

**SUBMISSION OF THE AUSTRALIAN COUNCIL
FOR LESBIAN & GAY RIGHTS**
to
**SENATE COMMITTEE INVESTIGATING
INFORMATION TECHNOLOGIES**

This submission is supported by:

The NSW Gay & Lesbian Rights Lobby; Sydney Gay & Lesbian Mardi Gras Ltd.; the Victorian Gay & Lesbian Rights Lobby; Gay and Lesbian Equality (WA) Inc.

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INTRODUCTION

The recent legislative proposals by the Minister for Communications, Senator Richard Alston, regarding censorship of the Internet raise significant concerns for the lesbian & gay community.

The Australian Council for Lesbian & Gay Rights (ACGLR) is particularly concerned that these proposals will entrench discrimination against lesbians and gays. We think that they will have a particular impact on lesbian and gay teenagers and that we are already seeing the impact of software filters in the blocking of access to health, welfare and other information for both lesbian & gay teenagers and adults.

We believe that the promotion by the Minister as well as the suggested promotion in the proposals of American sourced software carries with it the imposition of American value systems. These values aren't Australian values and we believe that in some cases they may breach Australian laws.

We believe that the Australian community is largely unaware that it is effectively the privatisation of censorship through the decision making of ISPs and the producers of software filters that is being proposed. There are no safeguards against inappropriate blocking or deletion of Internet content or to protect lesbians and gays from malicious and spurious complaints in any of these proposals.

The interests of lesbian and gay people have beenⁱ and continue to be dismissed as an acceptable 'trade off' to satisfy concerns about the protection of minors from viewing material considered offensive. We do not accept this argument.

We recognise that some Internet content is unsuitable for minors. Voluntary labelling of material that *is* suitable for minors would create a safe space on the net for kids and would satisfy parent's very real difficulties with supervising their children's Internet access. This Committee has already advanced a similar proposalⁱⁱ. But this safe space should be regulated to ensure that it doesn't discriminate and to make sure that health and welfare information intended for kids remains available.

As the Australian community increasingly accesses (and is forced to access) digitalised information sources we are concerned that these proposals will effectively build discrimination against lesbians and gays into 'the machine'.

OVERVIEW

The Government proposalsⁱⁱⁱ state that:

"The Internet can ... be used as a forum for the dissemination of offensive or illegal material. The Government takes very seriously its responsibility to provide a workable and effective regime to prevent the publication of this material."

"Codes of practice [for ISPs] must include a commitment by an online service provider to take all reasonable steps to block access to RC or X material hosted overseas, once the service provider has been notified of the existence of the material by the Australian Broadcasting Authority (ABA). In relation to R rated material sourced from overseas, codes of practice will encourage service providers to offer differentiated services to filter out unacceptable content as far as possible."

A differentiated service means that ISPs will be installing software filters in order to comply with the code, as offering multiple services will be expensive and many ISPs will simply offer one service. This will have a particularly strong impact outside capital cities where choice of ISPs is limited.

ISPs as enterprises that are not in the business of censorship may also delete or block content inappropriately, particularly because of differing interpretations as to what constitutes 'offensive' material. This content could include email, according to readings of the bill. The proposals contain no safeguards to ensure that inappropriate blocking or deletion will not happen.

A reading of the proposed legislation by lawyer Brendan Scott^{iv} suggests that:

"When the ABA sends out a take down notice, an Internet Content Host (ICH) must take the relevant content down within 24 hours of that notice being sent (clause 35) and must not subsequently host that content. Given that the ABA is not required to identify where the

content is located nor adequately identify the content, simply taking the content down may pose a very difficult problem for an ICH.”

“However, keeping that content off its system is an impossibly difficult burden for an ICH to overcome. If it takes certain content down on Monday, how does it know if that content reappears somewhere else on its service on Tuesday? Internet hacker rings frequently drop contraband content into unknowing servers for their colleagues to uplift later. If the ICH is also an ISP, how does it know that its end users' emails do not contain take down content?”

“Despite the Government's repeated claims to the contrary, the only way for an ICH to comply with this provision is to constantly review all content on their service to determine whether it is content covered by a take down notice. The Government is requiring ICHs to monitor all of the data of all of its customers including all of their personal, private or commercially sensitive data. However, it's not just ISPs that are hit by this. It's everyone who hosts content - it's everyone who has an email account.”

The Minister has reinforced the points contained in the ministerial media release in public statements. Senator Alston has said that:

“In relation to international sites ... [ISPs] would be required to take action where it was technically feasible.”^v

And:

“It's not difficult to have those matters filtered through proxy servers, and in that way you can develop a clean universe. And there are software filter technologies available like CyberPatrol and Net Nanny and other which guarantee that you won't be able to stumble across a lot of these pornographic sites”.^{vi}

And (in response to John Laws on Foxtel):

“Laws: Yeah, but you can't physically block the Internet, can you?”

Alston: “Yes, there are what they call proxy servers. There are different levels, application levels, and filtering devices which can be used by the end user but the actual service providers can use technology that diverts material away from a proxy server.”

“So ultimately, you have to try and control it if that's the path down which you are going via the gateways into Australia and there are some backbone service providers that are the point of international access.”

Software filters are the principal method used to censor Internet content. ACGLR believes that the proposals will promote their more widespread use in Australia.

Software filters are in use in Australia in schools, government departments, universities, businesses, organisations, institutions and private homes.

There are a number of brands such as NetNanny, CyberPatrol, SmartFilter, iFILTER, CYBERSitter, and SurfWatch. ACGLR is not aware of any Australian brands that utilise Australian originating technology. We understand that all filter brands on sale in Australia use technology originating in the United States.^{vii}

Software filters search the content of web sites, including the hidden code, for words or phrases that the filter maker has deemed inappropriate. This is often supplemented by the compilation of a list of banned websites that the filter blocks access to.

Filters can also record where a web user has been and can be used to block and monitor email, Internet Relay Chat (IRC), newsgroups and for other purposes unrelated to the Internet such as blocking and monitoring the content of word processing documents.

No one knows exactly how many websites are currently online however it is thought to be at least 36 million^{viii}. Filter makers (and the ABA) are unable to categorise/rate and sort the Internet's entire content, not simply because of the scale of the current World Wide Web but also because of the rate at which content is being added. Therefore 'banned' lists, aimed at 'protecting children', can only ever represent a portion of content deemed inappropriate by the filter makers (or the ABA). Filters must

rely on banned words and phrases in web site content in order to block access to sites, newsgroups or to turn back email. This can often lead to farcical cases from filter software in action:

"In one case, the word 'button' was obliterated in e-mail messages presumably because of the first four letters of the word."^{ix}

This methodology does not always work at blocking access to websites deemed pornographic or otherwise unsuitable for minors, as a report presented to the Canadian Library Association^x found:

"Of 22 easy-to-find Web sites that had been judged by investigators to be inappropriate for young children, not one of the four most common software blockers - CyberPatrol, CYBERSitter, NetNanny, and SurfWatch - blocked all of the sites."

NetNanny failed to block any of the 22 sites, while 14 were blocked by CYBERSitter, 16 by CyberPatrol, and 18 by SurfWatch.

"These rates are far below the levels that parents and other consumers have been lead to expect."

The report pointed out that:

"The sex seeking user trying to evade the cybercensor only needs to find one site which has escaped the blacklists, while the list makers need to try to keep up with the entire web."

