SUBMISSION NO. 2

Australian Human Rights Commission

Inquiry into Cybersafety for Senior Australians

AUSTRALIAN HUMAN RIGHTS COMMISSION SUBMISSION TO THE JOINT SELECT COMMITTEE ON CYBERSAFETY

January 2012

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Table of Contents

1 Introduction

1. The Australian Human Rights Commission makes this submission to the Joint Select Committee on Cybersafety in its inquiry into Cybersafety for Senior Australians.

2. The Commission commends the Australian Parliament for initiating this inquiry. Cybersafety is a concern for many older Australians, affecting both Internet usage and confidence with the medium. We recommend that the Australian Government, along with State and Territory Governments, make ongoing efforts to ensure that older Australians are able to exercise their full participation rights in a society and economy that are increasingly digitalized.

3. The Commission is pleased to be able to provide this submission to the Committee, particularly as the cybersafety inquiry is relevant to the Commission's two strategic priorities:

   - Tackling violence, harassment and bullying; and
   - Building community understanding and respect for human rights.

4. Internet fraud and spamming constitute cyber harassment. Cyber-harassment and bullying undermine human rights and threaten the rights of older Australians to live in dignity and security.

2 Recommendations

The Commission recommends:

Recommendation 1

That the Australian Government sponsor a research project into the fraud victimisation of older Australians (as a distinct cohort) which investigates and reports on:

- the prevalence of Internet fraud amongst older Australians;
- the types of scams and fraudulent activity affecting older Australians; and
- any risk factors or predictors of scam vulnerability by age group.

Recommendation 2

That the Australian Government improve the effectiveness of the Broadband for Seniors Initiative through:

- a publicity campaign about Internet kiosks through seniors clubs, magazines, newspapers, radio and television; and
- the development of programs about cybersafety including protection against malware, security settings for social networking sites, information about scamming and cybersafety self-assessment tools.

Recommendation 3

That the Australian Government conduct research into:

- the geo-locations of free Internet sites with support services (for older Australians), with a view to adding Internet services in places with limited access; and
- strategies for engaging older Australians in the online environment with particular focus on people who have limited or no Internet knowledge or experience.

Recommendation 4

That all government departments audit their online information for user-friendliness and accessibility, with the view to improving accessibility and extending information platforms beyond the online medium if required.

Recommendation 5

That the Australian Government conduct an action research trial of one-on-one tutor programs along the lines of those provided in the UK and Ireland. Evaluations of these trials should be used to contribute to research into suitable methods for engaging older Internet beginners online.

3 Summary

5. The Internet is the most powerful medium for modern communication and increasingly it is becoming a necessary tool for participation in society. People who are unable to use the Internet are at risk of reduced participation in critical aspects of modern living.

6. Due to the speed with which the information technology revolution has occurred, many older Australians have found themselves on the wrong side of the digital divide. Older people, particularly those aged 65 and above, missed the information technology agenda that is now part of mainstream education. As a result, many older Australians lack the confidence to engage with the Internet at a high level.

7. Evidence from the Australian Institute of Criminology (AIC) indicates that older Australians have difficulties managing their online security and people over the age of 65 are more likely to be victims of online financial fraud than any other age group.[1]

8. Current Internet training arrangements for older Australians are having some success, though current initiatives are not reaching all people in the older demographic. Evidence suggests that more targeted initiatives are required to engage segments of the aged population that do not respond to current programs and schemes.

9. It is essential that governments take all possible steps to assist older people to take advantage of the Internet. The Internet is a tool that offers social and economic advantages to governments and individuals. With Internet access to

medical services, online grocery shopping, online payment of bills and social networking possibilities, older Australians can potentially live autonomously in their homes for longer.

10. The ability to access, receive and impart information is a human right. Article 19 of *The Universal Declaration of Human Rights 1948* states that everyone has the right to 'seek, receive and impart information and ideas through any media regardless of frontiers'.[2]

11. At the 2003 *World Summit on the Information Society* the United Nations proposed that 'national e-strategies address the special requirements of older people, persons with disabilities, children, especially marginalized children and other disadvantaged and vulnerable groups, including by appropriate educational administrative and legislative measures to ensure their full inclusion in the Information Society'.[3]

4 Internet access, usage and confidence amongst older Australians

12. The Australian Government is committed to building the National Broadband Network (NBN) by 2020 with the intention of making Australia one of the world's leading digital economies. One of the government's eight 'Digital Economy Goals' is to provide 'improved health and aged care'.[4]

13. Existing research on Internet connections and usage indicates that without new and effective initiatives, many older Australians will not have the skills, resources or confidence to take full advantage of the NBN.

