

Submission to the Petitions Committee on

The Petition of Holly Brooker: Mandate  
Internet Service Providers to block rape,  
bestiality and slavery porn

by

The Internet Service Providers Association of New  
Zealand Inc

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## Submission to the Petitions Committee on The Petition of Holly Brooker: Mandate Internet Service Providers to block rape, bestiality and slavery porn

Thank you for the opportunity to comment on this petition.

The Internet Service Providers Association of New Zealand (ISPANZ) is the industry organisation representing ISPs. Our members tend to be middle to small sized organisations. None of the three ISPs included by Makes Sense in their stakeholder engagement are ISPANZ members.

We note that Holly Brooker's petition, on behalf of Makes Sense, states:

"The request is simple – develop a more effective CSAM blocklist, approve the development of new lists for bestiality and rape videos, and require the use of these lists by ISPs."

ISPANZ agrees with the petitioner that this type of objectionable material causes harm, and that harm should be prevented. A method of filtering it is needed.

ISPANZ members make use of the Digital Child Exploitation Filtering System (DCEFS). We agree with the petitioner that expanding the DCEFS to include other objectionable material is the most practical way of filtering the objectionable content that this petition addresses. Without incurring significant costs that would have to be passed on to end customers, ISPANZ members would not have the time or skills to develop their own filtering

systems. If the identification of sites to be filtered out fell to ISPs, our members would be most concerned about potential harm caused to their staff conducting the identification of objectionable sites, and to the consequent legal liability they might be exposed to.

Reliance on a filtering system developed, managed and updated by a specialist agency would therefore be necessary. It makes no sense to effectively duplicate the DCEFS to filter other objectionable material. Also, if filtering becomes mandatory, implementing a single filtering system for all objectionable material would be easier than having to implement multiple filtering systems.

We note that all filtering carries costs and that, depending on the scope of filtering and how it is implemented, those costs could be small or quite large. We note that the petitioner quotes Rory Birkbeck as saying that there is a need to:

“require large ISPs and tech platforms to build robust blocking mechanisms internally that engage the DIA list.”

If only “large ISPs” are to be included then, so that our members have certainty, we would be advocating for there to be a clear definition of a “large ISP”.

We note that the petitioner recognises that filtering carries continuing costs as they state that there would be a need to:

“Provide small financial subsidies for ISPs and tech platforms to detect, block, filter and report on CSAM, or other objectionable content.”

ISPANZ would wish to contribute to any discussions on the scale of financial subsidies and how they might be administered.

Our members wish to protect people from harm and would welcome the DCEFS having its scope extended to cover other illegal objectionable material.

As we are not expert on the harm being caused, ISPANZ takes no position on whether the government should mandate compulsory filtering as advocated by the petitioner. We feel that is a matter for the government to decide. Our members will comply fully with all their legal obligations.

If this committee supports this petition and recommends that compulsory filtering should be introduced, ISPANZ would welcome the opportunity to comment on any draft regulations.

### **Conclusion:**

We recommend that the Department of Internal Affairs (DIA) be directed to expand the scope of the DCEFS so that it covers all illegal objectionable material.

We take no position on whether such filtering should be made compulsory, that decision is for the government. If compulsory filtering is adopted ISPANZ would wish to be consulted on any draft regulations and be included in any discussions on how implementation and ongoing costs would be financed and managed.

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