

12 February 2010

Transparency measures  
Department of Broadband, Communications and the Digital Economy  
GPO Box 2154  
Canberra ACT 2601

By email: [transparencymeasures@dbcde.gov.au](mailto:transparencymeasures@dbcde.gov.au)

Dear Madam/Sir

### **Mandatory Internet Service Provider (ISP) filtering**

The Australian Communications Consumer Action Network (ACCAN) is pleased to provide this submission to the *Mandatory internet service provider (ISP) filtering: Measures to increase accountability and transparency for Refused Classification material Consultation Paper* (the Consultation Paper).

### **About ACCAN**

ACCAN is the peak body that represents all consumers on communications issues including telecommunications, broadband and emerging new services. ACCAN provides a strong unified voice to industry and government as consumers work towards availability, accessibility and affordability of communications services for all Australians. Consumers need ACCAN to promote better consumer protection outcomes ensuring speedy responses to complaints and issues. ACCAN aims to empower consumers so that they are well informed and can make good choices about products and services. As a peak body, ACCAN will activate its broad and diverse membership base to campaign to get a better deal for all communications consumers.

### **Mandatory ISP Filtering**

ACCAN supports the rights of consumers to safe products and services and we recognise the unique needs of children and young people using the internet. We also believe that the internet must remain a neutral and open forum for its users.

Independent testing of user-installed voluntary net filtering programs has found that such programs (including free and government-supported software) can be highly successful in blocking potentially harmful material depicting physical abuse, crime, guns, hate, pornography, terrorism, violence, and warez (illegal software).<sup>1</sup>

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<sup>1</sup> CHOICE, January 2008 "Net filtering software review and compare" accessed 11 February 2010 at <http://www.choice.com.au/Reviews-and-Tests/Technology/Software-and-online-services/Internet/Net-filtering-software-review-and-compare.aspx>

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ACCAN supports government initiatives to ensure that net-filtering software is freely available and utilised in public internet terminals. We note that the Consultation Paper states that 20 to 35% of Australian households use some form of content filtering and we encourage the ongoing development and promotion of these software programs. Clearly part of the success of filtering schemes rests with the Australian Media and Communications Authority (ACMA) in its role in maintaining the ACMA 'blacklist' used by accredited filter vendors to block overseas hosted refused classification websites.

Given the high success of voluntary net filtering programs, we question the need for a mandatory filtering regime. ACCAN is not aware of any evidence that filtering software is failing to meet the public demand for sufficient net-safety protections. Without such evidence we are unsure of the merits of pursuing measures that would significantly curb users' free and open access to the internet. We also note ongoing concerns about the impact of filtering on internet speeds and the false sense of security created by mandatory filtering, which will be unable to block all refused classification material.

In summary we support further government investment in voluntary net filtering software and expanded funding for ACMA net-monitoring activities, including the ACMA blacklist, but remain doubtful about the need and merit of a mandatory filtering regime.

Should you require more information, please contact Elissa Freeman, Director, Policy and Campaigns on (02) 9288 4014 or [elissa.freeman@accan.org.au](mailto:elissa.freeman@accan.org.au).

Yours sincerely,

A handwritten signature in black ink that reads "Allan Asher". The signature is written in a cursive, flowing style.

Allan Asher  
Chief Executive Officer  
Australian Communications Consumer Action Network