"But while this battle is going on, a great deal of other content can be swept up in the necessarily obsessive quest to find every last nipple on the net."

The Internet Filter Assessment Project (TIFAP)^{xi}, a volunteer project involving 40 librarians in several countries, including Jennifer Cram from Queensland's Education Department, found that:

"Net Nanny, which advertises the value of being able to build one's own site lists, includes perfunctory and outdated lists that performed very poorly at blocking pornography when keyword blocking was disabled. The sometimes outlandish claims vendors make for their keyword blocking (or, in the snake-oil lingo of several packages, 'intuitive content recognition') exist because paying a programmer to develop a keyword-blocking capability is still cheaper than paying full-time staff salary and benefits."

Further, filters can be disabled by a knowledgeable computer user, such as a child.^{xii}

Internet censorship is well established as difficult to police for all net users because of the nature of the Internet, which is designed to route around blockages.^{xiii} Internet users who have access to knowledge and resources can access 'banned' Internet content. Saudi Arabian Internet users, for example, have always been able to access the Internet through an overseas Internet Service Provider despite heavy censorship of the Internet by their government.^{xiv}

Therefore filters and other methodology represent an ineffective method for the blocking of content deemed 'inappropriate' to all people. However, for most people filtering in particular is effective in blocking access to some websites that are considered 'offensive' (and well as many that are not), as most people are not technologically 'savvy'. This is achieved through blocking or for other reasons relating to the monitoring of net use. Monitoring uses fear of discovery to discourage access to 'offensive' sites and other Internet content.

The free 'The Internet Filter' (TIF) is being promoted thus:

"It can be used in effect to spy on employees and gather information on people's choices."^{xv}

This filter is being sold by One Catholic Super-site (Australia), which is "maintained by Catholic company" Manmor Pty. Ltd^{xvi}, who are based in Victoria.

Monitoring may be considered particularly effective in stopping access to lesbian & gay websites and information, given widespread social disapproval of homosexuality.

The application of Internet censorship measures will therefore always create different classes of users and content providers.

INAPPROPRIATE BLOCKING

From the CYBERSitter website:^{xvii}

“Q. I heard that blocking programs filter out a lot of good sites. Is that true?”

“A. A straight answer is yes, sometimes. While we do not intentionally try to filter out good (or unobjectionable) sites, they sometimes trigger filtering mechanisms. This is true with all filtering software.”

“You need to remember that there are literally millions of web pages out there and filtering software cannot read the mind of the user. While it would be technically possible to filter each objectionable page individually, it would take a staff of several hundred people to monitor the vast number of www pages. Additionally, the filter file would be many megabytes in size and it would probably take several minutes to access each page.”

“CYBERSitter, as well as other filtering products, must try to be as effective as possible while not degrading your systems performance. We do our best to fix these problems when we learn of them.”

The real impact of filters has been exposed by a number of activists and groups. Peacefire^{xviii} is one. American teenagers established it in 1996 to represent the interests of people under 18 in the debate

Peacefire lists many innocuous sites or sites that criticise filter products that are blocked by various filters (Peacefire is blocked by all filters, as are other critical sites^{xix}). Peacefire uses a strict methodology to ascertain whether particular filters block certain sites. One blocked site is the NSW Lesbian & Gay Rights Lobby^{xx}, blocked by a filter called Bess, which is licensed to a Brisbane-based company, Infopro^{xxi}, and repackaged as iFILTER. iFILTER was launched by Senator Alston.

The American Company N2H2^{xxii} that manufactures Bess runs a search engine, searchopolis.com^{xxiii}, based on the list of ‘offensive’ sites used by the filter. A web search using searchopolis draws a blank for Sydney Lesbian & Gay Mardi Gras^{xxiv} (although it failed to block many sites which link to Mardi Gras), Queers for Reconciliation^{xxv} and the NSW Lesbian & Gay Anti-Violence Project^{xxvi}. All of these websites provide basic information and do not contain sexual content or link to pornographic websites.

The Customer Service Department of searchopolis could not explain why the search engine blocks these websites.^{xxvii}

According to Peacefire, Bess also blocks The Breast FAQ (cancer information), Stop Prisoner Rape, and the Breast Cancer Legislation page, Oasis Magazine for lesbian and gay young people and Eating Disorders Awareness and Prevention. Further Peacefire says that:

“Sites were NOT blocked as a result of any “automatic word filtering” mechanism that screened out the word breast. In our tests, we created empty pages that contained the words breast and breast cancer in the titles, to test whether BESS was using a word filter. The pages we created were accessible, but the sites about breast cancer were still blocked. Such sites are only blocked after a human working at BESS reviews the page, judges it to be ‘indecent’, and adds it to the list.”

The American Civil Liberties Union has reported that Bess blocks HateWatch (which monitors the KKK amongst others) and the Marijuana Policy Project, which advocates for medicinal marijuana.^{xxviii}

An Infopro Press Release states that:^{xxix}

“N2H2 filtering does not restrict access to any worthwhile sites.”

Infopro claim to have “over eight million URL's” catalogued as ‘offensive’. Director Jason Gomersall claims that including staff at N2H2 they have 75 people examining and classifying sites.^{xxx}

Assume that Gomersall means 8.5 million pages, not sites, and that it takes just two minutes per page for a person to review the page and record the classification. This means that 75 people have been working 8 hours per day 5 days per week for 22 months.

The Internet as a commercial space with a mass audience has barely existed that long and two minutes are not a long time to review a page. Sometimes it takes two minutes for a page to download.

The world's second most popular site, the Yahoo! Directory, is notoriously slow at classifying even though they have around 80 'editors'.^{xxxii} Wired magazine has reported that:

"Even Yahoo! has long, if quietly, admitted that sites may take months, even years, to get [listed] at all."^{xxxiii}

All filters use technology that can block a page with - for example - the word 'rape' contained in it. So Rape Crisis Centre websites gets swept up in the drift net.

A search on 'rape' using N2H2's searchopolis will not turn up any Rape Crisis Centres. The word 'rape' is automatically removed from any search. Could Infopro have reviewed every page containing that word? Or have they decided to block Rape Crisis Centre websites?

CyberPatrol will not permit a teenager to research a report about the Holocaust (which might fall under the category defined by CyberPatrol as "gross depictions or mayhem", "anti-Semitism" or "hate speech"). CyberPatrol blocked Nizkor, an important Holocaust archive, because it contained "hate speech".^{xxxiii}

NetNanny blocks Femina.com, the women's web directory, and mailing lists for feminists and addressing HIV/AIDS concerns.^{xxxiv}

SurfWatch actually blocks a website advocating the use of filters, 'Filtering Facts', funded by the pro-censorship organisations Family Research Council and Enough is Enough to advocate for blocking software in public libraries.^{xxxv}

SmartFilter, used by the NSW Education Department and Flinders University, has been found to block the U.S. Constitution, the Declaration of Independence, a site for the children's game 'Candyland', anti-drug information, the Koran and a website containing the Bible.^{xxxvi}

Within the industry inappropriately blocked sites are called 'collateral damage'.

CyberPatrol blocks all of GeoCities' West Hollywood community's 23,000 user sites (GeoCities provides free web pages, West Hollywood is targeted at gays and lesbians), as well as the 1.4 million pages housed at free space provider Tripod. Many small Australian community groups have sites at Tripod or GeoCities.^{xxxvii}

Such blocking is known as 'over broad blocking' because everything in a directory or on a server is indiscriminately blocked. Because this is electronic it is not seen for what it really is; bulldozing a library that has one or two dirty books on the shelves.

