

**Before the Joint Select Committee on Cyber-Safety  
Department of House of Representatives  
PO Box 6021  
Parliament House  
Canberra ACT 2600**

**COMMENTS OF THE  
FAMILY ONLINE SAFETY INSTITUTE**

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June 24, 2010

## **EXECUTIVE SUMMARY**

The Family Online Safety Institute (FOSI) submits these comments to the Joint Select Committee (the Committee) on Cyber-Safety to inform and educate the Committee as to the nature of the online environment, and the work being done in Australia and overseas by governments and by the Internet Industry to keep children safe in the Web 2.0 world. The opportunities created by the Internet far outweigh the risks that children face online and they can be taught to embrace the benefits of the Internet while learning about protecting their privacy and staying safe online.

As technology develops at a rapid pace, so do the risks, but increased digital and media literacy will produce responsible kids who are active 21st Century digital citizens. This forms part of the Culture of Responsibility promoted by FOSI in North America and Europe, which encourages cooperation from a wide variety of bodies in order to protect children on the Internet. Digital and media literacy are essential elements to building this culture of responsibility. Teaching children how to embrace their rights and responsibilities while online will help minimize risks and maximize the benefits of the Internet, creating well-informed digital citizens. The government can help to build a culture of responsibility online by funding research and education efforts, promoting digital literacy in the classroom, and informing parents of risks and opportunities online. The continued work of industry, educators, and the government will empower parents to utilize existing tools, establish household media rules, and engage in an ongoing dialogue to keep their children safe when using new media.

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## Before the Joint Select Committee on Cyber-Safety

### Comments of the Family Online Safety Institute

#### I. Introduction

The Family Online Safety Institute (FOSI) is pleased to offer these comments to the Australian Parliament's Joint Select Committee on Cyber-Safety. The comments are written to inform the Committee as to the benefits of online media use by children, as well as current risks and issues. The comments will also provide suggestions regarding initiatives, actions and opportunities for cooperation of governments, parents and the Internet industry to protect their children. FOSI is working to create an online culture of responsibility, this requires a multi-faceted approach where governments, law enforcement professionals, industry, parents, teachers, and children work together to make the online world safer for everyone. Given the geographical expertise of FOSI, these comments are submitted to inform the Joint Select Committee as to initiatives being implemented by governments and industry in both North America and Europe as well as to highlight effective current initiatives in Australia.

#### II. FOSI - Building a Culture of Responsibility and Encouraging Digital Citizenship

FOSI is an international, non-profit membership organization working to make the online world safer for children and their families by identifying and promoting the best practices, tools and methods that also respect free speech.<sup>1</sup> FOSI's members represent the best of the Internet industry, including broadband providers, wireless providers, social networking websites, technology companies, and major trade associations.<sup>2</sup> FOSI works as a trusted convener, bringing together leaders in government, industry, and the nonprofit sectors to collaborate and innovate new solutions for online safety in a Web 2.0 world.

In order to maintain an international perspective on what is essentially a worldwide issue, FOSI works hard to convene parties around the globe. In addition to attracting international speakers to the annual conference in North America,<sup>3</sup> FOSI has worked in the Middle East and holds regular conferences and

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<sup>1</sup> See [www.fosi.org](http://www.fosi.org)

<sup>2</sup> Current FOSI members include: AOL, AT&T, Blue Coat Systems, BT Retail, Comcast, Facebook, France Telecom, Google, GSM Association, Kingston Communications, Loopt, Microsoft, MySpace, NCTA, Ning, Nominum, Optenet, RuleSpace, Sprint, StreamShield, Symantec, Telefónica, TELMEX, The Wireless Foundation, Time Warner Cable, Verizon, and Yahoo!.

<sup>3</sup> See FOSI, "Current Events," available at <http://www.fosi.org/cms/index.php/events.html>.

events in Europe<sup>4</sup>. In 2010, FOSI worked with the Telecommunications Regulatory Authority (TRA) in Bahrain to organize the first conference on online safety in the Gulf Region, which culminated with the signing of a Memorandum of Understanding between the TRA and the major Internet Service Providers in the region.<sup>5</sup>

The 2010 European FOSI Conference in Madrid highlighted the importance of Government involvement in this space and featured a keynote speech by Francisco Ros, who is Secretary of State within the Ministry of Industry, Tourism and Trade for the Government of Spain,<sup>6</sup> as well as representatives from the European Commission's Safer Internet Programme.<sup>7</sup> The theme running throughout the day and featured in the closing of the conference was that of 21<sup>st</sup> Century Citizenship and the need for all parties to work together to promote online safety. The conference attracted over 250 attendees and 40 expert speakers from across Europe, the USA and Latin America. The event covered a broad range of issues faced by children and young people in today's online world including how to control personal data, emerging technologies and the importance of law enforcement's collaboration with different agencies and across geographies. Panels also focused on location based services and issues around promoting safe use of ICTs in Latin America.

Through this work, FOSI is working towards building an online culture of responsibility, and believes that this can only be accomplished if six separate entities work together to create a safer online environment. The six components are: 1) government; 2) law enforcement; 3) industry; 4) teachers; 5) parents; and 6) children. Specifically, it is possible to create a safe, healthy, and productive environment for children online if there is:

- 1) Reasonable government oversight and support;
- 2) Fully resourced law enforcement;
- 3) Robust and comprehensive industry self-regulation;
- 4) Tech-savvy teachers;
- 5) Empowered parents; and

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<sup>4</sup> FOSI European Conference 2010 "Putting the Pieces Together: Building a Comprehensive Online Safety Plan" in Madrid, FOSI European Conference 2009 "Global Digital Citizenship: Encouraging Safe and Responsible Online Use" in Paris, FOSI/GSMA Roundtable 2009 "Mobile Safety and Broadband Responsibility for All" in London.

<sup>5</sup> See FOSI, "Gulf Conference," available at <http://www.fosi.org/cms/index.php/overview-gulf-2010.html>.

