

A plaintiff lawyer's guide to internet dangers for children and schools



Most plaintiff lawyers regularly use the internet for professional purposes, such as accessing legislation, case notes and online services. For them, it is a valuable legal research tool. But do they know what else lurks on the worldwide web? Children can sometimes be targeted and victimised by sexual and financial predators roaming in cyberspace, and the net has been directly or indirectly implicated in a great deal of child injury. Plaintiff lawyers practising in

educational law should make it their urgent business to become aware of the many negative internet forces directed at schools and students.



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EDUCATIONAL FADDISHNESS?

Blinded by the perceived advantages of the electronic age, some schools have gone uncritically computer-mad, often resulting in students interacting more with their computers than with their teachers. ▶

Yes, there is a huge volume of information available on the net. But much of it is garbage. A lot of the information lacks verification and is of very suspect validity. It is often opinion, rather than fact, and much of that opinion is based on limited personal experience, involving inadequate sampling and gross overgeneralisation in a slick perversion of the scientific method. Relying on data from the web requires extreme caution. But are these internet weaknesses pointed out to students? Most schools and parents stand condemned.

There is not only a great deal of garbage on the internet, but a great deal of dangerous garbage. Teachers extolling the merits of the internet without warning children about the potential dangers are abdicating their professional responsibilities.

DO TEACHERS AND PARENTS (AND PLAINTIFF LAWYERS) REALLY KNOW WHAT'S ON THE NET?

How many teachers or parents have ever really examined the internet? Really looked closely? Have you come across any 'shocker sites'? They're well known to many Australian thrill-seeking teenagers.

One such site depicts a close-up of a man with an axe in his head, the disembowelled body of a baby and various scenes of cannibalism. Headlines include: 'Chopper - decapitation by



"Blueprints for crude and dirty nuclear devices have long been available on the net."

helicopter' and 'Hooker in the morgue, with breathtaking component parts and obscene tattoos'.

The constitutional free speech right of United States citizens is sometimes used to justify the presentation of this kind of content for adult access in Australia. But how do we control its access by impressionable youngsters and psychiatrically vulnerable adults?

WHAT'S THE TIME BY YOUR BOMB?

Blueprints for crude and dirty nuclear devices have long been available on the net. There are recipes for fertiliser bombs, like the one built by Oklahoma bomber Timothy McVeigh, and for potassium chlorate bombs, such as the one that killed scores of Australians in Bali.

We can't afford to ignore the fact that this information is freely available, or assume that it is simply freedom of speech. Nor can we presume that students are sensible enough not to be influenced by it.

THE MOST UNSTABLE EXPLOSIVE EVER KNOWN

Picture this scene. It's night time in suburbia. Fire brigade and police officers stop cars and line them up on the road, pointing in different directions so their headlights provide a broad spread of illumination. They ask the motorists to switch their lights to high beam to help them look for something. They are looking for a boy's hand and wrist, blown off somewhere on the road by an acetone peroxide bomb. They hope that if the hand and wrist can be found a team of microsurgeons will be able to sew it back on. But all that is found the next day are a few scattered bones, flesh and skin fragments.

That boy was a victim of the internet. Another high school student had made the bomb and given it to the boy. It contained hydrochloric acid, acetone and hydrogen peroxide, all available from hardware stores and pharmacies. He got the recipe off the net.

CLICK THE MOUSE AND CLICK THE TRIGGER

Many of our teenagers know from the internet how easy it is to make international purchases of guns and other weapons. Recent Australian Institute of Criminology research found that mail order purchase was the main source of trade in illegal handguns, smuggled into Australia from America as separate disassembled gun parts.

Our students are bombarded with television images of the

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United States gun culture, with seven shooting deaths (some fictional, others actual) across all channels in any average hour of viewing.

There are many websites offering guns for sale. You can get a Beretta 96 Vertec semi-automatic, like the one that gunman Xiang used in his Monash University killings, for just \$1,131, six clicks of the mouse and a simple email exchange. Or you can buy a Clint Eastwood "Dirty Harry" type Smith and Wesson .44 Magnum for just \$3,825.

In 2002, Customs seized over two hundred handguns, a hand grenade, an AK47 assault rifle and an AT4 anti-tank rocket launcher, all purchased by Australians on the internet.

LAW-ABIDING DECENT SNIPERS

Websites such as Sniper Country will no doubt enthrall teenagers who enjoy grisly and highly realistic games of virtual killing with virtual weapons. They provide the so-called recreational sniper with tips, advice and equipment reviews. This information could still be found on the internet in 2002 after the Washington sniper killed ten people, including a child at school.

Such websites often claim that the Columbine school killers, the Washington sniper and Martin Bryant were all agents of the gun control lobby, attempting to discredit decent snipers and gun users. This is the sort of internet garbage available to Australian teenagers.

A SCHOOL DUTY OF CARE TO FILTER THE NET?

At school, students normally use school-owned computing equipment. Just as the school authority has a legal duty of care to take reasonable precautions to prevent physical injury to students arising from foreseeable risks in the school environment, so too can the school reasonably be expected to take steps to intercept, filter and screen out offensive pornography on the net.

There are various software packages available for this purpose, including Cyber Patrol, Internet Filter, Net Nanny and Surf Watch. Some of these packages have drawn criticism because of the indiscriminate blockages of quite inoffensive material arising from blanket censorship of any usage of particular words.

Schools and plaintiff lawyers can safely ignore the persistent attacks by human rights activists who preach anti-censorship and the right to free speech.

And don't be too influenced by those people who argue against school censorship by citing the United Nations Convention on the Rights of the Child. They'll quickly tell you that Article 13 of the Convention acknowledges the child's right of freedom of expression, including the right to seek, receive and impart information and ideas of all kinds, regardless of frontiers, through any media of the child's choice.

The Federal Government has signed the UN Convention on the Rights of the Child. However, it has no mandatory force at the Commonwealth or state level unless the convention is implemented in Australia's domestic law. This has not been done.


THE NEW INTERNATIONAL ELECTRONIC PLAYGROUND FOR SEXUAL PERVERTS

The internet has become the new international playground in which paedophiles can roam. It's no good leaving it to parents to supervise their children's computer usage, to teach them about chatroom dangers, to warn them against giving out personal information, and to insist on a family adult being present when children arrange to meet chatroom friends. Research shows that most parents simply don't understand that leaving children alone on the internet can be tantamount to letting a stranger into the house.

It will have to be teachers at school who warn children about paedophile predators in chatrooms.

SUBTLE E-MAIL BULLYING

Does a school's bullying protocol consider email harassment? It's subtle, it's poisonous and it's very effective in turning self-conscious teenagers into psychological basket cases.

The school's protocols should also be checked for controls of sexual harassment. School authorities should let teachers know that emails and internet logons on school equipment can be monitored. This is not an invasion of privacy under privacy legislation. According to recent University of Sydney research, 30% of employees have used work computers to send emails with a sexual content. 

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