Over broad blocking may also be an impact of the proposed legislation. If, for example, take down notices are issued against twenty sites residing at GeoCities an ISP may simply block access to all GeoCities sites.

The Gay & Lesbian Alliance Against Defamation (GLAAD) in a ground breaking report 'Access Denied: The Impact of Internet Filtering Software on the Lesbian and Gay Community'^{xxxviii} found that:

"The majority of software currently on the market, as well as new products in development, place informational Web sites serving the gay and lesbian community in the same categories as sexually explicit sites."

"The software developers are either unable or unwilling to consider that information about sexual orientation and identity (eg, a gay square dancing site) has nothing to do with sexual behaviour, and everything to do with culture and identity."

TIFAP found that one filter blocked a U.S. government brochure on the dangers of cocaine yet let through a site describing in full detail how to make cocaine.^{xxxix}

TIFAP made the following recommendation to librarians:

"Would you bother with a software purchase you don't need, particularly when the bulk of the purchase price goes toward maintaining site blocks on the type of information you work hard to provide in other library settings? Would you put on a sweater, if you weren't cold?"

Filtering software is considered to be benign, the very human element that programs the machine - and decides that anything containing the word 'gay' or 'lesbian' is bad - being forgotten.

The Australian Council of Libraries and Information Services (ACLIS), which opposes filters (this position is founded on similar concerns raised in the American Library Association/ Intellectual Freedom Committee *Statement on Library Use of Filtering Software*), says that:^{x1}

"The debate on regulation of on-line content covers many areas of law and public policy. Civil liberties issues and issues of freedom of access to information are central considerations in any decisions on legislative reform in this area."

"Many of the issues and concerns that are highlighted in this debate are in no way new and have been encountered by libraries for centuries."

"Ultimately, it is a fact that libraries cannot create impermeable barriers to material that is seen as unsuitable for minors or other classes of user, and to state otherwise would be a misrepresentation at best."

The companies do not notify any of the sites they block. None have created software that could trawl sites for both offending words and an email address to contact.

Some filter makers have reacted with venom to their critics^{xli}. Apart from trying to get their websites removed, critics have been mail bombed (where a critic receives 800 replies)^{xlii} and received hateful mail.

CYBERSitter's Brian Milburn responded to complaints about blocks on the National Organisation for Women (NOW) site thus: ^{xliii}

"If NOW doesn't like it, tough. We have not and will not bow to any pressure from any organisation that disagrees with our philosophy."

CYBERSitter, a favourite of the American religious right, even scans your hard drive while it's being set up and if you've visited certain anti-censorship websites it won't install.^{xliv}

Filter makers have taken advantage of general fears amongst parents about the Internet in order to market their products.

"Less than 24 hours after teenage gunmen ran amok in a Littleton, Colo., high school, Solid Oak Software, makers of the Internet filtering product CYBERSitter, sent out a press release touting 'an informational Web site for parents concerned with what their teens are accessing on the Internet.'"^{xlv}

Filter makers regard their lists of banned sites as 'trade secrets' (with the exception of NetNanny)^{xlvi}. ACGLR suggests that the purchaser of this software is unable to know what the software is actually doing because of this practice. Further we suggest that this practice breaches fair-trading and trade practise legislation, as does the misleading promotion of the software. The decisions of filter makers may also breach Australian ant-discrimination laws. The appropriate authorities should investigate these practises.

TIFAP:

"If you are turning part of the Internet into closed stacks, at least let folks know what you're doing."

Concerns about inappropriate blocking have been recognised previously by this Committee. However it is certain types of inappropriate blocking (particularly of innocuous lesbian and gay Internet content) which consistently recurs. ACGLR is very concerned that this sort of recurrent blocking appears to be accepted by Senator Alston and this Committee.

INAPPROPRIATE BLOCKING; AUSTRALIAN EXPERIENCES

Many Australians have recounted their experience of inappropriate blocking to ACGLR or elsewhere.

Kath Gelber, of the Department of Government & Public Administration, University of Sydney, reports that:^{xlvii}

"I am tutoring first year politics students at Sydney University this year. We were discussing Net Nannies in a tutorial a couple of weeks ago and a student said her family recently

bought a computer with a NetNanny. Her 14-year old sister was then writing a paper for school on sexual harassment. As soon as she typed 'sex' into a document in Word [Microsoft's word processor] (not even on the Net) the computer blurted out a message to her that she was contravening the NetNanny's parameters and that this was disallowed activity."

"In the end she was unable to write the paper with the NetNanny on. So the family decided to delete the NetNanny entirely from their computer because they could see no other solution to allowing their 14-year old to write a paper on sexual harassment."

"They are now concerned that the 12-year old youngest daughter of three has the same Internet access as the rest of the family. They are going to use their own discretion and discuss Internet access as a family instead of relying on a NetNanny."

Kathy Sant, the Co-Convenor of the NSW Gay & Lesbian Rights Lobby, is concerned about the extra costs which blocking of her organisation's website is imposing.^{xlviii}

"I noticed our site being blocked. I know we have had at least one inquiry from a student at a Catholic University who could not access information on our site. This did not prevent that person getting the info (as presumably is intended) but meant she had to ring us and we had to copy and post it. I have no idea how often this happens as it may be that not everyone contacts us."

"The Lobby receives a large number of requests from students and used to spend a great deal of time and quite a lot of money sending printed materials. Now the students mostly find our site themselves or are directed there by our phone message. Small orgs. like ours would be hard hit if we had to go back to sending print info. We could probably not meet the demand that has grown."

The Sydney Star Observer^{xlix} reported in its lead story of April 22 1999 that:

"NSW TAFE College students have been denied access to certain websites, including those which deal with gay- and lesbian-specific material. Attempts to access such sites invoke a message informing the user they are breaching the NSW Department of Education's Internet policy."

"Nineteen year-old student Erin Carpenter, said her attempts to enter specific key words such as 'gay' and 'lesbian' were also unsuccessful, as were searches for specific organisations, including support group Parents and Friends of Lesbians and Gays (PFLAG) and HIV/AIDS fundraising organisation the Bobby Goldsmith Foundation (BGF)."

"Carpenter, who is studying youth work at the Blue Mountains TAFE College campus, was keen to compile a lesbian and gay agency information and resource file that she could distribute to any fellow students who came to her seeking information or guidance on lesbian or gay issues."

"Access was also denied after entering key words such as 'penis', 'heterosexual', 'homosexual', 'transgender' and 'sexually transmitted diseases' (STDs), but access to some relevant sites was obtained using the key words 'vagina', 'pornography' and 'AIDS', she said."

"Carpenter, who often studies at the TAFE library in Lithgow, said she was granted access to the Sydney Gay and Lesbian Mardi Gras website. It is understood access to sites including that of the white supremacist US-based organisation the Ku Klux Klan can be gained from TAFE College library computers."

"TAFE Lithgow librarian Gwenda Vayro said the system obviously contained anomalies that required addressing. Vayro said Carpenter approached her about the matter and she subsequently advised TAFE's recently-established Internet team. A spokesperson for the NSW Department of Education said late yesterday they will be looking into the matter."

Tim Kerslake, a young Canberra gay man who has established a website providing information to young gay and lesbian people, reports that:¹

“I run a gay youth website on my provider, which contains information suitable for gay teenagers and young people to do with coming out, HIV etc. I am concerned that, because of the nature of the site, it will be considered ‘adults only’ material, and will be the victim of this censorship campaign.”

