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Second Life and Networked Educational Simulations:

Development Potential and a Model Code of Practice

Final Report for the Strategic Teaching and Learning Grant Scheme (STAGLS) Committee

March 2009

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Executive Summary

While the process of completing this project has been fraught with technical and procedural delays, we believe we have gathered some very important data to act as a framework for further projects relating to the use, regulation and governance of Second Life or other three-dimensional virtual environments (3dves) by Deakin University. The intended primary output, namely the creation of a code of conduct, could not be achieved. As we always intended, the vital ingredient of such a document was the need for a student perspective covering their usage patterns and perceptions of risk associated with 3dve platforms, and by extension to examine the efficacy of online codes of conduct to encourage appropriate student behaviour more generally. Our original goal to administer an online survey to a sample of 2,000 Deakin University students within a ten month time period was extremely ambitious. Our inability to conduct this survey was therefore a crucial barrier in generating the main output envisaged by this proposal, namely a complete and evidence-based code of conduct or associated policy governing the use of Second Life and other 3dves for the consideration of senior Deakin University teaching and learning administrators.

Nevertheless, we believe the data we have obtained through this project is a crucial stepping-stone to pursue this goal through other means. This report outlines the preliminary findings from our primary research into existing codes of conduct and ‘in-world’ regulatory measures for the use of Second Life at several Australian and international Universities, the views of several academic and administrative staff stemming from three in-depth focus group sessions, and the variety of additional we have undertaken to publicise our work to the broader academic community. Our findings indicate that while it is premature to develop a detailed code of conduct to govern the use of Second Life and other 3dve technologies at Deakin University, it is crucial to develop such a code with theoretical insights to ensure the code will clearly identify and achieve its aims. Moreover, our data suggests the adoption of a decentralised approach to ‘in-world’ governance is favoured by the majority of educational institutions currently using Second Life and the bulk of educators within Deakin exploring this platform. The findings highlight an important disjuncture between the perceptions of those not familiar with the intricacies of the platform, and those experienced in its
Second Life and Three Dimensional Virtual Worlds (3dves)

Second Life is one of several new generations of three-dimensional virtual worlds (3dves) or web 3.0 technologies. These environments incorporate many functions common to previous generations of web technologies. The greater functional convergence associated with contemporary global social software platforms is part of their appeal. A user of 3dves can communicate with other users through synchronous voice chat, text messaging, as well as by streaming audio-visual presentations, uploading jpeg and other image files, or even conducting PowerPoint presentations with an accompanying voice narrative. As a synchronous medium, all communication other than streamed audio-visual material can be transmitted to a global ‘in-world’ audience of users in real time.

Figure 1. Darren Palmer (Sisprod Larnia) and Ian Warren (Ian Weitman) Presenting ‘In-World’ at the Second Life Education Community Conference, Tampa, Florida, Sunday 6 September 2008 (Melbourne Eastern Standard Time)

Second Life mirrors the basic structure of a conventional digital storage repository, such as Blackboard or Facebook. These platforms allow users to upload, modify, store or remove content as required. However, there is one major difference between a ‘two-dimensional’ digital repository and a 3dve. As the name implies, the 3dve allows the user to transpose
recorded ‘in-world’, involving 431,306 users. In 2008, LindenX, the in-world currency exchange, dealt with over $US100 million worth of transactions in Linden $. At the time of writing the official exchange rate was $Linden259 for every $US1 (Linden Labs, 2009b). While recent membership numbers are currently not available, it is estimated there are around 15 million Second Life users worldwide. The platform supports a range of ‘in-world’ and external business activity, allowing meetings to be conducted globally, the conversion of ‘in-world’ revenue into $US and vice versa and a range of educational activities. It is this latter feature that attracted the project team to investigating the utility of Second Life in teaching and learning, and the crucial issues surrounding user behaviour, safety and governance.

In 2007, reports in internet news sources indicated a Belgian woman using Second Life had lodged a complaint with the Belgian police alleging that her avatar had been ‘raped’ (Duranske, 2007). Apart from the raft of debate in online sources over the technical capacity for a virtual rape to occur, not to mention the legal liabilities this might produce in a global, trans-jurisdictional environment, the incident highlighted several possible concerns over notions of ‘risk’ associated with ‘in-world’ activity. While a degree of economic risk is natural to expect in such a vibrant commercial environment, the Belgian virtual rape case demonstrates a more problematic form of human risk with the potential to impact on unsuspecting users of Second Life and other 3dves.

The project team felt this issue worthy of further attention given the extensive educational presence in Second Life. At the time of commencing this project, over 250 Universities worldwide had a presence within Second Life. Linden Labs actively promote the use of its platform as a ‘vibrant’ environment for networking, educational development and creativity (Linden Labs, 2009c). There are also substantial discounts available to educational institutions purchasing land on Second Life. While Second Life is arguably the most well-known 3dve to promote educational activity, with The Open University, Harvard, Texas State, and Stanford (Linden Labs, 2009c) having developed a range of modules and simulated role plays in disciplines such as law, medicine and the social sciences, it provides a template for examining issues of risk, governance and safety in 3dves more generally, given the rapid diffusion and technical similarities between these emerging global platforms.
Operational Policy’, which was first approved in December 2004. While the policy was originally designed to comply with state and federal legal provisions binding the University and students in online forums used in educational delivery, the Policy significantly pre-dated the additional functionality and environment promoted by 3dve technologies such as Second Life. In particular, Policy requirements relating to ‘sending -communications under a false identity’, ‘falsifying their (students or staff) identity’ and ‘online gaming’ (Deakin University, 2004, Clause 4) appeared to be totally inappropriate to the inherent character of 3dve technologies, which require users to use pseudonyms as primary identifiers of their avatars, within a digitally animated platform resembling a game. These anomalies were the product of the disjuncture between a dated Online Communication Policy and the emergence of a new educational technology with novel methods of functionality clearly not envisaged at the time the original Policy was drafted in 2004.