<sup>6</sup> See FOSI, "European Conference 2010," available at <http://www.fosi.org/cms/index.php/european-conference-2010-overview.html>.

<sup>7</sup> See FOSI, "Speaker Profiles 2010," available at <http://www.fosi.org/cms/index.php/speakers-madrid-2010.html?start=12> (Christine Kormann).

6) Resilient children making wise choices about the content they access and post online, the people they contact, the people they allow to contact them and how they conduct themselves online.

As part of the culture of responsibility it is vital to teach children to be media and digital literate. Children must be educated on how to operate as good digital citizens. In teaching children to make wise choices on the Internet, they can be protected from the risks that exist online. The skills that they learn through this process will assist them throughout their digital lives, teaching them to be informed and resilient. In these comments, FOSI seeks to highlight the work that is being done to build this culture of responsibility by focusing on the importance of empowering parents and promoting digital citizenship so that children can benefit from all of the advantages that the online world has to offer.

### **III. The Online Environment in which Australian Children Currently Engage**

#### *A. The Benefits to Children of Online Engagement*

The Internet brings with it many advantages and benefits to children; their use of media permits them to gain and share knowledge in a variety of new and engaging ways. The Web 2.0 world allows children to create and share their own content and express their ideas, thoughts and experiences on a worldwide stage. The Internet allows children to go far beyond their homes and communities; they are able to explore the world, immerse themselves in different cultures, different geographies and different periods in history with the click of a mouse. The skills they learn through their online exploration in early life prepare them for their future, providing them with not just knowledge but also with abilities far beyond those skills that can be taught in the classroom.

According to British researcher Professor Sonia Livingstone, the benefits of children's media use come in four major categories: 1) education, learning and literacy; 2) participation and civic engagement; 3) creativity; and 4) identity and social connection.<sup>8</sup> When children are taught how to use the Internet and how to make wise choices online, they benefit from a wide range of possibilities gained through social networking, instant messaging and general online exploration. Media use has been shown to have a positive impact on self-esteem and self-identity.<sup>9</sup> In the UK, Professor Tanya Byron has identified the many benefits of Internet use for children and teens noting that, "Going online and playing video games are a central part of children and young people's lives... These technologies offer a range of opportunities

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<sup>8</sup> Sonia Livingstone and Leslie Haddon, *Kids Online Opportunities and Risks for Children*, The Policy Press: University of Bristol, 2009 at 8.

<sup>9</sup> Peter Iochen, Patti Valkenburg and Cedric Fluckiger, "Adolescents and Social Network Sites: Identity, Friendships and Privacy." *Kids Online Opportunities and Risks for Children*, The Policy Press: University of Bristol, 2009 at 86-88.

unheard of in previous generations - opportunities for learning, for play, for communication, for skill development, for creativity and for having fun.”<sup>10</sup> If children are taught safe and responsible online behavior and encouraged to embrace media use, it can have a positive impact on their academic skills and career prospects as well as to their connections to friends, family and their perception of themselves.

*B. Online Risks Exist in the Same Way that Offline Risks Exist*

It is well publicized that children face challenges on the Internet, but it should be acknowledged that they also encounter risks in the offline world. One thing that both the online and offline world have in common is that many of these risks are created by the children, either putting themselves in harm’s way or harming other children. The high profile risks, which have been reported by media, include the dangers of sexual exploitation and solicitation, online harassment and exposure to inappropriate images. However, the principal risks that come with Internet use by children today are the problems of cyberbullying, sexting, and self-harm websites. FOSI published detailed reports on each of these topics in late 2009.<sup>11</sup> These risks are notable for the fact that the majority of them are created by children.

**IV. Inappropriate Online Behavior, Focusing on Cyberbullying**

*A. The Nature of Cyberbullying*

In recent years, cyberbullying has become one of the greatest risks to children on the Internet. This problem, more common than previous fears of online predation, involves child-on-child harassment. In the US, according to the Pew Internet & American Life Project, one third of U.S. teens using the Internet have been harassed online.<sup>12</sup> In Australia, studies carried out in 2009 found that rates of cyberbullying increased with age when 4.9% of students in Year 4 reported cyberbullying compared to 7.9% in Year nine. In general 7-10% of students aged through Year 4 to Year 9 reported instances of cyberbullying.<sup>13</sup> Some children have no problem with cyberbullying and simply block out the bullies, ignoring what may be said, the same way some may ignore traditional schoolyard bullies. However, others suffer negative effects from this online behavior. “Consistent with previous research, youth who are harassed online report a mix of psychological problems. They are significantly more likely to be targeted by victimization

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<sup>10</sup> Dr. Tanya Byron, “Safer Children in a Digital World: the Report of the Byron Review,” 2008, at 19, *available at* <http://www.dcsf.gov.uk/byronreview/>.

<sup>11</sup> See Family Online Safety Institute, FOSI Reports “Sexting in the USA,” “Self Harm in the Digital Age,” and “Cyberbullying- A Global Concern,” 2009, *available at* <http://www.fosi.org/cms/index.php/resources.html>.

<sup>12</sup> Amanda Lenhart, “Cyberbullying and Online Teens,” Pew Internet & American Life Project, June 27, 2007 at 1, *available at* <http://www.pewinternet.org/Reports/2007/Cyberbullying.aspx>.

<sup>13</sup> Cross, D., et al. 2009. “Australian Covert Bullying Prevalence Study (ACBPS).” Child Health Promotion Research Centre, Edith Cowan University, Perth. May 2009 *available at* <http://www.deewr.gov.au/Schooling/NationalSafeSchools/Pages/research.aspx>.

offline.”<sup>14</sup> Children can become upset because of what is said to them online and these feelings may impact their schoolwork and interactions with classmates.