*“I would argue that the act of homosexual *sex* is definitely adults only, just the same as heterosexual *sex* is considered adults only. However, homosexuality itself is not an adults only subject, just as heterosexuality itself is not an adults only subject. Most of the information on my site is what young people *should* be learning in their sex education courses in primary school and high school.”*

“I am concerned that homosexuality will become one of these items that will be thoroughly censored. The concern that I have is that this will mean that the material on my site will not get out to the people that need it, causing obvious concerns. I'm sure that information about the health effects of drugs will be allowed to get out to young people will not be restricted, because it will probably mean that many young people will avoid starting on drugs. However, I am sure that information on how to make drugs will be restricted. Why not apply the same logic to gay sites?”

Christian Rantzaou, a scientist working at St Vincent's Hospital, Melbourne, received a message through an Australian HIV/AIDS mailing list (OzPlus) about a mailing list specifically concerning protease inhibitors (HIV/AIDS treatments). But he was unable to access the website for subscription information.^{li}

“I must apologise for not using your web page because I cannot access it (this may be because your server is Rainbow [a gay and lesbian ISP] - but this is a guess). Charles Roberts [OzPlus list manager] forwarded me a site (<http://www.pozlink.com>) to get some information on lipodystrophy.”

“When I tried to open it the following message appeared:”

“>>Sorry, but the Internet site you tried to access contained some or all of the following categories of unsuitable content: full nudity, sexual acts/text, gross depictions/text. Please note that the website may only contain words relating to this category but will still be blocked. Hospital policy forbids access to Internet sites containing material of this nature, and as such a log is maintained of access to unsuitable sites. This log is for identification only of users that contravene this policy<<”

“The same message appeared when I tried to access your site [a page at Paul Canning’s personal website concerning Internet censorship^{lii}].”

“[I was] unable to access information that I would assume is not of a lewd etc nature. The information and site I would have thought should be able to be accessed by members of the health profession (?) in a public hospital. Such control of this information because of the site where it originates is simply censorship at its most highest level.”

(Pozlink’s content is entirely devoted to hosting the Protease Inhibitor Treatment List (PI-TREAT). The sole links on the website are to the online bookseller Amazon.com, a banner ad at the top of the page for the search engine go.com and to the site hosts. Additionally, the site’s coding contains no keywords or description in it’s Meta Tags. The site is hosted as a public service by West21 Systems, a New York ISP.)

Pam Dryden, who manages an Australian gay mailing list, reports the experience of a list member.^{liii}

“She began having problems with her provider allowing email from our mailing list at [her email address located at] @crl.com. I tried communicating with them and they kept asking me for more info and then wanted me to fax them statements that members on our list had to request to be on it so I just gave up and the member changed to her other email address.”

“Now I just received a message from Postmaster@imap.andromedia.com stating: ‘Your message was not delivered because the destination computer refused to accept it. The error message generated by the server [was] - ASerror: Possible adult content (ar)’.”

"These seem too coincidental since only happening to one member, so I'm wondering if maybe it has to do with the word 'queer' in the domain name."

(CRL is a San Francisco based company operating internationally. Its 'Acceptable Use Policy' includes the following.

Customers

"May not use the CRL Network for illegal or improper activities of any kind;"

"May not use the CRL Network to transmit information in violation of any United States or state regulation, including but not limited to, copyrighted material, material legally judged to be threatening or obscene, or material protected by trade secret."^{liv}

Andromedia describes itself as "the smart emarketing company.")

Heath Gibson, Economics Professor at Newcastle University reports that:^{lv}

"A high school computer teacher in NSW recently told me that the following pages were blocked from NSW students:"

"A page containing pictures of fire brigades fighting fires - the page [file name] was hot.html . From memory this was on the NSW Fire Brigades web site."

"Certain pages on the Dept. of Education's own web site are blocked, rendering them useless to staff seeking further information."

(The NSW Education Department web site does not contain any information about Internet filtering including policy.)

Tom Snow of Trinity College, University of Melbourne, reports that:^{lvi}

"A filter was applied by the Colleges at the University of Melbourne."

"Sites were blocked that contained the word 'sex' in their URL during 1998. This was intended to reduce the amount of pornography being downloaded. However, this meant that users could not view pages with the words 'sexuality' in their URL as the word 'sexuality' contains the word 'sex' within it."

"A number of (non-pornographic) gay and lesbian sites were therefore blocked. An example of such a page is:

http://www.yahoo.com.au/Regional/Countries/Australia/Society_and_Culture/Cultures_and_Groups/Lesbians__Gays__and_Bisexuals/"

"The webmaster was contacted, and the reason for the filtering was: 'there is however a filter on any sites that contain the word 'sex'. You may or may not know that a large number of pornographic sites are attempted to be reached by students. Non-technical reasons aside, such accesses would incur both extra cost and network load'."

"After pointing out that such a policy was discriminatory as many gay and lesbian sites contain the word 'sex', and after threatening to contact his employer regarding the situation, the webmaster agreed that the filter would be reviewed. Some months later, the filter allowed the use of the word 'sexuality' in the URL."

(The University of Melbourne web site provides details about software used on its server, however it does not list any filtering software.)^{lvii}

Liz Kopecny, a Project Officer for the Pharmacy Practice Unit of Sydney University reports that:^{lviii}

"Using the combined search of 'breast' and 'images' through some ISPs [Internet Service Providers] one gets an 'access denied' message due to 'pornography' or 'family' filters. This is a problem for those of us who need to find out stuff about breast cancer diagnosis etc."

Kopecny says that she fears that Sydney University will introduce filters, which would "become a serious limit to research work."

Craig Smith, Executive Director of the Getting Real Association^{lix}, who have produced a number of websites for teenagers about sexuality, health and related issues, says that he builds the limitations imposed by filtering and monitoring into the way he designs his sites.^{lx}

He says that teenagers trying to access a NSW Health Department supported website 'Make A Noise'^{lxi} often complain to him about problems with accessing particularly pages on the site, predominantly those about sexual health, largely because of the NSW Education Department's filter (SmartFilter).

"The main 'filtering' topics seem to be sex, gambling, criminal skills, hate speech and drugs. Which makes things a little hard when you are talking about sexuality, and quite often violence and drug and alcohol issues."

But he hasn't had access complaints about a website aimed at lesbian & gay teenagers, 'Getting Real about supporting the One in Ten',^{lxii} This may be due, he says, to a:

"Reluctance by some same sex attracted young people to speak out about access to such information".

"When the youth advisory boards were putting together the original concepts for the 'Getting Real' site, there was a huge focus on ensuring that the site did not contain some overtly sexual or queer name or design."

"Young people identified that they would be reluctant to access a site that was hosted at a domain like queer.org.au because of the chance that school or library tracking/filtering would identify the kind of sites they had been accessing."

"The site has avoided using traditional gay icons like rainbow flags and pink triangles in an effort to ensure that young people can feel comfortable viewing the site in potentially public settings without it being obvious that they are accessing a queer website."

According to Electronic Frontiers Australia (EFA):^{lxiii}

"The sites most likely to either get caught up by 'mistake' in censorship, or [are] at risk of having to implement expensive classification, are sex education sites."

