INTERNET FILTERING AND YOUNG PEOPLE – AN ANNOTATED BIBLIOGRAPHY

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Internet 'filtering', and the regulatory mechanisms supporting it, have become the subject of increasing interest to public policy makers as more governments investigate its uses, stimulating substantial international studies and a diverse literature including parliamentary records and extensive media and online coverage. The recent Australian Government proposal for an ISP-level web content filtering scheme, predicated on the perceived interests of young people in the online environment, is the main focus of this structured bibliography.

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A. MINISTERIAL STATEMENTS

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MINISTER STEPHEN CONROY

(See also Senate Hansards, and other transcripts, below)

1. Senator Stephen Conroy, ministerial website, Media Centre (speeches and media releases), at: <http://www.minister.dbcde.gov.au/media?>
2. Senator Stephen Conroy, 'Optus to participate in ISP filtering pilot,' media release, 22 April 2009, at: <http://www.minister.dbcde.gov.au/media/media_releases/2009/027>
3. Kate O'Toole, interviewer, interview, *Hack*, ABC Radio Triple J, 7 April 2009, audio at: <http://mpegmedia.abc.net.au/triplej/hack/daily/hack_tues_2009_04_07.mp3>
4. Jenny Brockie presenter, 'Blocking the net - will it make kids any safer?', *Insight*, SBS television, 7:30 PM, 31 March 2009. Transcript at: <http://news.sbs.com.au/insight/episode/index/id /59#transcript>; overview at: <http://news.sbs.com.au/insight/episode/index/id/59> [Senator Conroy on panel, with other participants in the debate. See also blog comments, in Commentary section below.]
5. Senator Stephen Conroy and others, appearance on ABC TV *Q&A*, 26 March 2009, at: <http://www.abc.net.au/tv/qanda/txt/s2521164.htm> [see 'Transcript' tab]
6. Senator Stephen Conroy, 'Internet list publication grossly irresponsible', media release, 19 March 2009, at: <http://www.minister.dbcde.gov.au/media/media_releases/2009/014>
7. Senator Stephen Conroy, 'Research to inform cyber-safety policies', media release, 23 February 2009, at: <http://www.minister.dbcde.gov.au/media/media_releases/2009/009>
8. Senator Stephen Conroy, 'Pilot to assess technical feasibility of ISP filtering', media release, 11 February 2009, at: <http://www.minister.dbcde.gov.au/media/media_releases/2009/005>
9. Senator Stephen Conroy, 'Australia participates in Safer Internet Day 2009', media release, 9 February 2009, at: <http://www.minister.dbcde.gov.au/media/media_releases/2009/004>. See also ACMA 'Safer Internet Day' media release, at: <http://www.acma.gov.au/WEB/ STANDARD/pc=PC_311614>; DBCDE 'Cyber-safety plan', at: <http://www.dbcde.gov.au/ cybersafetyplan>
10. Senator Stephen Conroy, 'Address to ALIA Information Online Conference and Exhibition', 20 January 2009, at: <http://www.minister.dbcde.gov.au/media/speeches/2009_-_minister _speeches/001> or: <http://www.minister.dbcde.gov.au/media/speeches/2009/address_to _alia_information_online_conference_and_exhibition>

11. Senator Stephen Conroy, 'Feedback welcome on Digital Economy Blog', media release, 9 December 2008, at: <http://www.minister.dbcde.gov.au/media/media_releases/2008/093> [See also blog link , DBCDE below]

12. Hon Lindsay Tanner MP, Minister for Finance and Deregulation, and Senator the Hon Stephen Conroy, Minister for Broadband, Communications and the Digital Economy, Deputy Leader of the Government in the Senate, 'Rudd Government trial for e-democracy future', media release and announcement of short period of operation of a government blog, 9 December 2008, at: <http://www.minister.dbcde.gov.au/media/media_releases/2008/092>

13. DBCDE, *Digital Economy Future Directions* blog, undated [first post 8 December 2008?], at: <http://www.dbcde.gov.au/communications_for_business/industry_development/digital_economy/future_directions_blog>, and: <http://www.dbcde.gov.au/communications_for_business/Digital_economy/digital_economy_consultation/future_directions_blog/topics/civil_and_confident_society_online/why_wont_the_government_publish_what_is_included_in_the_acma_blacklist> [re the blog; see also Dan Warne APC item in Media, below]

14. Senator Stephen Conroy, 'Youth Advisory Group to guide Government on cyber-safety,' media release, 8 December 2008, at: <http://www.minister.dbcde.gov.au/media/media_releases/2008/091>

15. Senator Stephen Conroy, 'Minister welcomes advances in internet filtering technology', media release, 28 July 2008, at: <http://www.minister.dbcde.gov.au/media/media_releases/2008/060>

16. Senator Stephen Conroy, 'Industry Code of Practice to make internet a safer place for children', media release, 16 July 2008, at: <http://www.minister.dbcde.gov.au/media/media_releases/2008/057>

17. Senator Stephen Conroy, 'Budget provides policing for internet safety', media release, 13 May 2008, at: <http://www.minister.dbcde.gov.au/media/media_releases/2008/033>

18. Senator Stephen Conroy, Address to Christian Media Association 30th National Conference, Gold Coast, 7 May 2008, at: <http://www.cbonline.org.au/%5Cmedia%5CConroyCMA2008.pdf>

19. Senator Stephen Conroy, 'Government welcomes ACMA report on internet filtering', media release, February 2008, at: <http://www.minister.dbcde.gov.au/media/media_releases/2008/011>

20. Senator Stephen Conroy, "Labor's Plan for Cyber Safety", Australian Labor Party, Election 07 Fact Sheet, undated [November 2007?], at: <http://www.alp.org.au/download/now/labors_plan_for_cyber_safety.pdf> [released during 2007 election campaign]

FORMER MINISTER HELEN COONAN

21. Senator Helen Coonan, 'Protecting Families Online', Address to the National Press Club, June 14 2006, at: <http://www.dbcde.gov.au/newsroom/speeches/protecting_families_online> [see discussion of Clean Feed]

FORMER MINISTER RICHARD ALSTON

22. Senator Richard Alston, 'Labor supports easier access to child pornography', Media Release 33/03, 28 March 2003, at: <http://www.richardalston.dcita.gov.au/Article/0,,0_4-2_4008-4_113877,00.html>

B. PARLIAMENTARY PROCEEDINGS, HANSARD TRANSCRIPT AND OTHER PARLIAMENTARY MATERIAL

SENATE

23. Senate debates, *Hansard* of 3 December 2008, p.8013, 'Questions without Notice: Internet Filtering', Senators Conroy and Bernardi, questions re filter trial, at:<http://www.aph.gov.au/hansard/senate/dailys/ds031208.pdf>. Video at: <http://www.youtube.com/watch?v=9XnZPtt-PMs>

24. Senate debates, *Hansard* of Tuesday 11 November 2008, 'Questions without Notice: National Broadband Network' p.6517, 'Questions without Notice: Take Note of Answers - Mandatory Internet Filtering", p.6533, Senators Ludlam and Conroy, at: <http://www.openaustralia.org/senate/?id=2008-11-11.34.1> or*: <http://www.aph.gov.au/hansard/senate/dailys/ds111108.pdf>

SENATE ESTIMATES

25. Hansard, Senate Senate Estimates, Environment, Communications, and the Arts Committee. *Hansard* of 25 May 2009, Senators Conroy, Bernardi. Ludlam, Minchin and others, from ECA 99, at: <http://www.aph.gov.au/hansard/senate/commttee/S12031.pdf>

26. Senate Estimates, Environment, Communications, and the Arts Committee, *Hansard* of 23 February 2009, Senators Conroy, Bernardi and others, at: <http://www.aph.gov.au/hansard/senate/commttee/S11635.pdf>

27. Senate Estimates Environment, Communications, and the Arts Committee, *Hansard* of 20 October 2008, p.78 and following, Senators Ludlam and Conroy, at: <http://www.aph.gov.au/hansard/senate/commttee/S11346.pdf>

NSW PARLIAMENT

28. Dr Kaye (Liberal), Question 2796 'Requests Blocked by Internet Filtering System', to the NSW Attorney General, Minister for Industrial Relations representing the Minister for Education and Training, and Minister for Women, NSW Legislative Council, asked 4 March 2009, answered in *Questions & Answers Paper No. 96*, 5 May 2009 at: <http://www.parliament.nsw.gov.au/prod/lc/qalc.nsf/search/de8b6ce1d5b29953ca25756f0017877b> [Asks for numbers of sites blocked in NSW Education Dept filter. Answer explains incapacity to quantify numbers of sites blocked or unblocked, the latter in part because many are blocked 'due to not being categorised', implying a form of white list. Notes 8.7 million 'digital objects' blocked in two months in 2009. See also Q 2797 re: numbers of sites available, no significant figures provided in answer, refers to indeterminate number of web pages generally. See also Q 2945 on Web 2.0: answer indicates blogs and wikis are categorised "forum/bulletin boards" and "personal pages" and blocked for secondary students but permitted only to staff and TAFE students; items categorised "Interactive

web applications" and "Internet services" are permitted to school students too. Implies blocking is by (somewhat arbitrary) category.]

29. Dr Kaye (Liberal), Question 2944 'Information Blocked by Internet Filter', to the NSW Attorney General, Minister for Industrial Relations representing the Minister for Education and Training, and Minister for Women, NSW Legislative Council, asked 31 March 2009, answered in *Questions & Answers Paper No. 96*, 5 May 2009 at: <http://www.parliament.nsw.gov.au/prod/lc/qalc.nsf/search/d7114b41bd9a8055ca25758a0017de08> [Queries whether terms such as "Nazi" are blocked. Answer says NSW Education Department's Internet filtering service does not block all websites that contain the word "Nazi". The Department does apply Google's SafeSearch filter for all searches using the Google search engine, and SafeSearch does filter the word "Nazi", implying the use of several different filters, one for all content, one via Google search.]

30. Amanda Fazio MP (Labor), NSW Legislative Council, *Hansard* p 10776, 29 October 2008, at: <http://www.parliament.nsw.gov.au/prod/PARLMENT/hansart.nsf/V3Key/LC2008 1029042> [supports federal ALP filtering platform, expresses concern about scope creep for federal filter proposal, urges re-think]

31. Gareth Griffith, 'Censorship law - questions and answers', E-BRIEF No. 5/2009, NSW Parliamentary Library Research Service, May 2009, at: <http://www.parliament.nsw.gov.au /prod/parlment/publications.nsf/0/7230302B505A9D4FCA2575AF007F7462/$File /E%20Brief%20Censorship%20law%20-%20questions%20and%20answers.pdf>

32. Tom Edwards and Gareth Griffith, *Internet Censorship and Mandatory Filtering*, E-Brief 5/08, NSW Parliamentary Library Research Service, November 2008, at: <http://www. parliament.nsw.gov.au/prod/parlment/publications.nsf/key/InternetCensorshipandMandatoryFiltering> ['surveys local and international position and concludes mandatory ISP level filtering is not a feature of many of the countries it reviewed. In place are voluntary ISP filtering schemes designed to prevent accidental access to a defined list of illegal sites containing child pornography.']

33. Liam Tung, 'NSW calls Conroy on Euro filter fudge', *ZDNet.com.au*, 21 November 2008, at: <http://www.zdnet.com.au/news/software/soa/NSW-calls-Conroy-on-Euro-filter-fudge/ 0,130061733,339293439,00.htm> [Media report on E-Brief 5/08.]

34. Gareth Griffith and K Simon, *Child Pornography Law*, Briefing Paper No 9/08, NSW Parliamentary Library Research Service, August 2008, at: <http://www.parliament.nsw. gov.au/prod/parlment/publications.nsf/0/289C584B88554BCBCA2574B400125787/$File/Child pornography law and index.pdf> ['relevant statutory provisions ..., with reference to NSW and other Australian jurisdictions including Commonwealth, operation and application analysed by reference to available statistical data and case law.' Refers to Bill Henson case and others.]

35. Gareth Griffith, 'Child Pornography Law Update', *E-Brief 2*/08, NSW Parliamentary Library Research Service, November 2008, at: <http://www.parliament.nsw.gov.au /prod/parlment/publications.nsf/key/ChildPornographyLawUpdate> ['reviews proposals for NSW reform relating to child pornography recommended in *Penalties Relating to Sexual Assault Offences* in NSW, a report by the NSW Sentencing Council chaired by Supreme Court Judge James Wood of 25 October 2008.']

36. Gareth Griffith and L. Roth, 'Protecting Children From Online Sexual Predators', NSW Parliamentary Library Research Service, *Briefing Paper* No. 10/2007, September 2007, at: <http://www.parliament.nsw.gov.au/prod/parlment/publications.nsf/0/3043E49AB3F4ABF9CA2573530006F989/$File/Dealing%20with%20Online%20PredatorsFINAL&INDEX.pdf>

C. GOVERNMENT AGENCIES

DEPARTMENT OF BROADBAND, COMMUNICATIONS AND THE DIGITAL ECONOMY (DBCDE)

37. Louise Collins, Peter Love, Dr Bjorn Landfeldt, Peter Coroneos, on behalf of IIA, 'Feasibility Study - ISP Level Content Filtering February 2008', report commissioned by DCITA in September 2007, dated 26 February 2008, released January 2009 by DBCDE at: <http://www.dbcde.gov.au/online_safety_and_security/cybersafety_plan/internet_service_provider_isp_filtering>, Report: <http://www.dbcde.gov.au/__data/assets/pdf_file/0006/95307/Main_Report_-_Final.pdf>, Part 2 Attachments: <http://www.dbcde.gov.au/__data/assets/pdf_file/0019/95311/Part_2_-_Attachments_Final.pdf>, Part 3 Survey: <http://www.dbcde.gov.au/__data/assets/pdf_file/0020/95312/Part_3_ International_Survey_Final.pdf>

38. DBCDE, *Digital Economy Future Directions* blog, undated [first post 8 December 2008?], including contributions from Senator Conroy, at: <http://www.dbcde.gov.au/communications_for_business/industry_development/digital_economy/future_directions_blog>

39. DBCDE, 'ISP Filtering Live Pilot - Questions and answers', undated [November 2008?], at: <http://www.dbcde.gov.au/communications_for_business/funding_programs__and__support/isp_filtering_live_pilot/questions_and_answers>

40. DBCDE, 'Internet Service Provider (ISP) Content Filtering 'Live' Pilot', undated [11 November 2008?], at: <http://www.dbcde.gov.au/communications_for_business/funding_programs__and__support/isp_filtering_live_pilot>

41. DBCDE, 'Request for Expression of Interest', ISP Filtering Live Pilot, 11 November 2008, at: <http://www.dbcde.gov.au/__data/assets/pdf_file/0005/89159/request-for-expression-of-interest.pdf>

42. DBCDE, 'Technical Testing Framework', ISP Filtering Live Pilot, 11 November 2008, at: <http://www.dbcde.gov.au/__data/assets/pdf_file/0006/89160/technical-testing-framework.pdf>

43. DBCDE, 'Online content regulation', undated, at: <http://www.dbcde.gov.au/internet/online_content_regulation> [explains the Classifications included in 'Prohibited' or 'Potentially Prohibited' online material, down to certain MA15+ items]

AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY (ACMA)

44. ACMA, 'Developments in internet filtering technologies and other measures for promoting online safety - Second Annual Report to the Minister for DBCDE', April 2009 (date on title page) or 2008 (copyright notice date), at: <http://www.acma.gov.au/webwr/_assets/main/lib310554/developments_in_internet_filters_2ndreport.pdf>; hosted at: <http://www.acma.gov.au/WEB/STANDARD/pc=PC_311304>

45. ACMA, *Australia in the Digital Economy: Report 1 – Trust and Confidence*, Australia in the Digital Economy research report series, March 2009, at: <http://www.acma.gov.au/webwr/aba/about/recruitment/trust_and_confidence_aust_in_digital_economy.pdf>

46. ACMA, *Australia in the Digital Economy: Report 2 – Online Participation*, Australia in the Digital Economy research report series, May 2009 (November 2008 on cover page), at: <http://www.acma.gov.au/webwr/aba/about/recruitment/online_participation_aust_in_digital_economy.pdf>

47. ACMA, 'ACMA list of prohibited and potentially prohibited overseas hosted content', 19 March 2009, at: <http://acma.gov.au/WEB/STANDARD/pc=PC_311669>

48. ACMA, 'List of licensed carriers', undated, page updated 10 March 2009, at: <http://www.acma.gov.au/WEB/STANDARD/pc=PC_1625>

49. ACMA, 'Cyberbullying and safe social networking addressed as ACMA marks Safer Internet Day', ACMA media release 11/2009, 9 February 2009, at: <http://www.acma.gov.au/WEB/STANDARD/pc=PC_311614>

50. ACMA, 'Complaint from the public results in network of child sexual abuse websites being brought down,' ACMA media release 118/2008, 1 October 2008, at: <http://www.acma.gov.au/WEB/STANDARD/pc=PC_311406>

51. ACMA, *Closed environment testing of ISP-level internet content filtering - a report*, July 2008, at: <http://www.acma.gov.au/webwr/_assets/main/lib310554/isp-level_internet_content_filtering_trial-report.pdf>

