strong regulatory mechanisms predominate, and while specific national initiatives are important, there is a growing realisation that no one country can make effective progress in isolation.

Proposed National Strategy

Criteria

The Group's criteria for establishing a new strategy was that it should:

- reflect practical measures which can be implemented in the short term
- be capable of directly addressing the issue of child pornography
- be compatible with the overall national objective of extracting maximum economic and social benefit from the Internet
- be geared to the particular economic, legal and social conditions in Ireland
- be capable of being integrated with ongoing international developments

Strategic components

The package of strategic measures focused on four main areas:

- the introduction of a system of self-regulation by the Internet service provider industry to include common codes of practice (COPs) and common acceptable usage conditions (AUCs)
- the establishment of a complaints hotline to investigate and process complaints about illegal material on the Internet
- the establishment of an Advisory Body on the Internet to co-ordinate measures so as to ensure a safe Internet environment within the self-regulatory framework
- the development of awareness programmes for users which will empower them to protect themselves, or others in their care, from the illegal and harmful material on the Internet

Self-regulation

This is a key building block in a national strategy for addressing the downside of the Internet and should be pursued as a matter of priority. Self-regulation by the service providers should include the development of codes of practice focusing on:

- promoting a general awareness of safety issues on the Internet

- establishing a common approach as to how content filtering facilities can be made available to individual users
- defining procedures for interacting with other players in the self-regulating environment
- establishing procedures for ensuring compliance

Establishment of the hotline

The main functions of the hotline would be as follows:

- investigation of complaints about illegal material on the Internet
- taking action as a result of the investigations
- promotion and assistance in developing rating systems for Irish-based Internet material
- co-operation with international hotlines
- public reporting on its activities
- reporting to the Advisory Board on the Internet

As a matter of principle, funding of the hotline should be provided by the service provider industry. However, because of market size and stage of development, the industry is not in a position to provide the funding which will be needed immediately to establish the hotline. Funding support should therefore be provided by Government at least in the short term pending the establishment and consolidation of the industry on a more substantial footing. Discussion should take place with the industry on detailed funding arrangements.

Establishment of Advisory Board on the Internet

The hotline will need advice and assistance from a partnership-driven forum which will itself monitor and promote the overall self-regulation framework. Members of the Board will include service providers, the Gardaí, Internet users, Government, the Information Society Commission, education and child protection bodies, a legal advisor and the Director of the hotline.

The Board's functions will include:

- setting up the hotline and its working procedures
- promotion of self-regulation measures to ensure a safe Internet environment
- contribution to the development of standards
- making decisions on issues arising from hotline activity
- international liaison
- carrying out a regular review of the appropriateness of new structures
- reporting to Government and Industry on progress

In view of the critical and immediate role to be undertaken by the Advisory Board on the Internet, it is recommended that the Secretariat be supplied by Government and that funding be provided to enable it to carry out its designated functions.

Awareness measures

The development of appropriate awareness measures is a critical complementary tool in addressing the illegal and harmful use of the Internet. Specific measures should include:

- integration with awareness initiatives already recommended by the Information Society Commission
- awareness measures by all constituents of the new structures, e.g. service providers, hotline, advisory board etc.
- specific sectoral awareness initiatives, particularly in the schools area

Working Group's Next Steps

The terms of reference given to the Group in 1997 were broad enough to allow it to continue examining other issues relating to the illegal and harmful use of the Internet. As already pointed out, however, we are working in a rapidly evolving environment and we ourselves must adjust our work focus to new national and international developments. Against this background, the first task of the Group will be to re-examine its composition and prepare a new set of priority issues for our next Report.

Appendix B

Membership of the Internet Advisory Board

The Board is made up of people with relevant expertise in the areas of child protection, the Internet industry, law enforcement, data protection and the media.

Member	Organisation
Eamonn M. Barnes	(Chairman) Former Director of Public Prosecutions
Professor Robert Clark	Faculty of Law, UCD
Kevin Condon [1]	Department of Justice, Equality & Law Reform
Audrey Conlon	Deputy Film Censor
Patrick D'Arcy	Retired County Manager
Paul Durrant [2]	Hotline Director
Michael English	Department of Enterprise, Trade & Employment
David Harvey	Independent Programme Producer
Terence Kelly	Ógra Chorcaí
Superintendent Kieran Kenny [3]	An Garda Síochána
Fintan Lawler	Internet Service Providers Association of Ireland
Tom Maguire [4]	Data Protection Commission
Brian McAufield	Information Society Commission
Marguerite McCormick	Barnardos
Jerome Morrissey	Director, National Centre for Technology in Education
Marie Murray	Clinical Psychologist
Professor Max Taylor	Child Studies Unit, Director of Department of Applied Psychology NUI Cork