USE OF THE INTERNET BY LESBIAN & GAY TEENAGERS

Many lesbian & gay teenagers discover themselves via the Internet. It cuts through their isolation and helps create a sense of belonging to a community.^{lxiv}

There is a paucity of Australian research but one report #cyberbeat^{lxv} detailed how young gays, often completely alone in country areas, were finding their feet using Internet Relay Chat (IRC). One young gay man is quoted as saying:

"When I was confused about something, had a problem I needed help with or just had to tell someone things I wasn't going to confide in mum, I turned to friends on IRC."

For teenagers who are suffering from sexual abuse, have bulimia or are suicidal, access to the Internet can be life saving. Teenagers can make contact with other kids having the same sort of problems.

Research has established that lesbian & gay teenagers have significant and specific health concerns, in particular that they are at a higher risk of suicide than other teenagers.^{lxvi}

"Young people grappling with same sex attractions face enormous isolation and stigma in making sense of their feelings. While Australian research remains relatively silent on the link between young homosexuality and suicide, there is much evidence to suggest that same sex attractions are a major factor in youth suicide. Young lesbian and gay people do experience serious and extensive psychosocial problems and, in that regard, are quite obviously marginalised from mainstream youth and at risk of suicide."

"Studies over the past 7 years have indicated that 25% to 40% of young lesbians and gays have attempted suicide, with 65% to 85% feeling suicidal."^{lxvii}

The First Internet Survey of Queer and Questioning Youth^{lxviii} conducted by HIV/AIDS researcher Katherine Fordham and Michael Walker Thørsvedtt, science and technology editor of Oasis Magazine, an on-line periodical targeted towards a young gay readership, found that:^{lxix}

“The Internet offers the true diversity of the entire world it represents, it provides immediacy and nearly duplicates the context of ‘real world’ interaction through the incorporation of a variety of visual and audio media. In short, it can be the next best thing to ‘being there’, an attribute not at all lost on young gay people who may find where-ever ‘there’ is to be preferable to their own geographical locations.”

“The prevalence of safer sex information from reliable sources provided the adolescent with some assurance that he/she has a ‘place to turn if I need to know something’, in the words of one teen interviewed. As most middle and high school sexual education curricula is devoid of information specifically applicable to gay sex, the Internet may serve as the only place where the gay adolescent can access accurate information of this nature in some degree of safety and privacy.”

Websites have been established and supported by a number of government departments, including the Federal Health Department, which address health issues such as suicide and include information aimed at lesbian & gay teenagers.^{lxx}

Says Craig Smith:^{lxxi}

“The Internet has evolved as the primary source of information for young people in western countries, and this revolution is an important challenge to those providing services and information to this cohort. Increasingly, service providers will have to move online to engage the minds and imaginations of young people. The other major challenge for us is to make sure that information and resources made available on the Internet are appropriate and presented in such a way that will appeal to the youth market.”

“The Commonwealth Government in Australia, and those in each state and territory, have policies and plans to ensure that all students (primary, secondary and tertiary) have easy access to the Internet, primarily through the World Wide Web. This means that an increasingly computer and Internet literate generation will only come to rely on this medium more and more.”

Blocking of access to information websites and online support for lesbian & gay teenagers has serious implications when governments and agencies are increasingly putting education information, particularly information aimed at teenagers, onto the Internet^{lxxii}. What is the point if an American filter then blocks their access to useful information?

ACGLR believes that most parents and teachers would be unaware of the real impact which filtering technology is having on information access for gay and lesbian and other minors. We do not believe that the blocking of access to health- and welfare-related information represents an acceptable ‘trade-off’ against concerns that minors may view ‘objectionable’ Internet content. The proposed legislation fails to ensure that access to health- and welfare-related information will not be blocked.

In addition, access to online information about HIV/AIDS prevention and treatment is poor in Australia, although some sites are being established. Australian users source much of this information from overseas, particularly American, websites. Filters block access to a number of these sites.

RATINGS AND AVS

Issues effecting gays and lesbians with the application of ratings systems are an extension of the concerns that we have with filters as, for ratings to work, they need filter systems attached to their application.

ACGLR believes that offline ratings cannot be transferred wholesale to the Internet, as it is not a broadcasting medium per se, as the government’s proposals suggest:

“This regime is consistent with the content regulation regime for subscription narrowcast services such as adult pay-TV services.”^{lxxiii}

This would mean that many books available in Australia would be banned online using the Office of Film & Literature Classification (OFLC) 'Film & Video' code as opposed to the 'Publications' code.

Further we expect that the application of ratings systems will disproportionately effect Australian lesbian & gay Internet content providers and may result in websites and other content becoming unavailable to Internet users, especially through the arbitrary deletion or blocking of lesbian and gay content by ISPs and other content providers.

The ABA and the European Union have been amongst those proposing a ratings system.

The latest versions of Microsoft's Internet Explorer browser already have 'ratings' software (RSACi) built-in. Because very few sites other than large commercial ones are rated using this system if you switch on Microsoft's ratings you cannot access nearly the entire World Wide Web. RSACi is sponsored by the Software Publishers Association and Microsoft and therefore not independent

Ratings systems are being promoted as voluntary in Australia but they have the potential to be a supremely Orwellian system defined by the standards of certain parts of American culture – as with filters. The Europeans have opposed what they view as the imposition of American value systems and are developing their own system.^{lxxiv}

"In order to ensure that users have access to rating systems suitable to their needs, and in order to avoid a situation whereby they have to rely on rating systems developed for the US where there may be a different approach on what is suitable content for minors, encouragement should be given to setting up European rating systems."

There are considerable problems with defining ratings. For example, according to EFA:^{lxxv}

"[Ratings] are incapable, for example, of distinguishing fine art or medical data from 'pornography', sex education from X-rated video, news reports of military action from horror movies."

We are concerned with RSACi ratings which, for example, reference "a reasonable person", without any attempt to clarify what that means on a global basis. Further, under RSACi, a web page providing information about safe sex must be rated under the same criteria as that applying to pornographic material and RSACi ratings block language offensive to Christian religions but not other religions.

Confusion about the meaning of ratings systems will be enormous, as this example suggests:^{lxxvi}

"I found an online art gallery that had rated 0 0 0 0, when its top page contained a picture of an Aboriginal art work with a depiction of a naked person, which must be rated 4 for nudity according to RSACi."

Compulsory labelling will force gay and lesbian content providers to self-censor in accord with someone else's value system. It will place them at greater risk of complaints regarding legal material because of the many shades of grey inherent in rating systems and because of the potential for large numbers of spurious complaints. Further, it will be beyond the means of many gay and lesbian content providers with large quantities of material who do not have sufficient staff or funds to rate all material.

We suggest that it is questionable whether either a descriptive or evaluative rating system will ever be developed under which all material can be adequately rated. Content providers, who are not willing to accept the risks of rating at a low level, may choose not to publish educational and other valuable material.

ACGLR is concerned that ratings systems utilised for public Internet access through schools, universities and libraries will be applied without the user being aware of them. We believe that those lists should be made available to public Internet access users where ratings systems are used.

Ratings systems may need to differ greatly between countries.

In the United Kingdom there are moves to fine or block sites that refuse to 'rate'. There have also been moves in this country to make labelling compulsory.

Confusion over the transfer of offline ratings systems to online content will mean that many sites will fail to rate properly. If rating is compulsory this may lead to web site designers inadvertently breaking the law or industry regulations or codes. This may lead to content either being blocked or banned.

Ratings systems – as with filters - will disproportionately effect Australian lesbian & gay websites and may result in many websites becoming unavailable to most Internet users. The application of these systems lends themselves to a discriminatory enforcement burden on lesbian and gay content providers.