### B. Industry Responses to Protect Users

It is the social networking sites and other instant messaging services that have been used as tools with this problem and the companies that provide these services have taken steps to eliminate cyberbullying through their services. For example, Facebook is working hard to prevent cyberbullying; they state that, “Bullying is taken extremely seriously. There is really nothing that’s more important to us than the safety of our users and especially the many teens that are using Facebook.”<sup>15</sup> The service provides users with a Statement of Rights and Responsibilities to help users understand how they must behave on the site. This statement prohibits users from intimidating and harassing others and allows Facebook to disable the accounts of people who are found bullying, posting hateful content or threatening others.<sup>16</sup>

The social networking site MySpace helps prevent the same online risk by offering a comprehensive safety site for users, which provides advice about cyberbullying and tips for how to stop the problem.<sup>17</sup> MySpace asks that users report cyberbullying and offers tips to stop the abuse, stating, “We at MySpace have zero tolerance for hate-speech and harassment and we’ll partner with you to stop it, pronto.”<sup>18</sup> By offering report abuse options, safety tips, and phone and email reporting for parents and children, MySpace is taking the initiative to empower users to help stop cyberbullying.

Google also tries to combat some of the online risks to children on social networks by using YouTube videos to raise awareness of online safety issues. Part of Google’s campaign for safety has created a cartoon video that shows the consequences and implications of posting negative comments online to make fun of others. This video was used to teach users about cyberbullying and how to behave respectfully and responsibly on YouTube.<sup>19</sup> YouTube also provides tips for what to do if people post negative comments on videos. It has a zero-tolerance policy for harassment, stalking, predatory behavior and online threats,

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<sup>14</sup> Michele Ybarra et al. “Examining the Overlap in Internet Harassment and School Bullying: Implications for School Intervention,” *Journal of Adolescent Health* 41 (2007) S49.

<sup>15</sup> Jessica Heslam, “Safety ‘Key’ on Facebook, rep says,” Boston Herald, Jan. 26, 2010, available at <http://news.bostonherald.com/news/regional/view.bg?articleid=1228265&chkEm=1>.

<sup>16</sup> Facebook, “Statement of Rights and Responsibilities” available at [www.facebook.com/terms.php](http://www.facebook.com/terms.php).

<sup>17</sup> MySpace, “MySpace.com Safety & Security,” available at <http://www.myspace.com/safety>.

<sup>18</sup> MySpace, “What Can You Do to Stop Cyberbullying on MySpace,” available at [http://faq.myspace.com/app/answers/detail/a\\_id/42](http://faq.myspace.com/app/answers/detail/a_id/42).

<sup>19</sup> See YouTube, “Playing and Staying Safe Online,” available at <http://www.youtube.com/watch?v=DQ5zJvA0NYY>.

and also offers a “Safety Center” with advice and suggestions for users who are facing online risks like cyberbullying.<sup>20</sup>

### C. Australian Initiatives

FOSI does not believe that criminalizing cyberbullying, as proposed by some US law makers<sup>21</sup>, is the right way to prevent the harmful behavior. Rather, FOSI stresses the importance of differentiation between teasing or mean comments and actual criminal harassment. Instead of criminalization, the solutions should include education, empowerment and the use of website tools and services to mitigate the likelihood that children will fall prey to cyberbullying. The Cybersmart Hero program that is being run by the Australian Communications and Media Authority (ACMA)<sup>22</sup> is a good example of a way to engage children in working towards a solution. The Cybersmart Hero program requires children to work together online, with professionals, to solve a real time cyberbullying-themed problem. Since it is often children who are witnesses to cyberbullying, this education initiative is vital to lowering these occurrences. It also emphasizes the importance of education rather than criminalization. Although prevalent cyberbullying is not the only online behavior that can have an adverse effect on children, other content created by children is similarly detrimental and should also be addressed through education and empowerment.

## V. **Inappropriate Social and Health Behaviors in the Online Environment**

The Internet offers many new freedoms and possibilities to children, as well as disadvantages. Problems that have developed as a result of the growth of the online world include Internet addiction, online gambling and incessant gaming. Few of the issues have become as serious as the two behaviors focused upon here; the online promotion of eating disorders and self harming behavior, and sexting.

### A. Self-Harm Websites

The risks associated with websites displaying pro-self harm content have been well publicized. The issues of self harm and eating disorders exist in the online world, just as they exist in the offline world. The nature of the Web 2.0 world means that as well as finding information on these disorders, users can also create their own content. So, whilst sufferers can find help and solace in reading other people’s stories, they can also share destructive information on techniques for weight loss or self-harm as well as other

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<sup>20</sup> YouTube Help, “Safety Center: Cyberbullying,” available at <http://www.google.com/support/youtuibe/bin/answer.py?hl=en&answer=126290>.

<sup>21</sup> Megan Meier Cyberbullying Prevention Act, H.R. 1966, 111th Congress (2009).

<sup>22</sup> “Cybersmart Hero stands up to online bullies” available at [http://www.acma.gov.au/WEB/STANDARD/pc=PC\\_312164](http://www.acma.gov.au/WEB/STANDARD/pc=PC_312164).

negative behaviors. Researchers found that 35% of eating disorder patients visited pro-Anorexia websites and 96% of those visitors learned new techniques for weight loss and purging.<sup>23</sup> A 2009 CyberSentinel study showed that, of 1,500 female Internet users between the ages of six and 15, one in three searched online for dieting tips and one in five corresponded online in chat rooms for dieting tips.<sup>24</sup> The continued growth of pro-harm websites and the content contained within these sites are among the biggest risks children face in this evolving digital media landscape.

*a. Industry Reactions to Pro-Self-Harm Content*

Social networks and forum services are the places where many of these issues are raised, and the companies providing these services have taken proactive steps to protect their users. Many sites encourage users to report problematic content and then decide whether or not to remove such material, possibly referring the most serious cases onto external support agencies.

Facebook employs a reporting infrastructure to prevent self-harm content on their pages, wherein content is reviewed by the Facebook team and removed if necessary.<sup>25</sup> MySpace also takes proactive steps to prevent self-harm material appearing on its users' profiles and encourages groups to help with recovery from eating disorder problems. MySpace's Terms of Use prohibits material promoting eating disorders and self-harm. MySpace bans and removes content that "promotes or otherwise incites...physical harm against any group or individual."<sup>26</sup> These are just a few examples of how some global companies work to protect children from harmful content online.