Other experts who have contributed to the work of the subgroups:

Michael Clarke	Department of Enterprise, Trade and Employment
Superintendent Noel Clarke	An Garda Síochána
Inspector Tom Dixon	An Garda Síochána
John Hurley	National Centre for Technology in Education
Brian Lucas	Department of Justice, Equality and Law Reform

[1] Replaced John Haskins in November 2002
[2] Replaced Cormac Callanan in January 2003
[3] Replaced Superintendent Donal Neill in June 2002
[4] Replaced Ronnie Downes in February 2003

Appendix C

Amárach Research - An outline of the Research Project and its Findings

Research Brief

It was decided that this research should:

- be relevant to the general remit of the Board and to its mission statement;
- be capable of being completed within a period of three to four months;
- be primarily survey-based but include elements of qualitative research (focus groups etc., including children);
- be capable of being developed into further areas should the Board so decide;
- support the goals and objectives set out in the National Children's Strategy;
- include a focus on the general awareness, understanding and/or perceptions of Internet downside issues;
- reflect a preference for child protection-related issues;
- be geared to informing future initiatives, policy and strategy in the short to medium term;
- contribute to the definition of the issues facing the Board;
- be original in the sense of not having being carried out before in an Irish context;
- be geared to the major players involved in downside issues including parents and children;
- be suitable for publication to the general public;
- advance basic knowledge in the area in which the Board operates.

Methodology

Prior to conducting the quantitative survey, four focus groups were held with parents who have at least two children aged 14 or under who used the Internet. Each group had eight participants with an equal gender and social class mix. Two household quantitative surveys were conducted. The first survey questioned the 10-14 year olds who used the Internet from home and one parent of each 10-14 year old using the Internet from home.

The second survey questioned the 10-14 year olds who used the Internet from a location other than their own home and one parent of each 10-14 year old using the Internet from a location other than their own home.

Summary of findings

The research highlighted a number of interesting facts regarding Internet usage among 10-14 year olds in Ireland:

- seventy-seven percent of parents surveyed feel their child knows more about using the Internet than they do.
- forty percent of children who use the Internet at home usually access it alone.
- mothers play a significantly larger role than fathers in supervising Internet use.
- twenty-five percent of home PCs use software that restricts access to adult sites.
- the level of supervision and rules imposed when children access the Internet at school is very high.
- the level of supervision when children use the Internet at friends' homes is very low.
- forty-four percent of parents cite access to pornography as the main negative aspect of Internet use among young children.
- sixty-two percent of parents say they have discussed the potential dangers of Internet use with their child.
- only a small minority (14%) of children say they have accessed unsuitable material online.
- the vast majority (86%) of parents feel they have primary responsibility for protecting their children online.
- schools are also considered to have a major role to play in teaching children to behave sensibly online.
- almost seven in ten parents surveyed would like more information on how to protect their children online.
- schools and government are regarded as the key information providers.
- sixty-one percent of parents agree that the positve aspects of Internet use outweigh the negatives.
- access to the net appears to be well supervised in the school environment but in some cases children do not appear to be subjected to the same level of supervision in the home.
- a higher percentage of fathers claim to understand the workings of the net than mothers and yet mothers are twice as likely as fathers to supervise their children's activities on-line.

Appendix D

Safety Tips information - extract from IAB Website

TLC's for parents

Talking
Talk about potential dangers and your concerns.

Let them know they will be supervised.

Encourage them to talk about anything "uncomfortable" they find.

Looking
Keep the computer where you can see it in a busy part of the house.

Spend time online and see what they are doing - you might learn a lot yourself!

Look and take note if too much time is being spent online.

Checking
Check history/browser log files for suitability of sites and chat rooms.

Check e-mails (especially for younger children).

Check phone bills.

Setting Rules
When the Internet can be accessed and for how long.

Never give personal information (including credit card nos.!) without permission.

Never agree to meet an online friend without permission.

TLC's for kids

Tell
Tell your parents if you come across anything on the Internet which makes you feel uncomfortable. Always tell your parents if someone wants to meet you outside your home.

Leave
Leave a chat room if you feel uncomfortable about what's being said and talk to your parents about it. Its easy for people on the Internet to lie about who they really are and its hard sometimes to be sure about who you are really talking to.

Check
Check with your parents about any rules they might have about when you can use the Internet, opening e mails, using chat rooms etc.

Stop
Stop if you are asked to give any kind of personal details (e-mail address, photos of yourself etc.) on the Internet - get permission first.