52. ACMA/IIA, 'Content Services Code for industry co-regulation in the area of content services (pursuant to the requirements of Schedule 7 of Broadcasting Services Act 1992 as amended', under IIA logo, dated/registered 24 June 2008, at: <http://www.acma.gov.au/webwr/_assets/main/lib310679/registration_of_content_svces_code.pdf>, linked from the 'Internet Codes Index' http://www.acma.gov.au/WEB/STANDARD/pc=IND_REG_CODES_INT 53. ACMA, 'ACMA approves industry code of practice to protect children from unsuitable online and mobile phone content here', ACMA media release 88/2008, 16 July 2008 at: <http://www.acma.gov.au/WEB/STANDARD/912091/pc=PC_311247>

54. ACMA, *Developments in internet filtering technologies and other measures for promoting online safety*, First annual report to the Minister for BCDE, February 2008 (copyright 2007), at: <http://www.acma.gov.au/webwr/_assets/main/lib310554/developments_in_internet_filters_1streport.pdf>

55. ACMA, *Annual Report* 2007-08, at: <http://www.acma.gov.au/WEB/STANDARD/pc=PC_100770>, see in particular Table 25, 'Prohibited/potentially prohibited internet content 2007–08, items actioned ', Chapter 2: Regulatory environment (continued) - Compliance investigations at: <HTTP://www.acma.gov.au/WEB/STANDARD/pc=PC_ 11421# compliance>

56. ACMA, 'Community awareness' page, undated, at: <http://www.acma.gov.au/WEB/STANDARD/pc=PC_90161>(elsewhere linked to as 'National Cybersafety Education Program')

57. ACMA, 'Internet service providers and law enforcement and national security', Fact Sheet, undated, at: <http://www.acma.gov.au/WEB/STANDARD/pc=PC_100072>

58. ACMA, 'Internet service providers interception obligations', Fact Sheet, undated, at: <http://www.acma.gov.au/WEB/STANDARD/pc=PC_100073>

59. ACMA, 'Prohibited Online Content', undated, at: <http://www.acma.gov.au/WEB/STANDARD/pc=PC_90102>

60. ACMA, 'Online content complaints', Fact Sheet FS 122, January 2008, at: <http://www.acma.gov.au/WEB/STANDARD/pc=PC_310727>

61. ACMA, *ISP Code Compliance Audit: Audit of ISP compliance with the consumer protection obligations under the internet content codes of practice*, April 2006, at: <http://www.acma.gov.au/webwr/aba/contentreg/codes/internet/documents/isp%20code%20compliance%20audit.pdf>

62. ACMA, 'Online content codes ', May 2005, at: <http://www.acma.gov.au/WEB/STANDARD/pc=PC_90080> [at least in part superseded by the version approved June/July 2008, above. Query if still applies to ISPs in relation to overseas hosted content (Sch 5 of the Act). "'Alternative access prevention method' under which ACMA notifies filter makers of prohibited content and ISPs are required to offer filtering products"?]

63. ACMA, 'Carrier & service provider requirements', undated, page updated 27 November 2008, at: <http://www.acma.gov.au/WEB/STANDARD/pc=PC_1622> [refers to licensing of carriers, and obligations under *Telecommunications Act* 1997 and *Telecommunications (Consumer Protection and Service Standards) Act* 1999; see also 'Guide to service provider obligations', September 2007, at <http://www.acma.gov.au/WEB/STANDARD/pc=PC_582>]

ATTORNEY-GENERALS DEPARTMENT

CLASSIFICATION BOARD

64. Classification Board and Classification Review Board, *Annual Reports 2007-08*, 2008 , at: <http://www.classification.gov.au/www/cob/rwpattach.nsf/VAP/(084A3429FD57AC0744737F8EA134BACB)~1092.pdf/$file/1092.pdf>

65. Classification Board, Attorney-Generals Department, undated, at: <http://www.classification.gov.au/www/cob/classification.nsf/Page/ClassificationinAustralia_Whoweare_ClassificationBoard_ClassificationBoard> [formerly Office of Film and Literature Classification OFLC]

CLASSIFICATION POLICY BRANCH, ATTORNEY-GENERALS DEPARTMENT,

66. Classification Policy Branch, 'National classification scheme', Attorney-Generals Department (Cth), created 6 September 2006, modified 25 March 2009, at: <http://www.ag.gov.au/www/agd/agd.nsf/Page/Classificationpolicy_Nationalclassificationscheme>

67. Classification Policy Branch, Classification Research, modified 6 July 2009, at: <http://www.ag.gov.au/www/agd/ agd.nsf/Page/Classificationpolicy_Research>

68. Classification Policy Branch, 'Classification Legislation', including superseded versions, modified 6 July 2009, at: <http://www.ag.gov.au/www/agd/agd.nsf/Page/Classificationpolicy_Classificationlegislation>

NETALERT

(Former federal government program offering free home PC filters, and advice)

69. NetAlert, FAQs 12-15, at: <http://www.netalert.gov.au/filters/faqs.html#q15> [indicates that free PC filters are not available after 31 December 2008, support for installed filters to be obtained from supplier.]

D. LEGISLATION, REGULATORY INSTRUMENTS, CODES, CASES

CLASSIFICATION AND REGULATION OF CONTENT

70. *Broadcasting Ser vices Act* 1992 (Cth) ("*BSA*"), Schedule 5, Online services, at: <http://www.austlii.edu.au/au/legis/cth/consol_act/bsa1992214/sch5.html>, Schedule 7, Content services, ACMA role, at: <http://www.austlii.edu.au/au/legis/cth/consol_act/bsa1992214/sch7.html>

71. *Communications Legislation Amendment (Content Services) Act* 2007 (Cth), at: <http://www.austlii.edu.au/au/legis/cth/num_act/clasa2007544/> [Came into effect 20 January 2008. *BSA* Schedule 7 introduced: how prohibited content and potential prohibited content is dealt with for Australian-hosted sites versus those hosted overseas. Scope of 'prohibited' overseas-hosted content significantly broadened.]

72. *Classification (Publications, Films and Computer Games) Act* 1995 (Cth), at: <http://www.austlii.edu.au/au/legis/cth/consol_act/cfacga1995489/>

73. *Classification (Publications, Films and Computer Games) Regulations* 2005 (Cth), at: <http://www.austlii.edu.au/au/legis/cth/consol_reg/cfacgr2005598/>

74. *Guidelines for the Classification of Films and Computer Games* 2005 (Cth) at: <http://www.comlaw.gov.au/comlaw/management.nsf/lookupindexpagesbyid/IP200508205>

75. *Guidelines for the Classification of Publications* 26 May 2005, approved by Commonwealth, State and Territory Censorship Ministers, at: <http://www.comlaw.gov.au/comlaw/Legislation/LegislativeInstrument1.nsf/0/E03BF15D1B9B9CDCCA25700D00284712>

76. *National Classification Code,* May 2005 (Cth), at: <http://www.comlaw.gov.au/comlaw/management.nsf/lookupindexpagesbyid/IP200508203>

LEGISLATION ETC. ON OTHER ISSUES

77. *Communications Legislation Amendment Act (No. 1)* 2003 (Cth), Schedule 2: *Freedom of Information Act* 1982, at: <http://www.austlii.edu.au/au/legis/cth/num_act/claa12003395/sch2.html> [One of several amendments which effectively exempt from *Freedom of Information Act* certain 'internet-content documents' with 'offensive Internet content' of AGS, ACMA, OFLC, Classification Board or Classification Review Board under a power in Sched 5 (later inc. 7) of the *BSA*, including access methods. Apparent response to earlier EFA attempts to use *FOIA* to determine content of black lists.]

78. *Copyright Act* 1968 (Cth), at: <http://www.austlii.edu.au/au/legis/cth/consol_act/ca1968133/s36.html> [s.36 infringement authorisation: "reasonable steps"/"within power", apparent basis of recent iiNet case challenging common carrier role of ISPs, potentially requiring copyright violation filtering or monitoring by ISPs]

79. *Criminal Code* 1995 (Cth), s474.19 'Using a carriage service for child pornography material', s474.23 'Using a carriage service for child abuse material', at: <http://www.austlii.edu.au/au/legis/cth/consol_act/cca1995115/sch1.html>

80. *Criminal Code* 1999 (Qld), s228C 'Distributing child exploitation material', at: <http://www.austlii.edu.au/au/legis/qld/consol_act/cc189994/s228c.html>

81. *Crimes Act* 1900 (NSW), s91H 'Production, dissemination or possession of child pornography', at: <http://www. austlii.edu.au/au/legis/nsw/consol_act/ca190082/s91h.html> ["material that depicts or describes, in a manner that would in all the circumstances cause offence to reasonable persons, a person under (or apparently under) the age of 16 years: (a) engaged in sexual activity, or (b) in a sexual context, or (c) as the victim of torture, cruelty or physical abuse (whether or not in a sexual context)."]

82. *Telecommunications Act* 1997 (Cth), at: <http://www.austlii.edu.au/au/legis/cth/consol_act /ta1997214/> [ACMA administers carrier licenses pursuant to Part 3]

MINISTERIAL DIRECTIONS, ACMA DECLARATIONS ETC.

83. Former Minister Coonan, *Protecting Australian Families Online Direction No. 2 of 2007,* Ministerial direction to ACMA, 9 Jun 2007, at: <http://www.acma.gov.au/webwr/_assets/main/lib310032/dir_2of07_protect_aust_families_online.pdf> [Instructions to report by 31 December each year on developments in filtering. Partly illegible.]

84. Former Minister Coonan, *Protecting Australian Families Online Direction No. 1 of 2007,* Ministerial direction to ACMA, 9 Jun 2007, at: <http://www.acma.gov.au/webwr/_assets/main/lib310032/dir_1of07_protect_aust_families_online.pdf> [Instructions to conduct filtering trial, purposes etc.]

85. ACMA, *Restricted Access System Declaration 2007,* 20 December 2007, at: <http://www.acma.gov.au/WEB/STANDARD/pc=PC_310905> [requirements for limiting access to MA 15+ and R 18+ content hosted in Australia under Sched 5 or 7 *BSA*]

86. ACMA, Issues for Comment (IFC) 29/2007, 'Proposed *Restricted Access Systems Declaration* for regulating access to MA15+ and R18+ content and amendments to the *Telecommunications Service Provider (Mobile Premium Services) Determination 2005 (No. 1)* and the *Telecommunications Numbering Plan 1997*', ACMA, 26 October 2007, Part 1 closed on 16 November 2007, Part 2 closed 29 November 2007, at: <http://www.acma.gov.au/WEB/STANDARD/pc= PC_310813> [Consultation document for the *RAS Declaration* 2007. No similar IFC document for the filtering proposal was apparent as of June 2009.]

87. *Telecommunications Service Provider (Mobile Premium Services) Determination* 2005 (No 1) (MPS Determination) [predecessor to Content Services Code of July 2008]

CO-REGULATORY CODES ETC.

88. Internet Industry Association (IIA), *Internet Industry Code of Practice: Content Services Code for Industry Co-Regulation in the Area Of Content Services (Pursuant to the Requirements of Schedule 7 of the Broadcasting Services Act 1992 as amended) (Content Services Code)*, Version 1.0, 24 June 2008, approved by ACMA 10 July 2008, effective 16 July 2008, at: <http://www.iia.net.au/images/content_services_code_registration_version_1.0.pdf>. See also IIA, 'New industry code offers safer online experiences', at: <http://www.iia.net.au/index.php/codes-of-practice/content-services-code-new.html>

89. ACMA, 'ACMA approves industry code of practice to protect children from unsuitable online and mobile phone content here', media release 88/2008, 16 July 2008, at: <http://www.acma.gov.au/WEB/STANDARD/912091/pc=PC_311247>

90. ACMA, 'Internet Codes Index', at: <http://www.acma.gov.au/WEB/STANDARD/pc=IND_REG_ CODES_INT>

91. ACMA, 'Online content codes', May 2005, at: <http://www.acma.gov.au/WEB/STANDARD/pc=PC_90080>

92. IIA, 'Mandatory Server Level Filtering: Position Statement', 11 April 2006, at <http://www.iia.net. au/index.php/component/content/462.html?task=view>

SUBMISSIONS

93. New South Wales Council for Civil Liberties, 2007, Submission to Senate Environment, Communications, Information Technology and the Arts Committee the Inquiry into the provision of the *Communications Legislation Amendment (Content Services) Bill* 2007, viewed 24 July 2008, at: <http://www.aph.gov.au/senate/committee/ecita_ctte/completed_inquiries/2004-07/contentservices/submissions/sub03.pdf>

COURT CASE DECISIONS

94. *McEwen v Simmons & anor* [2008] NSWSC 1292, 8 December 2008, NSW Supreme Court, Judge Adams, at: <http://www.austlii.edu.au/au/cases/nsw/supreme_ct/2008/1292.html> [confirmed a conviction for "offences of 'possessing child pornography' contrary to s 91H(3) of the *Crimes Act 1900* (NSW), and 'using ... computer to access child pornography material' contrary to s474.19(1)(a)(i) of the *Criminal Code Act 1995* (Cth)" – see above for links.]

F. POLICY STATEMENTS, COMMENTARY, ANALYSIS AND SELECTED BLOG POSTS

[See other external lists for more complete coverage. Some entries in Media, below, also include comment.]

95. Winterford, Brett. 2009. 'Democrats launch anti-filtering site.' Secure Computing, 21 May 2009, at: <http://www.securecomputing.net.au/Tools/Print.aspx?CIID=145512>

96. Mark Newtown, 'Senator Conroy Blacklists His Own Police', *New Matilda*, 14 April 2009, at: <http://newmatilda.com/polliegraph/?p=567>

97. Chris Dziemborowicz, 'So What Exactly Is Prohibited Content?,' *New Matilda*, 16 Apr 2009, at: <http://newmatilda.com/2009/04/16/so-what-exactly-prohibited-content>

98. Mark Newton, 'Internet censorship,' *ABC Unleashed*, 8 April 2009 at: <http://www.abc.net.au/unleashed/stories/s2536879.htm>

99. David Marr, 'Tyranny, the price paid for not giving offence,' *SMH online*, 1 April 2009, at: <http://www.smh.com.au/opinion/tyranny-the-price-paid-for-not-giving-offence-20090331-9i7p.html>

100. Myles Peterson, 'Games to be blacklisted,' *Political Games* Blog, Canberra Times, 1 April 2009, at: <http://www.canberratimes.com.au/blogs/political-games/games-to-be-blacklisted/1475313.aspx>

101. Australian Christian Lobby, 'ACL confirms porn filter stance', media release, 31 March 2009, at: <http://www.acl.org.au/pdfs/load_pdf_public.pdf?pdf_id=1290>

102. Stilgherrian, 'Conroy's really bad week #347: Classification Board website hacked', *Crikey*, 27 March 2009 at: <http://www.crikey.com.au/Politics/20090327-Conroys-really-bad-week-347-Classification-Board-website-hacked.html>

103. Myles Peterson, ''Having a look at it is not a crime''', *Political Games* Blog, Canberra Times, 27 March 2009, at: <http://www.canberratimes.com.au/blogs/political-games/having-a-look-at-it-is-not-a-crime/1471681.aspx>

104. Andrew Bartlett, 'Effective alternatives to mandatory Internet filtering,' Crikey Blogs, 25 March 2009, at: <http://blogs.crikey.com.au/bartlett/2009/03/25/effective-alternatives-to-mandatory-internet-filtering/>

105. Australian Christian Lobby, 'Canberra filtering rally loses sight of the need to protect children,' media release, 21 March 2009, at: <http://www.acl.org.au/pdfs/load_pdf_public.pdf?pdf_id=1286>

106. Women's Forum Australia, 'Government must act immediately to end access to downloadable gang rape game,' media release, 25 February 2009, at: <http://www.womensforumaustralia.com/images/pressreleases/090225%20downloadable%20rape%20game.pdf>

107. Colin Jacobs, EFA, 'Putting the filtering cart before the horse', ZDnet.com.au blog, 24 February 2009, at: <http://www.zdnet.com.au/insight/communications/soa/Putting-the-filtering-cart-before-the-horse/0,139023754,339295136,00.htm>

108. Guy Rundle, 'There is no bigger issue than net censorship,' Crikey online, 17 March 2009, at: <http://www.crikey.com.au/Politics/20090318-Rundle-Conroys-attack-on-free-speech-gears-up.html> [extended opinion piece: free speech as a prerequisite for all other public discusssions of policy issues, history of defence of free speech in Australia, limitations of online campaigning]

109. Colin Jacobs, 'ACMA censors, Australians protest,' EFA web site, 16 March 2009, at: <http://www.efa.org.au/2009/03/16/acma-censors-australians-protest/>

110. Ben Grubb, 'A Faith-Based Approach - Conroy And His Filter,' *Tech Wired* Blogs, 14 March 2009, at: <http://techwiredau.com/2009/03/a-faith-based-approach-conroy-and-his-filter/>

111. Colin Jacobs, 'Net censorship already having a chilling effect,' EFA web site, 13 March 2009, at: <http://www.efa.org.au/2009/03/13/net-censorship-already-having-a-chilling-effect/>

112. Scott Ludlam, 'Net filter plan nurtures 'open source government', ABC online Opinion, 16 February 2009, at: <http://www.abc.net.au/news/stories/2009/02/16/2492571.htm>