*B. Sexting*

Sexting, the act of sending sexually explicit pictures via text message or over the Internet, emerged in 2009 as one of the biggest online risks facing children around the world. Many teenagers remain unaware of the consequences of sending explicit images and the fact that in many US states they could face felony

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<sup>23</sup> Jenny Wilson and Rebecka Peebles, "Surfing for Thinness: a Pilot Study of Pro-Eating Disorder Web Site Usage in Adolescents with Eating Disorders," *Pediatrics* 118 (6) 1635-43, Dec. 6, 2006, available at <http://pediatrics.aapublications.org/cgi/content/full/118/6/e1635>.

<sup>24</sup> "Skinny Celebrities Drive One in Five 11 Year-Olds to Diet," *Daily Telegraph*, April 21, 2009, available at [http://www.telegraph.co.uk/health/children\\_shealth/5193807/Skinny-celebrities-drive-one-in-five-11-year-olds-to-diet.html](http://www.telegraph.co.uk/health/children_shealth/5193807/Skinny-celebrities-drive-one-in-five-11-year-olds-to-diet.html).

<sup>25</sup> See Facebook, "Safety Center," available at [www.facebook.com/safety](http://www.facebook.com/safety).

<sup>26</sup> MySpace.com, "Terms of Use Agreement," available at <http://www.myspace.com/index.cfm?fuseaction=misc.terms>.

charges for sending or receiving the images.<sup>27</sup> In addition to potentially serious legal consequences in some areas, teens may suffer from reputational and psychological harm from sexting.

Increased Internet access from mobile phones is contributing to this risky behavior. In the US, according to Amanda Lenhart of the Pew Internet & American Life Project, “Many teens now use their phones, not just for calling, but also to access the Internet and to take and share photos and videos.”<sup>28</sup> Parents have always been concerned about children accessing nude content, and now their teens may be among those producing the material. According to a survey in America by the National Campaign to Prevent Teen and Unplanned Pregnancy and CosmoGirl.com, one out of five teens have sent or posted nude or semi-nude photographs or videos of themselves.<sup>29</sup> The same study found that 44% of teens said it is common for these images to get shared with someone other than the person they intended to receive the image.<sup>30</sup>

In the US, sexting is drawing attention from the law enforcement community. Some prosecutors are using laws intended to punish people for creating and distributing child pornography as a means to charge teens found sexting. In 2008, an 18-year-old Florida resident was charged with distribution of child pornography and is now a registered sex offender as a result of forwarding a naked photo of his 16-year-old girlfriend.<sup>31</sup> Some sexting incidents have even resulted in suicide when the impact of the pictures being forwarded caused severe emotional harm.<sup>32</sup> A Massachusetts District Attorney recently held a press conference to tell parents and children of the legal consequences of sexting and warned that teens who sext could face felony charges. This District Attorney tried to raise awareness of the risks and held outreach and training sessions for parents and children, highlighting the other consequences including possible “school suspension, humiliation and emotional distress.”<sup>33</sup> Sexting poses serious challenges for children online. Teens need education about the legal and reputational consequences about this behavior to prevent more harm.

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<sup>27</sup> Deborah Feyerick and Sheila Steffen, “Sexting Lands Teen on Sex Offender List,” CNN.com, April 8, 2009, available at <http://www.cnn.com/2009/CRIME/04/07/sexting.busts/index.html>.

<sup>28</sup> Amanda Lenhart, “Teens and Sexting: How and why minor teens are sending sexually suggestive nude or nearly nude images via text messaging,” Pew Internet & American Life Project, Dec. 15, 2009 at 2, available at <http://pewresearch.org/assets/pdf/teens-and-sexting.pdf>.

<sup>29</sup> National Campaign to Prevent Teen and Unplanned Pregnancy and Cosmogirl.com, “Sex and Tech Results from a Survey of Teens and Young Adults,” 2008 at 1, available at [http://www.thenationalcampaign.org/sextech/PDF/SexTech\\_Summary.pdf](http://www.thenationalcampaign.org/sextech/PDF/SexTech_Summary.pdf).

<sup>30</sup> *Id.* at page 3.

<sup>31</sup> Deborah Feyerick and Sheila Steffen *supra* note 27

<sup>32</sup> *See Id.* (noting the case of Jessica Logan an Ohio teen who killed herself after her nude photographs were forwarded to other students.)

<sup>33</sup> Berkshire, Mass. District Attorney’s Office, “District Attorney Holds Press Conference on Problem of Sexting in Berkshire County,” March 3, 2009 available at [http://www.mass.gov/?pageID=bermodulechunk&L=1&L0=Home&sid=Dber&b=terminalcontent&f=nu\\_2009\\_0303\\_sexting\\_press\\_conference&csid=Dber](http://www.mass.gov/?pageID=bermodulechunk&L=1&L0=Home&sid=Dber&b=terminalcontent&f=nu_2009_0303_sexting_press_conference&csid=Dber).

a. *'SAFE SEXTING: No Such Thing' Campaign*

FOSI reiterates the importance of education in solving this problem, again stressing that criminalization is not the solution. FOSI commends the work being done in New South Wales with the 'SAFE SEXTING: No Such Thing' campaign.<sup>34</sup> This work is designed to warn young people of the negative consequences of sexting; the campaign produced a fact sheet available to schools, parents and teenagers on the topic. This is a good example of positive government efforts to educate, inform and help reduce negative online behavior.

## **VI. Government Responses from Around the World to the Cyber-Safety Threats**

In recent years governments around the world have become engaged in the online safety arena. The U.S. launched the Online Safety and Technology Working Group (OSTWG) and the UK created the UK Council for Child Internet Safety or UKCCIS, Bahrain has worked on creating a national consensus for online safety, the Egyptian government has signed a Memorandum of Understanding with FOSI covering important safety issues and the Australian government has also made inroads.