Our project was informed by and sought to rectify this disjuncture by developing a new code of online conduct appropriate to the emergent technical requirements of Second Life. As a core component of this process, we recognised the importance of student participation in key aspects of the development and endorsement of University policies, as articulated in Clause 23 of the Deakin University Student Charter (2008a), which enables students:

*To have opportunities to participate in institutional decision-making.*

In addition, all project team members are highly committed to the University’s strategic objectives in providing a responsive, innovative and accessible learning experience through the adoption of new and emerging educational technologies (Deakin University, 2008b). Our concerns lay mainly in developing a greater understanding of the importance of risk management principles when using an emerging educational technology with enormous potential, in a context where it was clear that despite the range of terms of service, complaint mechanisms and other deterrents to inappropriate behaviour administered by Linden Labs, their commitment to rigorous enforcement of good conduct was at best piecemeal (Duranske, 2008).
community of *Second Life* users from accessing any of the features of the site. This in turn restricts the ability of Arts Education staff to publicise their all or part of their work beyond the immediate Deakin community of invitees, preventing valuable public relations work being conducted through all or part of the *Second Life* platform.

**Figure 5. Princeton University Island’s Point of Entry and Online Code of Conduct**

![Diagram of Princeton University Island’s Point of Entry and Online Code of Conduct]

More notable was the experience of Public Relations staff and students in commissioning an assessable assignment through *Second Life* requiring students to construct an avatar and raise money for a nominated organisation through the platform. While staff managing this assessment task were cognisant to instruct their students of some of the hazards to be expected when navigating the unchartered waters of *Second Life* and some of its seamier environments, characters and behaviours, the absence of any formal guidance to help steer this initiative appeared as a prominent concern, particularly where notions of duty of care in the 3dve environment were poorly understood.

At another level, it is equally clear from a criminological perspective that many contemporary real-life activities are so fundamentally over-regulated as to make them no longer fun, interesting or worthwhile. This real-world tendency has significant implications for developing novel educational technologies such as 3dves, by stifling the levels of
• A survey of Australian University educators and Information Technology staff on their conceptions of harm, risk and harm prevention in 3dve technologies;

• A series of in-depth focus groups with Deakin University teaching and administrative staff, building on core themes examined in the student and staff questionnaires, with the ultimate goal of providing incremental and detailed comment on the draft code of conduct prior to its final drafting at the completion of this project.

In retrospect, this was an extremely ambitious agenda for a project of only ten months duration. Nevertheless, at an intuitive level, the incremental nature of each methodological component made good sense given the scope of material that should inform the development of any major policy initiative. It soon became apparent, however, that a variety of University procedural requirements would hamper our ability to produce our ultimate objective of developing a viable code of conduct for the use of 3dves at Deakin University in the way that the project team originally planned. As a consequence, our primary objective as stated in the initial funding application was not met and is something the project team has regretted throughout. Regardless, the project team strongly believes the various outputs achieved in 2008 have set an important benchmark for further teaching and learning, research, publication and educational development within Second Life and other 3dve platforms, to ensure we are a significant Australian and international leaders in the fields of regulation, governance and risk management in web 3.0 technologies.

**Process Impediments**

Throughout the duration of this project, it was apparent that we would face numerous procedural difficulties once we were notified that our initial funding proposal had been successful. The process of notification turned out to be the first impediment we faced. We received notification of our from the then Director of the Institute of Teaching and Learning by email dated 24 February 2008, almost two months into the 2008 calendar year. This meant that we effectively had ten rather than twelve months to ensure completion of the project and expenditure of the $38,000 provided under the STALGS award. Although the delay was minor compared to other issues we faced through the
conduct the focus groups before finalising the content and administering the questionnaires. Again, in retrospect and in light of several further delays we experienced, this proved to be a very important decision as it enabled us to gather some important primary data in a context where staying with the original methodology would have likely produced no primary data at all in 2008.

The third major impediment related to the use of the University administrative databases to generate a proportionate sample of first-, second- and third-year students for the student survey component. After numerous requests throughout 2008, we eventually received the requisite approval at the beginning of October, only to be told that it was not permissible to administer the student questionnaire at that time as it would clash with the Semester 2 Student Evaluation of Teaching and Units surveys. Consequently, with most students likely to be sampled from the entire University population either consumed with end-of-semester examinations, or then going on summer break, it was decided at the last minute to abandon the student survey entirely.

The final procedural impediment we faced related to the University's annual 'claw-back' policy, which encourages the draining of all funds in University accounts at the end of each calendar year, regardless of the expenditure commitments in individual cases. Our penultimate STALGS report contained two letters directed to our then Faculty General Manager, and the Deputy Vice Chancellor (Academic), outlining at length the procedural delays we experienced during the course of this project, and requesting some form of exemption from the 'claw-back' policy, or, if the remaining funds could not be expressly earmarked and held over into 2009, the grant of an equivalent funding commitment through a separate fund in 2009 to ensure completion of a piece of research significant to an important area of strategic development within the University. Again, circumstance worked against us to ensure this request could not be granted. Hence, from mid-November to the end of December, while two members of the project team were on recreation leave, the remaining team members worked diligently to salvage some value from the remaining funds. We believe, again, this produced a very successful outcome, but one which turned out to be vastly different from our initial intention in conducting this research.
Therefore, in a context where our initial objective was to conduct an extremely novel project rich in primary data, our inability to administer any of the three questionnaires within the ten-month timeframe as originally planned, significantly undermined our capacity to develop the evidence-based code of conduct forming the basis of our initial proposal. Nevertheless, the project team was extremely conscious of obtaining as much value as possible from the sources of data we could easily obtain, the national and international networks in the field we established throughout the project’s shortened duration, the conference and publication opportunities we embraced as a result of the project, and ‘in-world’ infrastructure in Second Life we developed as a result of the STALGS funding. This combination of project outputs will be itemised below and attest to the project team’s diligence in making the most of a series of problematic events threatening to derail the project entirely.