Appendix E

National & Local Radio airtime schedules for awareness campaign 2002-2003

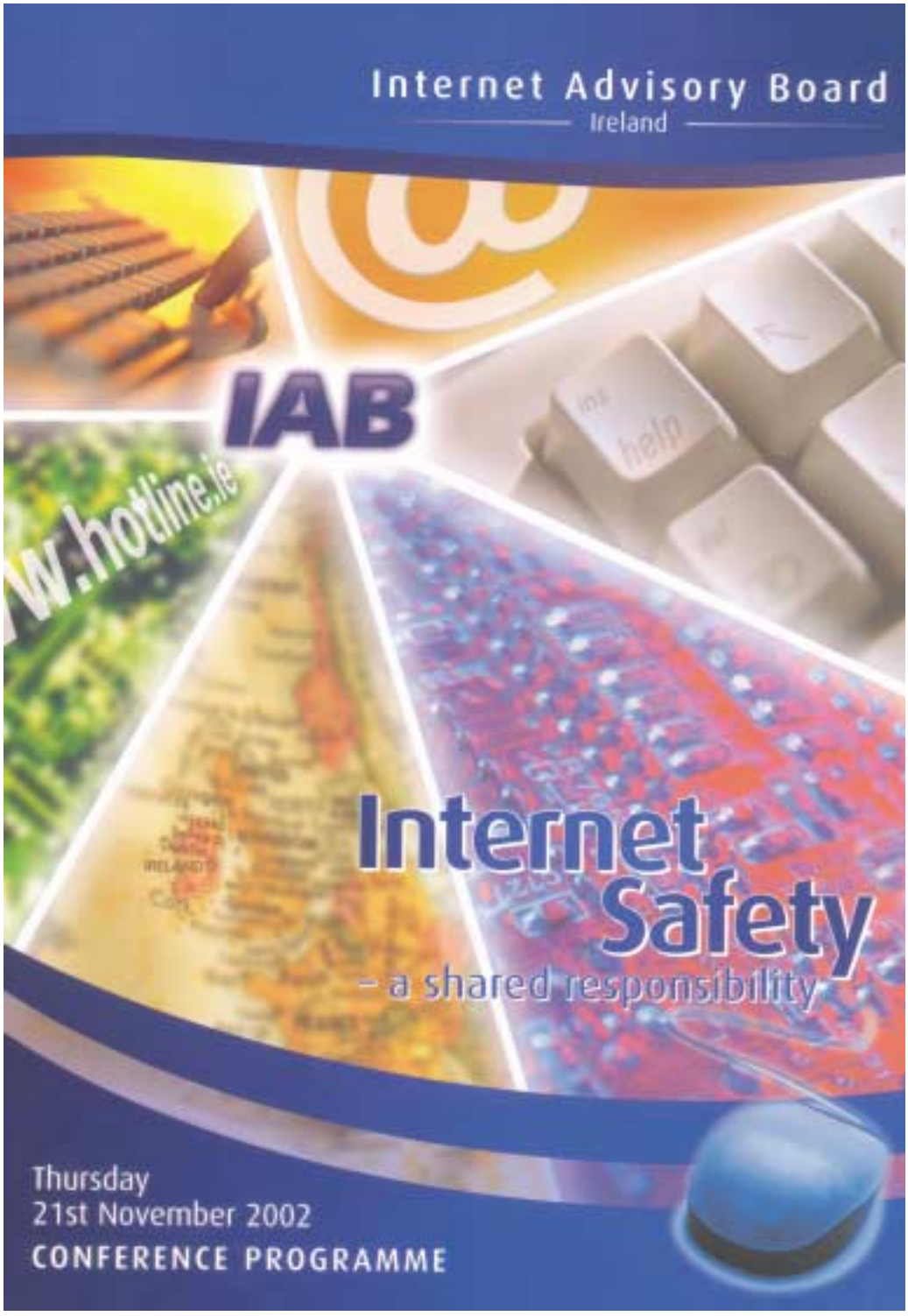
STATION	Weeks	Date	Length	Number of slots
Lite FM	2	2 to 22 December 2002	30 seconds	40
Today FM	3	2 to 22 December 2002	30 seconds	51
FM104	2	2 to 22 December 2002	30 seconds	40
98 FM	2	9 December to 5 January 2003	30 seconds	36
2FM	2	23 December to 5 January 2003	30 seconds	56
Radio 1	3	9 December to 5 January 2003	30 seconds	32
Galway Bay	3	2 December to 5 January 2003	30 seconds	61
Limerick 95FM	3	9 December to 5 January 2003	30 seconds	60
Cork 96FM	3	2 December to 5 January 2003	30 seconds	43

