

Growing Pains

By Chris Gledhill, Managing Director, PDMS

It is easy to forget that for commercial purposes at least, the Internet has been with us for less than ten years. A child born in 1996 would now be in year 5, fairly fluent at reading and writing, but still struggling a bit with long division. During this time the net has gone from being the exclusive territory of geeks and science fiction writers, through the excesses of the dot com boom and bust, to emerge as an essential arena for business. In fact, it has become so much part of the mainstream that we tend to take it for granted. In a couple of years our year 5 pupil will be using dad's credit card to buy their coursework online as if it had always been done that way; whereas we all know that in my day cheating required far more ingenuity and was in fact part of the educational experience...

For a business of any size or ambition the Internet has to be taken seriously and whilst there is still an element of the Wild West about e-commerce, it is interesting to see how standards of behaviour online are starting to fall into line with those expected in every other sphere of business. This applies both to the standards of performance required to keep up with the competition and, increasingly, to those required by the regulator.

The Isle of Man is in general following the same approach to the regulation of e-business as the UK and this in turn is based on the edicts of the European Community. In particular there are new rules in the offing relating to the accessibility of websites for the disabled and also to control unsolicited emails otherwise known as spam.

As an aside, a little on line research reveals a general consensus that the term "spam" comes from the Monty Python sketch where the name of the canned meat product is used so often that it crowds everything else out. I had rather hoped this was the case but it is nice to have it confirmed.

These standards should not be interpreted negatively as yet another bureaucratic interference, but rather as a reasonable attempt to define the boundaries of responsibility in the way business and consumer interact on line. Any regulation is open to interpretation based on specific circumstances of a particular case; however there are some basic principles which can be applied in most cases. The anti spam regulations in particular seem to be fairly unambiguous.

The Unsolicited Communications Regulations 2004 (available on the government website www.gov.im) essentially ban the use of email for direct marketing purposes unless consent has been given for this type of approach. In practice the definition of consent is likely to be fairly liberal including, for example, the handing out of cards at business functions or entering free competitions on line. However, the consumer must always be given the opportunity to refuse the use of their contact details for direct marketing. This is therefore an essential consideration in the design of both the website used to collect the contact information and any of any system

used to generate marketing emails. If they do not provide the opportunity to unsubscribe or this information is not subsequently acted on, the sender will be in breach of the regulations.

The situation with regard to accessibility is more complicated. The basic principle is that a web site or online service should be accessible to a disabled person to prevent discrimination. In many ways this is exactly analogous to the provision of wheel chair access to public buildings, only in this case the most important disabilities to consider are those affecting the ability to use a computer and in particular, problems with vision. Blind and partially sighted people can use a number of tools such as screen readers to navigate web sites, but these tools are affected by the design of the pages in ways which may not be obvious to a sighted designer. Consequently there are guidelines for the design of accessible sites available from a number of sources. One of the most authoritative is the W3C Web Accessibility Initiative (www.w3.org/wai/).

The guidelines identify several levels of accessibility to cater for varying degrees of disability, and inevitably compliance with these guidelines imposes constraints on the design of a site. However, it seems likely that there will be increasing pressure for reputable organisations to provide their online information and services in an accessible way. In fact, not to do so is likely to be regarded as rather shoddy even if it is not technically in breach of any regulations.

Poor web site design is increasingly likely to reflect badly on the overall competence of an organisation, and compliance with the regulations discussed in this article, is only part of what we have to learn as the Internet grows up.