A. *The US Example – Federal Initiatives*

The US government under the National Telecommunications and Information Administration (NTIA) established OSTWG; the group was established pursuant to the "Protecting Children in the 21<sup>st</sup> Century Act." The participants were required to analyze industry efforts and to make recommendations to Congress on how to promote online safety for children through education, labeling, and parental control technology. This included industry responses to criminal activity involving children. The working group submitted its report to Congress and to the Assistant Secretary for Communications and Information on 4<sup>th</sup> June 2010.<sup>35</sup> The report recognizes that there is no single solution to keeping kids safe online and that all stakeholders including parents, industry, educators, and government must work to improve online safety. It recommends the creation of a web-based clearinghouse to make online safety research available and emphasizes the vital role that education plays in reducing online risks.

Furthermore, in December 2009, the Federal Communications Commission (FCC), the Federal Trade Commission (FTC) and the Department of Education released *NetCetera: Chatting with Kids About*

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<sup>34</sup> 'SAFE SEXTING: No such thing' available at [http://ecommerce-journal.com/news/15122\\_safe\\_sexting\\_no\\_such\\_thing\\_campaign\\_launched\\_by\\_australias\\_state\\_government](http://ecommerce-journal.com/news/15122_safe_sexting_no_such_thing_campaign_launched_by_australias_state_government).

<sup>35</sup> "Youth safety on a Living Internet: Report of the Online Safety and Technology Working Group" available at [http://www.ntia.doc.gov/reports/2010/OSTWG\\_Final\\_Report\\_060410.pdf](http://www.ntia.doc.gov/reports/2010/OSTWG_Final_Report_060410.pdf).

*Being Online*.<sup>36</sup> This booklet was a great step to educate parents and teachers about online safety and is a good example of what the Australian government could be doing to empower parents in this changing media landscape. *NetCetera* identifies online risks, including those associated with texting and mobile phones and gives parents the tools to talk with their children about dealing with those risks. The FCC has also recently released the *Children's Agenda for Digital Opportunity*.<sup>37</sup> This initiative is focused on four pillars: digital access for all children, digital literacy, digital citizenship and digital safety. The primary focus of the initiative is to empower parents and teachers and pursue technological solutions to the problems children face online, rather than propagating more government regulation.

Last year, Representative Debbie Wasserman Schultz introduced the “Adolescent Web Awareness Requires Education Act” in the U.S. House of Representatives. This bill would have reduced cyberbullying through research into online safety as well as provide grants for education programs to help prevent risky online behavior. This is a great example of what the government can do to empower parents and kids and help reduce online risks by funding research and education for Internet safety.

*B. The UK Example – The UK Council for Child Internet Safety (UKCCIS)*

UKCCIS was established in September 2008 at the behest of the then Prime Minister Gordon Brown in response to the report written by Dr. Tanya Byron, “Safer Children in a Digital World.”<sup>38</sup> UKCCIS is formed of four working groups: an Education Group, an Industry Group, a Public Awareness Group and a Video Games group, as well as an Experts Research Panel. UKCCIS brings together over 150 organizations who are working together to make the Internet safer for children and families. In 2009, UKCCIS launched the public Awareness campaign ‘Click Clever Click Safe’<sup>39</sup> to promote Internet safety amongst children and parents. In March 2010, Professor Byron published her follow up report to “Safer Children in a Digital World”, entitled “Do we have Safer Children in Digital World?”<sup>40</sup> The review concluded that since the establishment of UKCCIS the concept of online safety has become embedded within the public consciousness. Professor Byron goes further in saying that UKCCIS should be upheld as the model of good practice.<sup>41</sup> The importance of education is emphasized again as well as continuing

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<sup>36</sup> Federal Trade Commission, “Cybersafety Booklet for Parents and Kids Now Available,” Dec. 16, 2009, available at <http://www.ftc.gov/opa/2009/12/netcetera.shtm>.

<sup>37</sup> Quicklinks, “US – FCC Announces Children’s Agenda for Digital Opportunity,” Mar. 18, 2010, available at <http://quicklinks.quicklinks.net/2010/03/us-fcc-announces-childrens-agenda-for.html>.

<sup>38</sup> *Supra* note 10

<sup>39</sup> “UKCCIS Launches “Click Clever Click Safe” Campaign to Coincide With Safer Internet Day” available at [http://www.dcsf.gov.uk/ukccis/news\\_detail.cfm?newsid=40&thisnews=2](http://www.dcsf.gov.uk/ukccis/news_detail.cfm?newsid=40&thisnews=2).

<sup>40</sup> *See*

<http://www.dcsf.gov.uk/byronreview/pdfs/do%20we%20have%20safer%20children%20in%20a%20digital%20world-WEBSITE.pdf>.

<sup>41</sup> *Id.* at page 6

programs to raise awareness of the issues surrounding Internet use. The positive review of UKCCIS serves to emphasize the importance of effective Government involvement in the debate.

C. *Bahrain – Building a National Consensus for Online Safety*

The first conference on Internet safety was hosted in Bahrain in 2010 in partnership with FOSI, a two day event focusing on many issues that face children and adults on the web. Discussions covered legal and technological responses to the problem as well as parental control and the many advantages that being online offers to all Internet users.<sup>42</sup> The Memorandum of Understanding that was signed at the end of the conference required the ISPs to work together to promote Internet safety and to eradicate unsafe practices; it required prompt reporting of online criminal behavior as well as cooperation with the TRA and the creation of educational resources for children. This is an effective example of Government and Industry working together to ensure a good user experience for all.

D. *The Egyptian Memorandum of Understanding (MOU)*

In 2009 FOSI signed an MOU with the Suzanne Mubarak Women’s International Peace Movement and the Ministry of Communications and Information Technology (MCIT) of the Arab Republic of Egypt.<sup>43</sup> The signatories to the MOU pledged to maximize positive use of the Internet amongst children, engage with national stakeholders to create a safer online environment and to enhance international cooperation. All parties agreed to work together to promote digital citizenship, populate FOSI’s Global Resource and Information Directory (GRID)<sup>44</sup> and to convene stakeholders in the region around the topic of online safety.

