

**Speech by Brian Lenihan T.D., Minister for Children, at the launch of the  
ISPAI Hotline Fourth Report  
Thursday 29 March 2007  
at Buswells Hotel**

**Ladies and Gentlemen, colleagues,**

**I am very pleased to be invited by Mr. Paul Durrant, the General Manager of the Internet Service Providers' Association of Ireland's Hotline to launch the Hotline's fourth report here today. The Report is a very useful document as it examines the activities of the Hotline during 2006, provides analysis of the statistics collected, compares trends with previous reporting period and offers some observations.**

**The internet by its very nature, lends itself to being used for a wide range of criminal activities. This can include illegal pornography, racist or hate materials, financial fraud, intimidation or any other criminal activity carried out via the internet. The internet is an international and world - wide phenomenon with no borders and no single organisation controlling it. Measures to combat illegal materials and activities on the internet are, therefore, hampered by a multiplicity of jurisdictions, differing legal systems and differing social norms. Those who misuse the internet are often highly sophisticated and technically astute.**

**Furthermore, the nature of the industry is dynamic, with ongoing development in communications technologies allowing for internet access by new means. These are largely positive developments but tackling internet downside issues is a complex business and continues to set challenges and commitments for all those charged with protecting against the downside of the internet. A combination of responses and the co-operation of all the stakeholders, at both national and international level - legislators, law enforcement, schools, child protection practitioners, parents and guardians - is essential.**

**The Government plays its part through support for the relevant agencies and through a programme of strong legislation. In terms of legislation, in the Child Trafficking and Pornography Act, 1998, Ireland has one of the most robust pieces of legislation anywhere. Under the Act, the possession, distribution, importation and exportation or sale of all forms of child pornography - films, video or material in written or auditory form including material produced or transmitted via the internet - are offences with penalties of up to 14 years' imprisonment. Mere possession of child pornography can be punishable by imprisonment for up to 5 years. Using a child or allowing a child to be used for the production of child pornography is also punishable by up to 14 years' imprisonment.**

**A new offence of meeting a child following sexual grooming, on the internet or otherwise, was included in the recently enacted Criminal Law (Sexual Offences) (Amendment) Act 2007. Some further amendments to our legislation are contained in the Criminal Law (Trafficking in Persons and Sexual Offences) Bill which is being drafted in the Office of the Parliamentary Counsel. Among the provisions of the Bill is one that prohibits the sale of children, including through a computer system, for the purpose of the sexual or labour exploitation of a child.**

**The Garda Síochána fully investigates reports of suspect activity and monitor child pornography on the internet. Where evidence is available action is taken in accordance with legislation. I understand that An Garda Síochána, in conjunction with its EU colleagues, is currently examining new methods of preventing the production and distribution of child pornography on the internet.**

**On the structural side, the Government established a working Group to examine and report on the whole question of the illegal and harmful use of the internet with particular reference to child pornography. The main recommendation of the Report was for a system of self-regulation by the Internet Service Provider industry and the components of such a system were to include:**

- an Internet Advisory Board (IAB) to promote awareness of Internet downside issues, co-ordinate efforts to combat child pornography on the Internet and monitor the progress of self regulation by the Internet Service Provider industry
- a Public Hotline for reporting child pornography
- an industry Code of Practice and Ethics setting out the duties and responsibilities of each Internet Service Provider.

The Internet Advisory Board (IAB) as well as overseeing a self-regulatory regime for the Irish Internet Service Providers, encourages best practice procedures, provides advice and facilitates research in Internet-related issues including child safety.

The Hotline ([www.Hotline.ie](http://www.Hotline.ie)), is funded by the Internet Service Providers' Association of Ireland with support from the EU Safer Internet Action Plan. It accepts and investigates reports from the public in relation to child pornography and other illegal material on the internet and attempts to identify the source. If the material is hosted in Ireland, it will request the relevant Internet Service Provider (ISP) to remove it, in accordance with their Code of Practice and Ethics. Special protocols operate between the Gardaí and the Hotline that maximise co-operation on law enforcement issues so that offences in the area of child pornography can be detected and prosecuted.

The Hotline works closely with, and is a founding member of, the international INHOPE Association ([www.inhope.org](http://www.inhope.org)), a network of European Hotlines which is expanding to all parts of the world. The INHOPE Association develops procedures and shares information on the best practices for the tracing and tracking of illegal child pornography.

Many of the images found by the Hotline are truly horrendous. Responsible states and citizens must do everything in their power to try

to curtail the trade in these images and contacts to support this trade that occur on the Internet. Anyone finding any trace of suspect activities be it browsing, or on "file sharing", web forums, chat rooms, newsgroups or whatever, should report it to the Hotline so it can be followed-up. It is through tracing these images that clues can be provided to police and welfare service to rescue these unfortunate children and bring to justice those responsible for this despicable behaviour.

Since the Hotline was established in 1999, there has of course been an enormous increase in internet usage in Ireland. In the report, you can see that the public are increasingly using the Hotline. The amount of serious child abuse images being reported has also grown year on year. While the Hotline accepts reports of other types of illegal content, child pornography remains the top reason for report submissions. I see in the Hotline's Annual Report that child pornography was cited or implied in 2,125 reports which represents 79% of all reports. The increase in the number of reports made to the Hotline, covered by this report reflects, I believe, not only the increased level of internet usage but also an increased willingness on the part of the general public to take action in reporting it.

However, in the seven years of operation, I am glad to note that the Hotline has not received a single report that was assessed to be child pornography which was traced to ISPAI members' facilities in Ireland. No report from the public in Ireland or from the 26 other Hotlines operated world wide, found that child pornography originated on ISPAI members facilities here. That fact should be a source of pride to all ISPAI members.

In this regard, I would like to commend the Irish internet service providers, who, have undertaken, under a Code of Practice and Ethics agreed with the Internet Advisory Board, to respond immediately to requests from the Hotline for action in the event that any illicit material

found on Irish servers. The co-operation of the internet service providers is an essential part of the concept of an effective Hotline. I congratulate them for their responsible approach to playing their part in addressing internet safety, as evidenced by their practical and financial support for the work of the Hotline, as well as their contribution to the work of the Internet Advisory Board itself. I would like to take the opportunity to encourage Internet Service Providers newer to the market to join the ISPAI in their fight against child pornography and other illegal content. It takes a concerted effort to manage and monitor a world wide phenomenon like the Internet. This is a matter of concern to us all and all providers should be supportive of action to address child pornography distributed through the internet.

We need to get the message out, so any of you here whose organisations have public services on the Internet or are involved in any way with Child Safety, please consider adding the Hotline logo and brief explanation to your web-site. The means to do this is provided on the Hotline web-site.

All of us who are concerned with protecting our society, and particularly our children and young people from illegal and harmful use of the Internet, from teachers, to legislators, and above all parents, must be ever vigilant and ready to take necessary action. I am confident that the Hotline, the Internet Advisory Board, the Garda Síochána and other agencies are fully committed to this vital task.

I commend the Hotline for their work, and congratulate them on their results to date. My congratulations to Paul Durrant on the production of a very comprehensive and informative report and I wish him and the Hotline continued success in this most important work.