
SENATE QUESTION

QUESTION NO.831

Senator Ludlam asked the Minister for Broadband, Communications and the Digital Economy, upon notice, on 20 November 2008:

- (1) Why does the pilot aim to test the impact of filtering on Internet connections ranging up to 12 Mega bits per second (Mbps) when 12Mbps is the minimum speed which the National Broadband Network project is claimed to deliver.
- (2) Why will the pilot test the capacity of the filters to 'detect and provide warnings on circumvention attempts'.
- (3) What is meant by 'provide warnings on circumvention attempts'.
- (4) Does the Government propose, or is it considering, the criminalisation of circumventing or attempting to circumvent the proposed filtering regime.
- (5) Will Internet Service Provider's be required, or permitted, to apply any level of filtering to the Internet connections of people who have not volunteered to participate in the pilot.
- (6) If the customers participating in the pilot are volunteers, how will the results of the pilot be of any worth when they will be affected by self-selection bias.
- (7) How does the Government propose to prevent technological tools such as proxies, Virtual Private Networks, the Tor service and encryption from being used to circumvent the Government's filtering regime without adversely affecting the ability of Australian businesses and residents to conduct their online business in a safe and secure fashion.
- (8) Are technological tools such as Virtual Private Networks, Peer-to-Peer applications and encryption, being used by persons trafficking in child pornography online; if so, how will the Government's proposed filtering regime prevent this.

Senator Conroy – The answer to the honourable senator's question is as follows:

- (1) The Pilot aims to assess delivery across a variety of internet delivery mediums ranging in speed from 56Kbps through to 12Mbps, recognising that most Australians have internet connections within this speed range at present. As the Technical Testing Framework document states, "Consideration (i.e. an assessment or examination) will also be given to future internet network performance above 12Mbps." The specific levels to be tested will depend on the proposals put forward by participating internet service providers (ISPs), and there is no intention to be restrictive in this regard.
- (2) Some filter products provide a function which allows parents to monitor if attempts have been made to circumvent the filter – should parents wish to have this function turned on. The Pilot will test the effectiveness of this and other functionalities if included in the filtering solutions proposed by participating ISPs.

SENATE
Parliamentary Question on Notice

- (3) Some filter products provide a reporting mechanism to the account holder (for example the parents) of circumvention attempts made from the account. There is no intention for circumvention attempts to be reported to Government or authorities.
- (4) No.
- (5) The specific filtering solution proposed, and its application to an ISP's customers, is a matter for negotiation with individual ISPs.
- (6) End-user experience is an important factor to be considered in the trial, but it is only one part of the assessment of technical capabilities. Empirical testing will be considered in conjunction with end-user experience. The customer surveys will be designed with the assistance of expert statisticians.
- (7) The Government acknowledges that any filtering of the internet, whether Personal Computer or ISP based, can potentially be circumvented. The Pilot will test the ease with which different filtering solutions can be by-passed.

ISP level filtering is just one component of the Government's \$125.8 million cyber-safety plan. The plan also includes education, research, consultation with expert groups and youth groups, and funding for policing and law enforcement. The plan will see an extra 91 AFP members join the High Tech Crime Commission which seeks to intervene and catch people involved in the trafficking of child pornography.

- (8) ISP filtering is not a 'silver bullet' that will fix the problem of illegal content on the internet. However, it can help to disrupt online distribution of such material, and prevent accidental exposure to it.

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