PRESENTS: IN CYBERSPACE, NO ONE CAN HEAR YOU SCAM: CIVIL AND CRIMINAL ISSUES WITH CYBER-SCAMS.

Abstract
An internet enabled world provides wrong-doers with a number of opportunities for online scams or cyber-scams. Some of these scams can be characterised as fraud and some, particularly those perpetrated by corporations, represent conduct which is in breach of the Competition and Consumer Act, 2010.

In the case of fraud, cyber-scams are usually inter-state activities. This means that there are jurisdictional issues and the seminar will address some of the consequences of these.

The Australian Competition and Consumer Commission runs a website called SCAMwatch which provides information to consumers and small businesses about how to recognise, avoid and report scams. However, this website warns that “if you lose money to a scam, it is unlikely that you will be able to recover your loss”. The website only helps consumers to recognise and prevent scams. Another body, the Australasian Consumer Fraud Taskforce represents 22 government regulatory agencies and departments with responsibility for consumer protection regarding frauds and scams. The seminar will consider some of the consumer issues arising from cyber-scams in an environment where losses seem to be considered inevitable.

The seminar will also investigate some potential mechanisms by which cyber-scams could be addressed from each of a civil and criminal perspective. In particular, the seminar will consider the prospects of a “take-down” regime similar to that provided to the Australian Communications and Media Authority under Schedule 7 of the Broadcasting Services Act 1992 in respect of inappropriate internet content.

The session will conclude by addressing some of the international harmonisation issues which might facilitate the operation of such mechanisms.

Bio
Rob Nicholls is a General Manager in the Communications Group of the ACCC where he is responsible for the regulation of:

(a) transmission and facilities access;
(b) mobiles and spectrum; and
(c) upstream content and applications.

Rob’s 28 year career has focused on technology, regulatory and business strategy in telecommunications and broadcasting. He most recently worked as a consultant for Gilbert + Tobin where he provided advice to governments, regulators, incumbents and entrants in the telecommunications and broadcasting space in Asia, the Middle East and Europe. Rob holds a PhD and a Masters in politics and international relations from UNSW where he is a session lecturer on international political economy. He also holds an honours degree in electronics and communications engineering from Birmingham University. Rob’s research interests are in the regulation of networked industries and the interaction of such regulation with human rights.

If you would like to attend this session please contact Ms Luanne Mott by Tuesday 1 November for catering purposes: lmott@uow.edu.au.

This schedule will be updated throughout spring session: http://ctcp.uow.edu.au/newsevents/seminar/index.html