14. According to the Australian Bureau of Statistics (ABS), older people are less likely to have an Internet connection. Forty-seven percent of men and 39 percent of women aged 65 to 74 had the Internet at home in 2006.[5] This means that over half of men and women aged 65 and older had limited or no Internet access.

15. At age 75 and above, Australians are much less likely to be connected to the internet. Twenty eight percent of men and 22 percent of women aged 75 and older had a home connection. Australians of all other age groups had home Internet rates between 74 and 81 percent.[6] If, and when, older Australians engage with online technology, it is likely to be with lesser skill and confidence in terms of cybersafety.

16. Age is a significant factor in shaping peoples' confidence in their level of Internet skill. In a study commissioned by the Australian Communications and Media Authority (ACMA), between 45 percent and 50 percent of those aged 65 years and over reported an Internet skill level of 'somewhat below average' or 'very much below average'.[7] The same study also showed that positive attitudes towards the Internet decrease with age. Forty-eight percent of 60 to 69 year olds enjoy going online while only 33 percent of those 70 and over report the same. These figures are significantly lower than an enjoyment factor at above 75 percent of younger people aged between 14 and 19 years.[8]

5 Patterns of fraud and Internet scamming behaviour affecting older Australians

17. Scamming is fraudulent activity whereby the victim pays advance fees in order to receive non-existent lottery winnings, a bogus inheritance or some other promised prize. Advance fee schemes include those in which the offender pretends to sell something that does not exist while taking money in advance, or provides a product of a lower standard than that which was offered for sale.

18. According to an Australian Institute of Criminology (AIC), the Internet is the most common tool for scamming activity. A 2008 AIC survey of 919 self-selected anonymous respondents found that '90 percent had received an invitation to a scam in the previous 12 months. Email was the most common method of delivery, with 80 percent of respondents receiving a scam invitation in this way'.[9]

19. Other forms of Internet fraud include the use of malware to search for passwords and personal banking information or identity theft by harvesting information from social networking sites. These forms of fraud occur when the computer security settings are insufficient or when the Internet user does not utilise filters to limit personal information that is available on social networking sites.

20. According to research from the Australian Communications and Media Authority, there is a direct correlation between one's level of Internet usage and one's knowledge of security options to prevent malware or identity fraud.[10] In other words, people with higher levels of Internet usage had more knowledge of security options.

21. While the ACMA research did not provide age-specific data, it found that the respondent's overall knowledge of Internet security was low. Twenty eight percent of respondents who used the Internet more than 8 times per week could not identify the security settings on social networking sites when requested.[11]

22. Various studies have shown that there are few demographic factors that reliably distinguish fraud victims from non-victims except age.[12] A 2007-2008 AIC research project conducted in collaboration with the Victoria Police and the University of Melbourne found that people in different age groups are affected by different types of fraud.[13] People aged 65 years or older were more likely to be a victim of advance fee scams, while people aged 45 to 54 years were more likely to be involved in dating scams and people aged 18 to 24 years were vulnerable to online transaction scams. Survey respondents in the 35 to 44 age cohort reported the lowest scam activity. The average loss for people who were victims of advance fee scams was $11,500.[14]

23. The AIC reports that there is likely to be a 'preponderance of older victims ... given that the most advanced fee victimisation took place via some form of internet communication and older people are the least likely to use these forms of communication' …and by implication, are the most vulnerable to fraud.[15]

24. More targeted research is now required to illustrate the prevalence of scamming fraud amongst older age groups.

25. Research from the United States indicates that there are some predictors or risk factors that can make people especially vulnerable to scams and fraud. According to the study, people who have experienced negative life events, such as medical problems, difficulties with finances, employment problems, or conflict with friends or neighbours are more likely to be victims of fraud.[16]

26. There is also evidence to suggest that newer scams are more likely to have success with intended victims. In a 2008 survey, the AIC listed four types of scam activity and added an 'other' category, asking respondents to identify which scams had been 'successful' in their entrapment. The highest levels of positive responses to scamming were under the 'other' category. Therefore it can be surmised that scam activity is more likely to be successful when it is not widely known or it represents a newer and less well known type of scam.[17]

