



ISPA submission to the parental controls questionnaire

About ISPA

The Internet Services Providers' Association (ISPA) is the trade association for companies involved in the provision of Internet Services in the UK. ISPA was founded in 1995, and seeks to actively represent and promote the interests of businesses involved in all aspects of the UK Internet industry.

ISPA membership includes small, medium and large Internet service providers (ISPs), cable companies, hosting companies, web filtering companies and a variety of other organisations. ISPA currently has over 215 members, representing more than 95% of the UK Internet access market by volume. ISPA was a founding member of EuroISPA.

Our membership includes both business-to-business and consumer facing providers. Some of the consumer facing members drafted the ISP code of practice and are committed to delivering Active Choice in the timeframe outlined in the code. Others have implemented separate solutions and our consumer facing members generally offer a variety of content filtering tools or ways to control what people access online to consumers or business.

Introduction

We welcome the fact that views are being sought by government into what tools and advice parents and carers need to protect children online. This is an important issue for our members and their customers and it is crucial that Government adopts an evidence-based policy approach. We would urge the Government to adopt an approach that takes full account of the expert assessments of the Bailey Review and the Byron Report and the EU Kids online research which is being led by Professor Sonia Livingstone from the LSE.

ISPA agrees with the Government's current view of supporting parents and carers to mediate how they and their children access content across the whole internet value chain. For this reason, we strongly support Active Choice as the most sensible and effective solution set out in the consultation. Squally, we oppose default blocking as it will lull parents into a false sense of security and lessen parental mediation.

We are concerned that the consultation document fails to fully outline the breadth and utility of the current approach. The Government should continue to support the various industry sectors in fully implementing the recommendations of the Bailey Review including Active Choice. The protection of children online should not be viewed as a simple policy challenge for ISPs alone to resolve. Instead, it requires the involvement of parents, carers and all the industry sectors that are part of the value chain.

In this document, we are responding to those questions asked of business and trade associations in the questionnaire and our views are based on a survey of members.

Why we support active choice

Active Choice takes a holistic approach to the issue of promoting online safety and provides parents with the necessary tools and advice to better protect their children. Whilst still in development, it encompasses a variety of ISPs as well as retailers and manufactures of devices and software. It most effectively ensures and optimises the range of tools, advice, education and awareness raising that parents and carers need to appropriately manage their children's online activities.

Timing of the questionnaire

A great deal of work has been progressing in this area following the publication of the Bailey Review, via UKCCIS and others, to improve education and awareness advice and access to the technological

solutions to help control access to content. This work is still ongoing, with deadlines set by the independent chair yet to be reached, and for this reason, we query the timing of the questionnaire.

For certain questions in the questionnaire, such as awareness of Active Choice, the fact that work is ongoing should be taken into account and it may be more appropriate to review the uptake of parental controls and Active Choice after the deadlines have passed to determine what changes might be worthwhile.

Lack of certainty

The consultation follows a period of uncertainty over government policy in this area and whether or not Active Choice and the Bailey Review, which government both commissioned and welcomed, are deemed sufficient. Feedback from our members suggests that the lack of certainty around whether or not government is satisfied with Active Choice is deterring decisions to commit to it. Industry takes the issue of online safety and parental controls seriously and would benefit from greater clarity around what government expects, particularly if investment is being made in systems, messaging and more besides to improve safety awareness.

Helping parents and carers

The most effective way to create a safer online environment is to raise awareness amongst parents and carers of the tools and information available to support and empower parental decision-making. There are a wide range of options available to users to control access to content online, from software to hardware-based, free to paid-for, and educational advice that have evolved to suit the changing needs of users.

Crucially, this support should be provided by a range of sectors, including retailers, ISPs and device manufactures to provide parents with multiple entry points for engaging with and choosing how they wish to control access. It is important that industry continues to offer advice and tools that are easy to use and understand and have the choice of age-appropriate settings that are able to filter out various kinds of content.

Whilst technical solutions can help parents and carers ensure a safer online environment for children and young people, it should not be viewed as a replacement for parental mediation. Government's role should be to help raise awareness of the various solutions that are available so that parents can make the decisions right for them and their children. In our view Active Choice achieves this.

