

Internet Issues

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ISP

‘Mere Conduit’ Role

The role of mere conduit is that in which the ISP does no more than transmit data; in particular, the ISP does not,

- Initiate Transmissions
- Select the receivers of the transmissions
- Select or modify the data transmitted

Caching Role

When information is subject to,

- Automatic
- Intermediate
- Temporary Storage

Hosting Role

Not liable for damage or criminal sanctions provided that,

1. It did not know that anything unlawful was going on
2. Where a claim for damages is made, the ISP did not know anything that will lead to something unlawful
3. When it found out that something unlawful was going on, it immediately tried to remove the info or prevented access to it

4. The customer was not acting under the authority or the control of the service provider

Law Across National Boundaries

Civil Law

There are some parts of the civil law where the position is reasonably clear cut.

Defamation

Defamation means making statements that will damage someone's reputation, bring them into contempt.

Libel, slander.

Organization For Cyber Crime

The international convention on cyber crime.

- In 2001, the Council of Europe approved a draft convention on **cyber crime**
- Deals with objectionable material on the internet
- **Internet Watch Foundation**,
 - Setup in 1996, UK, to monitor, and where possible, take action against illegal and offensive content on the UK internet

Content Rating Association

ICRA, whose mission it claims is, 'to help parents to protect their children from potentially harmful material on the internet, whilst respecting the content providers' freedom of expression.

Spam

- Unsolicited email sent without consent of the addressee
- Privacy & Electronic Communications (EC Directive) Regulations 2003

In the USA, it is legal to send spam if,

- The person sending the spam has not been informed by the receiver that they do not wish to receive spam from that source
- The spam contains an address that the receiver can use to ask that no more spam be sent

Registration Of Phone Numbers

Both the USA and the UK operate successful schemes that allow individuals to register their phone numbers as ones to which unsolicited direct marketing calls

must not be made.

Registration

- Spamming is easy
- No reliable records that can be used to identify where the spam really came from

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