E. *Current Australian Initiatives*

FOSI commends the Australian Government and particularly the Australian Communications and Media Authority’s work with the CyberSmart program.<sup>45</sup> By informing children, parents, teachers and library staff about the online risks through information, resources and practical advice, the government is working to fulfill their role within the culture of responsibility. FOSI also recognizes the Australian government for the creation of the Consultative Working Group, which brings together community

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<sup>42</sup> See FOSI, “Gulf Conference” available at <http://www.fosi.org/cms/index.php/fosi-gulf-conference-notes-2010.html>.

<sup>43</sup> See “IGF 2009” available at <http://www.fosi.org/cms/index.php/igf-2009-overview.html>

<sup>44</sup> See “FOSI GRID” available at <http://www.fosi.org/cms/index.php/what-is-fosi-grid.html>

<sup>45</sup> Cybersmart, “Internet and mobile safety advice and activities” available at <http://www.cybersmart.gov.au/>.

groups, ISPs, government, and industry leaders, including Google, Microsoft, Yahoo! and Telstra, to provide advice to the government about the online safety issues Australian children are facing.<sup>46</sup>

## **VII. Opportunities for Cooperation across Australian Stakeholders and with International Stakeholders in Dealing with Cyber-Safety Issues**

Cooperation is vital to the creation of an online culture of responsibility as identified by FOSI, which requires the six actors to work together in order to ensure safety and security on the Internet. Education is key to building this new online culture and governments must work with both the industry and schools to ensure that parents are informed of risks and children are taught to be more resilient and to make wise choices online.

### *A. The Six Layers Needed to Create a Culture of Responsibility Online*

The online culture of responsibility is founded upon the six layers as previously identified. In more detail it relies upon the following:

Government – the need to create an atmosphere of cooperation amongst stakeholders, to create cross-sector bodies like UKCCIS or OSTWG and to fund research and education efforts which promote digital literacy, informing parents of the risks and opportunities online.

Law Enforcement – must be given the tools and training to combat the rise in cybercrime, there must be cross-border and cross-industry cooperation to allow law enforcement officials to apprehend and prosecute those involved in illegal online activity.

Teachers – better technology training must be provided to all teachers, librarians and educationalists enabling them to incorporate the online safety message across the curriculum as well as incorporating technology that children bring to school in the classroom.

Parents – must be taught to engage with their children in a new way over this new media, to create household rules, use filters, and establish appropriate sanctions and controls to keep their children safe.

Children – must learn to make the right decisions on the Internet, to keep themselves and their friends safe and to think about their privacy and reputation before posting online.

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<sup>46</sup> Australian Government Department of Broadband Communications and the Digital Economy, “Consultative Working Group,” *available at* [http://www.dbcde.gov.au/online\\_safety\\_and\\_security/cybersafety\\_plan/consultative\\_working\\_group](http://www.dbcde.gov.au/online_safety_and_security/cybersafety_plan/consultative_working_group).

Industry – should provide users with tools and educational information to protect themselves and their users online, continually working with other industry players to improve resources.

As part of creating a culture of responsibility online FOSI has developed the Broadband Responsibility Awareness Campaign (“BRAC”). BRAC was introduced in an effort to unify key players in the online safety space, best practices and online safety tools with those who provide broadband to consumers. Its purpose is to join the message of online responsibility with broadband adoption efforts by informing and educating the public about responsible broadband use and raising awareness of “digital citizenship” as a necessary component to broadband adoption. Educating consumers about how to stay safe while engaging in online activities is a fundamental component of any effort to increase broadband adoption to ensure that Internet users stay safe online.

*B. The Internet Industry Works to Promote Education Initiatives*

Technology and education can be used to protect children from online risks and make parents aware of those risks. The Internet industry is working to promote education and empowerment of parents and students to teach them about potential dangers online and how to conduct themselves in a safe and responsible manner.

Yahoo! is a great example of the education work being done within the Internet industry. The company works to combat online risks by providing a comprehensive online safety site, Yahoo! Safely<sup>47</sup> which features up-to-date safety videos and blogs from leading experts and by hosting an annual “CyberCitizenship Summit” for teachers in the U.S.

Microsoft is also working hard to protect families online and help parents create a safe media environment for their children through awareness and education. Microsoft offers an Online Safety website that provides a sample family safety contract, provides age-specific guidance for children’s Internet use and offers advice for parents to help their children deal with online risks such as misinformation, hate content, and cyberbullying. In addition to providing tips for parents, this website also offers step-by-step instructions for parents to easily set controls on a range of Microsoft products including Xbox, Zune, and Windows. This website also provides educational information on cyber-ethics and suggestions about how children can protect their online reputation.<sup>48</sup> Microsoft also provides GetGameSmart.com, a website that helps families set rules about media use and gain the knowledge and resources to commit to a safe media experience in their home. The GetGameSmart.com Family Challenge

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<sup>47</sup> See Yahoo! Safely, available at <http://safely.yahoo.com>.

<sup>48</sup> See Microsoft Online Safety, available at <http://www.microsoft.com/protect/familysafety/>.

provides families with easy steps to establish rules for household media use and even encourages families to submit tips and advice that may be featured on the website. GetGameSmart.com also provides a pact for families to print and sign to create rules for the type of content accessed and amount of time spent on all media devices. In addition to the pact, GetGameSmart also provides a pledge for parents to commit to create a safer entertainment experience at home.<sup>49</sup>

In Australia, Telstra has campaigns aimed at parents, to educate them on how to use the technologies as well as the risks that are present for their children. This provides parents with an understanding of what their children are doing online, as well as allowing them to interact with their children and to keep them safe on the Internet.<sup>50</sup> In addition, the Telstra Foundation's Spotlight on Cyber Safety program continued to support the online safety and wellbeing of children and young people, with grants to community organizations.<sup>51</sup> This program supports projects that build resilience, teach online safety and deliver initiatives to support youth cyber safety. Telestra has also launched SuperClubsPLUS Australia, a safe social network for six to 12 year old children which is supported by the Telstra Foundation with a grant of \$1.5 million over three years. SuperClubsPLUS Australia has over 87,000 children registered, connecting with each other and learning how to remain safe online.<sup>52</sup> FOSI encourages the Internet industry in Australia to provide users with robust tools and helpful information and resources. While industry is providing a vital component to keeping their users safe through education, schools must play their part as well.