If ratings systems are to be developed they must be developed transparently, voluntarily and following real community consultation. Further they must be developed by people who are experienced in the development of Internet content rather than solely by censors who are unfamiliar with the application of the Internet to the propagation of information and entertainment.

ACGLR suggest that voluntary labelling of material which *is* suitable and intended for children will provide a child-safe environment.

Such labelling must be enacted in such a manner as to ensure that it is non-discriminatory, through the establishment of an independent, community representative body that would vet submitted sites. This methodology would still block access to large amounts of worthwhile, educational material but it would be fairer. Parents would be able to fairly restrict access to a portion of the Internet without blocking access to useful information for children and teenagers on issues like suicide and bulimia as well as same-sex attraction.

Such a labelling system is similar to a 1996 proposal by the ABA.^{lxxvii} The ABA favoured the development of a "single on-line classification/rating scheme for use by Australian content providers and consumers". It recommended that they should convene an On-Line Labelling Task Force which would include the Office of Film and Literature Classification (OFLC) and industry representation "to design a purpose-built scheme for labelling on-line content".

Further, the Report of the Select Committee on Community Standards Relevant to the Supply of Services Utilising Electronic Technologies, 1997, recommended that:

“The Minister for Communications and the Arts request (under Section 171 of the Broadcasting Services Act 1992) that the Australian Broadcasting Authority convene an On-Line labelling Task Force (to include representatives of the OFLC and representatives of the on-line services industry) to design a scheme for labelling on-line content that takes into account Australian cultural values and the principles that govern the existing classification scheme.”

This recommendation has been ignored in the proposed legislation.

Adult verification systems (AVS) utilising credit cards are one way that access to pornography sites is already being self-regulated by the industry. Although this is - again - an imperfect blocking method, as passwords can be hacked by enterprising teenagers, they can continue to be employed as an effective method for blocking access to most pornographic sites by minors.

However, the legislative proposal that access to ‘R-rated’ Australian content be blocked though the use of AVS carries with it significant problems. It is unclear why overseas ‘R-rated’ content is not included in this proposal.

The Office of Film & Literature Classification ‘guidelines for R-ratings’^{lxxviii} states that a ‘R’ rating constitutes:

“Material considered likely to harmful to those under 18 years and/or possibly offensive to some sections of the adult community warrants an R classification.”

Much gay and lesbian content may fall in to this category.

Widespread use of AVS as a blocking mechanism would present an enormous barrier to Internet users and lead to a huge drop off in users accessing some web sites. Another implication is that search engines will not index websites using AVS.

There are real privacy concerns over the use of AVS, especially as most AVS services are based in the United States and beyond the jurisdiction of Australian privacy laws, regulations or codes.

Material such as sex and drug education material may be blocked through the application of AVS restrictions, in some cases to its target audience. Non R-rated material may be blocked if content providers feel that some site content may be rated ‘R’ and simply rat the entire site as ‘R’.

Such a regime would have the largest, negative impact on small sites.

OTHER CONCERNS

The Minister suggested in an interview with John Laws on Foxtel that email also fall under the proposed censorship regime.

Further, he said in introducing the legislation to the Senate:^{lxxxix}

“There is no specific exclusion of e-mail in a stored form. This reflects the difficulty of defining one-to-one e-mail separately from e-mail with wider distribution. However, for practical purposes one-to-one e-mail is highly unlikely to come to the attention of the ABA in practice because of the private and usually password protected nature of the communication. In the unlikely event of a complaint about a private e-mail, the only action the ABA could take would be to order it taken down.”

A reading of the proposed legislation by lawyer Brendan Scott^{lxxx} suggests that email stored on a personal computer counts as ‘Internet content’:

“‘Internet content’ is information that is ‘kept’ and is accessed (or available for access) using an Internet carriage service. I’m currently keeping the email in my mailbox. That email is also ‘available for access’ (that is, available for access by me emailing it to you) using an Internet carriage service. On this definition Internet content means all of your email, personal or otherwise.”

Further:

“The definition of ‘prohibited content’ includes material rated ‘R’ which is not subject to some means of restricting access to the material (clause 8(1)(b)). Restricted access systems can only be declared by the ABA (clause 3) - the Bill does not set out any objective standards. This means that until such time as the ABA declares a specified access control system as a restricted access system, all content held in Australia rated ‘R’ will be prohibited content under the scheme, including all material held by private individuals anywhere in Australia.”

“The Bill revolves around the concept of an Internet content host (ICH). An Internet content host is anyone who ‘hosts’ Internet content in Australia. As we saw above Internet content is just about anything you care to mention. Prima facie, anyone who has an email account is an Internet content host and, further, all material on their computer (not just in their email file) will be subject to review because it is all ‘available’ for “access” via an Internet carriage service (in that it can be emailed to someone). ‘Host’, of course, is not defined. There’s nothing to say that a host has to make their Internet content available to the public, all they have to do is ‘host’ the content within Australia (see clauses 20(2) and 28).”

An expert consulted for this submission suggests that censoring mail would be impractical^{lxxxi} however email is already being bounced back at senders from some ISPs because it contains words like ‘queer’ as it is blocked by filters installed on ISP servers.^{lxxxii} NetNanny has blocked access to mailing lists aimed at gays & lesbians, feminists and those addressing HIV/AIDS concerns.

ACGLR would be concerned that the failure to specifically exclude mail in the bill, alongside the loose definition of an Internet Content Host, will encourage spurious claims to the ABA against lesbians and gays.

Anti-censorship websites may be affected. Anyone with content containing or encouraging people to bypass or get around these new censorship laws may see their site taken down, and themselves prosecuted, for ‘instructing in crime’. We are concerned at the possibility that this could be used for political censorship. A reading of ‘instruction in crime’ may also specifically effect gay & lesbian websites, as male-male sexual activity is illegal under the age of 21 in Western Australia and 18 in other states.

The banning of newsgroup alt.sex.paedophilia (part of the alt hierarchy of newsgroups, which the Tig ISP has blocked in its entirety^{lxxxiii}) could lead to unexpected consequences, as, for example, this newsgroup is mostly people discussing the evils of paedophilia. CyberPatrol already blocks

newsgroups such as alt.feminism, alt.feminism.individualism, soc.feminism, clari.news.women, soc.support.pregnancy.loss, alt.homosexual.lesbian, and soc.support.fat-acceptance.

Another development is the so-called 'family friendly' search engine. The first of these was Family Search, which is a joint project of Net Shepherd and the major search engine AltaVista. Searchopolis is one other. Infopro say that they are establishing a similar style search engine called iSEEK.^{lxxxiv}

Family Search uses a ratings system aligned to the huge AltaVista database. They claim to have rated "97% of the English language sites on the Web".

However, a report by the Electronic Privacy Information Centre (EPIC) found that the software wasn't ignoring just 'LiveSexActs' but home pages for Schools. In fact it found that the software ignored most Internet content full stop. It compared searches using the 'family' version of AltaVista alongside the normal version. Up to 99.6% of web pages - most completely innocuous - were being blocked.

Says EPIC:

"Proponents of filters and rating systems should think more carefully about whether this is a sensible approach. In the end, 'family friendly' filtering does not seem very friendly."

"Filtering programs that deny children access to a wide range of useful and appropriate materials ultimately diminish the educational value of the Internet."