27. Recommendation 1: The Commission recommends that the Australian Government sponsor a research project into the fraud victimisation of older Australians (as a distinct cohort) which investigates and reports on:

- ***the prevalence of Internet fraud amongst older Australians;***
- ***the types of scams and fraudulent activity affecting older Australians; and***
- ***any risk factors or predictors of scam vulnerability by age group.***

6 Effectiveness of initiatives to engage older Australians in Internet usage

28. The Australian Government has implemented some initiatives to encourage older Australians to become computer literate. In 2008, $15 million was committed to the *Broadband for Seniors Initiative*. This provides funding for 2,000 free Internet kiosks in community centres, retirement villages and seniors clubs across Australia. An additional $10.4 million over 4 years was committed in 2011 to support kiosks and assist older Australians to develop skills in technology.[18]

29. The purpose of the kiosks is to assist people over 50 to use the Internet and send emails. Tutors and trainers are available to assist people to develop their computer and Internet skills. Kiosks are open to people who have Internet connections at home as well as for those who are not connected.

30. Evidence suggests that many older Australian are not aware of the existence of the kiosks. A National Seniors Australia survey into the Internet usage found that only 17 percent of respondents were aware of Internet kiosks. 'Respondents were more likely to be aware of U3A classes (48 percent) and classes offered by their local TAFE institution, library and/or community centre (62 percent)'.[19]

31. Access to computers and Internet training is only the first part of ensuring cybersafety for older Australians. The second is to ensure that users are aware of potential cyber risks and can take action to maintain their security online. Almost 64 percent of respondents to the National Seniors Australia survey reported that security was an issue ‘preventing’ them from using the Internet or ‘improving’ their computer skills.[20]

32. The Australian Securities and Investment Commission (ASIC) has developed online materials to assist older Australians to understand potential cyber risks. The ASIC website contains advice about ways in which to stay one step ahead of scammers.[21] It is difficult to know the effectiveness and the reach of ASIC’s information. Obviously, older Australians who are not using the Internet are not going to have access to this information.

33. The Australian Institute of Criminology recommends cybersafety initiatives that include ‘providing users … with a simple ‘self-assessment’ for potential risks.’ The AIC argues that ‘victims are usually in contact with offenders over an extended period and their financial losses accumulate over time.’ The AIC argues that cybersafety measures should be able to ‘provide advice at several stages in [the scamming] process that may at least limit victims’ losses’.[22]

34. Any cybersafety initiatives should be delivered through the full range of media platforms. Online advice will only capture those who are Internet savvy. Those older Australians who are potentially most at risk of online fraud are new users who may not be aware of relevant and reputable cybersafety websites.

35. Recommendation 2: The Commission recommends that the Australian Government improve the effectiveness of the Broadband for Seniors Initiative through:

- ***a publicity campaign about Internet kiosks through seniors clubs, magazines, newspapers, radio and the TV; and***
- ***programs run from the kiosks about cybersafety including protection against malware, security settings for social networking sites, information about scamming and cybersafety self-assessment tools.***

7 The human right to engage in the online environment

36. In 2010 and 2011, a number of European countries codified Internet rights into law. In 2010, Finland became the first country in the world to make broadband a legal right for every citizen. Finnish citizens have the right to access one megabyte per second broadband connection.[23] In 2011, Spanish citizens were given the legal right to buy broadband Internet of at least one megabyte per second at a regulated price regardless of where they live.[24]

37. In 2011, the Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression recommended that States ensure that the Internet is ‘widely available, accessible and affordable to all segments of the population.’[25] Finland and Spain are not alone in ensuring Internet access

for their citizens; Greece, France and Estonia have taken action to do the same.

38. In addition to Internet access rights, the United Nations also recommends that States take action to build confidence and security in the use of the Internet. At the 2003 *World Summit on the Information Society* the United Nations recommended that States take action in 'strengthening the trust framework, including information security and network security, authentication, privacy and consumer protection, [as] a prerequisite for the development of the Information Society and for building confidence among users of ICTs.'[26]

39. The United Nations recommends that specific attention be given to vulnerable groups. At the *World Summit on the Information Society* it was recommended that States 'promote research and development to facilitate accessibility of ICTs for all, including disadvantaged, marginalized and vulnerable groups.'[27]

40. And further, that 'Governments and other stakeholders should establish sustainable multi-purpose community public access points, providing affordable or free-of-charge access for their citizens to the various communication resources, notably the Internet.'[28]

41. The Australian Government is providing a degree of Internet access and some cybersafety information to older Australians in line with the United Nations recommendations. However, more can be done to ensure that the existing strategies are more appropriately targeted to the most vulnerable groups. In order to meet its obligations to older Australians more completely, the Australian Government should undertake additional research, including an audit of the usage and the locations of sites where free Internet and training is available to older Australians.