Appendix F

Sample Poster used in public notice campaign December/January 2002/3

Appendix G

IAB Conference Programme - 21 November 2002



Programme

Thursday 21st November 2002

8.45am	Registration
9.15am	Welcome and introduction Michael Mc Dowell, T.D., Minister for Justice, Equality and Law Reform John Hankin, Deputy Chairman, Internet Advisory Board and Conference Chairman
	Part 1 Internet Safety - what does it mean?
9.40am	General introduction and overview of issues Cormac Callanan, Internet Advisory Board
9.50am	Data Protection considerations Joe Meade, Data Protection Commissioner
10.00am	Racism/xenophobia on the Internet Patrick Martin, School of Communications, Dublin City University
10.15am	Child Pornography – a menace to society Professor Max Taylor, University College, Cork
10.30am	Break
	Part 2 Internet Safety - a question of responsibility
10.50am	Role of Irish Internet Service Providers Cormac Callanan, Internet Service Providers' Association of Ireland
11.00am	Contribution of schools/teachers/parents Jerome Morrissey, National Centre for Technology in Education
11.10am	Law enforcement perspective Superintendent Kieran Kenny, An Gárda Síochána
11.25am	The role and responsibility of the media Kadar Lillington, The Irish Times
11.35am	Hotlines and other contributions – an international perspective Thomas Rickert, President, European INHOPE
11.45am	The legislative process – strengths and weaknesses Professor Bob Clarke, Faculty of Law, University College Dublin
	Part 3 Keynote Speakers
12.00pm	Staying safe in the E-Society – E-Europe 2005 Richard Swetenham, European Commission
12.30pm	Questions and answers
1.00-2.00pm	Lunch
2.00pm	Impact on society of new communications technologies Professor Sonia Livingstone, London School of Economics and Political Science
	Part 4 Workshops*
2.45pm-3.45pm	1 For schools, teachers, parents 2 For Retailers and Internet Service Providers 3 For the Media 4 For providers of advice and information on Internet Safety * Note: Workshops will be moderated by appropriate experts - workshop participation will be designated in advance, in the interest of maximising the overall value of the conference.
3.45pm	Break
	Part 5 Plenary Session and open discussion
4.00pm	Plenary session Reports from workshops Open discussion
5.00pm	Conference ends

Internet Advisory Board
Ireland

Welcome from the Internet Advisory Board

We are delighted to welcome you to our conference on the theme of Internet Safety - a shared responsibility.

Using a wide variety of expert speakers, the conference will be setting out the safety issues faced by an increasing number of organisations and people as the Internet becomes an integral part of our business and social lives.

Having identified the issues, the key stakeholders will be giving their own perspective. Many of these perspectives will be discussed in afternoon workshops. The results will be fed into a plenary forum to round off the conference, and will form a basis for future policy.

These practical sessions, together with keynote addresses from Richard Swetenham of the European Commission and from Professor Sonia Livingstone of the London School of Economics and Political Science, will, we hope, make for a productive and informative day on one of one of the most important emerging topics in today's society.

Eamonn M. Barnes,	*Cormac Callanan,*	*Ronnie Downes,*	*Supt. Kieran Kenny,*	*Jerome Morrissey,*
Chairman,	*Prof. Robert Clark,*	*Michael English,*	*Fintan Lawlor,*	*Marie Murray,*
John Haskins,	*Audrey Conlon,*	*David Harvey,*	*Brian McAuliffe,*	*Prof. Max Taylor.*
Deputy Chairman.	*Patrick D'Arcy,*	*Terence Kelly,*	*Marguerite McCormack,*	

Speakers

John Haskins, Conference Chairman

John Haskins is attached to the Department of Justice Equality and Law Reform and is responsible for policy development in relation to the illegal and harmful use of the Internet. He was Chairman of the Government Review Group which reported on this area in 1998 and whose report established the framework within which Internet downside issues are currently addressed. He is also Deputy Chairman of the Internet Advisory Board.

Cormac Callanan, Internet Advisory Board

Cormac Callanan is Director of the Irish www.hotline.ie service responding to reports about illegal child pornography on the Internet. He is Chairman of the Irish Internet Service Provider Association (www.ispai.ie) and a Secretary General of the European Service Provider Association (www.euroispa.org). In addition to representing INHOPE, he also represents the Irish Internet Service Providers at Irish government and at EU level. He is past President of the Association of Internet Hotline Providers in Europe (www.inhope.org) that has 14 member hotlines in Europe and 2 additional hotlines in the USA and Australia. Following work on international assignment in the USA and Japan, he established the first commercial ISP (Internet Services Provider) business in Ireland in 1991 - Eirnet Ireland - which was sold in 1996. He has presented seminars throughout Western, Central & Eastern Europe and the Middle East and has lectured on a wide range of technology issues for many years.

Joe Meade, Data Protection Commissioner

Ireland's third Data Protection Commissioner, appointed in September 2000. Prior to that, he was Secretary General of the Comptroller and Auditor General's office. From 1993 to 1995, worked at the European Court of Auditors in Luxembourg, and from 1997 to 2000, worked at the European Space Agency in Paris, Rome and Amsterdam.