Current availability of technical solutions

The UK has a very competitive broadband market with ISPs able to differentiate themselves by offering competing security products as part of their overall offering. The internet sector is by its nature innovative and companies are constantly developing new services and products and updating advice. Companies spend a great deal of time and effort understanding their customers and we are already seeing the development of a market where access providers differentiate themselves from competitors based on the parental controls solutions that they offer.

In addition to the widely-available third party parental controls tools, customers in the UK can already choose among access providers that offer network, device or combined solutions which ultimately allows them to select the broadband service that is best suited to the needs of their families. Providing the industry with clarity that the Government supports Active Choice will see this market develop and increase awareness of technical tools available.

ISPA's role

Many of our members offer parental controls to members of the public and for many years we have regularly engaged with our members on the issue of internet safety. ISPA encourages its members to explore the use of parental controls, and make safety information easily accessible. We have informed our members about what Active Choice entails as work has developed and will continue to do so.

ISPA has information on its website letting people know how they can use tools to control content online and links to other's guides. This includes details on where members of the public can report things that are illegal and links to a number of sites that contain safety advice and technical solutions. This is supplemented by media communication activities, which can also explain how people can help protect themselves online and help control access to content.

We also regularly respond to government and parliamentary reviews into online safety, including the recent parliamentary inquiry, with both written and oral evidence. We have also been a member of government working groups for more than ten years and we helped set up the Internet Watch Foundation. We have held a number of events over the years on this issue, including in Parliament, bringing together various sides of the debate to openly discuss the area and work with others to promote safer internet day and various safety initiatives.

Harmful content

Our members experience shows that there is not necessarily one main area of content that customers wish to see addressed. Pornography, which has attracted a great deal of attention in the lead up to this consultation, is only one type of content of concern to people. Feedback from our members shows that self-harm content, grooming, cyber-bullying and other 'stranger-danger' through use of social networks, for example, are also of concern to customers.

The challenges involved in addressing these various kinds of content are different. For grooming and inappropriate behaviour a filter will not necessarily address this, particularly with user-generated content. Therefore, an Active Choice system, where parents and carers are engaged in what their children are doing online and use the help and tools made available to them to mediate, is the most effective way of combating harmful behaviour and content online. As in the offline world, there will always be an element of risk which cannot be eliminated and it will be important to avoid adopting any approach that makes unrealistic assumptions in that respect.

Current regulatory system

Unlike other sectors, the Internet is a global and demand-led medium where there is a clear separation between content generation and content distribution. This is different than broadcast medium, where the channel provider has full editorial control over what type of content is distributed at what point in time. Moreover, access providers do not commission content that is accessed by their users and so it is difficult to see how regulation of the Internet in the same way as television, for example, would work. For this reason, we believe that Active Choice, in which parents and carers are in charge of how they and their children access content easily and simply is an effective way of 'regulating' content.

Self-regulation has worked in several areas in the internet sector, most notably in the development of the ISP code of practice which commits to an Active Choice. However, for default filtering self-regulation would not be appropriate or effective and there are a number of serious questions that would need to be addressed by government to determine where the lines should be drawn. For instance, who is defining what legal content should be blocked, and have the legal implications been considered? What about over blocking? How will this take into account the differences between, for example, a 12 year old or a 16 year old accessing adult content? What effect will this have on

parental mediation? It is difficult to understand how a default-on, one size fits all model could address these complexities. There is also the threat to innovation in creating an overly regulated online environment. These questions have not been raised in the current consultation and further consultation would be necessary if Government seeks to go beyond Active Choice.

Conclusion

In summary, we welcome the fact that Government is seeking information from parents and carers, industry and others to find out how best to protect children online. Industry continues to make good progress in making the online environment safer, most noticeably through the commitment to offering an Active Choice to customers. We believe existing initiatives also have a part to play, for example, ensuring internet safety is integrated within the school curriculum.

To give greater clarity and certainty, we would urge the Government to use this consultation exercise to confirm that it supports Active Choice across the internet value chain, and will not impose default filtering.