113. Senator Nick Minchin, Shadow Minister for Broadband, Communications and the Digital Economy Leader of the Opposition in the Senate, 'False start for Labor's internet filtering trials', media release, 11th February 2009, at: <http://parlinfo.aph.gov.au:80/parlInfo/download/media/pressrel/CNRS6/upload_binary/cnrs60.pdf>

114. 'ISP Level Content Filtering', Whirlpool discussion forums, November 2008 – ongoing, at: <http://forums.whirlpool.net.au/forum/?action=threads_search&q=ISP+content+level+filtering&f=>

115. 'Live Trial' so far avoids protecting children, Websinthe blog, 11 February 2009, at: <http://blog.websinthe.org/2009/02/11/live-trial-so-far-avoids-protecting-children/>

116. Colin Jacobs EFA, 'Confused filtering policy won't deliver', *ABC News* Online, Opinion section, 3 February 2009, at: <http://www.abc.net.au/news/stories/2009/02/03/2480672.htm>

117. 'Internet Filtering Trials Logical and Necessary,' *Christian Today*, 2 February 2009, at: <http://au.christiantoday.com/article/internet-filtering-trials-logical-and-necessary/5279.htm> [reprinting ACL media release at: <http://www.acl.org.au/pdfs/load_pdf_public.pdf?pdf_id=1250&from=national>]

118. Mark Newton and Jim Wallace, guests in debate hosted by Richard Aedy on 'Mandatory internet filter', *Life Matters*, ABC Radio National, 9:05 am, 29 January 2009, at: <http://www.abc.net.au/rn/lifematters/stories/2009/2476371.htm> 119. Colin Jacobs, EFA, 'Filtering won't deliver for Aussie kids', *Online Opinion*, 28 January 2009, at: <http://www.onlineopinion.com.au/view.asp?article=8445>

120. Jim Wallace, Australian Christian Lobby, 'Filtering filth will not tangle the net,' opinion piece, *SMH* online, 26 January 2009, at: <http://www.smh.com.au/news/opinion/filtering-filth-will-not-tangle-the-net/2009/01/25/1232818241442.html>

121. See also in response: Stilgherrian, 'Jim Wallace's pro-censorship lies and distortions,' *Stilgherrian.com*, 26 January 2009, at: <http://stilgherrian.com/politics/jim-wallaces-pro-censorship-lies-and-distortions/>

122. Senator Scott Ludlam, 'Questions to Senator Conroy on the Internet Filter Question,' Scott Ludlam web site, 25 January 2009, at: <http://scott-ludlam.greensmps.org.au/content/question/questions-senator-conroy-internet-filter>

123. Ben Grubb, 'User Submits Abortion Site as Web Filter Test,' *Techwired Australia* (blog), 24 January 2009, at: <http://techwiredau.com/2009/01/interview-user-submits-abortion-site-as-web-filter-test/>

124. Helen Razer, 'Hey, Senator - leave us discerning viewers of pornography alone,' *Sydney Morning Herald*, 24 January 2009, at: <http://www.smh.com.au/articles/2009/01/23/1232471591602.html>

125. Nick Minchin, 'Big brother filter plan insults parents', opinion piec*e*, *SMH* online, 22 January 2009, at: <http://www.smh.com.au/news/opinion/big-brother-filter-plan-insults-parents/2009/01/21/1232471392459.html>

126. Mark Newton, letter, 22 January 2009, at: <http://users.on.net/~newton/rudd-2009-01-22.pdf>

127. 'ACMA caught blocking political content', Websinthe (blog), 22 January 2009, at: <http://blog.websinthe.org/2009/01/22/acma-caught-blocking-political-content/>

128. Nick Farrell, 'Why national Internet filters are pointless', *The Inquirer*, 21 January 2009 at: <http://www.theinquirer.net/inquirer/opinion/555/1050555/why-national-filters-pointless> at: <http://www.itnews.com.au/News/94582,opinion-why-national-internet-filters-are-pointless.aspx>

129. Australian Library and Information Association, 'ALIA'S ten questions on censorship for Senator Stephen Conroy' , 9 January 2008, at: <http://www.alia.org.au/media.room/2008.01.09.html>

130. Libertus.Net, 'Australian Government Mandatory ISP Filtering/Censorship Plan', updated January 2009, at: <http://libertus.net/censor/ispfiltering-au-govplan.html>

131. Libertus.Net, "ISP 'Voluntary'/Mandatory Filtering", at: <http://libertus.net/censor/ispfiltering-gl.html> [international comparison]

132. Bernadette McMenamin, 'Filters needed to battle child porn,' *The Australian* IT section, 8 January 2008, at: <http://www.australianit.news.com.au /story/0,24897,23021828 -5013038,00.html>

133. Mark Newton, 'Won't Somebody Think of the Adults?', *Policy*, Centre for Independent Studies, Summer 2008-09, at: <http://www.cis.org.au/POLICY/Summer08-09/ newton_summer 08.html> and edited for *Adelaide Advertiser* 6 January 2009, at: <http://www.cis.org. au/executive_highlights/EH2008/eh74608.html>

134. Senator Hon Nick Minchin, Shadow Minister for Broadband, Communications and the Digital Economy, Leader of the Opposition in the Senate, 'Conroy keeps damning internet filtering report buried', *Liberal Party of Australia*, 23rd December 2008, at: <http://www. liberal.org.au/news.php?Id=2430>

135. Doctorow C, 'How to Make Child-Porn Blocks Safer for the Internet', *The Guardian* 16 December 2008, at: <http://www.guardian.co.uk/technology/2008/dec/16/cory-doctorow-wikipedia>

136. Egan Orion, 'MPAA lobbies Obama for Internet filtering', *The Inquirer* online, 11 December 2008, at: <http://www.theinquirer.net/inquirer/opinion/993/1049993/mpaab -lobbies-obama-for-internet-filtering>

137. Kerry Miller, "Liberal tyranny on the World Wide Web", *Spiked-Online*, 10 December 2008, at: <http://www.spiked-online.com/index.php?/site/article/6011>

138. 'iiNet and Internet filtering', iiNet, undated 2008, at: <http://www.iinet.net.au/customers/ iinews/internet-filtering.html>

139. 'Filter wrap up: post break edition', *Ban This URL*, 10 January 2009, at: <http://www.banthisurl.com/2009/01/filter-wrap-up-post-break-edition>

140. Analysis of the Government's technical testing framework for the upcoming censorship pilot, *Ban This URL*, 4 December 2008, at: <http://www.banthisurl.com/2008/12/ analysis-of-the-governments-technical-testing-framework-for-the-upcoming-censorship-pilot>

141. 'Government Digital Economy Blog Launch', *Beyond the Fringe* blog, 9 December 2009, at: <http://www.kadaitcha.com/2008/12/09/government-digital-economy-blog-launch>

142. 'Live filter pilot will not involve real customers,' *Somebody Think Of The Children* blog, 5 December 2008, at: <http://www.somebodythinkofthechildren.com/live-filter-pilot-will -not-involve-real-customers>

143. Geordie Guy, 'Would Internet Watch Actually WORK?, *New Matilda*, 4 December 2008, at: <http://newmatilda.com/2008/12/04/would-internetwatch-actually-work>

144. 'Kids get the message about staying safe online', NAPCAN, media release, 1 December 2008, at: <http://www.napcan.org.au/documents/media%20releases/1%20December%20 media%20release%20DIGITAL%20INDUSTRY%20Final.pdf>

145. Clive Hamilton, 'Net porn: Whose rights matter most?,' *ABC Online* Opinion, 1 December 2008, at: <http://www.abc.net.au/news/stories/2008/12/01/2433845.htm>

146. Australian Christian Lobby, 'Christian Lobby calls for bipartisan support of ISP filtering,' media release, 1 December 2008, at: <http://www.acl.org.au/pdfs/load_pdf_public.pdf? pdf_id=1230>

147. [author unknown], ''Chinese firewall could be erected in Australia,' Amnesty International Australia news site, 28 November 2008, at: <http://www.amnesty.org.au/news/comments/19915/>

148. Jack Marx, 'Filtering the Bible', *The Australian* blog, Friday, 14 November 2008, at: <http://blogs.news.com.au/jackmarxlive/index.php/news/comments/filtering_the_bible/44533>

149. Clive Hamilton, 'Hamilton: Net p-rn goes way beyond naughty,' *Crikey*, 20 November 2008, at: <http://www.crikey.com.au/Politics/20081120-Free-speech-and-net-porn-.html>

150. Raena Lea-Shannon, 'Conroy's Web,' *New Matilda*, 20 Nov 2008, at: <http://newmatilda.com/2008/11/20/conroys-web>

151. Nina Funnel (Sydney University), 'Internet 'thinspiration'', *Online Opinion*, 19 November 2008, at: <http://www.onlineopinion.com.au/view.asp?article=8170> [anorexia and online censorship]

152. Antony Loewenstein, 'Government uploads hypocrisy with internet censorship,' *Online Opinion*, 14 November 2008, at: <http://www.onlineopinion.com.au/view.asp?article=8162>

153. Elias Bizannes, 'The Rudd Filter', open letter to Senators, 2 November 2008, at: <http://siliconbeachaustralia.org/ruddfilter> [Case for opt in filters, background]

154. Peter Black, 'Net filter an assault on freedom that just won't work,' *The Courier-Mail*, 29 October 2008 at: <http://www.news.com.au/couriermail/story/0,23739,24570880-27197,00.html>

155. Various, 'Government censored internet - the great firewall of Australia?', *Sydney Anglicans* (blog), October/November 2008, at: <http://www.sydneyanglicans.net/forums/viewthread/3673> ['We also need a definition of what 'illegal' content will be blocked. Clearly they can't block all illegal content, again even with a site blacklist you can't. So what are they looking for? Why is this government being so secretive about this? Freedom of expression, freedom of religion, all our freedoms are in some way threatened by this filtering plan. Australian state and federal governments have already demonstrated that they seem to think that offending someone is illegal. This worries me greatly.']

156. Philip Annetta, 'First They Came For The Perverts,' *New Matilda*, 23 Oct 2008, at: <http://newmatilda.com/2008/10/23/first-they-came-perverts>

157. Peter Black, blog posts about 2008 UNSW forum on *Peter Black's Freedom to Differ* ('A blog that speaks freely about legal and policy issues facing the media and the internet), 28 November 2008, at: <http://www.freedomtodiffer.com/freedom_to_differ/2008/11/forum- internet-filtering-and-censorship-proposals-1.html>

158. Mark Newton (ISP technical commentator), 'Internet Censorship in Australia', open letter to MP, 20 October 2008, at: <http://librariansmatter.com/blog/2008/10/27/internet-censorship-in-australia-letter-from-mark-newton>

159. Daniel Bishton, 'Gen-Yers will use social networks to by-pass Internet filter, critic says', *Computerworld*, 26 November 2008, at: <http://www.computerworld.com.au/article/268810/gen-yers_will_use_social_networks_by-pass_internet_filter_critic_says?eid=-255> ['Once a workaround is found to by-pass the government's Internet filter, it will spread like wildfire on social networking sites says Internode engineer Mark Newton']

160. Mark Newton , 'Filter advocates need to check their facts', *ABC Online* - Opinion, 10 November 2008 at: <http://www.abc.net.au/news/stories/2008/11/10/2414895.htm>

161. Anh Nguyen (researcher with the Australian Family Association and former Victorian Election candidate for Family First), 'Online filtering recognises families' concerns', *ABC Online* - Opinion, 4 November 2008, at: <http://www.abc.net.au/news/stories/2008/11/04/2409508.htm> [response to Newton reference at: <Meloni piece> includes many responses from readers]

162. Malcolm Colless, interview, 'Content of communications', Network Insight, July 2008, at: <http://www.networkinsight.org/4_content_of_communications.html>

163. ISOC-AU, Telecommunications Consumer Consultation Meeting, 'Cyber Savvy: Building Confidence in the Internet', 10 March 2008, at: <http://isoc-au.org.au/TCCM/tccm100308.html> [notes]

164. Paul Brooks (independent technical expert), 'Internet filtering: What it is – and isn't…', presentation for ISOC-AU TCCM, 10 March 2008, at: <http://cyberlawcentre.org/2008/censorship/Brooks_ISOC.pdf> [technical issues with ISP filtering]

165. Bernadette McMenamin, 'Abuse Epidemic urges Australians to', Childwise, media release, 12 February 2008, at: <http://www.childwise.net/media_room/media_releases?newsitem=18>

166. Libertus.net, 'Statistics Laundering: false and fantastic figures', 25 November 2008, at: <http://libertus.net/censor/resources/statistics-laundering.html> [response to McMenamin]

167. Peter Black, 'Net filter an assault on freedom that just won't work,' opinion piece, *Courier-Mail*, 29 October 2008, at: <http://www.news.com.au/couriermail/story/0,23739,24570880-27197,00.html>

168. Jennifer Dudley, 'Adult Australians don't need a net nanny', Hi Tech Blog, *Courier-Mail*, 29 October 2008, at: <http://blogs.news.com.au/couriermail/hitech/index.php/couriermail/comments/adult_australians_dont_need_a_net_nanny/>

169. Antony Loewenstein, 'URL Not Available,' *New Matilda*, 26 Feb 2008, at: <http://newmatilda.com/2008/02/26/url-not-available> [China, filtering and the 2008 Olympic Games]

170. Kath Albury, Catharine Lumby and Alan McKee, 'The Pursuit of Innocents,' *New Matilda*, 6 June 2008, at: <http://newmatilda.com/2008/06/06/pursuit-innocents> ['The authors of The Porn Report explain the who, what and how of the "child porn" industry']

171. Amy Tiemann, 'When will kids' online safety be taken seriously?,' *CNet* blogs, 2 January 2008 at: <http://news.cnet.com/8301-10784_3-9838515-7.html>

172. 'Petitions to parliament drove ALP's Internet filtering policy', *Stilgherrian.com*, 15 January 2008, at: <http://stilgherrian.com/politics/petitions_drove_filtering_policy>

173. Michael Flood and Clive Hamilton, *Regulating Youth Access to Pornography*, Discussion Paper Number 53, The Australia Institute, March 2003, at: <https://www.tai.org.au/file.php?file=DP53.pdf> [suggested as one source of the current filter policy, albeit with youth as would-be users, not as child porn subjects]

174. Clive Hamilton, '93% of Parents Back Tough Net Porn Laws,' Australia Institute media release, 5 March 2003, at: <https://www.tai.org.au/file.php?file=MR141.pdf>

175. Heath Gibson, 'Shooting the Messenger: A Critique of Australia's Internet Content Regulation Regime', *Issue Analysis* No 10, Centre for Independent Studies, 2 February 2000, at: <http://www.cis.org.au/issue_analysis/IA10/IA10.PDF>

176. Irene Graham, 'Is the OFLC dysfunctional?' *Australia's censorship system*, Libertus.net, 2000, at: <http://libertus.net/censor/rdocs/oflc2structure.html>

INTERNATIONAL COMMENTARY ETC.

177. Office of the Privacy Commissioner of Canada, *Deep Packet Inspection: A Collection of Essays from Industry Experts*, OPCC website, 2009, at: <http://dpi.priv.gc.ca> ['How does society reconcile the technological benefits and privacy impacts of new technology? Deep packet inspection is just one seemingly neutral technological application that can have a significant impact on privacy rights and other basic civil liberties, especially as market forces, the enthusiasm of technologists and the influence of national security interests grow stronger.' Authors include: Abelson, Bendrath, Roger Clarke, Clayton, Crawford, Deibert, Brooks Dobbs, Jaap-Koops, Keats Citron, Leman-Langlois, Ohm, Soghoian, Somayaji, Weinstein, Office of the Privacy Commissioner.]

178. Wikileaks, 'Australia secretly censors Wikileaks press release and Danish Internet censorship list', 16 Mar 2009, at: <http://wikileaks.org/wiki/Australia_secretly_censors_Wikileaks _press_release_and_ Danish_Internet_censorship_list,_16_Mar_2009> [see other Wikileaks pages for related material, including alleged lists from various countries]

179. Reporters Sans Frontiers, 'First Online Free Expression Day launched on Reporters Without Borders website', *RSF.org*, 12 March 2009, at: <http://www.rsf.org/article.php3?id_article =26086> ["From now on, we will organise activities every 12 March to condemn cyber-censorship throughout the world."]

180. Charles Cooper, 'Freedom on the global Internet still a pipe dream, *CNet*, 11 March 2009, at: <http://news.cnet.com/8301-10787_3-10193866-60.html>

181. Reporters Sans Frontiers, World Day Against Cyber Censorship video, undated at: <http:// www.dailymotion.com/video/x8mxao_12-mars-journee-mondiale-contre-la_news>; see World Day Against Cyber Censorship, RSF/Amnesty, 12 March 2009, at: <http://www.p2pnet.net/story/18733>

182. 'Google, Yahoo, Microsoft urged not to censor search for World Day Against Cyber Censorship,' *News online*, 9 March 2009, at: <http://www.news.com.au/technology/story/ 0,,25158654-5014239,00.html>

183. Kevin O'Brien, 'Fight Over Internet Filtering Has a Test Run in Europe,' New York Times, 8 March 2009, at: <http://www.nytimes.com/2009/03/09/technology/internet/09neutral .html> [net neutrality debate in Europe, US lobbying, free speech, with side issue of potential filtering of file-sharing.]