### C. *The Role of Schools in Teaching Digital and Media Literacy to Students*

FOSI strongly advocates the teaching of digital citizenship to children in school from a young age in order to minimize online risks and maximize safety. Students must be taught both digital and media literacy in order to ensure that they make the best decisions about the content that they search for and view. Digital literacy refers to an understanding of the actual machines and technology that the children are using, such as their PC, laptop, cell phone, or gaming system, whilst media literacy is the understanding of how to use the content that is delivered by these machines. Children must learn both how to go online as well as how to do so in a safe and responsible manner. Furthermore, they must be taught about the implications and repercussions of their actions online, especially now as children are becoming the content creators. This can be done by starting the education early and making sure that every child learns the skills needed to go online and act responsibly.

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<sup>49</sup> See Microsoft, GetGameSmart.com, available at <http://getgamesmart.com/>.

<sup>50</sup> 'Mum 2.0 Digital Makeover' available at <http://callmum.net/digitalmum/>.

<sup>51</sup> Telestra Cyber Safety and Security, available at <http://telstra.com.au/abouttelstra/corporate-responsibility/society/cyber-safety-security/>.

<sup>52</sup> *Id.*

Children should be taught media literacy throughout their schooling. Lessons should be built into the curriculum in all years and should be part of a student’s regular learning process. At FOSI’s Annual Conference in November 2009, panelists focused on “Teaching Children How to be Responsible Digital Citizens” and noted that digital citizenship must be integrated into a school’s curriculum. Some panelists discussed the fact that education lags behind technology and that there should be a focus in schools to help make students good cyber-citizens.<sup>53</sup>

It is vital that Australian schools find a way to integrate the benefits of new technology into the everyday learning experience of their students. The government can encourage new teacher training and professional development to help existing educators fuse technology into their curriculum.

### **VIII. The Role of Parents, Families, Carers and the Community in Keeping Children Safe Online**

FOSI believes that engaged parents are an essential component in protecting children from online risks. Australian research into cyberbullying has shown that it is more prevalent amongst older students, especially if parents lack the knowledge and skills to help their child.<sup>54</sup> Parents must learn about the risks themselves and then help their children learn how to cope with them. Public service announcements, videos with information, and tips for parents and children all help adults learn about the potential harms and ways to stop children from being victims of cyberbullying or engaging in sexting and other harmful behavior. There is no silver bullet to protect children from the risks of digital media, only a combination of education, awareness, tools, and rules will help guard children from harmful content and empower them to act responsibly online. Parents can get more involved by creating household media rules and engaging in an ongoing dialogue with their children as well as employing all available tools.

#### *A. The Importance of Household Media Rules*

Parents should be encouraged to create household media rules. They should set limits on the amount of time children can spend online and what kind of content they can access. If parents actively set limitations on media use, it may help improve the well being of their children. For example, a recent Kaiser Family Foundation Study in the US found that “Children who are heavy media users are more likely to report getting fair or poor grades (mostly C’s or lower) than other children.”<sup>55</sup> This study determined that when

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<sup>53</sup> See Belinha De Abreu, Media Literacy Educator and Teaching Professor, Drexel University, remarks at FOSI Annual Conference, Nov. 4, 2009 available at <http://www.fosi.org/cms/images/stories/ann-conf-09/panel-sessions/responsible-digital-citizens.pdf>.

<sup>54</sup> *Supra* note 13.

<sup>55</sup> Victoria J. Rideout, Ulla G. Foehr, and Donald F. Roberts, “Generation M2 Media in the Lives of 8-to 18-Year-Olds,” Henry J. Kaiser Family Foundation, 2010, at 13, available at <http://www.kff.org/entmedia/8010.cfm>.

parents set rules limiting media use their children spent less time with media.<sup>56</sup> If parents establish household rules limiting the types of content children access and how much time they can spend accessing media, this will present an ideal time to start a dialogue between parents and children about what the children are doing online and how the parents expect the children to behave and improve the lives of children.

Protecting children from the risks of the Internet requires engaged parents. According to Professor Tanya Byron, “Any comprehensive package of reform to minimize risk to children from the internet must help parents, who are in the best position to know and understand the individual differences between the children, develop skills around e-safety.”<sup>57</sup> Parents need to learn about what their children are doing online and what risks they face, in order to facilitate an ongoing dialogue about responsible online behavior. In Australia, Optus is supporting the idea of implementing family rules around media use, including household media rules.<sup>58</sup> Others should emulate this.

*B. FOSI Provides and Encourages Online Safety Contracts for Families*

FOSI believes that having a household media contract can help families stay aware of the risks and responsibilities online. By creating a contract together governing elements of a child’s digital use, families can create a dialogue about expectations for online behavior. Parents can discuss reasonable limits on how long children should stay online, what types of sites they can visit, and talk to their children about what to do if they find something that makes them uncomfortable or if someone is bullying them online. One example of such a contract can be found on FOSI’s website. FOSI encourages families to place the contract near the computer as a reminder to children and parents about their online activities.<sup>59</sup> Many other companies also provide family safety contracts to help parents and children discuss and create household media rules.<sup>60</sup> The contract cannot be used in isolation and many organizations also provide technological methods to regulate and protect children online.

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<sup>56</sup> *Id.* at page 4.

<sup>57</sup> Dr. Tanya Byron, “Safer Children in a Digital World: the report of the Byron Review,” 2008 at 137, available at <http://www.dcsf.gov.uk/byonreview/>.

<sup>58</sup> Optus myZOO, “Internet Safety: Kids on the Net” available at <http://help.optuszoo.com.au/help/dial/safety/kids>.