Patrick Martin, School of Communications, Dublin City University

Patrick Martin, M.A., is a researcher on the Privaci project in SALIS, Dublin City University. This project aims to develop software for detecting and filtering racist content on the Internet. Previously worked as a researcher on the CAVE project, a European Union funded audit of paedophile use of new communication technologies. MA dissertation examined paedophile use of the web as a channel for self-justification and political activism. Other publications and doctoral research are concerned with the web based discourse of political and religious minorities.

Professor Max Taylor, University College Cork

Professor Max Taylor is Professor of Applied Psychology at University College Cork and Director of the COPINE project. He is a Chartered Forensic Psychologist, with extensive experience of research in areas related to the criminal justice system.

Professor Taylor has published extensively in the area of child pornography. He is a member of the Internet Advisory Board, and has been closely associated with the work of the Working Group on the Illegal and Harmful Use of the Internet, whose report forms the basis for the work of the Board.

Jerome Morrissey, National Centre for Technology in Education

Jerome Morrissey is Director of the National Centre for Technology in Education the agency responsible for the implementation of the government's 165 million Schools IT 2000 programme to integrate information and communication

Internet Advisory Board
Ireland

Technologies in teaching and learning in all schools in Ireland. The NCTE is a partner in a number of European initiatives concerned with identifying best practice to ensure safe use of the Internet by students in schools and in providing advice to parents. Formerly the Principal of Ballyfermot College of Further Education, where he developed leading edge courses in media/digital arts that now attract students from all over the world, he has, inter alia, been an external examiner to Scholé Europaea (the network of European schools), chairman of a national technical working group to provide a training response to the televisions industry and member of evaluation team for the Arts Education and Training initiative of the European Commission. He was also a member of the academic council of DIT, a member of the board of studies of the National Council for Vocational Awards and a director of Liveguru. He has worked with the OECD in the development of quality criteria for digital and interactive resources in teaching and learning and was a contributor to "Learning to Change: ICT in Schools" (CERI / OECD) 2001.

Superintendent Kieran Kenny, An Gárda Síochána

Superintendent Kieran Kenny, Crime Branch, Garda Headquarters, has responsibility for Crime Administration and Policy within An Gárda Síochána. He has previously worked in the areas of Training and Operational Policing, and is a member of the Internet Advisory Board.

Karlin Lillington, The Irish Times

Karlin Lillington is a writer and columnist on technology with the Irish Times and The Guardian, and has a special interest in the intersection between technology, culture, politics and society. She also is published in Wired.com, New Scientist, The Sunday Times, Salon.com, Red Herring and other publications, and does occasional radio and television commentary. At the moment she's working on a book on Ireland's transformation into a technology economy.

Thomas Rickert, President, INHOPE

Thomas Rickert was elected President of the INHOPE Association in May 2002. INHOPE represents Internet hotlines around the world which process complaints about illegal Child Pornography on the Internet. Since 1998, he has assisted the German Internet Service Providers' Association – the electronic commerce forum, eco e.V – in the area of content responsibility and in the protection of young persons on the Internet. The members of eco carry over 85% of all IP traffic in Germany. He is an attorney-at-law who primarily advises companies on Internet related issues. He is head of eco's Internet Content Task Force (ICTF), which operates a hotline for complaints about Internet content.

Professor Bob Clarke, Faculty of Law, University College Dublin, Associate Professor of Law, Faculty of Law, University College Dublin.

Specialist in intellectual property and information technology law. Has served on the European Commission Legal Advisory Board since 1985. Is Irish national copyright expert on the MARKT DG Committee, Copyright Experts Board. Is also a part-time consultant with Arthur Cox, Solicitors.

Richard Swetenham, Information Society Directorate General, European Commission

Richard Swetenham is an official in the Information Society Directorate-General of the European Commission, based in Luxembourg. He has been dealing with the issue of internet content since mid-1996, drafting the Communication on Illegal and Harmful Content and the Ministerial Declaration of the Bonn Conference on Global Networks in 1997. He is now responsible for implementing the Action Plan on promoting safer use of the Internet. Educated at Eton (King's Scholar) and New College, Oxford (Exhibitioner), Richard Swetenham was called to the Bar in 1974 (Middle Temple), did a year's pupillage, and then went to Germany on a programme for young foreign lawyers. He then studied law in Paris and joined the staff of the Court of Arbitration of the International Chamber of Commerce. In 1981 he became Legal Secretary to the late Lord Mackenzie Stuart, Judge and then President of the European Court of Justice. He joined the European Commission in 1987. From 1994 until the beginning of 2000, he was secretary of the Legal Advisory Board, composed of independent experts in information law. He produces Quicklinks http://www.qlinks.net, a weekly electronic newsletter on legal and regulatory issues related to the Information Society as well as developments in market and technology.