184. Isabel Hilton, Rebecca MacKinnon, Evgeny Morozov, 'The Future of Freedom and Control in the Internet Age,' OSI Forum, New York, 10 February 2009, at: <http://www.soros.org /initiatives/fellowship/events/freedom_20090210>

185. The Open Society Institute, a Soros Foundation initiative, 'The Future of Freedom and Control in the Internet Age', live webcast 10am-11.30am Sydney time Wednesday 11 February 2009, email reminder at: <http://www.soros.org/initiatives/fellowship /events/freedom_20090210/live> [focus on Internet control in China and Russia.]

186. Internet Watch Foundation, 'IWF statement regarding Wikipedia webpage,' 9 December 2008, at: <http://www.iwf.org.uk/media/news.251.htm> ["IWF's overriding objective is to minimise the availability of indecent images of children on the internet, however, on

this occasion our efforts have had the opposite effect. We regret the unintended consequences for Wikipedia and its users." See also Weinstein report below in Media. See also separate later blocking Wayback Machine/Internet Archive. Issues about potential overblocking of domain, not document.]

187. Simon Garfield, 'Porn addicts, sex offenders, rapists, paedophiles... the therapists helping the people who can't help themselves', *The Guardian*, 23 November 2008, at: <http://www.guardian.co.uk/lifeandstyle/2008/nov/23/health-wellbeing-therapy-society>

188. The Council of Europe (CoE) guidelines on filtering standards for adoption by member states, 'Recommendation CM/Rec(2008)6 of the Committee of Ministers to member states on measures to promote the respect for freedom of expression and information with regard to Internet filters', 26 March 2008, at: <https://wcd.coe.int/ViewDoc.jsp?Ref=CM/Rec(2008)6&Language=lanEnglish&Ver=original&BackColorInternet=9999CC&BackColorIntranet=FFBB55&BackColorLogged=FFAC75> [the guidelines attempt to balance concerns over pornography, violence, and racism online with freedom of expression and an open Internet.]

189. Mike Steere, 'Experts: Internet filtering and censorship rife,' *CNN online*, 21 August 2008, at: <http://www.cnn.com/2008/TECH/08/21/internet.filtering>

[See also *Access Denied*, in Scholarly Articles or Books, below.]

G. SCHOLARLY ARTICLES AND BOOKS

190. Wolak, Janis, David Finkelhor, Kimberly Mitchell, *Trends in Arrests of "Online Predators"*, Crimes Against Children Research Centre, University of New Hampshire, March 2009, at: <http://www.unh.edu/ccrc/pdf/CV194.pdf>; see also report on methodology of the N – JOV Study, at: <http://unh.edu/ccrc/pdf/NJOV2_methodology_report.pdf>

191. Sanchez, Julian, 'A new study looks at the changing profile of the online child predator, and tries to separate the legitimate dangers from the bogeymen,' *ArsTechnica*, 1 April 2009, at: <http://arstechnica.com/tech-policy/news/2009/04/study-tracks-changing-profile-of-online-sexual-predators.ars> [review of *Trends in Arrests of "Online Predators"*]

192. Nagaraja, Shishir, Ross Anderson, 'The snooping dragon: social-malware surveillance of the Tibetan movement,' *Technical Report* Number 746, Cambridge University Computer Laboratory, March 2009, at: <http://www.cl.cam.ac.uk/techreports/UCAM-CL-TR-746.pdf> [refers to various means used to evade detection on networks, inc. Tor, and the conficker/ downadup worm]

193. 'Vast Spy System Loots Computers in 103 Countries', FSecure, March 2009, at: <http://www.f-secure.com/weblog/archives/00001636.html>

194. Deibert, Ron, Citizen Lab, Munk Centre for International Studies, University of Toronto, Rafal Rohozinski, SecDev Group, Ottawa, and a large team, 'Tracking GhostNet: Investigating a Cyber Espionage Network', *Information Warfare Monitor* JR02-2009, 29 March 2009, at: <http://www.scribd.com/doc/13731776/Tracking-GhostNet-Investigating-a-Cyber-Espionage-Network>, <http://www.infowar-monitor.net/ghostnet>, <http://www.tracking-ghost.net>

195. Gary Banks, Productivity Commission, 'Evidence-based policy-making: What is it? How do we get it?', Australian and New Zealand School of Government/ANU Public Lecture Series 2009, Canberra, 4 February 2009, at: <http://www.pc.gov.au/__data/assets/pdf_file/0003/85836/cs20090204.pdf>

196. Michael Deacon, 'ISPs to provide mandatory internet filtering as government's NetAlert filtering program is discontinued', *Internet Law Bulletin* Volume 11 No. 9, LexisNexis AU, January 2009

197. Palfrey, John, Dena T. Sacco, Danah Boyd, Laura DeBonis, Jessica Tatlock, *Enhancing Child Safety and Online Technologies, Final Report of the Internet Safety Technical Task Force to the Multi-State Working Group on Social Networking of State Attorneys General of the United States*, Berkman Center for Internet & Society at Harvard University, December 2008, at: <http://cyber.law.harvard.edu/pubrelease/isttf>

- 'Executive Summary' at: <http://cyber.law.harvard.edu/sites/cyber.law.harvard.edu/files/ISTTF_Final_Report-Executive_Summary.pdf>
- 'Full Report' <http://cyber.law.harvard.edu/sites/cyber.law.harvard.edu/files/ISTTF_Final_Report.pdf>
- 'Other materials' <http://cyber.law.harvard.edu/pubrelease/isttf/extra.html>
- 'Educational suggestions' <http://cyber.law.harvard.edu/pubrelease/isttf/educational.html>
- '*Literature Review*', (Research Advisory Board members: David Finkelhor, Director of University of New Hampshire's Crimes Against Children Research Center, Sameer Hinduja, Assistant Professor of Criminology and Criminal Justice at Florida, Atlantic University, Amanda Lenhart, Senior Research Specialist at Pew Internet and American Life Project, Kimberly Mitchell, Research Assistant Professor at University of New Hampshire's, Crimes Against Children Research Center, Justin Patchin, Assistant Professor at University of Wisconsin–Eau Claire, Larry Rosen, Professor of Psychology at California State University, Dominguez Hills, Janis Wolak, Research Assistant Professor at University of New Hampshire's Crimes, Against Children Research Center, Michele Ybarra, President of Internet Solutions for Kids), at: <http://cyber.law.harvard.edu/sites/cyber.law.harvard.edu/files/ISTTF_Final_Report-APPENDIX_C_Lit_Review_121808.pdf>
- '*Report of the Technology Advisory Board*', (members: Ben Adida, Harvard Medical School, Harvard University, Scott Bradner, Harvard University, Laura DeBonis, Berkman Center, Harvard University, Hany Farid, Dartmouth, Lee Hollaar, University of Utah, Todd Inskeep, Bank of America, Brian Levine, University of Massachusetts Amherst, Adi Mcabian, Twistbox, RL Morgan, University of Washington, Lam Nguyen, Stroz Friedberg, LLC, Jeff Schiller, MIT, Danny Weitzner, MIT), at: <http://cyber.law.harvard.edu/ sites/cyber.law.harvard.edu/files/ISTTF_Final_Report-APPENDIX_D_TAB_and_EXHIBITS.pdf> [NB: this review "received no submissions for ISP-level filtering products", although there were apparently submissions for other types of server-side filtering tools such as at content hosts or community sites; its conclusions need to be read in light of this omission. It is not clear whether this omission was because there was not significant activity or interest in the ISP-level market in the US, or for some other reason.]
- co-author Boyd's blog about the Report's reception at: <http://www.zephoria.org/thoughts/archives/2009/01/20/internet_safety.html>

198. Bambauer, Derek, 'Filtering in Oz: Australia's Foray Into Internet Censorship', Brooklyn Law School Legal Studies Research Papers Working Paper Series, Research Paper No. 125, December 2008 SSRN: at: <http://ssrn.com/abstract=1319466> ['Australia's decision to implement Internet censorship using technological means creates a natural experiment: the first Western democracy to mandate filtering legislatively, and to retrofit it to a de-centralized network architecture. But are the proposed restrictions legitimate? The new restraints derive from the Labor Party's pro-filtering electoral campaign, though coalition government gives minority politicians considerable influence over policy. The country has a well-defined statutory censorship system for on-line and off-line material that may, however, be undercut by relying on foreign and third-party lists of sites to be blocked. While Australia is open about its filtering goals, the government's transparency about what content is to be blocked is poor. Initial tests show that how effective censorship is at filtering prohibited content – and only that content – will vary based on what method the country's ISPs use. Though Australia's decision makers are formally accountable to citizens, efforts to silence dissenters, outsourcing of blocking decisions, and filtering's in-evitable transfer of power to technicians undercut accountability. The paper argues Aus-tralia represents a shift by Western democracies towards legitimating Internet filtering and away from robust consideration of the alternatives available to combat undesirable information.']

199. David Lindsay, Sharon Rodrick, Melissa de Zwart, 'Regulating Internet and convergent mobile content', *Telecommunications Journal of Australia*, November 2008, Vol. 58, No. 2–3. p.31.1, online via subscription at: <http://publications.epress.monash.edu.vivi-ena.library.unsw.edu.au/loi/tja>

200. Rosenbaum, Debbie, 'The Great Firewall Down Under – Australia Poised to Begin Internet Filtering Program Unprecedented in Scope for Modern Democracy,' Harvard *Journal of Law & Technology* (JoLT) Digest Comment, 10 November 2008, at: <http://jolt.law.harvard.edu/digest/digest-comment/digest-comment-the-great-firewall-down-under> ['If the presumption that democracy depends upon the widest possible access to uncensored ideas, data, and opinions is true, then there is cause for great alarm as one of our nation's closest democratic allies moves to drastically curtail this foundational freedom within its boarders. The Australian government will likely enact legislation that will make sweeping, compulsory Internet censorship a startling reality for all Australian citizens.']

201. Hull, Gordon, 'Overblocking Autonomy: The Case of Mandatory Library Filtering Software', University of North Carolina at Charlotte, Dept. of Philosophy, *Continental Philosophy Review*, forthcoming, 22 October 2008, at: <http://ssrn.com/abstract=1288090>

202. Parsons, Christopher, 'Deep Packet Inspection in Perspective: Tracing its lineage and sur-veillance potentials,' the New Transparency Project, Working Paper I, 10 January 2009, at: <http://www.surveillanceproject.org/files/WP_Deep_Packet_Inspection_Parsons_Jan_2008.pdf>

203. Marsden, Christopher T, Steve Simmons, Ian Brown, Lorna Woods, Adam Peake, Neil Robinson, Stijn Hoorens and Lisa Klautzer, 'Options for and Effectiveness of Internet Self- and Co-Regulation, Phase 2: Case Study Report', RAND Europe, prepared for European Commission DG Information Society and Media, SSRN Accepted Paper Series, 15 January 2008, at: <http://ssrn.com/abstract=1281374>

204. Deibert, Ronald, John Palfrey, Rafal Rohozinski, and Jonathan Zittrain, eds., *Access Denied: The Practice and Policy of Global Internet Filtering*, OpenNet Initiative (Cambridge: MIT Press) 2008, at: <http://opennet.net/accessdenied>

205. OpenNet Initiative 'Australia and New Zealand: a regional overview', OpenNet Initiative, 29 May 2007, at: <http://opennet.net/research/regions/au-nz> ['Australia maintains some of the most restrictive Internet policies of any Western nation, while its neighbor, New Zealand, is less rigorous in its Internet regulation. Without any explicit protection of free speech in the constitution, the Australian government has used its "communications power" delineated in the constitution to regulate the availability of offensive content, endowing a government entity with the power to issue take-down notices for Internet content hosted within the country. A number of state and territorial governments in Australia have also passed legislation making the distribution of offensive material a criminal offense, as the constitution does not afford that power to the national government.']

206. Thierer, Adam, 'Parental Controls & Online Child Protection: A Survey of Tools & Methods', 16 September 2008, at: <http://ssrn.com/abstract=1268433>

207. Moore, Tyler and Richard Clayton, 'The Impact of Incentives on Notice and Take-down', *Seventh Workshop on the Economics of Information Security* (WEIS 2008), University of Cambridge, UK, 25–28 June 2008, at: <http://weis2008.econinfosec.org/papers/MooreImpact.pdf>

208. Bambauer, Derek, 'Guiding the Censor's Scissors: Assessing Internet Filtering', Brooklyn Law School Legal Studies Research Papers Working Paper Series, 10 June 2008, at: <http://ssrn.com/abstract=1143582> ['The 2008 Beijing Olympic Games drew attention to China's comprehensive system for restricting access to Web sites and on-line information. But Internet censorship is on the rise worldwide, in democratic and authoritarian states alike. Since a country's mode of governance is no longer an effective proxy for the legitimacy of its on-line controls, this Article proposes a process-based methodology to evaluate Internet filtering based upon how a state decides to censor, how carefully it does so, and how involved citizens are in these policy choices. Drawing upon scholarship in deliberative democracy, health policy, labor standards, and cyberlaw, this four-part framework analyses censorship's openness, transparency, narrowness, and accountability. It seeks to develop quantitative metrics to measure these factors through an open, competitive process, and to apply them to corporate decisions about technology sales, public law regulation of censorship tools, and third-party evaluation of state-based filtering. ']

209. Chandler, Jennifer A., 'A Right to Reach an Audience: An Approach to Intermediary Bias on the Internet', *Hofstra Law Review*, 2008, at: <http://ssrn.com/abstract=1021344>

210. Kierkegaard, Sylvia, 'Cybering, Online Grooming and Ageplay', *Computer Law & Security Report*, Vol. 24, No. 2, pp. 93-186, 2008, at: <http://ssrn.com/abstract=1114282>

211. Bartow, Ann, 'Pornography, Coercion, and Copyright Law 2.0', *Vanderbilt Journal of Entertainment and Technology Law*, Vol. 10, No. 4, 2008, at: <http://ssrn.com/abstract=1137973>

212. Werve, Jonathan, 'Internet Censorship: A Comparative Study', *Global Integrity Commons*, 19 February 2008, at: <http://commons.globalintegrity.org/2008/02/internet-censorship-comparative-study.html>

213. Thierer, Adam, 'Congress, Content Regulation, and Child Protection: The Expanding Legislative Agenda', Progress & Freedom Foundation, Progress Snapshot Paper No. 4.4, 6 February 2008, at: <http://ssrn.com/abstract=1092163>

214. Deva , Surya ,"'Yahoo! For Good' and the Right to Privacy of Internet Users: A Critique", *Journal of Internet Law*, Vol. 11, No. 9, pp. 3-10, 2008, 21 July 2008, at: <http://ssrn.com/abstract=1165483> ['the efficacy of privacy data laws in protecting the right to privacy of Internet users' in Hong Kong, in the context of Chinese Internet censorship.]

215. Preston, Cheryl B., 'Offshore Porn is a Flimsy Excuse,' Brigham Young University Utah, J. Reuben Clark Law School, 16 June 2008, at: <http://ssrn.com/abstract=1146653>

216. Thierer, Adam, the Hon. Melissa L. Bean, Sharon Miller Cindrich, Larry Magid, Nancy E. Willard, "Cyber Safety in a Web 2.0 World: What Parents and Policymakers Need to Know", Progress & Freedom Foundation, Progress on Point 14.25, 27 December 2007, at: <http://www.pff.org/issues-pubs/pops/pop14.25cybersafetyweb.pdf>

217. Wu, Tim and Christopher Yoo, 'Keeping the Internet Neutral?: Tim Wu and Christopher Yoo Debate' , *Federal Communications Law Journal*, Vol. 59, No. 3, 2007, *Vanderbilt Public Law Research Paper* No. 06-27, *Vanderbilt Law and Economics Working Paper* No. 06-30, *Columbia Law and Economics Working Paper* No. 310 <http://ssrn.com/abstract=953989>

218. Thierer, Adam, "Two Sensible, Education-Based Legislative Approaches to Online Child Safety," by Adam Thierer, Progress & Freedom Foundation, Progress Snapshot 3.10, September 2007, at: <http://www.pff.org/issues-pubs/ps/2007/ps3.10safetyeducation bills.pdf>

219. Brown, Ian, 'Internet Censorship: Be Careful What You Ask for', University of Oxford, Oxford Internet Institute, Working Paper Series, 16 January 2007 SSRN at: <http://ssrn .com/abstract=1026597> ['A growing number of states worldwide are imposing mandatory requirements on Internet Service Providers (ISPs) to prevent their subscribers from accessing overseas content that would be banned under local laws. It is well known that undemocratic states such as China implement online censorship; but a number of democracies with constitutional guarantees of freedom of expression are also imposing digital filters. States have further put pressure on Web publishers to remove content hosted outside their jurisdiction. This article critically examines the Internet filtering regimes and technologies used in a range of democratic and undemocratic states. It considers the effectiveness of filters, their impact on newer distribution systems such as peer-to-peer networks, and their compatibility with principles of freedom of expression. It concludes by contrasting the very limited effect of filters on determined users outside totalitarian states with their potential to impose mass censorship on mainstream Internet users.']