**Project Findings**

In this section, we highlight the major findings of our project investigating the merits and problems associated with the development of codes of conduct for the use of 3dve technologies at Deakin University and in other educational settings. As a result of the above issues, we could not develop the actual code we sought to develop and test through the receipt of STALGS funds. The need for an evidence-based code incorporating the voices of students, staff and experts in the field were always considered vital ingredients for a viable code to deal with the potential problems associated with the use of 3dve environments in teaching and learning. This is a consistent pattern in historical and contemporary regulatory literature in the criminological field, and informed the project team’s approach to this research throughout. Indeed, we were always open to the possibility that the best regulation could be achieved through no code of conduct at all, or, at minimum, a highly devolved regulatory structure, conferring ultimate control for behavioural conduct back on individual Unit Chairs. Indeed, as far back as 1924, Graves noted the limitations of codes of conduct in the business field:

> The code of ethics is not a cure-all, and it possesses no magic powers by which it can turn darkness into light ... [but, with] proper use [they can be effective] to the cause of truth and
systematic method of modelling notions of harm and risk associated with the use of 3dves in teaching and learning, subject to further research input on the merits and content of a formal code of conduct. We also sought to examine whether and how Deakin University should deal with any complaints relating to allegations of inappropriate behaviour made against any Deakin University students using Second Life, and various issues associated with the protection of Deakin students from the behaviour of other users of this platform, whether or not this occurred on space controlled by the University and its staff.

i) Literature Review

Despite a range of literature highlighting the educational benefits of using Second Life and other 3dve technologies for teaching and learning, there was little if any literature dealing with notions of harm, risk management and loss prevention associated with these technologies. Indeed, much of the literature on regulating conduct in virtual worlds deals with broader macro issues regarding the roles of formal law in a virtual context. We conducted a systematic search of relevant literature in fields of educational delivery, information communications technology, law, criminology, sociology, anthropology, media and communications studies and business, which produced over 200 refereed journal articles dealing with various applications of 3dve technologies in a range of educational and service delivery fields. Most of this literature stems from the United States. This initial list, much of which dates from the years 2005 to 2009, forms part of a systematic and ongoing database of material being collected by the project team on 3dve technologies, their educational and pedagogical merits and pitfalls, contentious issues stemming from their use and their overall efficacy as media promoting immersive learning, global social networking and related business, cultural and artistic activity.

The major regulatory theme emerging from this literature is the marked and long-standing distinction between those advocating the direct translation of existing legal rules, principles and terminologies to explain and regulate conduct in virtual worlds (Brenner, 2006) and those supporting minimal intervention to reflect the ‘game-like’ character of these platforms and the activities occurring within them (Kerr, 2008). This distinction has direct bearing on the development and application of real-world laws, codes of conduct, and even languages for articulating
the boundaries between the virtual and the real become invariably blurred. As Brenner states:

The more interesting, and more challenging, scenario ... [is when] “harms” inflicted in virtual worlds do become a significant threat to our ability to maintain order in the real world. For now, the concerns of the criminal law lie exclusively in the real world; virtual worlds may serve as vectors for the “harms” criminal law takes cognizance of, but the “harms” must resound in physical reality, because that is where our lives are grounded ... many knowledgeable people predict that the conceptual and emotional aspects of our lives will increasingly migrate online into virtual worlds far more sophisticated than Second Life. If that is true, then it seems reasonable to assume we will approach a tipping point at some stage in that process, i.e. a point at which we are sufficiently invested in virtual life that “harms” which resound only in the cyber domain necessitate the application of the criminal law. We will then have to decide if we want to extrapolate our existing criminal law to cyberspace or develop a new (fantasy) criminal law for the virtual worlds (Brenner, 2008, pp. 96-97)

In contrast, Orin Kerr (2008) suggests that virtual worlds are fictive in nature. As such, users are cognisant of the limits of formal law, regulation, governance mechanisms and codes of conduct in providing appropriate controls on user behaviour. Under this approach, the 3dve user is aware that activity within the virtual world has a ‘game-like’ quality, and any external rules have the capacity to erode that quality and substantively change its nature and appeal to actual and prospective 3dve users. The regulatory effect of this reasoning is to treat 3dve users as informed and active participants in the development of their own rules, regulations and codes of behaviour at a highly informal level. This approach allows rules of appropriate conduct to ‘evolve’ according to the specific workings of 3dve platforms and the behaviours they encourage amongst users. This ‘market forces’ and ‘hands off’ approach confers regulatory power in individual or groups of users, based specifically on their expertise and knowledge of 3dve technologies, without the risk of external rules dictating the terms of how these platforms ‘should’ be used based on inappropriate or ill-conceived real world notions of harm.
Under this model it is important for students and teaching staff using 3dve technologies to have a stake in the very rules and regulations that will govern their behaviour in web 3.0 environments. However, this should not occur at the expense of any other mechanisms including market forces, existing university codes of conduct or the widespread use of digital coding processes to control or prevent untoward activity either by, or affecting student and staff users. The use of digital coding in particular, is commonly viewed as one of the most effective methods of ensuring appropriate behavioural conduct in the digital realm (Lessig, 1999). However, the technical expertise to develop and analyse when, where and how such coding might be appropriate for any particular application remains conjectural, particularly in 3dve environments such as Second Life, which are novel, emerging, and subject to a range of new coding methods developed by users to deal with specific problems as they emerge. The identification and analysis of these issues requires a degree of technical expertise beyond the capacity of the project team. However, the range of circumstances requiring such technical control mechanisms is worthy of further investigation given its importance as one of several regulatory approaches in 3dve governance, and was explored to some degree by the project team as part of this project.

One striking trend in contemporary internet governance is recognised by Yar (2005; 2008), who argues that laws and rules associated with internet usage, particularly directed at young people, are often generated after an actual or perceived crisis associated with new technologies is identified, such as the Belgian virtual rape case. Rather than focusing on the content of a rule-based response to such crises, Yar is concerned with the process of generating rules to govern and potentially unduly restrict creative activity appealing to young people in new and emerging technologies. Yar describes this narrow, reactive and generally non-consensual approach to rule making as the ‘moral pedagogy’ of criminalization. This involves the interplay of three components:

1. the use of questionable ‘data’ to inform the call for a regulatory response;

2. the fear of a new generation of young people using new technology to engage in crime and deviancy, thus continuing the
2006). Vance Stephens (2006) indicates that the concepts of immersion associated with the use of Second Life in early childhood and language education are by no means new, and urges educators in all disciplines to further consider the use of 3dve technologies to promote innovative teaching and learning outcomes. More recently, the Rockcliffe University Consortium (2008) in the United States conducts various courses wholly ‘in-world’ on a fee-for-service basis examining themes such as criminal justice administration, American jurisprudence and criminal investigations. The Consortium also offers courses on architectural scripting, building design and programming to assist developers and novices with the specialist technical skills relevant to site development and maintenance in Second Life.