Professor Sonia Livingstone, London School of Economics and Political Science

Professor Sonia Livingstone BSc Psychology, UCL; DPhil Social Psychology, Oxford; currently Professor of Social Psychology and Convenor of the Social Psychology Department, taught at the Universities of Kent and Brunel, and held postdoctoral positions at Oxford and Swindon before joining the LSE in 1990. Her long-term research interests centre on media audiences, and she has particularly researched audience responses to television genres such as talk shows, soap operas, crime media. Her more recent work figures on the domestic contexts of media access and use, especially in relation to children and young people's use of new media. She initiated the MSc Media and Communications, and now teaches courses on media theory, research methods, audience research and the doctoral seminar. Professor Livingstone supervises PhD students working, broadly speaking, on media reception and on diverse cultural contexts of media use and has published extensively in this area. She is also a Board Member of the Internet Watch Foundation.

Appendix H

General requirements for membership of the Internet Service Providers Association of Ireland

The following extracts from the Code of Practice and Ethics, published in February 2002, outline the requirements of the membership of the Internet Service Providers Association of Ireland (ISPAI).

"4. General Requirements

ISPAI requires that Members adhere to the general requirements set out hereunder. Breach of any of the general requirements shall constitute a breach of the Code. For the avoidance of doubt, general requirements are only applicable to a Service marketed and contracted in the Republic of Ireland or hosted from or in the Republic of Ireland.

4.1 Members must use best endeavours to ensure that Services (excluding Third Party Content) and Promotional Material do not contain anything which is Illegal and is not of a kind likely to mislead by inaccuracy, ambiguity, exaggeration, omission or otherwise.

4.2 Members must use best endeavours to ensure that Services (excluding Third Party Content) and Promotional Material are not used to promote or facilitate any practices which are contrary to Irish law.

4.3 Members must use best endeavours to ensure that Services (excluding Third Party Content) and Promotional Material do not contain material inciting violence, cruelty, racial hatred or prejudice and discrimination of any kind.

4.4 Members must act fairly and reasonably in their dealings with Customers, other businesses and each other.

4.5 Members must use best endeavours to bring to the attention of Customers the existence of the Code and the Complaints Procedure pursuant to the provisions of the Code.

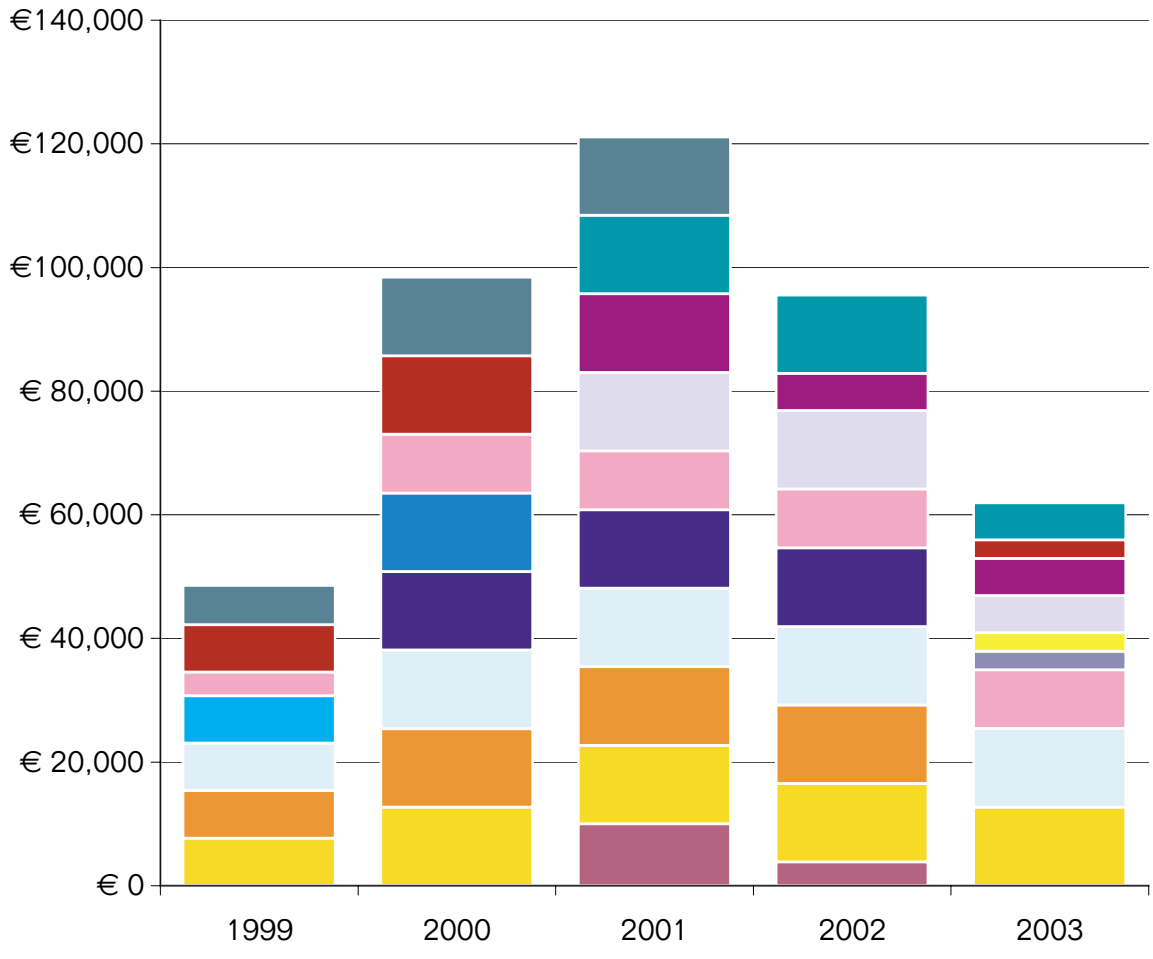
4.6 Members must use best endeavours to ensure that they bring their respective Terms and Conditions to the attention of all new Customers.