<sup>59</sup> FOSI Safety Contract, available at <http://www.fosi.org/cms/index.php/resources/257-fosi-safety-contract.html>.

<sup>60</sup> See e.g. Microsoft, “Using Family Contracts to Help Protect Your Kids Online,” available at <http://www.microsoft.com/protect/parents/childsafety/contract.aspx>; see also, Comcast Voices, “Security Scene: Family Safety Contract,” April 29, 2009, available at <http://blog.comcast.com/2009/04/security-scene-safety-family-contract.html#more>.

C. Tools Available to Empower Parents and Keep Children Safe

Providing and encouraging the use of online safety tools is a community-wide effort and each aspect of the community can play a role in helping parents learn about and embrace the tools available to keep their children safe online. Parents can be reached through education campaigns, website safety blogs, school initiatives, and even government outreach campaigns. Companies continue to develop new tools and awareness initiatives to help parents stay informed about how to protect children from online risks. As new risks or challenges emerge, companies continue to respond with new tools and ideas to help empower parents.

There has never been a time when so many resources have been available for parents, grandparents, teachers, and care-givers to provide protection from online risks. All of the major operating systems and search engines provide family safety settings and mobile operators, social networks, and Internet Service Providers offer tools and settings to help protect families. FOSI highlighted a multitude of online safety efforts offered by industry, non-profits, and the government in *Making Wise Choices Online* in 2008.<sup>61</sup> The rapid pace of innovation in technology is also producing innovation in tools for parents. Since *Making Wise Choices* was published, even more tools and resources have become available.

Parental controls cannot replace involved and empowered parents, but they do continue to be a part of the solution in keeping children as safe as possible online. Technology develops at a rapid pace and with each new development companies try to create new and innovative tools for parents and teachers.

An example of continued innovation is Google's implementation of a lock on its SafeSearch settings. Google has offered a SafeSearch filter for parents to keep children from inappropriate content, but identified a need to allow parents to lock SafeSearch to make it harder for children to change the setting. A solution was created that allows parents to lock SafeSearch by the use of a password, and the lock will indicate when a child has tried to change the setting.<sup>62</sup> In early February 2010, YouTube announced a new safety mode to help give users more control over the content they see.<sup>63</sup> The new YouTube Safety Mode can block objectionable content, eliminate comments below videos, and even asterisk out curse words. This mode is password protected so parents can lock in the setting and their children can enjoy YouTube

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<sup>61</sup> FOSI, "Making Wise Choices Online Report", Nov. 2008 *available at* <http://www.fosi.org/cms/index.php/making-wise-choices-online-report08.html>.

<sup>62</sup> Larry Magid, "Google Lets Parents Lock in SafeSearch" CNET News, Nov. 11, 2009 *available at* [http://news.cnet.com/8301-19518\\_3-10395112-238.html](http://news.cnet.com/8301-19518_3-10395112-238.html).

<sup>63</sup> Robin Wauters, "YouTube Introduces Safety Model for that Grey Area Content, Tech Crunch, Feb. 10, 2010 *available at* <http://techcrunch.com/2010/02/10/youtube-introduces-safety-mode-for-that-grey-area-content/>.

videos without coming across content that may be inappropriate for their age.<sup>64</sup> Industry is constantly finding new ways to improve existing tools and create new ones.

*D. Inter-Organization Cooperation within the Community to Promote Internet Safety*

Partnerships with other organizations, such as child and senior advocacy groups, and other companies, are an essential element of the movement to empower parents and children to stay safe online. As FOSI has shown here, companies are constantly finding new, innovative ways to improve tools and policies and collaborate with others to improve online safety. Facebook recently created a Safety Advisory Board, of which FOSI is a member, that will help them take a collaborative approach to online safety issues and which will lead to an overhaul of the information on Facebook's Help Center, to provide more current resources and content that can help parents, teachers, and children.<sup>65</sup> By forming this group and working to update policies and information available for users, Facebook is continuing to take steps to create a safe environment online and adapt to risks and safety needs as they arise. Another example of partnerships to promote safety is Microsoft's support of the ThinkYouKnow.org.au portal with the Australian Federal Police which provides training to teachers and parents.<sup>66</sup>

FOSI works closely with industry to develop and encourage the creation of new tools to help parents manage their children's online experience. FOSI and other groups must continue to identify and promote the best tools, rules, and educational messages and methods to help empower parents and make sure children act safely and responsibly in their digital environment.

Additional promotional and educational efforts from companies and even the government can help parents become aware of what tools are available and teach parents how to easily use the tools to keep their children safe while online. Publicity campaigns, news reports, public service videos and even providing resources to parents when they sign up for mobile phones or Internet service can help to empower parents and to encourage them to use the tools available and to keep their children safe.

## **IX. Conclusion**

Cooperation among stakeholders and specifically collaboration between government, parents, teachers and industry is imperative to build a culture of responsibility with children as responsible digital citizens. The government of Australia can encourage and fund educational efforts, teachers can embrace

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<sup>64</sup> See YouTube Blog, "Safety Mode: Giving You More Control on YouTube," Feb. 10, 2010, *available at* <http://youtube-global.blogspot.com/2010/02/safety-mode-giving-you-more-control-on.html>.

<sup>65</sup> Richard Allan, "Working Together for Online Safety," The Facebook Blog, Dec. 7, 2009 *available at* <http://blog.facebook.com/blog.php?post=195195332130>.

<sup>66</sup> See <http://www.thinkuknow.org.au/site/index.asp>.

technology in the classroom and students can be taught to make wise choices online. Schools can play an important role by bringing online safety into teaching methods and school curricula. Parents can learn about what their children are doing online, use the tools that are available to restrict usage, and develop household media rules to help limit the time and activities of their children online. Industry should continue to innovate and bring new tools to parents and families to keep children safe online while also continuing efforts to educate and empower parents. There is no single solution to cyber-safety, but industry, the government, schools, and parents can work together to help children become responsible and engaged 21st Century digital citizens.