



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



**HOUSE OF REPRESENTATIVES**

**Main Committee**

**APPROPRIATION BILL (NO. 1) 2009-2010**

**Consideration in Detail**

**SPEECH**

**Wednesday, 17 June 2009**

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

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## SPEECH

<p><b>Date</b> Wednesday, 17 June 2009  <b>Page</b> 6432  <b>Questioner</b>  <b>Speaker</b> Robert, Stuart, MP</p>	<p><b>Source</b> House  <b>Proof</b> No  <b>Responder</b>  <b>Question No.</b></p>
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**Mr ROBERT** (Fadden) (12.49 pm)—Minister—oh, Minister! In May 2008, the Minister for Broadband, Communications and the Digital Economy, Senator Stephen Conroy, announced a plan to create a safer online environment for Australian children. His media release stated:

Central to the Government's plan to make the internet a safer place for children is the introduction of Internet Service Provider ... level filtering of ... child pornography.

Consequently, the minister moved to conduct trials with industry. In Senate estimates on 20 October 2008, Senator Conroy was a little coy on whether Labor's plan included two levels of filtering, one that could be opted out of and one that could not. *Computerworld* magazine, an outstanding magazine reflecting the views of the IT industry, was more definite, saying:

Australians will be unable to opt-out of the government's pending Internet content filtering scheme, and will instead be placed on a watered-down blacklist, experts say.

Under the government's \$125.8 million Plan for Cyber-Safety, users can switch between two blacklists which block content inappropriate for children, and a separate list which blocks illegal material.

Minister, is the plan to have a mandatory filter at the internet gateways into the nation, of which there are three or four, that cannot be opted out of, and is there then a plan to have an optional filter at the ISP level?

Australian society has always accepted that there is some material that is unacceptable, particularly for our children. Liberty has its limits. That is why there is a National Classification Scheme for classifying films, computer games, publications and online content. Australian ISPs are already subject to regulation that prohibits the hosting of certain material, based upon this scheme. ACMA also has the power to issue a take-down notice, requiring that prohibited content hosted in Australia be removed, blocked from public access or hosted from behind a restricted access system.

The question, Minister, is: what are you planning to block? Minister, are you just planning to block the ACMA black list that contains fewer than 1,500 sites, or are you planning to use or replicate a commercial service with access to potentially millions of inappropriate sites? Will you have a mandatory filter at the gateway level? Will you have an opt in, opt out filter at the ISP level? You will enjoy this question, Minister: technically, can any filtering solution return a 404 error on a black list of at least 50,000 URLs with a latency of less than one millisecond? I will repeat that question for you, Minister, because I saw your eyes glaze over a little. Technically, can any filtering solution return a 404 error on a black list of at least 50,000 URLs with a latency of less than one millisecond? The wider question, of course, is: what is the success rate of Senator Conroy's technical solutions? Is the success rate 50,000 URLs with a latency of less than one millisecond or is it something else?

With respect to policy alternatives, will there be any parliamentary oversight of any potential black list that the government may put forward? Considering that there is always a lag time between the provider of a black list identifying any appropriate site that does not meet whatever guidelines and then adding it to the black list, what is the acceptable time lag the government will accept? What is the focus of the black list? Is it R-rated? Is it X-rated? Is it XXX-rated? Is it violence? Will people have the opportunity to choose to accept one line but not another? How will you deal with the issues of circumvention or peer-to-peer networks?

Minister, what about the role of families? At the end of the day, government cannot save everyone. Government should never be a nanny state. One of the greatest ways that families protect their children is by having the computer in the living room, with the screen facing the family. The family can then see what children use. One of the greatest ways is parental responsibility and education, combined with PC level filtering as well as other measures. How will families work within your plan? Minister, I understand that the questions I have posed may be a little technical, but I look forward to your forthright and erudite response.