

## SOCIAL WEB

# Posting privates can be dangerous

## Cyber graves a legal mess

As millions more online users sign up to new social networking sites each day, SHARON GREEN and TIMOTHY WETHERELL explore the potential dangers lurking within cyberspace

NEXT time you are going for a job interview you may want to check your Facebook profile.

MySpace and Facebook, since their creations in 1999 and 2004 respectively, have been a large part of young people's lives.

Facebook, created by American student Mark Zuckerberg initially for Harvard students only, was expanded to other US universities after 6000 students signed up in the first three weeks - a valid email address being the only requirement for entry to the site.

By July 2007, MySpace claimed 61.3 million users while Facebook had 34 million users worldwide.

In May the *Geelong Advertiser* showed you did not even need a computer to have a "profile" on Facebook.

It was revealed Geelong homeless identity "Deeta" had 3000 Facebook friends without even accessing the internet.

While social networking sites have voluntary privacy controls they cannot stop a "friend" tagging explicit photos or defaming someone on their "wall".

Brisbane man Scott Whitby discovered this unwanted feature the hard way.

Mr Whitby, a former Telstra linesman, claimed workers' compensation after a back "flare up" saying he was unable to lift more than 10kg.

This was despite pictures on his Facebook profile at the time of him holding up two large fish he had speared.

Telstra's lawyers used these images during his case before the Administrative Appeals Tribunal.

Infamous swimmer Nick D'Arcy claimed in his criminal trial to have suffered collateral damage after photos were ex-

posed from his Facebook profile.

In the US there have been a raft of cases involving evidence taken from Facebook and MySpace.

Texas Prosecutors used MySpace postings of a driver involved in a fatal accident that said "I'm not an alcoholic, I'm a drunkaholic".

The key message for young people is to think more about their actions online and consider the consequences, according to the director of Youth Law Ariel Couchman.

"Treat Facebook like you are on the street or in a public space. Would you give a stranger your name, address or phone number?" she said.

Young people should also be aware of schools and employers using Google or Facebook to look for prospective candidates.

"Often this has led to more negative effects than positive ... especially with younger people," Ms Couchman said.

For parents the dangers of Facebook and MySpace are still a work in progress.

Youth affairs consultant Leigh Bartlett, from Barwon BATFORCE in Geelong, believes parents need to look at technology as a positive form of communication. "Technology is part of young people's lives now and parents need to be invited into their world but on their terms," she said.

Ms Bartlett recommended parents who were worried about their children engaging with websites such as Facebook needed to become cyber savvy. She said children should be taught the responsibilities that come with the use of technology and learn to build healthy relationships online.

"Parents need to get involved in new technology early so that they know what they're dealing with instead of waiting until their kids are 16 and older because then it's too late," she said.



EXPOSED: Nick D'Arcy claimed he suffered collateral damage after photos from his Facebook profile were used.



Geelong homeless man 'Deeta' had a Facebook fan page.



Myles Braund faced charges of grooming girls for sex on the net.



Singer Renee Cassar was voted the No. 1 unsigned artist on MySpace.

so that they know what they're dealing with instead of waiting until their kids are 16 and older because then it's too late," she said.

"We're constantly playing catch-up with technology so the key is to learn what kids are into at an early stage. Start as early as Prep when the kid's starting to click on the computer."

Another way of incorporating the positive use of online socialising is to create technology spaces within the home that are open and visible, such as the main living area.

"The important thing is to be interested. Parents need to share information on computer use and getting your kids to teach you how it all works is a great way to create a healthy

relationship between them and the technology," Ms Bartlett said.

Dirty laundry aired online after a relationship break-up should give rise to a right to sue for breach of privacy, Mr Pearce said.

So next time you're logged onto your profile think about who might be watching.

CYBER graves are presenting a growing problem for legal professionals who urge people to leave their social network passwords with their executors in case they die.

Social networking sites like Facebook and Bebo are immortalising customers by leaving thousands of deceased sites online.

The morbid conundrum is a growing problem for legal professionals, who urge social networking users to keep a log of internet passwords to help executors finalise their loved one's estates.

While it is not known how many of the 200 million Facebook accounts open worldwide are "inactive", a spokeswoman said administrators do not automatically remove personal profiles when a user dies.

Instead, Facebook encourages family to convert the profile to a "memorial site" so friends can leave tribute messages.

"Usually, only the person who started their Facebook profile can take it down because they're the only ones who know their passwords," the spokeswoman said.

"We encourage users to utilise groups and group discussions to mourn the deceased."

While some users say the memorial sites have been a consolation, others are angry they have no power to remove the sites.

In the United States, Stephanie Bemister campaigned for Facebook to remove her dead brother and high-profile journalist Bill Bemister's site.

Fearing the amount of personal information he had left on the site, she said she was "sickened" when the organisation refused to take it down - offering her a "memorial site" instead.

- THE DAILY TELEGRAPH



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