4.7 The Board may from time to time propose the adoption of Regulatory Policies on issues relevant to the Internet. These proposed Regulatory Policies must be adopted by a 75% majority of all Full Members voting to formally adopt such proposals as Regulatory Policies. Members who do not adhere to Regulatory Policies shall be deemed in breach of the Code."

Membership of the Internet Service Provider Association as at 31 December 2002

Member	Email address
AOL.co.uk	ispai@aol.co.uk Eircom Net
Esat Business	ispai@esat.net
Indigo	ispai@indigo.ie
O2	ispai@digifone.ie
Vodafone	ispai@vodafone.ie
Eircom Net	ispai@eircom.net
HEAnet Limited	ispai@heanet.ie
IOL Line/Ocean/EsatClear/Esat Fusion	ispai@iol.ie
UTV Internet	ispai@utvinternet.ie
Host.ie/Servers.ie	ispai@novara.ie
Irish Domains	Address not available

Internet Service Provider Association - Membership Fees Paid



- AOL Europe
- Esat-Ocean
- O2
- Eircom Net
- Esat-Postgem
- UTV Internet
- Esat Fusion
- Novara
- Eircom-Indigo
- Heanet
- Via Networks
- Esat Business
- Irish Domains
- Vodafone
- Worldcom

Appendix I

Summary of relevant Irish and International Legislation

Ireland

Child Trafficking and Pornography Act 1998
The Child Trafficking and Pornography Act, 1998 provides for an offence carrying a maximum penalty of 14 years for anyone to knowingly produce, distribute, print, publish, import, export, sell, or show child pornography. Mere possession of child pornography can attract a penalty of five years imprisonment.

Video Recordings Act 1989
This Act prohibits the supply of videos which contain, amongst other things, obscene or indecent matters which might deprave or corrupt persons looking at the video. The Act would apply where someone in the State supplied this kind of video over the Internet for reward.

Data Protection Act, 1988
This is the law governing data protection in Ireland. The Act was passed on the 13th July 1988, and came fully into force on the 19th April, 1989. The Act gives effect in Ireland to the 1981 Council of Europe Convention for the Protection of Individuals with Regard to the Automatic Processing of Personal Data, sometimes referred to as "Convention 108".

Data Protection (Amendment) Act 2003
The Data Protection Amendment Act 2003 was signed by the President on 10 April 2003. The Act transposes EU Directive 95/46/EC into Irish Law. Amongst the major changes introduced by this legislation are the extension of data protection rules to manual records; improvements in the right of access and new rules in relation to the fair obtaining and fair processing of data. The registration system is also the subject of change; the future of such changes will be based on new data protection registration regulations.

European Union - Related Policy initiatives

Recommendation on the protection of minors and human dignity, which offers guidelines for the development of national self-regulation. Self-regulation is based on: the involvement of all the interested parties (government, industry, service and access providers, user associations) in the definition of codes of conduct, the implementation of codes of conduct by the industry, and the evaluation of measures taken.

The Communication on Computer Crime discusses the need for and possible forms of a comprehensive policy initiative in the context of the broader Information Society and Freedom, Security and Justice objectives for improving the security of information infrastructures and combating cyber-crime, in accordance with the commitment of the European Union to respect fundamental human rights.