220. Bradley, Caroline. Froomkin, Michael. 2006. 'Virtual Worls, Real Rules: Virtual worlds to test legal rules.' In Balkin, Jack and Noveck, Beth Simone, *State of Play: Law Games and Virtual Worlds*, New York: New York University Press

221. Wu, Tim,'The World Trade Law of Internet Filtering', Columbia University Law School Working Papers, 3 May 2006, at: <http://ssrn.com/abstract=882459>

222. Colangelo A & Maurushat A, "Exploring the limits of computer code as a protected form of expression: a suggested approach to encryption, computer viruses, and technological

protection measure" McGill Law Journal, 22 March 2006, at: <http://www.accessmylibrary.com/coms2/summary_0286-20586917_ITM> (free acces to part text)

223. Goldsmith, Jack and Tim Wu, *Who Controls the Internet?: Illusions of a Borderless World* (Oxford 2006)

224. Depken, Craig A., 'The Demand for Censorship; Who Supports Internet Censorship?', *First Monday*, Vol. 11, No. 9, September 2006 SSRN: at: <http://ssrn.com/abstract=300859>

225. Bambauer, Derek, Ronald Deibert, John Palfrey, Rafal Rohozinski, Nart Villeneuve, Jonathan Zittrain, 'Internet Filtering in China in 2004-2005: A Country Study', Berkman Center for Internet & Society at Harvard Law School, Research Publication No. 2005-10, 15 April 2005, at: <http://ssrn.com/abstract=706681> ['China's Internet filtering regime is the most sophisticated effort of its kind in the world. Compared to similar efforts in other states, China's filtering regime is pervasive, sophisticated, and effective. It comprises multiple levels of legal regulation and technical control. It involves numerous state agencies and thousands of public and private personnel. It censors content transmitted through multiple methods, including Web pages, Web logs, on-line discussion forums, university bulletin board systems, and e-mail messages. Our testing found efforts to prevent access to a wide range of sensitive materials, from pornography to religious material to political dissent. We sought to determine the degree to which China filters sites on topics that the Chinese government finds sensitive, and found that the state does so extensively. Chinese citizens seeking access to Web sites containing content related to Taiwanese and Tibetan independence, Falun Gong, the Dalai Lama, the Tiananmen Square incident, opposition political parties, or a variety of anti-Communist movements will frequently find themselves blocked. Contrary to anecdote, we found that most major American media sites, such as CNN, MSNBC, and ABC, are generally available in China (though the BBC remains blocked). Moreover, most sites we tested in our global list's human rights and anonymiser categories are accessible as well. While it is difficult to describe this widespread filtering with precision, our research documents a system that imposes strong controls on its citizens' ability to view and to publish Internet content. This report was produced by the OpenNet Initiative']

226. Bartow, Ann, 'Women in the Web of Secondary Copyright Liability and Internet Filtering'. *Northern Kentucky Law Review*, Symposium Issue, Spring 2005., at: <http://ssrn.com/abstract=755724> [' ... a powerful need for Internet legal theorists and activists to pay substantially more attention to the gender-based differences in communicative style and substance that have been imported from real space to cyberspace. Information portals, such as libraries and web logs, are "gendered" in ways that may not be facially apparent. Women are creating and experiencing social solidarity online in ways that male scholars and commentators do not seem to either recognize or deem important. Internet specific content restrictions for the purposes of "protecting copyrights" and "protecting children" jeopardize online freedoms for women in diverse ways, and sometimes for different reasons than they do for men. Disparities in the ways women and men use, experience and communicate over the Internet need to be recognized, studied, and accommodated by those who would theorize cyberspace law and advocate directions for its evolution.']

227. Holland, H. Brian, 'Inherently Dangerous: The Potential for an Internet-Specific Standard Restricting Speech that Performs a Teaching Function', (2005) *University of San Francisco Law Review*, Vol. 39, No. 353, 2005, at: <http://ssrn.com/abstract=1113184>

228. OpenNet Initiative 'Internet Filtering in China in 2004-2005: A Country Study', 2005, at: <http://opennet.net/studies/china>>

229. Fitzgerald, Brian R., '*Edelman v. N2H2*: At the Crossroads of Copyright and Filtering Technology', Mayer Brown LLP NY, *Brooklyn Law Review*, Vol. 69, Summer 2004, at: <http://ssrn.com/abstract=620727>

230. Nunziato, Dawn C., 'Toward a Constitutional Regulation of Minors' Access to Harmful Internet Speech,' *Chicago-Kent Law Review*, Vol. 79, No. 121, 2004, at: <http://ssrn.com/abstract=1003418>

231. Wu, Tim, 'Internet v Application: Application-Centered Internet Analysis', Working Paper Series, 15 March 15 1999, at: <http://ssrn.com/abstract=157928> [distinguishes different application platforms as significantly different for purposes of filtering and censorship.]

PRESENTATIONS

232. Sue Beveridge (NSW Department of Education and Training, NSW Connected Classrooms program). 2009. 'NSW Education Department filtering.' Presentation for the Internet society "Unacceptable' Content On The Internet: What Problem? Whose Solution?' forum, Sydney: Google Offices, 18 May 2009

233. Kerry Graham (Inspire Foundation), 'Measures to keep children and young people safe online,' presentation for the second Internet filtering and censorship proposals forum, Baker & McKenzie, Sydney, 10 March 2009, at: <http://cyberlawcentre.org/censorship/presentations/1_Graham.pdf>

234. James McDougall (National Childrens and Youth Law Centre), 'Using a Child Rights Framework', presentation for the second Internet filtering and censorship proposals forum, Baker & McKenzie, Sydney, 10 March 2009, at: <http://cyberlawcentre.org/censorship/presentations/1_McDougall.pdf>

235. Paul Brooks (ISOC-AU), 'Internet Filtering: What it is – and What it *still* isn't…', presentation for the second Cyberspace Law and Policy Centre Internet filtering and censorship proposals forum, Baker & McKenzie, Sydney, 10 March 2009, at: <http://cyberlawcentre.org/censorship/presentations/3_Brooks.pdf>

236. David Vaile (UNSW Cyberspace Law and Policy Centre), 'Classification and Internet technical filtering', presentation for the second Cyberspace Law and Policy Centre Internet filtering and censorship proposals forum, Baker & McKenzie, Sydney, 10 March 2009, at: <http://cyberlawcentre.org/censorship/presentations/4_Vaile.pdf>; see also David Vaile and Renée Watt, 'Inspecting the despicable, assessing the unacceptable: Prohibited packets and the great firewall of Canberra', elsewhere in this edition of *TJA,* July 2009.

237. John Selby (School of Business, Macquarie University), 'Internet Filtering,' presentation for the second Cyberspace Law and Policy Centre Internet filtering and censorship proposals forum, Baker & McKenzie, Sydney, 10 March 2009 at: http://cyberlawcentre.org/censorship /presentations/2_Selby.pdf>

238. Alana Maurushat (UNSW Law Faculty), 'Evolving Role of ISPs: Political Hot Potato,' presentation for the second Internet filtering and censorship proposals forum, Baker &

M c K e n z i e ,   S y d n e y ,   1 0   M a r c h   2 0 0 9 ,   a t : <http://cyberlawcentre.org/censorship/presentations/2_Maurushat.pdf>; see also Renée Watt and Alana Maurushat, 'Clean Feed: Australia's Internet Filtering Proposal', [2009] *UNSWLRS* 7, at <http://www.austlii.edu.au/au/journals/UNSWLRS/2009/7.html>

239. Siva Sivasubramanian (Group Information Security Manager, Optus), 'Internet Filtering and Censorship Proposals: merits and demerits of different filtering techniques', presentation for the first Cyberspace Law and Policy Centre Internet filtering and censorship proposals forum, UNSW Law Faculty, Sydney, 27 November 2008, at: <http://cyberlawcentre.org/2008/censorship/Presentations/11_Siva.pdf>

240. Stephen Gillies (systems engineer, Ironport), 'Technical Parameters: what goes on inside a filtering router?,' presentation for the first Cyberspace Law and Policy Centre Internet filtering and censorship proposals forum, UNSW Law Faculty, Sydney, 27 November 2008, at: <http://cyberlawcentre.org/2008/censorship/Presentations/12_Stephen_Gillies.pdf>

241. Donna Ashelford (president, System Administrators Guild of Australia), 'Filtering history, challenges and alternatives,' presentation for the first Cyberspace Law and Policy Centre Internet filtering and censorship proposals forum, UNSW Law Faculty, Sydney, 27 November 2008, at: <http://cyberlawcentre.org/2008/censorship/Presentations/13_Donna Ashelford.pdf>

242. Colin Jacobs (Electronic Frontiers Australia), 'Wider technical and technical-policy issues', presentation for the first Cyberspace Law and Policy Centre Internet filtering and censorship proposals forum, UNSW Law Faculty, Sydney, 27 November 2008, at: <http://cyberlawcentre.org/2008/censorship/Presentations/14_colin_jacobs.pdf>

243. Paul Brooks (ISOC-AU), 'Internet Filtering: What it is – and isn't…', presentation for the first Cyberspace Law and Policy Centre Internet filtering and censorship proposals forum, UNSW Law Faculty, Sydney, 27 November 2008, at: <http://cyberlawcentre.org/2008/censorship/Content_Filtering-Paul Brooks-ISOC_format.pdf>

244. Adrian Lawrence (Partner, Baker & McKenzie), 'The legal framework for Internet content control', presentation for the first Cyberspace Law and Policy Centre Internet filtering and censorship proposals forum, UNSW Law Faculty, Sydney, 27 November 2008, at: <http://cyberlawcentre.org/2008/censorship/Presentations/21_Adrian.pdf>

245. Paul Hunt (former Deputy Director of OFLC), 'The structure of classification and how it applies to Internet content; who is involved in classification of the confidential ACMA blacklist; challenges in classification', presentation for the first Cyberspace Law and Policy Centre Internet filtering and censorship proposals forum, UNSW Law Faculty, Sydney, 27 November 2008, at: <http://cyberlawcentre.org/2008/censorship/Presentations/22_PaulHunt.pdf>

246. Alana Maurushat (UNSW Law Faculty), 'International Internet Filtering Frameworks', presentation for the first Cyberspace Law and Policy Centre Internet filtering and censorship proposals forum, UNSW Law Faculty, Sydney, 27 November 2008 at: <http://cyberlawcentre.org/2008/censorship/Presentations/23_Maurushat.pdf>

247. Holly Doel-Mackaway (child rights advisor for Save the Children Australia) and James McDougall (director, National Childrens and Youth Law Centre), 'A Child Rights Perspective on the Federal Government's Internet Filtering Proposal,' presentation for the first Cyberspace Law and Policy Centre Internet filtering and censorship proposals forum,

UNSW Law Faculty, Sydney, 27 November 2008, at: <http://cyberlawcentre.org/2008/censorship/Presentations/31_Holly.pdf>

248. Karl Hanmore (AusCERT), presentation at the second Cyberspace Law and Policy Centre Internet filtering and censorship proposals forum, Baker & McKenzie, Sydney, 10 March 2009

249. Ajoy Ghosh (digital forensics expert, Logica), 'Lessons from prosecutions of Child Pornography and other "prohibited" material', presentation for the first Cyberspace Law and Policy Centre Internet filtering and censorship proposals forum, UNSW Law Faculty, Sydney, 27 November 2008, at: <http://cyberlawcentre.org/2008/censorship/Presentations/32_Ajoy_Ghosh.pdf>

250. Alana Maurushat (UNSW Law Faculty), 'Incentivising the Reduction of Child Pornography', presentation for the first Cyberspace Law and Policy Centre Internet filtering and censorship proposals forum, UNSW Law Faculty, Sydney, 27 November 2008, at: <http://cyberlawcentre.org/2008/censorship/Presentations/33_Maurushat.pdf>

251. Peter Black, live blog posts on first Cyberspace Law and Policy Centre Internet filtering forum, *Freedom to Differ* blog, 27 November 2008, at: <http://www.freedomtodiffer.com/freedom_to_differ/2008/11/forum-internet-filtering-and-censorship-proposals-1.html>

H. MEDIA REPORTS

252. Asher, Moses. 2009. 'Internet filter: $44.5m and no goal in sight,' SMH online, 3 June 2009, at: <http://www.smh.com.au/articles/2009/06/03/1243708489312.htm>

253. Bingemann, Mitchell. 2009. 'Filter plan angers Labor youth base.' *The Australian IT*, 2 June 2009, at: <http://www.australianit.news.com.au/story/0,,25571450-5013040,00.html

254. Dan Harrison, 'Review of website blacklist in wind,' TheAge.com.au, 27 May 2009, at: http://www.theage.com.au/national/review-of-website-blacklist-in-wind-20090526-bm4s.html

255. Patrick Goodenough, 'Web Filtering Proposals: Crucial Child Safeguard or Censorship Tool?', *CNSnews.com*, Media Research Centre (US), 8 May 2009, at: <http://www.cnsnews.com/public/content/article.aspx?RsrcID=47852#> [cites comments by Clive Hamilton in reply to EFA statement regarding link deletion notice received by its ICH.]

256. Rachel Maher, 'The More Untangled the Web Becomes…', *New Matilda*, 8 May 2009, at: <http://newmatilda.com/polliegraph/?p=636> [Report of New Matilda forum in Sydney.]

257. New Matilda forum in Sydney, Live blog by Stilgherrian, 8 May 2009, at: <http://stilgherrian.com/politics/live-blog-tangled-web-sydney>

258. Rachel Maher, 'Melbourne forum progresses net filter debate', *New Matilda*, 29 April 2009, at: <http://newmatilda.com/polliegraph/?p=608#comment-5928>

259. New Matilda forum in Melbourne, 29 April 2009, video, at: <http://laborview.blogspot.com/2009/04/australias-tangled-censorship-web.html>

260. Cynthia Karena, "Blocking child porn is the easy sell, but will government web filtering go too far?", The Age, 19 April 2009, at: <http://www.theage.com.au/national/to-censor-or-protect-20090418-aav5.html>

261. Julie-Anne Davies, 'Underage porn sold in corner milkbars,' *The Australian*, 3 April 2009, at: <http://www.theaustralian.news.com.au/story/0,25197,25281104-2702,00.html>

262. Asher Moses, 'Conroy rapped for 'improper' iiNet gaffe,' *SMH online*, 2 April 2009, at: <http://www.smh.com.au/articles/2009/04/02/1238261711464.html>

263. Suzanne Tindal, 'Conroy's iiNet comments 'grossly improper'', *ZDNet.com.au,* 2 April 2009, at: <http://www.zdnet.com.au/news/communications/soa/Conroy-s-iiNet-comments-grossly-improper-/0,130061791,339295779,00.htm>

264. Asher Moses, 'Conroy backtracks on internet censorship policy,' *SMH* online, 1 April 2009, at: <http://www.smh.com.au/articles/2009/04/01/1238261622790.html>

265. Jenny Brockie presenter, 'Blocking the net - will it make kids any safer?' *Insight*, SBS Television 7:30 PM, 31 March 2009, at: <http://news.sbs.com.au/insight/episode/index/id/59#transcript> [transcript] at: <http://news.sbs.com.au/insight/episode/index/id/59>[overview] [Senator Conroy on panel, with other participants in the debate. See also blog comments, in Commentary section above.]

266. SBS, ITNews, 'Conroy clarifies Net filter plans', *SBS online*, 31 March 2009, at: <http://www.sbs.com.au/news/article/1013745/Conroy-clarifies-Net-filter-plans>

267. Ry Crozier, 'Conroy uses iiNet case to sidestep net filter issue, *IT News*, 31 March 2009, at: <http://www. itnews.com.au/News/99968,conroy-uses-iinet-case-to-sidestep-net-filter-issue.aspx>

268. AAP, 'Web blacklist won't stop child porn, admits Communicaitons Minister Senator Conroy', News online, 30 March 2009, at: <http://www.news.com.au/technology/story/0,28348,25262960-5014239,00.html> [quotes Minister stating the filter cannot stop child porn or target peer-to-peer networks: "Never claimed filter would stop child porn"; Aim "to block material that is already illegal"; Won't crack peer-to-peer pedophile rings"]

269. Liam Tung, 'Police investigate classification.gov.au hack,' *ZDNet.com.au*, 30 March 2009, at: <http://www.zdnet.com.au/news/security/soa/Police-investigate-classification-gov-au-hack/0,130061744,339295701,00.htm>

270. AAP, 'Conroy defends Net censorship regime,' *SBS online* and various outlets, 30 March 2009 at: <http://news.smh.com.au/breaking-news-national/conroy-defends-net-censorship-regime-20090330-9go8.html> and <http://www.sbs.com.au/news/article/1013647/Conroy-defends-Net-censorship-regime> ["Senator Conroy said the government had never claimed the filter itself would stop child pornography. "We've never tried to pretend that this was a silver bullet, we've never tried to suggest this was the sole solution," Senator Conroy told reporters in Sydney on Monday. The aim of the proposed filtering is to block material that is already illegal and is refused classification, he said."]

271. Jenna Wortham, 'Helping Parents Snoop on Kids' iPhone Habits, *NY Times*, 28 March 2009, at: <http://bits.blogs.nytimes.com/2009/03/28/helping-parents-snoop-on-kids-iphone-habits>

272. Spandas Lui, 'Optus: We want in on Internet filtering trial,' *ARNet*, 27 March, 2009, at: <http://www.arnnet.com.au/article/297226/optus_we_want_internet_filtering_trial> [the telco confirms interest in content filter but does not comment on how it will be enforced.]