The themes in the 3dve regulatory and educational literature highlight two pertinent issues relevant to the current uses of Second Life at Deakin University. First, the Arts and Education teaching space provides an ideal platform to incorporate and expand on the body of knowledge regarding the educational value of web 3.0 technologies, irrespective of the regulatory issues involved. In this respect, current teaching and learning initiatives adopted within Deakin by a small yet dedicated group of staff committed to innovation in educational delivery, are an important part of a larger, highly committed and innovative global community of 3dve educators pioneering this field. As a consequence, the exploratory nature of this commitment warrants incremental documentation by those involved, not only to evaluate the specific successes and problems encountered within Second Life, but also as an important means of showcasing these developments to a larger national and international audience of 3dve educators.

Second, any code of conduct or other governance measure dealing with Second Life at Deakin University must be evidence-based, irrespective of the level at which it is implemented by the University. With this general requirement in mind, it is irrelevant whether the content of any governance mechanism is ‘formalist’ or ‘minimalist’. As Yar (2005; 2008) indicates, the process of formulating the rules is of paramount concern and should involve the sort of participatory input, decision-making and implementation originally envisaged by this proposal. Therefore, while the project team risks repeating the standard refrain for ‘more research’ before a definitive conclusion can be reached on the need, value and content of a code of conduct for 3dves at Deakin University, we believe
• the degree of formalism associated with current University codes of conduct and disciplinary procedures relating to Second Life;

• the degree to which the immersive character of Second Life and other 3dves is recognised in these codes;

• the extent to which 3dve codes of conduct generate unique behavioural codes, or are simply added to existing policies and procedures governing appropriate online behaviour;

• how information about these codes can be accessed or is represented ‘in-world’;

• the style, form and content of ‘in-world’ warnings about appropriate behaviour and its control; and

• the use of alternative technological measures to ensure appropriate ‘in-world’ conduct.

Linden Labs provide very little guidance on how to develop codes of conduct specifically relating to Second Life or which can be translated into other 3dve environments. In addition, educational communities dealing with 3dve technologies in Australia or internationally appear to be more concerned with the educational benefits of these platforms, rather than examining regulatory and harm prevention mechanisms. This means the work we have undertaken is an important research niche the project team is keen to develop further as part of an ongoing interest in regulation in 3dves. As will be seen below, the project team has presented and published several peer-reviewed papers from this phase of the research to domestic and international audiences, while participating in a number of seminars organised by Deakin’s Institute of Teaching and Learning to hone and consolidate our ideas. This is arguably the main legacy of the work we conducted under the STALGS award given the procedural impediments we faced throughout the duration of the project.

Understandably, the style, form and content of available codes of conduct governing the use of Second Life and other 3dves in higher education is considerable. Princeton University have prepared a 30-page dossier incorporating Second Life into the general series of Guidelines.
2. We encourage visitors to explore the island, and as they do so, to respect the many hours of work that went into conceptualizing, designing, and building it. As such, visitors are asked to limit all building and rezing activity to the Sandbox, which has been created expressly for that purpose. All structures, furniture, artworks, sculptures, plants, and other elements found on the main level and the Boardroom are not to be edited or modified in any way. You may build or create (rez) any (g-rated) thing you like in the Sandbox, but please practice good Sandbox etiquette and return your creations to your inventory before you leave (New Media Consortium, 2009).

Clearly, these two extremes have their various advantages and problems, even though the Islands and the activities they apply to involve very different forms of activities. The detail of the Princeton model, which is offset by the generic statement of appropriate user conduct on the Island, risks being overly proscriptive. It is unlikely any student using the Princeton Second Life environment, for either a short or long term learning task, will take note all of the entire content of each of the documents governing student conduct involving internet use or student conduct more generally in the University environment. However, this might not be the intention of the Princeton model. It might be the University is simply mapping the scope of the various rules associated with Second Life in the context of its general educational mandate, and is intentionally ‘covering-the-field’ to anticipate all possible options when it comes to harm, risk and internal governance. Within this framework, individual Units of study or educators could bear the responsibility to highlight task-specific rules and regulations relevant to good student conduct, which ultimately conform to the more generic University rules and regulations.

The NMC model suffers from the opposite problem with the strong potential to be under-prescriptive. However, this again could be an intentional way of educating new users on the general standards of acceptable behaviour on their Island, keeping in mind its overall purpose as an introductory training space. While some concepts, notably ‘rezzing’, require further definition, the brevity of this model has two benefits. First, as with Princeton, the NMC code reinforces the important point that conduct within the Second Life environment and norms of ‘etiquette’ thereon, should be no different to that to be expected in any
emerge and therefore become overly prescriptive, unenforceable, or unduly restrictive and complex.