42. Recommendation 3: The Commission recommends that the Australian Government conduct research into:

- ***the geo-locations of free Internet sites with support services (for older Australians), with a view to adding Internet services in places with limited access; and***
- ***strategies for engaging older Australians in the online environment with particular focus on people who have limited or no Internet knowledge or experience.***

43. Most essential government information is now provided online, sometimes exclusively. In order to ensure that public information is accessible to all Australian citizens, government departments should audit online materials to ensure they are user-friendly for new Internet users and that alternative forms of media are provided for people who do not have Internet access.

44. Recommendation 4: The Commission recommends that all government departments audit their online information for user-friendliness and accessability, with the view to improving accessibility and extending information platforms beyond the online medium if required.

8 Initiatives to support older people online in the UK and Ireland

45. The UK and Ireland provide a range of training options for older people who want to learn basic Internet skills.

46. In the UK, a broadband provider, *BT*, has developed measures to encourage younger people to support older relatives and friends to use the Internet. BT's scheme entitled *Internet Rangers*, gives younger people a number of resources to help older people to become confident online.[29] A range of documents assist young tutors to take their older relatives through a step-by-step process on topics that range from 'getting online', to 'accessing social networks' and 'shopping online'.[30] *BT* has now teamed up with *One Economy* in the US in order to do the same. *BT* is donating nearly £130,000 to the scheme through *One Economy*.[31]

47. The UK also promotes *Silver Surfers' Day*; an initiative that has been operating since 2002.[32] It is a national campaign aimed at promoting the use of digital technologies by older people. Each year, an independent organisation - *Digital Unite* - supports people and organisations all over the UK to open their doors and give local older people an opportunity to sample digital products. It is estimated that 150,000 older people have engaged with digital technologies in this way.[33]

48. *Age UK* provides Internet training courses in 6,000 centres across the UK. Each centre provides access to computers and advice on using the Internet. People can find out about the courses through a free-phone number or by typing their postcode into the *Age UK's* website to find a computer training project nearby.[34]

49. *Age Action* in Ireland is a volunteer organisation that provides the *Getting Started* program. This program delivers training about computers, the Internet and mobile phones to people over the age of 55.[35] In the last four years over 6,000 people have been trained by 1,000 volunteer tutors. The goal of the program is to provide basic Internet skills to over 30,000 older people in Ireland.[36] The training gives participants one-on-one classes in libraries, community centres, family resource centres, corporate offices, and housing complexes for older people. Funding has come from a variety of sources – currently the main sponsors are private corporations, charitable foundations and Dublin City Council.[37] Beginner's training materials include information on Internet security.[38]

50. Recommendation 5: The Commission recommends that the Australian Government conduct an action research trial one-on-one tutor programs along the lines of those provided in the UK and Ireland. Evaluations of these trials should be used to contribute to research into suitable methods for engaging older Internet beginners online.

9 Conclusion

51. This inquiry deals with issues of crucial significance for the economic and social wellbeing of older Australians; which ultimately means all Australians.

52. Australia, along with all other advanced economies, must find immediate solutions to the challenges posed by the confluence of an ageing population and radical changes to the ways in which information is produced and communicated. The Internet and cyber technologies are almost completely replacing personal, paper based and phone based means of commercial and personal transactions. This trend will only continue.

53. Australian citizens who lack competence or confidence in the use of the Internet will be excluded from access to essential services, commerce, information, entertainment and social relationships. Older Australians are at present the majority of those excluded.

54. Overcoming this exclusion is an urgent task for Australia; and it is not one that can safely be put off to the future. Older Australians need targeted and effective opportunities to become confident Internet users. At the same time they must be informed about the hazards of Internet use, especially cyber fraud and cheating, and shown how to protect themselves against these hazards.

55. The Commission makes this case because we see competence and security in Internet use as necessary to the exercise of our basic human rights.

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