



**Jennefer
Nicholson**

Acting executive
director

Upholding the democratic right to access information

The recent media coverage of the Association's position on the *Broadcasting Services Amendment (Online Services) Bill 1999* provides interesting insights into perceptions of librarians. The Association made a submission to the Senate IT Committee inquiring into the Bill and appeared before the Committee on 3 May [see <http://www.alia.org.au/submissions/>; and press release 'Libraries call for internet commonsense' — <http://www.alia.org.au/press.releases/>]

The proposed legislation establishes a regulatory framework for the internet, operating through the Australian Broadcasting Authority (ABA). Briefly, if an individual complains to the ABA about material on the internet, and the ABA considers the material would be refused classification, or rated x, the ABA is empowered to require that the ISP block access to the material. Material which the ABA considers would be rated R must be protected by adult verification procedures. The ABA may impose a penalty on an ISP or ICH which does not comply with the take-down order within the time specified. It also sets out a process for industry codes and standards to be developed and gives the ABA power to introduce a code of practice where one has not been developed by industry. The proponents claim the Bill is in response to concerns within the community about internet access to illegal and unsuitable material, such as pornography, and particularly protecting children from such access.

Our submission is consistent with those of the ISPs in stating that ISPs/ICHs should not and cannot be held responsible for content they host. The Committee heard a great deal of evidence regarding the impact such a regime would have on the performance of the internet, commercial costs (and potential loss of business) for ISPs, and the unreliability of blocking technology. Our submission also stated that although libraries are a major provider of access to the internet, and trainers in its use, there was little evidence within libraries of users complaining about being exposed to illegal or unsuitable material through the internet.

More importantly for our sector, our submission cautioned that such legislation could have the unintended consequence of restricting access by the wider community to information of choice which is not illegal or unsuitable, thereby restricting the user's democratic right to information. Positive approaches such as industry self-regulation through codes of conduct, education of the

user community and the development and monitoring of quality resource sites would have a better public policy result.

Those ALIA members who had the foresight to develop our *Statement on freedom to read* (1971) and *Statement on professional ethics* (1986) gave us a sound foundation on which to argue for the democratic right of access to information. Our recently-developed *Interim statement on use of online information in libraries* places these principles in the online context.

Some journalists seemed surprised that the library and information sector should question the government's attempts to regulate internet content. As Lauren Martin writes in the *Sydney Morning Herald* (4 May) 'When even the librarians turned against them yesterday, the good Senators on a crusade to censor smut from the internet slumped, aghast.' Other writers also placed us in the internet industry camp. Senator Tierney, a member of the Committee, issued a press release claiming that 'public libraries could become a den for internet cyber-sex and violence'. Senator Lundy, another member of the Committee, leapt to our defence, accusing Senator Tierney of 'a sleazy attack', and the evidence shows ALIA had carefully described the sector's responsible approach to supervision of minors accessing the internet in public libraries.

What is reassuring is that the most consistent message picked up by the media is that regulatory challenges should not prevent libraries from protecting the freedom to read in the online environment and in doing so producing the best internet experience for all users.

But to celebrate

There has been much to celebrate recently. The outstanding achievements of five of our members have been recognised. During Australian Library Week — a celebration in itself — the Victorian and ACT Branches celebrated the awarding of Fellowship to Helen Hayes and Maxine Rochester respectively. Northern Territory Branch held a dinner to celebrate the awarding of Fellowship to Alex Byrne and the Medal of the Order of Australia to Colleen Pyne.

At its March meeting General Council awarded John Levett the Association's highest honour, the HCL Anderson award. As the *Newcastle Herald* (John began his career in Newcastle) so aptly quipped 'Librarian on top shelf'. ■