273. Belinda Luscombe, 'A Blacklist for Websites Backfires in Australia,' *Time* magazine, 27 March 2009, at: <http://www.time.com/time/business/article/0,8599,1888011,00.html>

274. [unattributed], ''Technical error' behind Henson website black-listing,' *ABC News* online, 27 March 2009, at: <http://www.abc.net.au/news/stories/2009/03/27/2527445.htm>

275. Nic MacBean, ''Control yr freedomz': Classification Board site defaced,' *ABC News* Online, 27 March 2009, at: <http://www.abc.net.au/news/stories/2009/03/27/2527753.htm>

276. [unattributed], 'QLD Police crack peer-to-peer networks,' *IT News*, 27 March 2009, at: <http://www.itnews.com.au/News/99743,qld-police-crack-peertopeer-networks.aspx>

277. Asher Moses,''Caching error' caused Henson blacklisting'', *Age/SMH online*, 27 March 2009, at: <http://www.theage.com.au/articles/2009/03/27/1237657133829.html> and <http://www.smh.com.au/articles/2009/03/27/1237657120642.html> [also notes hacking of Classification Board site, putting it offline]

278. [unattributed], 'Conroy gaffe defeats purpose of net filter policy,' *IT News*, 27 March 2009, at: <http://www.itnews.com.au/News/99753,conroy-gaffe-defeats-purpose-of-net-filter-policy.aspx>

279. Brett Winterford, 'Optus remains Conroy's last big filtering hope,' *IT News*, 27 March 2009, at: <http://www.itnews.com.au/News/99567,optus-remains-conroys-last-big-filtering-hope.aspx>

280. Liam Tung, 'Classification.gov.au gets hacked,' *ZDNet.com.au*, 27 March 2009, at: <http://www.zdnet.com.au/news/security/soa/Classification-gov-au-gets-hacked/0,130061744,339295688,00.htm>

281. Brett Winterford, 'Censorship opponents slam website hack,' *IT News*, 27 March 2009, at: <http://www.itnews.com.au/News/99739,censorship-opponents-slam-website-hack.aspx>

282. [unattributed], 'iiNet trial could be test case for Government P2P policy,' *IT News*, 26 March 2009, at: <http://www.itnews.com.au/News/99612,iinet-trial-could-be-test-case-for-government-p2p-policy.aspx>

283. Tony Jones host, Senator Conroy and others on panel, *Q&A*, ABC TV, 26 March 2009, at: <http://www.abc.net.au/tv/qanda/txt/s2521164.htm> [click Transcript tab, extensive discussion of ISP level censorship in first half]

284. AAP, 'Child porn needs to be fought: Conroy,' *SMH* online, 26 March 2009, at: <http://news.smh.com.au/breaking-news-national/child-porn-needs-to-be-fought-conroy-20090326-9cip.html>

285. Lilia Guan, 'Dump the botched net filter: SAGE', *IT News*, 26 March 2009, at: <http://www.itnews.com.au/News/99569,dump-the-botched-net-filter-sage.aspx>

286. Asher Moses, 'Blacklist snares Bill Henson fan site,' *SMH online*, 26 March 2009 at: <http://www.smh.com.au/articles/2009/03/26/1237657050527.html>

287. Saul Hansell, 'The Economics of Snooping on Internet Traffic,' NY Times, 25 March 2009, at: <http://bits.blogs.nytimes.com/2009/03/25/the-economics-of-snooping-on-internet-traffic>

288. Nazanin Sadri, 'Iran Considers A Death Penalty for 'Offensive' Bloggers,' Al Jazeera, March 2009, at: <http://www.mydd.com/story/2009/3/25/25442/7618>

289. Kim Zetter, 'ACLU Sues Prosecutor Over 'Sexting' Child Porn Charges,' *Wired*, 25 March 2009 at: <http://blog.wired.com/27bstroke6/2009/03/aclu-sues-da-ov.html>

290. Carlo Longino, 'Prosecutor Who Threatened Teens With Child Porn Charges For Taking Pics Of Themselves Gets Sued,' *TechDirt*, 27 March 2009, at: <http://techdirt.com/articles/20090326/1507104267.shtml>

291. [agencies], 'Great Firewall of China snares YouTube,' *SMH online*, 25 March 2009, at: <http://www.smh.com.au/articles/2009/03/25/1237656971545.html> [see scholarly articles by Shishir Nagaraja and Ross Anderson and others, above.]

292. Ry Crozier, 'DBCDE wouldn't agree to blind filter trial: iiNet,' *iTnews*, 25 March 2009, at: <http://www.itnews.com.au/News/99484,dbcde-wouldn%E2%80%99t-agree-to-blind-filter-trial-iinet.aspx>

293. AAP, 'ISPs 'profit' from lack of filter,' *ZDNet.com.au*, 25 March 2009, at: <http://www.zdnet.com.au/news/communications/soa/ISPs-profit-from-lack-of-filter/0,130061791,339295623,00.htm>

294. AAP, 'GetUp wants Conroy's filter canned,' *ZDNet.com.au*, 24 March 2009, at: <http://www.zdnet.com.au/news/communications/soa/GetUp-wants-Conroy-s-filter-canned/0,130061791,339295613,00.htm>

295. Simon Jenkins, 'Govt urged to abandon Net filter trial,' *SMH* online, 24 March 2009, at: <http://news.smh.com.au/breaking-news-national/govt-urged-to-abandon-net-filter-trial-20090324-9895.html>

296. Wikileaks editorial, 'Police raid home of Wikileaks.de domain owner over censorship lists,' *Wikileaks*, 24 March 2009, at: <http://wikileaks.org/wiki/Police_raid_home_of_Wikileaks.de_domain_owner_over_censorship_lists>

297. Stilgherrian, "It certainly looks like the ACMA blacklist, eh Senator Conroy?" *Crikey*, 24 March 2009, at: <http://www.crikey.com.au/Media-Arts-and-Sports/20090324-It-certainly-looks-like-the-ACMA-blacklist-eh-Senator-Conroy.html>

298. Sara Everingham, 'Questions about internet filter trial credibility,' ABC Radio, *The World Today*, 24 March 2009, at: <http://www.abc.net.au/worldtoday/content/2008/s2524676.htm>

299. Ass. Prof. Bjorn Landfeldt, interview, ABC *NewsRadio*, 24 March 2009, at: <http://mpegmedia.abc.net.au/newsradio/audio/20090324-web.mp3>

300. Brett Winterford, 'Hacked filter reveals blacklist in 30 seconds,' ITNews, 24 March 2009, at: <http://www.itnews.com.au/News/99467,hacked-filter-reveals-blacklist-in-30-seconds.aspx>

301. Asher Moses, ' iiNet pulls out of net censorship trials,' *SMH* online, 23 March 2009, at: <http://www.smh.com.au/articles/2009/03/23/1237656833566.html>

302. Stilgherrian, 'Yet another ACMA internet blacklist springs a leak,' *Crikey*, 23 March 2009, at: <http://www.crikey.com.au/Politics/20090323-Escalation-of-the-blacklist-wars.html>

303. Josh Gordon, 'Labor's blog-watch plan hits Whirlpool of dissent,' *The Age* online, 22 March 2009, at: <http://www.theage.com.au/national/labors-blogwatch-plan-hits-whirlpool-of-dissent-20090321-951z.html> [reports federal tender to monitor print and electronic media including "blogs such as Whirlpool"]

304. Kristen Gelineaa, 'Australian Internet 'blacklist' prompts concern, *SMH* online, 21 March 2009, at: <http://news.smh.com.au/breaking-news-technology/australian-internet-blacklist-prompts-concern-20090321-94mh.html>

305. Stilgherrian, 'ACMA's blacklist just got read all over,' *Crikey*, 20 March 2009, at: <http://www.crikey.com.au/Media-Arts-and-Sports/20090320-ACMAs-blacklist-just-got-read-all-over.html>

306. Brett Winterford, 'Wikipedia removes ACMA-censored link,' *IT News*, 19 March 2009, at: <http://www.itnews.com.au/News/99066,wikipedia-removes-acmacensored-link.aspx>

307. Brett Winterford, 'Doubts expressed over ACMA blacklist leak,' *IT news*, 19 March 2009, at: <http://www.itnews.com.au/News/99138,doubts-expressed-over-acma-blacklist-leak.aspx>

308. David Kravets, 'WikiLeaks Exposes Australian Web Blacklist,' *Wired*, 19 March 2009, at: <http://blog.wired.com/27bstroke6/2009/03/wikileaks-expos.html>

309. Andrew Ramadge, 'Millions may have visited popular websites on 'leaked blacklist' , *NEWS.com.au*, 19 March 2009, at: <http://www.news.com.au/technology/story/0,28348,25210163-5014239,00.html>

310. Vivian Wai-yin Kwok, 'Aussie Internet Blacklist Has Gray Areas,' *Forbes.com*, 19 March 2009, at: <http://www.forbes.com/2009/03/19/australia-internet-censorship-markets-economy-wikileaks.html>

311. Staff reporters with wires, ''Banned websites list' not from ACMA, says Stephen Conroy', *NEWS.com.au, 19* March 2009, at: <http://www.news.com.au/heraldsun/story/0,21985,25210319-661,00.html>

312. Chloe Lake, 'Leaked blacklist of banned websites' was not from ACMA, says Stephen Conroy, *NEWS.com.au*, 19 March 2009, at: <http://www.news.com.au/technology/story/0,28348,25210931-5014239,00.html>

313. Suzanne Tindal, 'Leaked list not ACMA blacklist: Conroy,' *ZDNet.com.au*, 19 March 2009, at: <http://www.zdnet.com.au/news/communications/soa/Leaked-list-not-ACMA-blacklist-Conroy/0,130061791,339295547,00.htm>

314. Asher Moses, 'Leaked Australian blacklist reveals banned sites,' *SMH Online*, 19 March 2009, at: <http://www.smh.com.au/articles/2009/03/19/1237054961100.html>

315. Darren Pauli, 'Australia's Internet filter ruled by a single bureaucrat - No accountability for blacklists, yet Watchdog's word is final,' *Computerworld*, 18 March 2009, at: <http://www.computerworld.com.au/article/295977/australia_internet_filter_ruled_by_single_bureaucrat>

316. Ryan Singel, 'Australia Censors Wikileaks Page,' *Wired*, 17 March 2009, at: <http://blog.wired.com/27bstroke6/2009/03/australia-censo.html>

317. Angus Kidman, 'BLACKLIST: Government cracks down on Whirlpool.net.au,' *APC*, 17 March 2009, at: <http://apcmag.com/whirlpool-threatened-by-govt-over-blacklist.htm>

318. Fran Foo, 'Web watchdog changes tack after blacklist leak,' *The Australian* online, 17 March 2009, at: <http://www.australianit.news.com.au/story/0,27574,25196505-15306,00.html>

319. Asher Moses, 'Banned hyperlinks could cost you $11,000 a day,' *SMH Online*, 17 March 2009, at: <http://www.smh.com.au/articles/2009/03/17/1237054787635.html>

320. Suzanne Tindal, 'Greedy ISPs kept from filtering trial', *ZDNet.com.au* 16 March 2009, at: <http://www.zdnet.com.au/news/communications/soa/Greedy-ISPs-kept-from-filtering-trial/0,130061791,339295460,00.htm>

321. 'Violent computer games', ABC Radio National *Life Matters*, 16 March 2009, at: <http://www.abc.net.au/rn/lifematters/stories/2009/2514251.htm> [Craig Anderson from Iowa State University, Centre for the Study of Violence. Effect of violence in what would be R18+ computer games, were they not Refused Classification in Australia.]

322. Wendy Carlisle, 'Conroy's clean feed', ABC Radio National, *Background Briefing*, 15 March 2009, at: <http://www.abc.net.au/rn/backgroundbriefing/stories/2009/25121

71.htm> Transcript, MP3 audio at: <http://mpegmedia.abc.net.au/rn/podcast/2009/ 03/bbg_ 20090315.mp3> [55 minutes: interviews, quotes or sound bites from Senator Conroy, Jim Wallace, Paul Brooks, Derek Bambauer, AFP child porn detectives, Neil Malamuth (US researcher on impact of porn), Senator Cory Bernardi, Irene Graham, many others. Recording of threat made to anti-censorship campaigner, examples of items on the Senate's 32m-item blacklist, including those linked to in constituent messages to Bernardi.]

323. Brett Winterford, 'Conroy requests faith in net filter scheme,' *IT News*, 13 March 2009, at: <http://www.itnews.com.au/News/98679,conroy-requests-faith-in-net-filter-scheme .aspx>

324. Fran Foo, 'ACMA takes aim at Whirlpool, supplier,' *The Australian* IT, 13 March 2009,at: <http://www.australianit.news.com.au/story/0,24897,25181408-15306,00.html> ['In an unprecedented move, Australia's communications regulator has threatened to fine a company up to $11,000 a day for indirectly leaking part of its top-secret list of banned internet web pages.' The page, containing images of aborted foeteuses for ant-abortion campaign purposes, was reported by a filter sceptic interested to explore the nature of content that could be banned on the basis of complaint.]

325. Suzanne Tindal, 'Nick Minchin: Video interview,' *ZDNet.com.au*, 9 March 2009, at: <http:// www.zdnet.com.au/insight/communications/soa/Nick-Minchin-Video-interview/0,1390 23754,339295340,00.htm>

326. Liam Tung, 'Teachers attack NSW DET filter,' *ZDNet.com.au* 4 March 2009, at: <http:// www.zdnet.com.au/news/software/soa/Teachers-attack-NSW-DET-filter/0,130061733 ,339295247,00.htm> [A number of NSW teachers and librarians have criticised the Department of Education's (DET) web filtering system, claiming it is too restrictive and has sacrificed educational benefits in the name of child protection.]

327. Ry Crozier, 'Revealed: ISPs detail their Aussie net filter trials,' *ITNews*, 2 March 2009, at: <http://www.itnews.com.au/News/97629,revealed-isps-detail-their-aussie-net-filter-trials .aspx>

328. Stilgherrian, 'So Conroy's Rabbit-Proof Firewall is dead… or is it?,' Crikey, 2 March 2009, at: <http://www.crikey.com.au/Politics/20090302-So-Conroys-Rabbit-Proof-Firewall-is-dead-or-is-it-.html>

329. Verity Pravda, Comment on Rabbit Proof Firewall, *Crikey*, 3 March 2009, at: <http://www. crikey.com.au/Your-Say/20090303-Comments-corrections-clarifications-and-cckups.html>

330. Mark Colvin, 'Growing Senate opposition to internet filter,' ABC Radio National PM, 27 February 2009, at: <http://www.abc.net.au/pm/content/2008/s2503651.htm>

331. Asher Moses, 'Web censorship plan heads towards a dead end,' *SMH* online, 26 February 2009, at: <http://www.smh.com.au/articles/2009/02/26/1235237810486.html>

332. Chloe Lake, 'Web filter debate descends into slanging match at Kickstart Forum 2009,' *N E W S . c o m . a u* , 2 4 F e b r u a r y 2 0 0 9 , a t : <http://www.news.com.au/technology/story/0,28348, 25100456-5014239,00.html>

333. Bernard Keane, 'Conroy confesses: web filtering will hit 'other content'' , *Crikey*, 24 February 2009, at: <http://www.crikey.com.au/Politics/20090224-Conroy-confesses-web-filtering-will-hit-other-content.html>

334. Fran Foo, 'Row over web blacklist,' *The Australian* IT section, 24 February 2009, at: <http://www.australianit.news.com.au/story/0,25197,25096792-15306,00.html>

335. Stuart Corner, 'Internet users don't want to be filtered,' *ITWire*, 23 February 2009, at: <http://www.itwire.com/content/view/23402/1231/>

336. AAP, 'Police move to ban blogs on accused firebug', *The Age* online, 17 February 2009, at: <http://www.theage.com.au/articles/2009/02/17/1234632773480.html>

337. Scott Ludlam, 'Net filter plan nurtures 'open source government', ABC online Opinion, 16 February 2009, at: <http://www.abc.net.au/news/stories/2009/02/16/2492571.htm>

338. Darren Pauli, 'Content filter pilots debunk critics', *Techworld*, 13 February 2009, at: <http://www.techworld.com.au/article/276594/content_filter_pilots_debunk_critics?pp=1>

339. Andrew Ramadge, 'iiNet, Optus snubbed in web-filtering trial,' *NEWS.com.au*, 13 February 2009, at: <http://www.news.com.au/technology/story/0,,25045374-5014239,00.html>

340. Andrew Ramadge, 'Primus compares compulsory web filtering to China', *NEWS.com.au* 12 February 2009, at: <http://www.news.com.au/perthnow/story/0,,25044135-948,00.html>

341. Tim Leslie, 'Net filter 'will give parents a false sense of security', *ABC News Online*, 3 February 2009, at: <http://www.abc.net.au/news/stories/2009/02/03/2480743.htm> [referring to Colin Jacobs piece on same day under the Policy and Comment section above.]