They point out that the use of such search engines makes it more difficult for young people to find useful and appropriate information. They say that people selling filtering and ratings software and 'family friendly' search engines need to start telling the truth:

"It is deceptive and fraudulent to say that a program blocks 'objectionable content' when it also blocks a great deal of information that is useful and valuable for young people."

SUMMARY

ACGLR believes that the application of these proposals will result in entrenched inappropriate blocking and deletion of information of interest and assistance to the lesbian & gay community. We are concerned about blocking of access to information that is health and welfare related. Further we believe that the proposals will disproportionately effect lesbian & gay web content providers, as well as information on other sites including those supported by government departments.

ACGLR is concerned that filters currently on sale in Australian represent primitive technology and carry in built biases against lesbian & gay sites. Filters currently in use in organisations and government are blocking access to information inappropriately.

ACGLR believes that filters currently on sale carry American value. Further, ACGLR believes that filter makers must be frank about the limitations of their products and make available to consumers more information about what the filters do and who they block. We support the previous recommendation of this Committee that:

*"The Committee recommends that any community education campaign that is conducted to encourage the responsible use of on-line services should have as one of its aims to make parents and those responsible for children, aware of the pros **and cons** of the various devices available on the market for blocking access to material considered by some to be unsuitable." (highlight by submission author).*

However we do not find that the information currently available, on the ABA's website for example or on the websites of filtering software companies, adequately canvases the cons of filtering software.^{lxxxv} Further, inappropriate blocking appears to be accepted by Senator Alston and this Committee.

Filter products should be regulation with account taken of Australian anti-discrimination and fair trading law.

ACGLR is concerned that the proposed rating of web sites by the Australian Broadcasting Authority (ABA) will disproportionately effect lesbian & gay web sites based in Australia. We believe that ratings systems carry in-built biases. AVS systems must not be applied to access to so-called R-rated web sites.

ACGLR supports concerns raised by EFA and others that classes of Internet users will be created by the proposals as some users will be able to work around the net censorship proposals.

ACGLR believes that some efforts can and should be made to block Internet content unsuitable for minors. We suggest that voluntary labelling of material which *is* suitable and intended for children will provide a child-safe environment. Parents would be able to fairly restrict access to a portion of the Internet without blocking access to useful. However such labelling must be enacted in such a manner as to ensure that it is non-discriminatory and to ensure that health and welfare information remains available to minors.

The proposed regime does not consider the impact of Internet censorship on lesbian & gay Australians. Existing laws already cover much of the Internet's content, such as child pornography, which has been highlighted in the debate as the reason for these proposals.

RECOMMENDATIONS

ACGLR recommends that:

- The Department of Communications be required to survey the impact of Internet censorship on the lesbian & gay community and on the online provision of health-related information with a particular focus on the use of filtering products, including in public settings such as schools and libraries, and censorship by ISPs and other content hosts;
- The Department of Communications be required to consult in a transparent manner with interested parties including other federal and state government departments, lesbian & gay community organisations and other interested parties such as developers of health-related websites in the development and implementation of any Internet censorship regime;
- The Department of Communications to develop a regulatory framework for the use of technology aimed at filtering and censoring Internet content in consultation with other federal and state government departments, lesbian & gay community organisations and other interested parties such as developers of health-related websites. This framework to include the provision of accurate information about what filters do and to take into account;
 1. Australian anti-discrimination legislation;
 2. Australian fair trading and trade practises legislation;
- The Department of Communications to consider, in conjunction with other appropriate bodies, the development or encouraging the development of Australian sourced filtering software;
- The Australian Broadcasting Authority be required to consult in a transparent manner with lesbian & gay and HIV/AIDS organisations in the development of ratings frameworks for online content. In particular the proposed “community/industry body to monitor online material, to provide advice about the complaints mechanism, to provide community education and information - for example, about filtering products - and to operate a public complaints ‘hotline’ to receive information from the public about offensive material and to pass on this information to the ABA and to relevant law enforcement agencies in Australia or overseas” must have gay & lesbian representation from community organisations;
- That voluntary labelling in a regulated system of material which is suitable and intended for children is developed. That an On-Line Labelling Task Force which would have representation of health and welfare website content developers and representation from gay and lesbian community organisations be convened;
- AVS systems not be applied to access to so-called R-rated web sites;
- Ratings system developers must be required to publicly disclose and make easily accessible concise information about their system's values and blocking criteria to ensure consumers are able to ascertain what type of information is, or is not, being blocked.
- The Australian Broadcasting Authority be required to develop an adequate and timely appeals system;
- The Australian Broadcasting Authority be required by law to implement any ratings system for Australian-based Internet content at low or zero costs and monitor the impact of censorship on the development and maintenance of small community-based and informational websites;
- The Department of Communications and the Australian Broadcasting Authority be required to ensure that software filters sold in Australia do not block websites providing health and welfare information to teenagers.

REFERENCES

- ⁱ Report of the Select Committee on Community Standards Relevant to the Supply of Services Utilising Electronic Technologies, 1997: *"It seems to be the case that much of the [filtering] software available could result in children and adolescents being denied access to useful and important material that has no objectionable content whatsoever. While this is regrettable, it must be balanced against the possibility of children and teenagers being exposed to illegal material on the Internet. Most parents and teachers of minors would accept the limitations of currently available blocking software (which deny total freedom of access to some worthwhile information to their young charges) in order to safeguard their children's right to a childhood free from images that they themselves might find degrading and demeaning to the person.*
- ⁱⁱ Report of the Select Committee on Community Standards Relevant to the Supply of Services Utilising Electronic Technologies, 1997
- ⁱⁱⁱ Ministerial Media Release, 19 March 1999
- ^{iv} 'The Dawn of a New Dark Age? - Censorship and Amendments to the Broadcasting Services Act', Brendan Scott, Lawyer, April 1999
- ^v Transcript of doorstep, Commonwealth Parliamentary Offices, Melbourne, Friday 19 March 1999
- ^{vi} 'Australia Talks Back' with Sandy McCutcheon, Radio National, Wednesday, 24 March 1999
- ^{vii} According to analysts at International Data Corporation, a technology consulting firm, sales of filter products are more than US\$75 million in the American market.
- ^{viii} Telcordia Technologies <http://www.netsizer.com/>
- ^{ix} 'Librarian Puts Filtering Software To the Test and Finds It Lacking', New York Times, September 15, 1997
- ^x 'Consumer Reports' presented at the 1997 annual conference of the Canadian Library Association
- ^{xi} The Internet Filter Assessment Project, <http://www.bluehighways.com/tifap/index.html>. TIFAP ran from April to September, 1997. It was a volunteer project involving close to 40 librarians.
- ^{xii} <http://www.peacefire.org>; 'Young developer foils browser filter', CNET News.com, February 12, 1999
- ^{xiii} 'Blocking Content on the Internet: a Technical Perspective', Philip McCrea, Bob Smart, Mark Andrews, CSIRO Mathematical and Information Sciences, June 1998
- ^{xiv} Wired News, 4 November.1998
- ^{xv} <http://www.turnercom.com/paper.html>
- ^{xvi} <http://www.manmor.com.au/one/index.html>
- ^{xvii} This FAQ is now unavailable on the CYBERSitter website. Previous content saved by Paul Canning.
- ^{xviii} <http://www.peacefire.org>
- ^{xix} 'Publishers Say CYBERSitter Filter Is Screening Out Their Criticism', New York Times, February 9, 1997
- ^{xx} <http://www.rainbow.net.au/~glrl>
- ^{xxi} <http://www.infopro.com.au>
- ^{xxii} <http://www.n2h2.com/>
- ^{xxiii} <http://www.searchchopolis.com/>
- ^{xxiv} <http://www.mardigras.com.au>
- ^{xxv} <http://reconciliation.queer.org.au>
- ^{xxvi} <http://maya.eagles.bbs.net.au/~avp/>
- ^{xxvii} email to Paul Canning from Alan Goldblatt for searchchopolis.com
- ^{xxviii} <http://www.aclu.org>
- ^{xxix} Infopro media release, March 1. <http://www.infopro.com.au>
- ^{xxx} InfoPro media release http://www.infopro.com.au/press_room.htm
- ^{xxxi} Search Engine Watch <http://www.searchenginewatch.com/webmasters/yahoo/>
- ^{xxxii} 'Does Yahoo Still Yahoo?', Wired News, 11.Feb.98
- ^{xxxiii} Peacefire
- ^{xxxiv} Peacefire
- ^{xxxv} a screenshot of SurfWatch blocking the 'Filtering Facts' website is at <http://www.peacefire.org/censorware/SurfWatch/ff.html>
- ^{xxxvi} The Salt Lake Tribune, Tuesday, March 23, 1999; ACLU
- ^{xxxvii} 'Blacklisted by Cyber Patrol', The Censorware project
- ^{xxxviii} http://www.glaad.org/glaad/access_denied
- ^{xxxix} <http://www.bluehighways.com/tifap/index.html>
- ^{xl} Letter to Mr Brian P. Stewart, Assistant Secretary, On-Line Industry and Communications Technology Branch, Department of Communications and the Arts, 29 August 1997 from Gordon Bower, Executive Officer, ACLIS
- ^{xli} 'Ready, aim, Peacefire', Australian Personal Computer, 27 April 1997; 'Parental Discretion Advised', Scientific American, August 97
- ^{xlii} 'Write a Complaint, Get Emailbombed', Wired News, 9.February 1998
- ^{xliii} 'Keys to the Kingdom', CyberWire Dispatch , 1996.
- http://www.eff.org/pub/Publications/Declan_McCullagh/cwd.keys.to.the.kingdom.0796.article
- ^{xliv} 'CYBERSitter Filters Out Privacy, Says Anticensorship Group', PC World NewsRadio, July 2, 1997