**Figure 7. Vaughan’s 4-Point ‘Grid-Group’ Status Models for Regulation (see Warren et al, forthcoming)**

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<tr>
<th>High Grid, High Group</th>
<th>High Grid, Low Group</th>
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<tbody>
<tr>
<td><strong>Hierarchy</strong></td>
<td><strong>Fatalism</strong></td>
</tr>
<tr>
<td>Risk perception: Failure to adhere to rules</td>
<td>Risk perception: Omnipresent but unavoidable</td>
</tr>
<tr>
<td>Opportunities: Maintenance of authority</td>
<td>Opportunities: Short term survival</td>
</tr>
<tr>
<td>Tools: Mandate or prohibit (sticks)</td>
<td>Tools: Short-lived alliances for coping</td>
</tr>
</tbody>
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<table>
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<tr>
<th>Low Grid, High Group</th>
<th>Low Grid, Low Group</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Enclavism</strong></td>
<td><strong>Individualism</strong></td>
</tr>
<tr>
<td>Risk perception: Ubiquitous at borders</td>
<td>Risk perception: Manageable</td>
</tr>
<tr>
<td>Opportunities: Further solidarity of group</td>
<td>Opportunities: Individual advancement</td>
</tr>
<tr>
<td>Tools: Raise consciousness, name/shame (sermons)</td>
<td>Tools: Subsidize or tax (carrots)</td>
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The review of the various codes in this phase of the research assisted greatly in developing the focus group question schedule, and the content of the online questionnaires we hope to administer at some point in the future. However, the written codes are only one component of this qualitative searching exercise. Each code must be examined in the context of various environmental design measures employed within *Second Life* aimed at communicating appropriate behavioural standards to users. In this respect, the Princeton ‘in-world’ signboard at the point of entry into the University’s Island can co-exist with any number of environmental design measures that can promote awareness of desirable or undesirable user behaviour. Such design measures can include:
mechanism without unduly interfering with the aesthetics of the built environment on the Island. Members of the public are therefore free to visit the Island as they feel, but have minimal access rights, and can only really disrupt the environment if they deliberately set out to do so.

**Figure 8. Berkman (Harvard) Island Community Broadcasting Centre Requiring User Permissions**

![Image of Community Broadcasting Centre]

This Community Broadcasting Centre is open for all.
If you would like to have your audio or video stream shown here, please contact Amoibe Berkman.

**Figure 9. The Open, Signless Spaces of Berkman Island**

![Image of Open Spaces]

Vassar College has established an Island aimed at promoting research, educational and cultural activities in *Second Life*. The Island’s showpiece is a replica of the Sistine Chapel. Upon arriving on the Island, a student or any member of the public will see a signboard outlining the main philosophy for establishing the Island and content ratings for most activities they will experience during their visit. In order to enter the Sistine Chapel simulation, it is mandatory for all users to agree to a code of conduct in the following terms:

When you approach the Sistine Chapel, you will be presented with an “NDE Agree Box” that will ask to take control of your avatar.
Associated with these instructional modules, a new user can download free clothing and other inventory items for their use at any time on any Island. Second, while there are several signs relating to site content, there appear to be none associated with instructions on appropriate behavioural conduct in this space. It seems any overt instructions on behaviour would be antithetical to the relaxed ‘beach-scene’ aesthetic the University is aiming to promote in this space.

Figure 11. Uni SA Instructions on Activating an ‘In-world’ Multi-media Presentation

The University of Southern Queensland conducted an award winning virtual worlds Careers Fair on their Island in 2008. The Island contains a main landing point, recreational gardens, a fully functional law court, a digital open day section, and a social club space. As with Harvard and the University of South Australia, there is no evidence of any code of conduct governing appropriate behaviour on this Island. This could mean no behavioural problems of any note have been anticipated or experienced by site administrators. However, it could mean that the University has not considered an overt warning a necessary element of their Island’s design. Students or visitors using the Island for University purposes are given instructions on appropriate behaviour usually through outside instruction, either available on the University’s web site, or in paper documents reinforcing the University’s online standards of user conduct.
The review provided here underscores a more sophisticated analysis of online codes of conduct associated with 3dves in Australian and international Universities that the project team aims to complete in the near future. The evidence uncovered through searching existing University codes of conduct and ‘in-world’ methods of communicating the requirements of appropriate behaviour highlights the appropriateness of Lessig’s (1999) and Greenfield’s (1998) multifaceted regulatory approach, with digital coding arguably the most effective and common method applied to ensure appropriate behaviour and the security of complex technological infrastructure in Second Life. However, this is not to underplay the importance of trust in ensuring informal behavioural norms have a crucial role to play in 3dves, just as they do in real-world environments. The University of South Australia and University of Southern Queensland models are of particular interest for their distinct lack of rules. While these models obviously generate certain risks, they also reinforce the important point that common standards of etiquette still apply in these environments. With this in mind, formal rules to govern user behaviour need not be unduly prescriptive, or do not necessarily have to impinge on the aesthetics of the ‘in-world’ environment. This approach, therefore, favours a minimalist regulatory approach regardless of whether this is linked to existing online codes of conduct at these Universities, or some other user instructions devised by individual teachers on a task-specific basis.

This review also suggests there is considerable diversity in the types of rules currently adopted in 3dve environments. For example, Harvard’s Berkman Island places very few restrictions on general public access, enabling non-registered users to access and navigate the site freely. This means members of the public can use the environment for non-University purposes, such as an unauthorised gathering or gaming, without unduly interfering with the University’s core activities in this space. The functionality of core elements of infrastructure is preserved through digital coding mechanisms restricting public access to unit content and the use of bulletin boards, audio recording facilities and visual display units. This preventative measure therefore ensures that any unauthorised tampering with the digital infrastructure could be readily detected and reported to Linden Labs by Berkman site administrators for further disciplinary action, while protecting the digital environment an access permission system.
Again, we caution against the implications of this brief discussion on the development of a code of conduct for the use of Second Life or any other 3dve technologies by Deakin University now or in the future. However, it is clear that the current Online Communication – Operational Policy warrants significant revision to accommodate the new technical environment offered by web 3.0 platforms. We reiterate our concern that any revision of this policy should incorporate the views of students, staff, information technology personnel and other relevant stakeholders for their input. Nevertheless, the review we have conducted on codes of conduct and ‘in world’ regulatory measures invoked other Australian and international higher educational institutions reinforces the following points:

1) There needs to be more investigation of how the various codes and ‘in-world’ technical and behavioural rules have been developed, including insight into their effectiveness as regulatory measures to protect user and site safety in these environments;

2) Such research also needs to devote particular attention to the harms commonly experienced by users, educators and site administrators in these environments;

3) It might be that minimalist regulation or ‘in-world’ instruction on methods of appropriate behaviour underlies a more complex and devolved process managed on a task-specific basis by educators and students using these environments;

4) The combination of digital coding, market forces, external legal requirements (which includes formal University disciplinary and regulatory measures) and behavioural norms should be incorporated into any regulatory model adopted by Deakin University.

It is regrettable the project team could not investigate these issues in more depth under this STALGS award. Nevertheless, the work undertaken on these issues to date provides an important framework for ongoing examination of these issues in future. The importance of this work will become apparent in the ‘project outputs’ section of this report. Despite the various problems associated with the administration of this project, the STALGS award has provided the necessary
The purpose of these focus groups was originally to provide qualitative evidence to supplement the results of the questionnaire data. Given the project team’s inability to administer the various questionnaires associated with the original proposal, the focus group data produced the main form of primary data associated with this project. Each session was digitally recorded, with four project team members asking a series of pre-determined questions building on our examination of University codes of conduct and associated regulations dealing with online behaviour. The format of the focus groups was relaxed, yet targeted specifically around the following themes:

1) the types of behavioural problems likely to emerge when using Second Life and other 3dve technologies;

2) how an individual teacher would or should deal with these problems;

3) the role, value and form a code of conduct should take in relation to appropriately regulating Second Life, and whether any of these issues should be substantively different to more generic behavioural codes dealing with online learning or student conduct in face-to-face environments; and

4) general views on the utility of Second Life to undertake teaching and learning activities or administrative functions.

The main issue that emerged very early in each session was the general lack of awareness of the University’s 2004 Online Communication – Operational Policy. Only four of the total of sixteen participants were aware of the specific existence of, or provisions constituting the current policy. However, this did not mean that the remaining twelve participants were unaware of the norms of appropriate online usage associated with their roles at Deakin University. This finding suggests that general standards of good conduct associated with online communication can and indeed do exist independently of a detailed code of conduct, and are probably generated through other means, including appropriate forms of etiquette associated with real-world human interaction, the use of other online platforms for entertainment purposes or personal communication, and other instructions embedded into DSO and related shared platforms adopted by the University as a
5) There is concern over a perceived absence of leadership from the University's central administration to encourage teaching and learning development in *Second Life* and other emerging 3dve technologies. As a consequence, individual educators are exploring these platforms on their own terms and are relying on whatever funding they can obtain from their respective faculties, the Institute of Teaching and Learning (through the STALGS initiatives) and external income sources; and

6) The decision by individual teaching staff to use *Second Life* was, nevertheless, not totally impeded by any of these factors, and educators appeared to be willing to continue their exploration into these technologies irrespective of the actual or perceived impediments to their use within the University. This included a willingness to continue using these technologies even if certain functions contradicted the current Online Communication – Operational Policy or entailed the occasional risk of harassment, exposure to negative behaviour or other perceived harms considered a normal legacy of their use by staff and students.

These are very different regulatory issues to those initially envisaged in this proposal. The project team initially focused attention on the regulatory dimensions of behavioural conduct emerging while staff and students are working within *Second Life*. Problematic issues initially considered worthy of consideration included various forms of online harassment, exposure to violence and the protection of students from unsolicited conduct when navigating the various public spaces within *Second Life*. The major concern here related to the processes of University governance and administration, which go to the heart of whether Deakin educators should even be permitted to use interactive 3dve platforms as teaching and learning environments without University approval. In this respect, the willingness to explore 3dve technologies such as *Second Life* seemingly came at a risk of breaching existing University policies associated with online learning, which are currently wedded in the use of mastering the static online environment of DSO.

Two important points emerge from these themes. The first is the perceived absence of internal support for adopting innovative new technologies in teaching and learning was effectively forcing individual
[current Policy] ... For instance, you've got issues of patient privacy, confidentiality, respect to other professionals and all these things which are absolutely inherent in our learning objectives for the Unit that we would perhaps use this [Second Life] for ... So that's where I would see the downfall of the [current online] Code (Warren et al, 2008, p. 1085).

This view favours the minimalist approach adopted in the NMC code of conduct, which reflects back to the importance of visitors to the NMC Island acting as they would in any "model 21st century workplace" (NMC, 2009). Interestingly, it also endorses the approach adopted by Princeton’s ‘in-world’ code of conduct, which contains a very brief generic statement of the student’s duty to uphold the University’s good name when engaged in activities associated with ‘Second Life’. The only difference between these two approaches is the extensive delineation of rights and responsibilities under the Princeton model, which sit in the background to these brief ‘in-world’ instructions. In absence of evidence to the contrary, it appears this level of detail is a supplementary process aimed at documenting the various forms of behaviour likely to be of concern, with students being made aware of these provisions but not necessarily required to resort to the documents in depth unless they actually face more formal disciplinary proceedings.

However, it was recognised that students can be exposed to some extremely confronting behaviours and technical difficulties when first using the environment. The two major behaviours identified as problematic within public areas of Second Life were:

1. Nudity. The common perception was given the prevalence of nudity, which can often occur inadvertently when a new user is changing clothes or adapting their appearance, means the definition of this term and its meaning ‘in-world’ has vastly different connotations than the real world. Discussion around this point suggests the concept of nudity and its association with offensiveness requires a redefinition in light of the characteristics of the virtual environment. It was, however, generally agreed that more exposure to nudity leads to desensitisation over time. Nevertheless, such innocuous and common behaviour ‘in-world’ highlights the schism between the activities that occur in 3dve environments and the way
associated with these platforms. This means individual educators using 3dve technologies and University rules should be conscious of developing adequate instructions on the possible risks that could emerge, particularly for new users undertaking learning activities in these platforms, and monitoring the effectiveness of these instructions on a case-by-case basis;

5. Identity fraud, including the need to prevent students from using the same avatar, and issuing students with clear instructions to inform other users of their pseudonymous identity when undertaking ‘in-world’ activities; and

6. Data integrity, storage and maintenance;

7. Immersion. Students using Second Life, at least in the early stages when they are exploring the platform, tend to be fixated on the image they construct for their avatar. Most who had prior experience of 3dve technologies were aware of the complex issues associated with avatars and questions of ‘identity’, and the growing literature in this field. It seemed important for any code of conduct, regulatory regime or user instructions directed at students to devote some time to this issue, with the view of developing norms of appropriate avatar construction, presentation and to limit the time students devote to this issue in line with the general concern that becoming familiar with these environments, especially in the early stages of use, can be particularly time-intensive.

Those with experience in Second Life identified several measures to assist students with navigating this platform safely, and dealing with unsolicited, threatening or offensive behaviour when it arises. These involve a combination of methods associated with the design of teaching spaces in 3dve environments, providing students with appropriate instructions to escape from threatening situations, and ensuring educators are adequately prepared to provide meaningful advice relevant to each learning task. This level of ‘pre-preparation’ was seen as the most viable harm prevention mechanism, and could individual Unit Chairs on a case-by-case basis execute best. Measures that could be
consideration. It might mean the Unit Chair would deal with the student directly but informally in the first instance, as would be the case in responding to a complaint in any face-to-face teaching environment. If warranted, the complaint could be taken through more formal disciplinary channels, or be subject to collective mediation by the student group, overseen by the Unit Chair or other authorised members of academic staff;

5. Students should be advised that any use of Second Life (or any other 3dve in teaching and learning) will be subject to the Terms of Service agreements and any associated complaints mechanisms established by the platform owners. This is common to most University codes of conduct examined in this project, and raises awareness that some forms of behaviour could not only be harmful to the University’s reputation, but can also have disciplinary ramifications beyond the University’s direct control;

6. In line with the notion that the principle of ‘duty of care’ should also be cognisant of issues relating to developing student resilience, students should be notified of the likelihood they might experience certain forms of behaviour when undertaking ‘in-world’ activities, that might have very different implications were they to encounter these behaviours in real-life. Some of these behaviours could be construed as a mere ‘nuisance’. Nevertheless, there is a need to further examine these issues in light of the range of possible behaviours that could emerge in 3dve environments, keeping in mind that many are likely to have limited effects on those experiencing them;

7. Other environmental features, such as digital warning signs or the power to disable another avatar’s movement, could also be considered, provided they did not unduly impact on the aesthetics of the built environment, or the activities of avatars conforming to notions of good conduct in the University’s teaching and learning environments.

Such instructions should be communicated in common sense plain English to ensure that students will take notice of such advice. In the event of extreme behaviours with the potential to cause harm to students using these platforms, the student should have the ability to
University. However, it appears clear that those currently using *Second Life* for teaching and learning purposes tend to favour a flexible approach to ensuring students are informed of norms of good conduct before they enter the platform, which reflect the expertise these staff have developed in their own explorations in 3dve platforms to date. In addition, this approach tends to favour the development of proactive instructions on potential hazards to be communicated to each student cohort by Unit Chairs, with a formal University-wide code of conduct only having peripheral relevance.

Three interesting contrasting features emerged from the focus group involving Deakin administrative staff. The first was the general reticence towards exploring the technical merits of *Second Life* and other 3dve technologies in light of other obligations facing administrative staff. Most felt the appeal of *Second Life* was a fad, rather than a serious incursion into existing web 2.0 technologies. As such, most agreed that their current administrative commitments did not justify exploring 3dve technologies to provide new forms of library or related administrative services, given that existing web 2.0 initiatives appeared to be adequate for these tasks. The time burden associated with mastering a new technology appeared to be the driving theme behind this level of reticence towards *Second Life*, in a context where there has been considerable investment in ensuring administrative staff have the skill to operate current web 2.0 technologies. In this respect, the opportunity-costs provided by *Second Life* could be extremely limited, as both students and staff would need adequate skilling in order to maximise the benefits this technology could provide in the provision of distance education. These staff were also concerned that many of the images presented to illustrate *Second Life* during this focus group, replicated real-life situations, buildings and environments. There was a real sense that such replication did little to add to the knowledge students develop about engaging with real-world environments such as libraries, lecture theatres or discussion spaces. Some went so far as to say they had a genuine fear of this technology due to hearing stories such as the Belgian virtual rape case. These rationales for avoidance all helped to feed a general scepticism of the worth of 3dve technologies, in a context where most respondents struggled to see the benefits of immersive and interactive learning in relation to their own administrative roles.
To date, there has been minimal guidance available on the appropriate terms to be included in any subcontracting arrangement of this nature, particularly in relation to the ownership of copyright material in the infrastructure development itself, its various levels of functionality, and the use or ownership of material uploaded into the Islands specifically for teaching purposes. In addition, there is limited guidance to academic staff on how to manipulate their environments created under these arrangements to maximise flexible learning delivery as needs require, or as new developments emerge in various disciplines of study. This has been less of an issue in the development of the Criminology Island in Second Life as staff involved in this venture have been able to learn from the problems experienced by the Arts and Education School in developing the first Island for teaching and learning at Deakin University, most of which involved disputes over the level of control teachers could have in adapting their environment when required. Nevertheless, this was considered a crucial regulatory issue to consider in the construction of any new digital infrastructure in Second Life or any other 3dves to be used for teaching and learning in future. A standard form contract, made with the input of the University solicitor and staff who have negotiated these subcontracting arrangements previously, would greatly assist in clarifying disputed issues regarding the ownership, modification and functionality of digital infrastructure, keeping in mind the need to provide for optimum flexibility to enable teachers to make necessary adaptations to these environments and incorporate new teaching and learning issues as they arise. Finally, in association with this point is the issue of the annual maintenance fees for Island maintenance. At the time this research was undertaken there was no commitment from the University to fund the ongoing maintenance of the digital infrastructure staff members have already developed. It seems responsibility for maintenance costs falls back to individual academic members of staff to seek out the required funding from competitive Faculty-based teaching and learning grant initiatives, or funds earmarked for research purposes. A stronger financial commitment to ensure the existing infrastructure can be maintained and developed further was seen as an important governance issue by all academic staff who have pioneered the use of Second Life at Deakin University.

The second issue relates to the anonymity and pseudonymity promoted by Second Life. One respondent indicated this characteristic of the platform could actually help to embed bad behaviours within these
confers primary responsibility for communicating the norms of good conduct and ensuring they are enforced on individual educators. A code of conduct, if it is to exist, should help to steer rather than drive that process;

2) While providing some guidance on the approaches that could be open to Deakin University, the review of models in place at other Australian and international Universities illustrates there are many ways to ensure good conduct in 3dve platforms, and provide little direct guidance on the how appropriate forms of behavioural conduct can be formulated or communicated in 3dve environments used for teaching and learning. The regulatory literature suggests that various stakeholder perspectives, including the experiences of students and staff who will be subject to the regulation, must inform the development of meaningful and effective codes of conduct. Any combination of digital coding, market forces, informal behavioural norms and formal laws or regulation can form part of any regulatory approach, with the general consensus behind the value of digital coding mechanisms as the most effective forms of site infrastructure protection and the promotion of safe user conduct;

3) The decentralised approach was endorsed unanimously by educators with experience in using Second Life at Deakin University, firstly, for enhancing the degree of control over specific tasks conducted within this platform, and secondly, to allow for sufficient adaptation of content as needs require;

4) This approach was contradicted to a degree by administrative staff, who generally expressed considerable reticence towards the value of web 3.0 technologies in enhancing teaching, learning or University administrative work and generally supported the idea that more punitive measures, or existing regulatory controls, were the most viable way to enforce good behavioural standards. This result is not surprising, given the lack of direct experience in Second Life reported by participants in this focus group;

5) There is a real concern over regulatory issues beyond the immediate control of educators using Second Life for teaching and learning at Deakin University. While a code of conduct might
is ensuring the good conduct of students navigating public areas within 3dves. In this respect, any range of warnings included in Unit Guides, points of entry into Deakin University spaces, formal codes of conduct, or penalties enforced through assessment regimes could be adopted;

8) Any codes of conduct or warnings communicated to students should include reference to the Terms of Service requirements of the platform administrator. This was seen to enhance respect for the rules of good conduct while students engage in activities related to their learning at Deakin University; and

9) Further research is required on several additional issues relating to gender identity, anonymity and pseudonymity, each of which are emerging problems associated with the ethics of 3dve activity.

Educators participating in the focus groups expressed views which conformed to the idea that some guidelines should be in place to ensure good behaviour in 3dve environments similar to the existing Online Communication – Operational Policy, but individual teachers needed the discretion to deal with behavioural infractions according to their own ‘moral compass’, that norms of good order promoted by each cohort of students, and general principles of ‘common sense’. The degree to which such rules are communicated either in a formal code or through digital coding, online infrastructure development or other related warnings should be formulated on a case-by-case basis, drawing on the expertise of educators currently working in Second Life or other 3dve platforms. Agreement on the need for a proactive approach, which educates students on appropriate and inappropriate conduct before undertaking learning activities in 3dve environments, was unanimous. The form that proactive approach should take suggested a flexible, decentred approach is favoured, to accommodate the various professional and educational applications these platforms can be used for within the University.

**Project Outputs**

Given the range of procedural difficulties experienced throughout the duration of this project, the project team was keen to be proactive in engaging with the broader professional community of Second Life and
stream) titled ‘Teachers, Regulation and Good Conduct in Second Life’, by Dr Ian Warren, Dr Darren Palmer, Dr Tanya King and Mr Stephen Segrave (peer reviewed conference proceedings forthcoming);

**Figure 17. sledcc Conference Presentation, 6 September 2008**


6. Submission of an Australian Teaching and Learning Council (ALTC) Competitive Grant submission, Round 1, 2009, November 2008, titled ‘A Risk Management and Governance Model for the Use of Three-Dimensional Virtual Environments in Australian Higher Education’. Project team involves Dr Ian Warren, Dr Darren Palmer, Dr Tanya King, Mr Stephen Segrave (Deakin University), Dr Denise Wood (University of South Australia) and Dr Melissa De Zwart (formerly Monash University, now at University of South Australia), total sum of $216,359 requested over two years;
7. Presentation of a paper titled ‘Regulation and Governance in Second Life’, by Dr Ian Warren and Dr Darren Palmer’ at the 21st annual Australian and New Zealand Society of Criminology Conference, Canberra, Thursday 27 November 2008;

8. Peer reviewed paper titled ‘Virtual Worlds, Education and Regulation’ by Darren Palmer, Tanya King and Ian Warren presented at the Australasian Virtual Worlds Conference, Swinburne University, Hawthorn Campus, Friday 28 November 2008;


Figure 18. slddc ‘In-World’ PowerPoint Presentation
11. Full peer reviewed paper delivered and published in the refereed proceedings of The Australian Sociological Association 2008 Conference (Re-imagining Sociology), University of Melbourne, Wednesday 3 December 2008 titled ‘Would Kitty Genovese have been murdered in Second Life? The ‘bystander effect’, social regulation, and the potential for research using online technologies’, by Dr Tanya King, Dr Ian Warren and Dr Darren Palmer;

12. Submission for $10,000 to Arts and Education Research Office for the formal recognition of the Arts and Education 3dve Research Group to conduct a series of research seminars and an ‘in-world’ conference in December 2009. The group involves Dr Ian Warren, Dr Tanya King, Dr Darren Palmer and several members of the Arts and Education Faculty ranging from an Associate Professor to several Higher Degree Research Students, spread across three Schools and all three Deakin campuses.

Our intention throughout has been to use the STALGS award as the platform for introducing our research into our professional disciplinary communities in criminology and anthropology, and to consolidate our current interests in teaching-related research, policy development and critical inquiry into technological issues. To this extent, despite the procedural difficulties we have faced in implementing our planned research to the letter, we believe we have exceeded our expectations in the professional domain.

The most notable achievement, we believe, is the recent news associated with our ALTC competitive grant submission, which represents a direct extension of the work we originally proposed in the initial STALGS proposal. On 17 March 2009 we were notified that the submission was unsuccessful in the first round of awards for 2009. However, the Standing Committee invited us to resubmit the proposal for consideration in Round 2, subject to three modifications they have suggested to improve the quality of the initial submission. The revised submission date is 30 April 2009. The project team is currently working on incorporating the suggested revisions and is extremely enthusiastic about this opportunity as a key avenue to complete the work originally contemplated under the initial STALGS submission.