342. Stilgherrian, 'Google takes a slash and the world ends,' *Crikey.com.au*, 2 February 2009, at: <http://www.crikey.com.au/Politics/20090202-Google-takes-a-slash-and-has-a-wee-problem.html>

343. Asher Moses, 'Labor's 'deafening silence' as web censorship trials delayed,' *SMH Online*, 30 January 2009, at: <http://www.smh.com.au/news/technology/web/labor-stays-mum-on-censorship-trials/2009/01/30/1232818711139.html>

344. 'Filter to prevent access to child porn sites,' Radio New Zealand, 29 January 2009, at: <http:// www.radionz.co.nz/news/stories/2009/01/29/12459903de33>

345. Suzanne Tindal, 'Filter trial agreements imminent,' *ZDNet.com.au,* 29 January 2009, at: <http://www.zdnet.com.au/news/communications/soa/Filter-trial-agreements-imminent/0,130061791,339294639,00.htm> [' The next few days will see the DBCDE sign agreements with some of the ISPs who submitted applications to be a part of the ISP-level objectionable content filtering trial.']

346. News Ltd staff writers and Reuters, 'Vint Cerf reveals Google plan to monitor web filtering,' *Herald Sun,* 29 January 2009, at: <http://www.news.com.au/heraldsun/story/0,21985, 24978663-662,00.html> ['Google has unveiled a plan aimed at letting computer users determine whether ISPs are inappropriately blocking or slowing their work online.']

347. Ry Crozier, 'Opinion: Have money, will pay for clean feed,' *IT News*, 29 January 2009, at: <http://www.itnews.com.au/News/95023,opinion-have-money-will-pay-for-clean-feed.aspx> ['ISP to filter email for spam and viruses Netspace may think that a survey that asks leading, obvious questions about Internet filtering contributes to discussion and debate but all it did was feed the Federal Government ammunition.']

348. Petroc Wilton, 'Netspace customers give ISP filtering thumbs down,' *CommsDay* newsletter, 28 January 2009, at: <http://www.commsday.com>

349. Netspace' customer filtering survey results, 28 January 2009, at: <http://www.netspace.net.au/filtering/results.php>

350. Fran Foo, 'ISPs clustered for filtering trials', *The Australian* IT section, 28 January 2009, at: <http://www.australianit.news.com.au/story/0,27574,24975071-15306,00.html>

351. Fran Foo, 'Internet filtering trial date is close,' *The Australian* IT section, 27 January 2009, at: <http://www.australianit.news.com.au/story/0,24897,24967191-15306,00.html>

352. Jim Wallace, Australian Christian Lobby, 'Filtering filth will not tangle the net,' opinion piece, *SMH* online, 26 January 2009 at: <http://www.smh.com.au/news/opinion/filtering-filth-will-not-tangle-the-net/2009/01/25/1232818241442.html>

353. See also in response: Stilgherrian, 'Jim Wallace's pro-censorship lies and distortions,' *Stilgherrian.com*, 26 January 2009, at: <http://stilgherrian.com/politics/jim-wallaces-pro-censorship-lies-and-distortions> [see also Radio National debate between Jim Wallace and Mark Newton, 29 January 2009, in Policy Statements and Commentary etc. section above]

354. Chloe Lake and Andrew Ramadge, 'Government dodges questions on axed NetAlert web filter funding,' *News.com.au*, 26 January 2009, at: <http://www.news.com.au/technology/story/0,28348,24963394-5014239,00.html> and <http://www.news.com.au/heraldsun/story/0,,24964295-11869,00.html>

355. Ben Blanchard, 'China in 'long-lasting' web crackdown', *The Australian*, 23 January 2009, at: <http://www.theaustralian.news.com.au/story/0,25197,24952387-12377,00.html>

356. James Massola, 'Broadband report in minister's hands', *Canberra Times* Online, 23 January 2009, at: <http://www.canberratimes.com.au/news/local/news/general/broadband-report-in-ministers-hands/1414483.aspx>

357. Stilgherrian, 'So Conroy's Internet filter won't block political speech, eh?', *Crikey Online*, Friday, 23 January 2009 at: <http://www.crikey.com.au/Politics/20090123-So-Conroys-internet-filter-wont-block-political-speech-eh-.html>

358. Whirlpool.net.au discussion forum, referring to ACMA blocking a site by anti-abortionists with images of feotuses; see at: <http://forums.whirlpool.net.au/forum-replies.cfm?t=1123716&p=35#r685>

359. Nick Minchin, 'Big brother filter plan insults parents', *SMH Online*, 22 January 2009, at: <http://www.smh.com.au/news/opinion/big-brother-filter-plan-insults parents/2009/01/21/1232471392459.html>

360. Nick Farrel, 'Opinion: Why national Internet filters are pointless', *ITNews*, 22 January 2009, at: <http://www.itnews.com.au/News/94582,opinion-why-national-internet-filters-are-pointless.aspx>

361. Mark Sherman, 'Anti-porn online law dies quietly in Supreme Court', *The Age Online*, 22 January 2009, at: <http://news.theage.com.au/breaking-news-technology/antiporn-online-law-dies-quietly-in-supreme-court-20090122-7mu9.html>

362. AFP, 'US Supreme Court shuts door on Child Online Protection Act', *ABC News Online*, 22 Jan 2009, at: <http://www.abc.net.au/news/stories/2009/01/22/2472227.htm?section=justin>

363. Adam Litak, 'Civil Rights Law at Issue in High Court Rulings', *New York Times* online, 21 January 2009, at: <http://www.nytimes.com/2009/01/22/washington/22scotus.html>

364. 'Pornographic books pulled from library shelves', ABC Radio *PM*, 20 January 2009, at: <http://www.abc.net.au/pm/content/2008/s2470406.htm>

365. 'Conroy presses on with flawed policy', Jack the Insider Blog, *The Australian* Online, 19 January 2009, at: <http://blogs.theaustralian.news.com.au/jacktheinsider/index.php/theaustralian/comments/conroy_presses_on_with_flawed_policy/>

366. Tom Young, 'E-crime victims shun the police', *ITNews,* 16 January 2009, at: <http://www.itnews.com.au/News/94142,ecrime-victims-shun-the-police.aspx>

367. Rodney Gedda, 'Sex and IT unite to stop Australian net censorship', *PC World* (nz)15 January 2009, at: <http://pcworld.co.nz/pcworld/pcw.nsf/feature/2B1AAE25E9CC2F51CC25753E00722448>

368. 'Qld police help bust global child porn ring,' *ABC*, 16 January 2009, at: <http://www.abc.net.au/news/stories/2009/01/17/2468237.htm>

369. 'Aussie cops bust global porn ring,' *News.com.au*, 16 January 2009, at: <http://www.news.com.au/story/0,27574,24922665-29277,00.html>

370. soulxtc 'German Minister Announces Plans for Mandatory Web Filtering,' *ZeroPaid*, 16 January 2009, at: <http://www.zeropaid.com/news/9960/German+Minister+Announces+Plans+for+Mandatory+Web+Filtering>

371. Glenn Chapman, 'Technology alone 'won't assure youth safety on Internet', *The Age Online*, 15 January 2009, at: <http://news.theage.com.au/breaking-news-technology/technology-alone-wont-assure-youth-safety-on-internet-20090115-7h4b.html>

372. Brad Stone, 'Report calls online threats to children overblown', *International Herald Tribune Online,* 14 January 2009, at: <http://www.iht.com/articles/2009/01/14/technology/14cyberweb.php> [refers to ISTTF *Final Report* from Harvard]

373. Rodney Gedda, 'Strange bedfellows: Sex and IT unite to stop Net censorship', *Techworld*, 14 January 2009, at: <http://www.techworld.com.au/article/273031/strange_bedfellows_sex_it_unite_stop_net_censorship>

374. Colin Jacobs, 'The world smirks at Conroy's censorship plan', *Crikey,* 9 January 2009, at: <http://www.crikey.com.au/Politics/20090109-Brooklyn-Law-School-study-highlights-net-censorship-problems.html>

375. Harley Dennett, 'Internet censorship expands,' *Sydney Star Observer*, 4 January 2009, at: <http://www.starobserver.com.au/news/2009/01/08/internet-censorshiip-expands/3597> [refers to gay and lesbian film file sharing, comments refers to 'GayMiddleEast.com blocked in Saudi Arabia', OpenNet 2004at: <http://opennet.net/bulletins/002.> See other SSO stories on topic.]

376. Lynda Kinkade reporter, 'Music video damage,' *TodayTonight* TV, 8 January 2009, at: <http://au.todaytonight.yahoo.com/article/5251226/lifestyle/music-video-damage> [commentors draw connections between music videos and porn, etc.]

377. 'Chinese net companies apologise for lewd content', *ITNews*, 8 January 2009, at: <http://www.itnews.com.au/News/92270,chinese-net-companies-apologise-for-lewd-content.aspx>

378. Chris Buckley, 'China targets big websites in Internet crackdown', *ITNews*, 7 January 2009, at: <http://www.itnews.com.au/News/92190,china-targets-big-websites-in-internet-crackdown.aspx>

379. Keith Bradsher, 'Beijing urges Google and others to 'purify' Web of porn', *International Herald Tribune Online,* 5 January 2009, at: <http://www.iht.com/articles/2009/01/05/technology/censor.php>

380. Stilgherrian, 'Conroy attacks BitTorrent: Ruins Australia online', *Crikey Online*, 5 January 2009, at: <http://www.crikey.com.au/Politics/20090105-Stephen-Conroy-working-hard-to-limit-Australias-global-competitiveness.html>

381. Lachlan Heywood, 'Onus on users to "unfilter" websites', *The Australian Online*, 31 December 2007, at: <http://www.australianit.news.com.au/story/0,,22989956-15306,00.html>

382. Tanalee Smith, 'Uproar as Great Aussie Firewall threatens internet freedom', *The New Zealand Herald Online*, 29 December 2008, at: <http://www.nzherald.co.nz/technology/news/article.cfm?c_id=5&objectid=10549956>

383. James Massola, 'Net filter plan is branded draconian', *The Canberra Times Online*, 29 December 2008 at: <http://www.canberratimes.com.au/news/local/news/general/net-filter-plan-is-branded-draconian/1396144.aspx>

384. Douglas Schweitzer, 'The not-so Great Aussie Fireweall', *Computer World Blogs*, 29 December 2008, at: <http://blogs.computerworld.com/the_not_so_great_aussie_firewall>

385. Ferguss Watts, "Caught out by net plan", *Herald Sun*, 29 December 2008, at: <http://www.news.com.au/heraldsun/story/0,21985,24850353-5000117,00.html>

386. "More hole than filter", Editorial, *Sydney Morning Herald*, 26 December 2008, at: <http://www.smh.com.au/news/opinion/editorial/more-hole-than-filter/2008/12/25/1229998656226.html>

387. 'Net filtering trial delay 'another Govt bungle', *ABC News online*, 24 December 2008, at: <http://www.abc.net.au/news/stories/2008/12/24/2454789.htm>

388. 'Govt rejects report into internet filter plan', *Canberra Times Online*, 24 December 2008 at: <http://www.canberratimes.com.au/news/local/news/general/govt-rejects-report-into-internet-filter-plan/1394554.aspx>

389. 'Conroy delays ISP trial of Internet content filters, *ITNews*, 23 December 2008, at: <http://www.itnews.com.au/News/91640,conroy-delays-isp-trial-of-internet-content-filters.aspx>

390. Ry Crozier, 'Conroy expands ISP filter tests to examine P2P and BitTorrent traffic', *ITNews,* 22 December 2008, at: <http://www.itnews.com.au/News/91593,conroy-expands-isp-filter-tests-to-examine-p2p-and-bittorrent-traffic.aspx>

391. Nigel Bowen, 'The great porn war', *SMH Online*, 19 December 2008, at: <http://www.smh.com.au/news/national/the-great-porn-war/2008/12/18/1229189804560.html>

392. David Barbeler, 'Baby-swinging video uploader fronts court', *SMH Online*, 18 December 2008, at: <http://www.smh.com.au/news/technology/web/babyswinging-video-uploader-fronts-court/2008/12/18/1229189776629.html> [Charged under s. 474.23 *Criminal Code* (Commonwealth) with using a "carriage service" to transmit child abuse material, not with state offence in *Criminal Code Act* (Qld) s. 288? Adjourned to 19 Feb 2009, Maroochy Magistrates Court.]

393. 'Man faces court on child abuse charges,' *Sunshine Coast Daily News* online, 18 December 2008, at: <http://www.thedaily.com.au/news/2008/dec/18/man-faces-court-child-abuse-charges>

394. Ry Crozier, 'NetAlert filters not given a chance: Webroot', *ITNews,* 17 December 2008, at: <http://www.itnews.com.au/News/91359,netalert-filters-not-given-a-chance-webroot.aspx>

395. Kathryn Small, 'In pictures: Hundreds protest proposed internet filters', *ITNews*,15 December 2008, at: <http://www.itnews.com.au/News/91177,in-pictures-hundreds-protest-proposed-internet-filters.aspx>

396. 'Controlling Pornography', ABC Radio National *Rear Vision*, 14 December 2008, at: <http:// www.abc.net.au/rn/rearvision/stories/2008/2441653.htm>

397. Pictures of national public protests on 13 December 2008, Sydney, at: <http://picasaweb. google.com/elomis/CleanFeedProtest#>; Adelaide, JPG1: <http://www.divshare.com/ img/6072866-85c.JPG>, JPG2 <http://www.divshare.com/img/6072867-68c.JPG>

398. Asher Moses, 'New hurdle for net censorship', *The Age* online, 12 December 2008, at: <http://www.theage.com.au/news/home/technology/new-hurdle-for-net-censorship/2008 /12/12/1228585100603.html>

399. Marcus Browne, 'Dr Blacklist or: How I learned to stop worrying and love the filter', *NineMSN*, 10 December 2008, at: <http://livelife.ninemsn.com.au/article.aspx?id=676342> (expired)

400. Meraiah Foley, 'Australia plans to test Web filter', *International Herald Tribune*, 10 December 2008, at: <http://www.iht.com/articles/2008/12/10/technology/cyber.php>

401. Dan Warne, 'The 10 sins of Senator Conroy, the blogger', 9 December 2008, at: <http:// apcmag.com/the_10_sins_of_senator_conroy.htm>

402. Asher Moses, 'Labor plan to censor internet in shreds', *SMH* online, 9 December 2008, at: <http://www.smh.com.au/articles/2008/12/09/1228584820006.html>

403. Ry Crozier, 'Conroy goes back to school on Internet content filters', *ITNews*, 8 December 2008, at: <http://www.itnews.com.au/News/90656,conroy-goes-back-to-school-on-internet-content-filters.aspx>

404. Ry Crozier, 'Telstra BigPond refuses to participate in net filter trials', *ITNews*, 8 December 2008, at: <http://www.itnews.com.au/News/90687,telstra-bigpond-refuses-to-participate-in-net-filter-trials.aspx>

405. Bellinda Kontominas, 'Simpsons cartoon rip-off is child porn: judge', *SMH online*, 8 December 2008, at: <http://www.smh.com.au/news/national/simpsonsstyle-cartoon-is -child-porn/2008/12/08/1228584707575.html> See also at: <http://www.news.com.au/ story/0,27574,24767142-29277,00.html>

406. Recent case: *McEwen v Simmons & anor* [2008] NSWSC 1292 (8 December 2008), NSW Supreme Court, Judge Adams, at: <http://www.austlii.edu.au/au/cases/nsw/supreme_ct/ 2008/1292.html> [it confirmed a conviction for "offences of 'possessing child pornography' contrary to s 91H(3) of the *Crimes Act 1900* (NSW), and 'using ... computer to access child pornography material' contrary to s474.19(1)(a)(i) of the *Criminal Code Act 1995* (Cth)" - see above for links.]

407. Asher Moses, 'Wikipedia added to child pornography blacklist,' *SMH* online, 8 December 2008, at: <http://www.smh.com.au/articles/2008/12/08/1228584723764.html>

408. Ry Crozier, 'Conroy goes back to school on Internet content filters,' *ITNews*, 8 December 2008, at: <http://www.itnews.com.au/News/90656,conroy-goes-back-to-school-on-net-filters.aspx>

409. Lauren Weinstein, 'Brits' Failed Heavy Metal Censorship Attempt Disrupts Wikipedia Edits', *Lauren Weinstein's Blog*, 7 December 2008, at: <http://lauren.vortex.com/ archive/ 000478.html> [See also IWF statement above in International]

410. Asher Moses, 'Cash floods in for anti-censorship protests, ' *The Age/SMH/ Brisbane Times* Technology, 5 December 2008, at: <http://www.theage.com.au/articles/2008/12/05/1228257282965.html>

411. Iljitsch van Beijnum, 'Australia's Internet filtering too ambitious, doomed to fail,' *Ars Technica*, December 2008, at: <http://arstechnica.com/news.ars/post/20081205-australias-internet-filtering-too-ambitious-doomed-to-fail.html>

412. <timothy>, 'Clarifying the Next Step in Australia's Net-Censorship Scheme,' *Slashdot*, 5 December 2008, at: <http://yro.slashdot.org/article.pl?sid=08/12/05/0355227&from=rss>

413. 'Govt's web censorship will hurt economy, group says,' *ABC News online*, 5 December 2008, at: <http://www.abc.net.au/news/stories/2008/12/05/2439048.htm> ['Community advocacy group Get Up says the Federal Government's commitment to internet censorship will slow down speeds and hurt the economy.']

414. Andrew Ramadge, 'GetUp! organises advertising blitz to protest internet filter', *News.com.au*, 4 December 2008, at: <http://www.news.com.au/technology/story/0,28348,24750766-5014239,00.html>

415. Darren Pauli, 'Anti content filtering rebels take to the streets - Protests planned across the country,' *Computerworld*, 3 December 2008, at: <http://www.computerworld.com.au/article/269615/anti_content_filtering_rebels_take_streets>

416. Kathryn Small, 'Young Labor calls for an opt-in system,' *Ban This URL*, 3 December 2008, at: <http://www.banthisurl.com/2008/12/young-labor-calls-for-an-opt-in-system> ['"We want an opt-in system," Janai Tabbernor, president of NSW Young Labor, told Ban This URL.']

417. BBC *Digital Planet*, segment on filtering trial at end of program, 2 December 2008, [streaming audio] at: <http://www.bbc.co.uk/worldservice/programmes/digital_planet.shtml>

418. Peter Hoysted, 'Wrong way Conroy persists in censorship,' Jack the Insider Blog, *The Australian* online, 1 December 2008, at: <http://blogs.theaustralian.news.com.au/jacktheinsider/index.php/theaustralian/comments/wrong_way_conroy_persists_in_censorship>

419. Asher Moses, 'Children's welfare groups slam net filters,' *SMH/ The Age/ Brisbane Times* online , 1 December 2008, at: <http://www.smh.com.au/news/home/technology/net-censor-plan-blasted/2008/11/28/1227491813497.html> at: <http://www.theage.com.au/articles/2008/11/28/1227491813497.html> at: <http://www.brisbanetimes.com.au/news/technology/childrens-welfare-groups-slam-net-filters/2008/11/28/1227491813497.html>

420. Chris Berg, 'Neutering the net is about repression, not protection', *Sunday Age Online*, 30 November 2008, at: <http://www.theage.com.au/opinion/neutering-the-net-is-about-repression-not-protection-20081129-6nej.html>

421. ABC Local Radio 2BL Sydney, interview with Alana Maurushat re: the first UNSW forum, 27 November 2008 8:45 am ABC Local Radio Illawarra, interview with David Vaile, 27 November 2008, 3:45 pm ABC Local Radio Newcastle, interview with David Vaile, 26 November 2008.

422. Adrian Raschella, 'Govt push for mandatory internet filtering', ABC TV *7:30 Report*, 24 November 2008, transcript at: <http://www.abc.net.au/7.30/content/2008/s2428304.htm>; video: rtsp://media1.abc.net.au/reallibrary/730report/200811/20081124-730-cyber2_16_9

_bband.rm>; high bandwidth video: <http://au.youtube.com/watch?v= IWoUB66FFb8> [YouTube]

423. John Davidson, 'Fight for right to BitTorrent,' *Australian Financial Review*, 25 November 2008, p.32. [Not freely accessible online. Satirical, querying potential connections between the recent iiNet law suit, the new Bermeister/Speck copyright surveillance service, and the proposed Australian-government-mandated ISP content filter as they may all challenge the role of ISPs as 'common carriers'.]

424. Brian Haverty, 'ZDNet.com.au readers slam content filtering', ZDNet.com.au 20 November 2008, at: <http://www.zdnet.com.au/news/communications/soa/ZDNet-com-au-readers -slam-content-filtering/ 0,130061791,339293387,00.htm>

425. Asher Moses, 'Film companies sue iiNet 'for allowing piracy'', *SMH* online, 20 November 2008, at: <http://www.smh.com.au/news/technology/biztech/film-pirates-put-iinet-in-the-dock/2008/11/20/1226770617457.html> [query whether ISP level filtering is required for proposed solution; see also Bermeister/Speck story below]

426. Suzanne Tindal, 'iiNet was asking for legal trouble: Exetel', *ZDNet.com.au*, 21 November 2008, at: <http://www.zdnet.com.au/news/communications/soa/iiNet-was-asking-for-legal-trouble-Exetel/ 0,130061791,339293440,00.htm>

427. Andrew Hendry, 'OpenNet Initiative: Australia's content filtering "frightening"', *ARN Net*, 19 November 2008, at: <http://www.arnnet.com.au/article/267938/opennet_initiative _australia_content_filtering_frightening> ['A collaboration of Harvard, Cambridge, Oxford and Toronto universities warns that Internet filtering is prone to error, collateral filtering and underblocking, no matter where or how it is implemented' - see *Access Denied*, above]

428. Andrew Hendry, 'ACS creates task force, UNSW to hold forum on Internet filtering – Controversial mandatory Internet filtering under the microscope again', *CIO magazine*, 18 November 2008, at: <http://www.cio.com.au/article/267818/acs_creates_task_ force_unsw_hold_forum_internet_filtering>

429. 'ISP filtering', *Australia Talks*, Radio National, 18 November 2008 at: <http://www.abc. net.au/rn/australiatalks/stories/2008/2419136.htm> *or* MP3 at: <http://mpegmedia. abc.net.au/rn/podcast/current/audioonly/ats_20081118.mp3> [Guests: Mark Pesce, Honorary lecturer in Digital Cultures, University of Sydney; Clive Hamilton, Professor of Public Ethics at Charles Sturt University; Dale Clapperton, spokesperson, Electronic Frontiers Australia; Anthony Pillion, managing director Webshield; Bernadette McMenamin, CEO, Child Wise]

430. 'Senator Conroy expands reach of net filters to "unwanted content"', *ITNews*, 13 November 2008, at: <http://www.itnews.com.au/News/88908,senator-conroy-expands -reach-of-net-filters-to-unwanted-content.aspx>

431. Fran Foo, 'Canberra calls net filter trial', *The Australian*, IT 11 November 2008, at: <http:// www.australianit.news.com.au/story/0,24897,24632210-15306,00.html>

432. Asher Moses, 'Net censorship plan backlash', *The Age*, 11 November 2008, at: <http://www. theage.com.au/articles/2008/11/11/1226318639085.html>

433. Liam Tung, 'Conroy calls for filter pilot volunteers', *ZDNet.com.au*, 11 November 2008, at: <http://www.zdnet.com.au/news/software/soa/Conroy-calls-for-filter-pilot-volunteers /0,130061733,339293134,00.htm>

434. 'Duplicate content filter will hurt family-friendly ISPs', *ITNews,* 10 November 2008, at: <http://www.itnews.com.au/News/88655,duplicate-content-filter-will-hurt-familyfriendly-isps.asp>

435. Alex Serpo, 'Filter plans a step too far: NetRegistry', *ZDNet.com.au* 10 November 2008, at: <http://www.zdnet.com.au/news/security/soa/Filter-plans-a-step-too-far-NetRegistry /0,130061744,339293109,00.htm>

436. Adam Turner, 'Australian Internet filters have backdoor', *PC Authority* magazine, 3 November 2008, at: <http://www.pcauthority.com.au/BlogEntry/127342,australian-internet-filters-have-backdoor.aspx>

437. 'The Great Firewall of Australia', *The Media Report*, ABC Radio, 30 October 2008, at: <http://www.abc.net.au/rn/mediareport/stories/2008/2405376.htm>

438. Lisa Creffield , 'Internet Censorship', *Sky News*, c. 29 October 2008, at: <http://au.youtube.com/watch?v=oCVIPC6nIfA> [script] [Flash Video interview with Minister Conroy]

439. "Internet 'Clean Feed' met with stern opposition", Radio National *PM*, 29 October 2008, at: <http://www.abc.net.au/pm/content/2008/s2404848.htm>

440. Asher Moses, 'Rivals combine to combat crime', *The Age*, Technology section, 29 October 2008, at: <http://www.theage.com.au/news/technology/biztech/kazaa-foes-join-up-to-fight-pirates-and-porn/2008/10/28/1224956013205.html> [Kevin Bermeister, sued by global music industry in *Kazaa* litigation, and Michael Speck, former head of Music Industry Piracy Investigations (MIPI) which ran lawsuit against Kazaa, jointly announce new filtering technology claimed able to remove both pornography and piracy from P2P networks.]

441. Leanne Edmistone, Renee Viellaris and Jennifer Dudley- Nicholson, 'Internet filter to cause World Wide Wait for Aussies,' *Courier-Mail*, 29 October 2008, at: <http://www.news.com.au/couriermail/story/0,23739,24567413-952,00.html>

442. Nate Anderson, 'Australia's Internet filter: could legal content be banned, too?', *Ars technica*, 28 October 2008, at: <http://arstechnica.com/news.ars/post/20081028-australias-internet-filter-could-legal-content-be-banned-too.html>

443. Asher Moses, 'Family First demands wider internet filters', *SMH Online*, 28 October 2008, at: <http://www.smh.com.au/news/national/family-first-demands-wider-internet-filters/2008/10/27/1224955948624.html>

444. 'SAGE-AU defends right to criticise content filtering', *ITNews,* 27 October 2008, at: <http://www.itnews.com.au/News/87626,sageau-defends-right-to-criticise-content-filtering.aspx>

445. Andrew Hendry and Darren Pauli,"'Appalled' opposition hits back at Conroy's Internet censorship - The Government's attempts to silence criticism of content filtering sparks outrage," *Computerworld*, 24 October 2008, at: <http://www.computerworld.com.au/index.php/id;879301684>

446. 'Rudd Government launches virtual children's hub', *ITNews,* 23 October 2008 at: <http://www.itnews.com.au/News/87354,rudd-government-launches-virtual-childrens-hub.aspx>

447. Lorna Edwards and Phillip Coorey, 'Naked girl offended by PM' *SMH online*, 8 July 2008, at: <http://www.smh.com.au/articles/2008/07/07/1215282805312.html>

448. Wilson A & Wilson L, 'Gallery Raid Revives Censorship Issue', *The Australian* 24 May 2008, at: <http://www.theaustralian.news.com.au/story/0,,23749181-16947,00.html>

449. James Fallows, "The Connection Has Been Reset", *The Atlantic*, March 2008, at: <http://www.theatlantic.com/doc/200803/chinese-firewall> [why Chinese firewall is easy to breach but effective]

450. AFP, 'Australia's plans to filter Internet under fire,' *The Age* online, 2 January 2008, at: <http://news.theage.com.au/technology/australias-plans-to-filter-internet-under-fire-20080102-1jwl.html>

451. 'Conroy announces mandatory internet filters to protect children', *ABC News Online,* 31 Dec 2007, at: <http://www.abc.net.au/news/stories/2007/12/31/2129471.htm>

452. Iain Thomson, 'UK Government porn bill faces Backlash', *ITNews,* 9 July 2007, at: <http://www.itnews.com.au/News/55779,uk-government-porn-bill-faces-backlash.aspx>

453. 'ISPs keeping compliant', *IT NewsWire*, 11 May 2006, at: <http://www.itnews.com.au/News/32464,isps-keeping-compliant.aspx> ['ACMA has reported that local ISPs are doing their part for online consumer safety.']

VIDEO ETC.

See also references to appearances by Minister Conroy on SBS and ABC, above.

454. David Jackmanson, 'Stop Australian Internet Censorship: Rally Sat Dec 13 2008', *YouTube,* at: <http://www.youtube.com/watch?v=ZPBdWjIrUn4>

455. Lisa Creffield, 'Internet Censorship', interview with Minister Conroy, *Sky News*, c. 29 October 2008, at: <http://au.youtube.com/watch?v=oCVIPC6nIfA> [Flash Video] [script]

I. ORGANISATIONS

These are a selection of organisations understood to be involved in some way in policy discussions or practical activity or regulation in the general area of Internet filtering and the recent Australian proposals. Given the potential for uses of the proposed filter systems beyond 'protection of young people' issues, there may well be other organisations in other fields with an interest in aspects of the proposal but not shown here. As with all other references, no endorsement or criticism, of them by us or of us by them, is intended or implied by inclusion in or exclusion from this list.

Australian Christian Lobby, at: <http://www.acl.org.au>

• [See Media references to Jim Wallace]

Australian Communications and Media Authority (ACMA), at: <http://www.acma.gov.au>
Australian Computer Society (ACS), at: <http://www.acs.org.au>
Australian Sex Party, at: <http://www.sexparty.org.au>
Berkman Centre for Internet and Society at Harvard University, US

• Herdict, social tool for mapping internet filtering and censorship, including reports of geo-locational blocking by www.abc.net.au for IP reasons at: <http://www.herdict.org/web>, blog: at: <http://www.herdict.org/blog>
• OpenNet Intitiative on Internet filtering, in collaboration with University of Toronto, University of Cambridge, University of Oxford at: <http://cyber.law.harvard.edu/research/opennet>

- Stop Badware, protecting users from threats to privacy and security by bad software at: <http://cyber.law.harvard.edu/research/stopbadware>

Bravehearts [Internet safety page, passing mention of filters] at: <http://www.bravehearts.org.au/internetsafety.ews>

Civil Liberties Australia, 'CensorFree' site, at: <http://www.cla.asn.au> at: <http://www.censorfree.com.au>

ChildWise, at: <http://www.childwise.net>

Classification Board, Commonwealth Attoney-Generals Department; see also former OFLC, at: <http://www.classification.gov.au>

Cybertip.Ca, at: <http://www.cybertip.ca/app/en/cleanfeed> ['Canada's national tipline for reporting the online sexual exploitation of children.' Operates CleanFeed, a non-government voluntary ISP-level outside-country pre-pubescent-child-porn-only filter provider]

Department of Broadband, Communications and the Digital Economy (DBCDE), at: <http://www.dbcde.gov.au>

Digital Liberty Coalition, at: <http://www.dlc.asn.au>

- March in March, rally, Parliament House side of Federation Mall, Canberra, 21 March 2009, at: <http://www.marchinmarch.org> and <http://sydney.indymedia.org.au/story/protest-canberra-against-net-filtering>

Electronic Frontiers Australia (EFA), No Clean Feed site, at: <http://www.efa. org.au> and <http://nocleanfeed.com>

Electronic Freedom Project, at: <http://wiki.efp.org.au>

Project Score Card – EFP, at: <http://wiki.efp.org.au/index.php?title=Project_Score_Card>

Family First [political party, affiliated with Senator Fielding] at: <http://www. familyfirst.org.au>

- 'Internet Pornography and Children', Family First web document, undated at: <http://www.familyfirst.org.au/documents/INTERNETPORNOGRAPHYANDCHILDREN.pdf>

Getup, 'Save the Net' campaign, December 2008, at: <http://www.getup.org.au/campaign/SaveTheNet/>; see also: 'Fact Sheet' <http://www.getup.org.au/files/campaigns/internet censorshipfactsheet.pdf>;

- 'Censordyne' parody advertisement, July 2009, at: <http://www.censordyne.com.au/>

Inspire Foundation, at: <http://www.inspire.org.au>

Internet Industry Association (IIA), at: <http://www.iia.net.au>

Internet Society of Australia (ISOC-AU), at: <http://www.isoc-au. org.au>

Internet Watch Foundation UK at: <http://www.iwf.org.uk> ['UK Hotline for reporting illegal content, specifically, child sexual abuse content hosted worldwide, and criminally obscene and incitement to racial hatred content hosted in the UK'; IWF list may be used by ACMA for local blacklist and Google, for search results.]

- see *Annual Report* 2007, April 2008, at: <http://www.iwf.org.uk/documents/20080417_iwf_annual_report_2007_(web).pdf>

Kids Free 2B Kids, at: <http://www.kf2bk.com>

National Association for the Prevention of Child Abuse and Neglect (NAPCAN), at: <http://www.napcan.org.au>

NetAlert (ACMA and DBCDE), including advice, report form, and free filters for PCs until 31 December 2008, at: <http://www.netalert.gov.au>

Reporters Without Borders and Amnesty International, 'World Day Against Cyber Censorship', 12 March 2009, at: <http://www.p2pnet.net/story/18733>

Save the Children Australia, at: <http://www.savethechildren.org.au>

Stop The Clean Feed/'Australians Against Internet Censorship', at: <http://stopthecleanfeed.com> [advocates, organised rallies on 13 December 2008 and March 2009]

Womens Forum Australia, at: <http://www.womensforumaustralia.com>

Wikileaks, at: <http://wikileaks.org> [Hosts alleged historical versions of lists used in various countries, as well as many other controversial documents. Whole domain appeared to be inaccessible on 19 March 2009 due to overloading of servers from heavy traffic after leak of lists from Australia.]

J. OTHER SOURCES OF LINKS ON THIS TOPIC

Libertus.net, at: <http://libertus.net/censor/debate/articles08.html> and <http://libertus.net/censor/ispfiltering-au-govplan.html>

OCAU wiki, at: <http://www.overclockers.com.au/wiki/Australian_Internet_Filtering> [also blogs, groups etc.]

Some historical (before late 2008) material at, or linked from: <http://www.refused-classification.com/Internet_08toPresent.htm>

Vaile, D., References page for Filtering and Young people research project, Cyberspace Law and Policy Centre, UNSW, at: <http://www.cyberlawcentre.org/censorship/references.htm>

Whirlpool wiki, at: <http://whirlpool.net.au/wiki/?tag=cleanfeed> [includes wikis, Facebook groups, discussions, score card of politician responses etc.]

Wikipedia, Australian Internet filtering plan entry, at: <http://en.wikipedia.org/wiki/Internet_censorship_in_Australia#Policy_of_compulsory _internet_filtering>>