-
- xliv 'Marketing in the wake of a massacre', Salon, 22 April 1999 <http://www.salon.com>
- xlvi 'Librarian Puts Filtering Software To the Test and Finds It Lacking', New York Times, September 15, 1997
- xlvii email to Paul Canning from Kath Gelber
- xlviii email to Paul Canning from Kathy Sant. GLRL website <http://www.rainbow.net.au/~glrl>
- xliv Sydney and Australia's largest gay & lesbian publication
- ¹ email to Paul Canning. Tim's website is <http://www.teknet.net.au/~dogboy/index.htm>
- li email to Paul Canning from Christian Rantzau
- lii <http://www.rainbow.net.au/~canning/censorship>
- liii email to Paul Canning from Pam Dryden
- liv <http://www.crl.com/aup.html>
- lv email to Paul Canning from Heath Gibson
- lvi email to Paul Canning from Tom Snow
- lvii 'About the University of Melbourne WWW Server' <http://www.unimelb.edu.au/miriworld.html>, a number of pages at this web site are unviewable without authorisation
- lviii email to Paul Canning from Liz Kopecny
- lix The Getting Real Association, incorporated in NSW Australia, was established in 1997 to develop resources on youth issues affecting many Australians. Among the campaigns supported by the Association are those on: suicide and sexuality, intolerance and community development.
- lx email to Paul Canning from Craig Smith
- lxi <http://makeanoise.ysp.org.au/> The official homepage of Youth Suicide Prevention in the Greater Murray, a project for young people, run by young people. The project works with people under 25 years of age in communities across the south west of New South Wales to promote an environment that is more supportive of them - one in which they can make lots of noise to make sure they get heard. The Greater Murray Area Health Service sponsors the site.
- lxii <http://www.gettingreal.asn.au/>
- lxiii email to Paul Canning from Danny Yee for Electronic Frontiers Australia
- lxiv 'Internet Provides an Outlet for Dialogue on Ostracism', New York Times, April 24, 1999
- lxv Craig Smith, 1997
- lxvi 'Clearing the Way: Supporting Young People with Same-Sex Attractions and Reducing Suicidal Risk' <http://wayouth.queer.org.au/ctway.html>, 'Better dead than gay? Depression, suicide ideation and attempt among a sample of gay and straight-identified males aged 18 to 24' by Jonathan Nicholas and John Howard, Youth Studies Australia, Vol.17(4), 1998, 28-33, 'Young gay men and suicide: A report of a study exploring the reasons which young men give for suicide ideation' by Ron Macdonald and Trudi Cooper, Youth Studies Australia, Vol.17(4), 1998, 23-27, Kelly B, Raphael B, Judd F, Perdices M, Kernutt G, Burnett P, Dunne M, Burrows G (1998). 'Suicidal ideation, suicide attempts, and HIV infection'. Psychosomatics, 39(5), 405-15, National Youth Suicide Prevention Strategy Communications Project Bibliography: Homosexuality and suicide <http://www.aifs.org.au/external/ysp/bibhomosexuality.html>
- lxvii 'Sexuality and Youth Suicide', 'Here For Life' Youth Sexuality Project, 1998
- lxviii <http://www.outproud.org/survey.html> The survey was based on 3,061 completed surveys
- lxix article for GayPlace online magazine 'Gay Youth and the Internet' by Michael C. Walker Thørsvedt
- lxx see 'Getting Real' <http://www.gettingreal.asn.au> and 'Reach Out' <http://www.reachout.asn.au>
- lxxi <http://www.gettingreal.asn.au/>
- lxxii This is part of a general policy by Government departments and public bodies to place information on websites, often as a cost saving method. See, for example, the use by Sydney Water of their website as a principal method for the dissemination of information during the 1998 water crisis.
- lxxiii Ministerial Media Release, 19 March 1999
- lxxiv <http://www2.echo.lu/legal/en/internet/content/communic.html>
- lxxv Danny Yee, Electronic Frontiers Australia, <http://www.anatomy.usyd.edu.au/danny/freedom/index.html>
- lxxvi Danny Yee, Electronic Frontiers Australia, <http://www.anatomy.usyd.edu.au/danny/freedom/index.html>
- lxxvii ABA, July 1996 p.158
- lxxviii <http://www.oflc.gov.au/classinfo.html>
- lxxix Broadcasting Services Amendment (Online Services) Bill 1999, Second Reading Speech
- lxxx 'The Dawn Of A New Dark Age? - Censorship and Amendments to the Broadcasting Services Act', Brendan Scott, Lawyer, April 1999
- lxxxi source: Glenn Vassallo, Internet specialist for Microsoft/South Pacific in email to Paul Canning
- lxxxii posting to list-owners list, for managers of lists located at queer.org.au
- lxxxiii Posting by James Goddard to [aus.censorship newsgroup](mailto:aus.censorship@newsgroup)
- lxxxiv 'Faulty Filters: How Content Filters Block Access to Kid-Friendly Information on the Internet', December 1997. Electronic Privacy Information Center <http://www.epic.org/>
- lxxxv <http://www.aba.gov.au/family>