Framework Decision on child pornography which defines constituent elements of criminal law, common to all Member States, including effective, proportionate and dissuasive sanctions. It follows the Decision on child pornography on the Internet, a measure under the EU "third pillar" (co-operation in justice and home affairs) which invites Member States to take a number of steps to increase the effectiveness of law-enforcement against child pornography on the Internet and to encourage collaboration between law-enforcement authorities of the Member States.

The Communication on Network and Information Security, which proposes a European policy approach, aimed at improving network and information security. It lists a series of concrete policy measures, as was requested by the Stockholm European Council. The proposed policy is an integral element of the existing framework for electronic communication services and data protection and - more recently - cyber-crime policy.

The Electronic Commerce Directive covers a number of legal issues of electronic commerce including commercial communications, electronic contracts, transparency requirements, liability of Internet intermediaries, and encourages the adoption of codes of conduct.

Data protection/privacy Directive concerning the protection of individuals with regard to the processing of their personal data and the free movement of such data lays down rules on collection of personal data, information of the individual, rights of access and redress which apply to Internet users' data and the protection of their right to privacy when surfing on the Internet.

Directive 95/46/EC requires appropriate technical and organisational measures be taken to secure data processed. This is in particular relevant to ensuring and promoting a safer Internet.

Directive 97/66/EC concerning the processing of personal data and the protection of privacy in the telecommunications sector also requires specific security measures. It guarantees the confidentiality of communications including e-mails and provides rules for directories and the use of e-mail for marketing. The Commission has proposed a Directive updating and replacing Directive 97/66/EC concerning the

processing of personal data and the protection of privacy in the electronic communications sector.

The e-Confidence initiative aims to help consumer confidence in electronic commerce by co-regulation to establish standards for trustmark schemes across Europe that enable consumers to identify more easily which websites they can trust.

The Communication **eEurope 2002: Quality Criteria for Health related Websites** of which the aim was to draw up a commonly agreed set of simple quality criteria on which Member States, as well as public and private bodies, may draw in the development of quality initiatives for health related websites.

The AGIS Framework programme on police and judicial cooperation in criminal matters runs for the period 2003 to 2007 with a budget of €65 million. Preceding programmes included STOP and STOP II. In 2000 the STOP programme co-funded an International conference on fighting child pornography on the Internet that followed up the conference «Combating Child Pornography on the Internet» held in Vienna in 1999. The programme also funded the **COPINE** project and a follow-on which analysed the behaviour of offenders collecting child pornography and the setting up of an operational database of child pornography using automatic indexing and search systems.

The **DAPHNE** Programme for the years 2000-2003 is a European Community preventive action programme to fight violence against children, young people and women. Violence is understood in the widest possible sense, from sexual abuse to domestic violence, from commercial exploitation to bullying in schools, from trafficking to discrimination-based violence against handicapped, minority, migrant or other vulnerable people. DAPHNE funded several related projects, some of which (eg INHOPE) have subsequently been funded under the Safer Internet Action Plan.

The **eContent** programme, as part of the eEurope Action Plan, contributes to its third objective: "stimulate the use of Internet". The programme is aimed at supporting the production, dissemination and use of European digital content and to promote linguistic diversity on the global networks.

Key Action 3 of the Information Society Technologies Programme (IST) of the 5th Framework Programme covered Information access, filtering, analysis and handling (IAF): The overall objective of IAF is to develop advanced tools and techniques for the management of multimedia content to empower the user. IAF further focuses on audiovisual content which today is streamed over the Web, CD or DVD, but which will also be available in the next years over enhanced TV, multimedia home platforms and wireless multimedia networks.

The Commission adopted the **"eLearning"** initiative to adapt the EU's education and training systems to the knowledge economy and digital culture. This initiative has four components: to equip schools with multimedia computers, to train European teachers in digital technologies, to develop European educational services and software and to speed up the networking of schools and teachers. The network set up in the context of "Learning in the Information Society" will provide a channel for disseminating the content created for the Action Plan on promoting safer use of the Internet.

Council of Europe

Cybercrime Convention of 2001
The Council of Europe Convention on Cybercrime was adopted by the Committee of Ministers and opened for signature in November, 2001. It was signed by the then Minister for Justice, Equality and Law Reform on behalf of Ireland in February 2002. The Convention is the first international treaty dealing with criminal offences committed by means of, or against, computer networks, in particular infringement of copyright, child pornography, network security and computer-related fraud. The Convention's main aim is to pursue "a common criminal approach aimed at the protection of society against cybercrime, inter alia by adopting appropriate legislation and fostering international co-operation".

A preliminary examination of the requirements to enable Ireland to ratify the Convention has been carried out and that examination shows that some legislative changes will be required. The extent and scope of these changes is still being considered in the Department of Justice, Equality and Law Reform.

Additional Protocol to the Convention on Cybercrime

An examination is also being carried out of the necessity for legislative changes to enable Ireland to satisfy its obligations under the first concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems.