

# INTERNET WATCH FOUNDATION

## INDEPENDENT INSPECTION REPORT 2017

### INTRODUCTION

1. The Internet Watch Foundation (IWF) was founded in 1996 by the online industry as a self-regulatory body designed to work effectively with police, educators and government as well as the industry. Its remit is both to work internationally to remove online images and videos of child sexual exploitation and also, when hosted in the UK, criminally obscene adult content and non-photographic images of child sexual exploitation. In 2005 IWF became a registered charity with an independent board.

2. This is the report of an inspection carried out at the invitation of the Board on the 22nd and 23rd of June 2017 on the basis of terms of reference set out below. The inspection team comprised –

**Sir Mark Hedley**, a retired High Court judge (Chair);

**Prof Peter Sommer**, an expert in cybersecurity and an established expert witness in cases involving indecent images as well as having inspection experience;

**Wilma King**, head of training at the NSPCC and a social care specialist;

**David Gray**, a former career police officer with expertise in child sexual exploitation, and also from 2015 to 2017 the National Online CSE co-ordinator.

3. We have in effect been asked to produce a health check on the organisation and have been provided with, and have accepted, these terms of reference:

1. *Comment on whether the hotline and CAIC Administrators' Manuals are fit for purpose, and whether the procedures are complied with by the staff.*
2. *Quality check active child sex abuse URLs for consistency of decision-making and managerial oversight.*
3. *Sample previous child sexual abuse content screen captures for consistency of decision-making and managerial control mechanisms.*
4. *Review and comment on administration in discharging content assessment complaints.*
5. *Review and comment on counselling arrangements comparing with other models of good practice in law-enforcement and associated professions.*
6. *Consider Internet Content Analysts' training requirements to enable them to undertake their roles confidently.*

**4.** The social context in which IWF works is one that continues to have a very high public profile and is often deeply emotive. It is therefore necessary not only that its systems of working are effective and secure but that they are seen and known to be such. The inspection team has had that carefully in mind in its work and report.

**5.** As the team members all brought individual expertise to this inspection, each spent much time working alone with members of the IWF staff before pooling and discussing our findings. This report is one to which all have contributed and on which all are agreed.

**6.** We would like to express our appreciation to all staff members who gave of their time and knowledge and allowed access to their work systems to enable us to understand and assess the practices and procedures of IWF. Of course, access to actual images was strictly controlled.

## **GENERAL OVERVIEW**

7. Our overall impression was of an organisation that used its small size well to function effectively and efficiently, with good management and working relations within the organisation. The work is often stressful and technically demanding, something that was recognised, appreciated and provided for within the organisation. None of the specific comments or recommendations that we make hereafter should be seen as detracting from this overall assessment.

## **TERMS OF REFERENCE – 1**

8. The Manuals and Procedures were exhaustively scrutinised and assessed by conducting "walk-throughs" with individual members of staff. This was designed to test both the adequacy of the manuals and procedures and also the competence of the staff. The system is based on the Report Management System (RMS); the current system was introduced in 2011 and is due to be replaced in March 2018. No one outside the Hotline Team has access to the RMS.

9. It is our view that the Hotline and CAIC Administrators' Manuals (though necessarily detailed and complex) are fit for purpose. There will, of course, have to be a significant reappraisal as and when the new system comes into effect in 2018. This will also have both risk assessment and training implications.

10. The design and facilities within the RMS oblige analysts to cover the activities and make the judgments IWF expects and promises to its members. The reporting facilities within the RMS mean that both the actions of individual analysts and the decisions on individual URLs and images can be examined historically. This means that the Hotline operates with a high degree of rigour.

## **TERMS OF REFERENCE – 2 and 3**

**11.** The key judgments for analysts remain the same: first, the age of the person portrayed; and secondly whether what is displayed is criminal. As is always the case where threshold judgments have to be made, the real difficulty lies not in the gravest case (either very young age or gross obscenity) but in the borderlands.

**12.** So far as age is concerned, no action is usually taken in respect of any image where the child appears to be over 15 years of age unless there is evidence (as there often is) from another source as to their actual age. Where the child appears to be in the age group of 14 – 15, the analyst always requires a second opinion before taking action. It is probably inevitable that this policy as to children who appear to be over 15 has to be applied given the real difficulty of estimating age from photograph or image.

**13.** So far as the question of criminality is concerned, the criminal justice system has a threefold level of image categorisation from A to C, with C being the least serious. The difficulties for analysts lie at this end of the spectrum. A new level known as C(LT) has been introduced. Whilst this does not import a threshold lower than the criminal standard, it has two specific advantages: first it has enabled IWF to respond to earlier criticisms that its threshold was set too high; and secondly, it has enabled an analyst to act even when naked genitalia are not to be seen. Whenever an analyst is of opinion that the image comes within level C or C (LT), a second opinion is required before taking action.

**14.** A significant number of images were viewed in the company respectively of the two senior analysts, the hotline manager and one analyst. We were satisfied that there was a reasonable consistency in decision-making, allowing for the inevitable modest variations implicit in any such act of

judgment. We noted that there was a system of sampling, which allows checks to be made, and such quality assurance was done on a basis which allowed learning and the development of expertise in the individual analysts.

**15.** We were satisfied that the management of content assessment was both sufficient and effective. This related not only to the obtaining of second opinions but also to induction training for new analysts and the ability of managers to sample the routine work undertaken by all analysts.

#### **TERMS OF REFERENCE - 4**

**16.** We have reviewed the system of complaints and considered the schedule of complaints that was provided to us. None of those complaints relate to staff nor to action taken by IWF. They relate effectively to issues of use of the Internet and do not relate directly to the responsibilities of IWF. It follows that, whilst the whole system of complaints is fit for purpose, the appellate procedure remains both untried and therefore untested.

#### **TERMS OF REFERENCE - 5**

**17.** We have reviewed the counselling arrangements. We are satisfied that those arrangements for IWF analysts reflect best practice for the nature of this work. Indeed those in the team with the requisite experience thought that the standard was exceptional. In particular we were impressed by the manner in which arrangements were sensitive to the needs of individual workers. Analysts have attended counselling sessions as per IWF policy and that has been validated by management.

## **TERMS OF REFERENCE – 6**

**18.** We have also reviewed the training of analysts. Again this was seen to be good and again members of the team with the requisite experience thought it was beyond that. The screening, interviewing and induction material is of the highest quality and this work worthy of independent academic research evaluation so that it could be shared more widely. We also noted that there was good handling of child protection concerns with a clear route of escalation.

## **MISCELLANEOUS ISSUES AND RECOMMENDATIONS**

**19.** Although not formally part of our remit, we gave consideration the questions of security in the Hotline system. IWF have opted for the full ISO27001 standard which is the most demanding available. However, its sheer complexity requires close attention to forming an accurate understanding of risk. The Board must therefore have a top-level overview of the issues even if the technical implementation is left to others.

**20.** There should be a valid up-to-date network diagram showing the various IT-related assets of IWF. The Board is also invited to consider whether the Hotline's M-drive should be backed up.

**21.** Where work is outsourced, all contracts require careful consideration of risk. It is also essential that there is a clear understanding of where legal responsibility lies.

**22.** There remain two problems in terms of access to sites. First, there are protected sites to which as a general rule the analyst will not be given access by those who manage such sites. However, several such sites were visited during the

inspection and it was apparent that incautious users have posted both images and links that enable action to be taken without formal access to the site. Secondly, premium sites remain an issue. Whilst IWF reasonably will not pay for access, sometimes such access is given. However, even where refused, on visits during the inspection it was apparent that images displayed to entice payment were themselves actionable. It is estimated by managers that the material that IWF is unable to access effectively is less than 1% of the total materials thought to exist. It must, however, be recognised that such material as is not revealed is likely to be of a seriously obscene nature.

**23.** We considered carefully the issue of succession planning. A great strength of IWF lies in its being a small organisation. That means that considerable expertise resides in a few hands. We note that much more has now been committed to writing, as previously recommended. Nevertheless, succession planning, at all levels, remains of high importance. The Board might like to consider whether it should become policy that everyone at management level has a fully equipped deputy. The Board might also like to consider separating off the Senior Leadership Team and having in addition a Senior Management Team, which would include the Hotline Manager, so as to increase both strategic and tactical vision.

**24.** A further potential weakness of any small organisation lies in the disproportionate impact that a bad appointment can make. Whilst not detracting from previous comments about the quality of selection and induction, including the use of Personal Interviews, the Board may wish to consider the use of Value Based Interviewing as well.

**25.** We noted the intention to have a permanent connection between the IWF and the new Home Office Child Abuse

Images Database. This should streamline processes and present considerable benefits in the identification of victims and the reduction of re-victimisation.

**26.** We further noted the proposed advent of a shared portal to be operated jointly with the NSPCC. This has two specific implications: first, the IWF will find themselves managing actual images and not only URLs; and secondly, there may be increased expectations in members of the public as to the action the IWF will take. The first matter will require a new assessment of risk and the development of management procedures to deal with this. We are satisfied that IWF fully appreciates this matter.

**27.** As to the second matter, a particular problem has arisen in relation to "selfies" taken by young people, which have been sent confidentially but are then posted without their consent. They have complained to IWF and may do so more readily once the joint Portal is available. The problem is that, while such complainants reasonably believe that action will be taken by IWF, many, perhaps most, of the images complained of cannot be actioned by IWF because they are not in fact criminal. It is, therefore, very important to manage these complainants' expectations. To that end we recommend that IWF make available publicly some written criteria that will be available both to potential complainants and to the NSPCC (who should of course be consulted over them) so as to inform a decision whether in fact to make a complaint.

**28.** We have also considered the workload of individual analysts. This has clearly increased since analysts have become involved in newsgroups and hashing. The work around hashing has an obvious impact and clear benefit and the link to the grading levels in the US and Canada is exceptional. However, the Board might wish to reflect on the



work in relation to newsgroups and the extent to which that is a good use of analysts' time.

## **CONCLUSION**

**29.** In our view IWF is functioning effectively and well. The issues that we have raised are designed to make the good better. That said, given the very high public profile that the activities of IWF necessarily attracts, vigilance is required as to the management of risk and the constant updating of good practice. There are developments pending, including the renewal of the RMS, the links with the NSPCC and the Home Office, which will make demands on every aspect of the work of IWF. It is with this context in mind that we offer this appraisal of the work of IWF to the Board.