

Internet Watch Foundation

BOARD MEETING

10.00am - Tuesday 03 October 2017

ComRes
4 Millbank
Westminster
London
SW1P 3JA

MINUTES

- Present:** Sir Richard Tilt (RT) (Chair)
Becky Foreman (BF) (Industry Vice-Chair)
Jonathan Drori (JD) (Vice Chair)
Philip Geering (PG)
Katie O'Donovan (KOD)
Uta Kohl (UTA)
Sue Pillar (SP)
Jonathan Lea (JL)
Jacquie Mellor (JM)
- Apologies:** Helen Dent (HD)
- Observers:** Matthew Eltringham (ME) (Funding Council Chair)
Andrew Puddephatt (AP) (Chair Elect)
- Attendees:** Davina Macdonald (DM) – Home Office - presentation item 9. only
Alexandra Bowe (AB) – Home Office – presentation item 9. only
- IWF Staff:** Susie Hargreaves (SH) (CEO)
Fred Langford (FL) (Deputy CEO - DCEO)
Heidi Kempster (HK) (Director of Business Affairs - DBA)
Emma Hardy (EH) (Director of External Relations – DER)
Sandrine Harvey (SJH) (Minutes)

IWF Board Closed session

There was a closed session of the IWF Board from 10.00am to 10.10am.

1. a) Welcome and Apologies

The meeting began at 10.15am. The Chair welcomed Andrew Puddephatt (Chair Elect from 01 January 2018) as an observer.

There were apologies from Helen Dent.

b) Declarations of Interest

There were no declarations of interest.

2. Draft minutes

a. 06 June 2017

The minutes of the 06 June meeting were **approved** subject to the following amendments:

- 7. CEO report - 2. Strategic developments - 2.1.4 Meeting with US companies: The first sentence from the last paragraph should be removed.
- 8. Communications report – 4. Website – 4.1: in the privacy policy, the word to use should be confidentiality and not confidential.
- 10. Technical report – 7. IC-Alert/Black Box solution – 7.4: The sentence about this point should be deleted as it was confusing the message.

Action: SJH to amend accordingly.

b. 12 July 2017

The minutes of the 12 July meeting were **approved**.

3. Actions arising

Updates were given regarding the following actions:

Action 4. Audit committee report – 2. Year-end management accounts – 09.09.14: The investment policy has now been made a priority to the audit committee and contact has been made with Price Bailey regarding this issue. This action is still on-going.

Action 8. Presentation of code of practice – 24.11.15: The Chair of the Funding Council agreed to convene a group of Members and have it reviewed.

Action 7. CEO report – 2. Strategic development – 2.1. Government issues: A new policy about Non-Photographic Images (NPI) will be written by the Policy and Public Affairs Manager and presented to the Board in December 2017.

The Board noted the paper.

4. FC communique

a. 18 July 2017

2. Board report

b) Financial future

A Board member queried what was the reference to the Board resolution made by a FC member. The CEO informed the Board that she understood it referred to a decision taken in the formative years of the IWF not to take any funding from government and she understood that this decision preceded the date that funding from the EU was received. The CEO had never seen the resolution.

b. 19 September 2017

3. Working group update

a) Code of Practice Working Group

It was clarified that the <xxx>, in the communique, referred to a company, whose name would not be disclosed.

According to the Chair of the Funding Council, this issue could be resolved in discussion between the IWF and the Members to make sure the Code of Practice should cover all the Members. The Chair reminded the Board that it had been suggested to apply domestic legislation, but some Members struggled to comply as they were subject to different legislative frameworks.

5. Audit committee report

The Chair of the audit committee reported the following:

a. Trustees' report – year-end accounts

The Chair of the audit committee indicated the year-end accounts approved at the July Board awayday reflected the decision of the Board to create £400k in designated funds for IT development and membership. The reserves are in a strong position. The investment policy is under on-going review.

The Trustees' report is visually much stronger than in previous years and it can be developed further next year to expand the Trustees' report on success/achievements. It is hoped that in future years we will also be able to incorporate the findings and recommendations from the work undertaken by the company regarding developing an IWF's impact report.

Board members mentioned the excellent work done on the report visually and on the format. The CEO pointed that it had all been done in-house by the Marketing and Communications Coordinator. The Board asked the CEO to pass on their congratulations for the excellent work.

Action: SH to congratulate LN for her excellent work.

It has been queried whether it was worth considering designating a fund for move/dilapidation should the new buyer of the building decide to exercise the breakdown clause in the lease. The Chair of the audit committee confirmed that the general reserves were more than adequate and there was no need for a designated fund.

The Trustees **approved** the year-end accounts.

b. Price Bailey Management letter

The auditors gave a clean bill of health to the IWF accounts and no major issues were raised. The Chair of the audit committee highlighted the points mentioned below:

- Audit approach – Risk Identified - Revenue recognition: the adjustments made were minor due to the nature of the revenue and the administration around it is complex. The results of the auditors' testing were good and also show that there are good controls in place.
- The only recommendation from the auditors was related to the way success/achievement is reported in the Trustees' report.

c. Letter of representation IWF

The Trustees **approved** the letter of representation for IWF.

d. Letter of representation IWL

The Trustees **approved** the letter of representation for IWL.

6. Chair's report

The Chair reported to the Board that over the Summer's months, there has been issues over Indian companies joining the IWF in order for them to comply with the government's

order. There is some concern that another hotline, may have offered their URL list for free to India. This development has created some concerns about the IWF' financial model which is, in some part, dependent on fees from filterers.

The IWF has also informally been informed that the UK government is planning to fund project "Arachnid" a crawling programme created by the Canadian hotline, The Home Office has asked the IWF to endorse this decision and share hash lists data with the organisation concerned as part of the project. The Chair and the CEO are due to meet with Minister Sarah Newton on 12 October and will raise this issue with her as the IWF had been prohibited to share data with other organisations than its Member by the UK government. The IWF had made it clear that any decisions to endorse the project would be subject to approval by the Board.

The IWF has organised a meeting with two overseas organisations to discuss data sharing and find a way to work with each other as all three hotlines are committed to doing whatever they can to tackle child sexual abuse online. The IWF had been clear at all times that it is totally committed to the principle of working together but had legal issues to resolved in order to retain its independent status which enable US companies to take services directly from us without falling foul of 4th Amendment, Agent of the State status which applies to both overseas organisations.

There was a discussion about what due diligence was carried out on the other suggested solution and how it compared to the IWF programme?

A Board member pointed out that the IWF should concentrate more on the quality and independence of its lists rather than to match the competition.

The IWF sought advice from its solicitors in regard to sharing data with other organisations concerning its American Members, which are seeking data independent from the government. The Industry Board Members asked the DCEO to share correspondence at this effect.

It has been highlighted that until now, the IWF had not been interested in receiving some funding from the government, but due to Brexit, and the potential funding gap, this was now a real possibility and should be discussed with the Funding Council. Funding Council would be asked for their view on this issue. It was argued that the EU funding, currently IRO 15% of turnover, was government funding and also minority funding which could not influence remit or policy. The Chair of the audit committee underlined that there were a series of tests for those in receipt of government funding to clarify if they were a government agency.

Action: FC to be requested for a view on whether the IWF discuss the possibility of accepting funding from the government.

7. CEO report

2. Strategic Developments

2.1 Government Issues

2.1.1 The Green Paper on the Internet Safety Strategy has not been published yet and is due in the next couple of days.

The meeting, with Matthew Gould and Sarah Connolly from DCMS has been rescheduled for January 2018.

2.1.4 The CEO and the Policy and Public Affairs Manager had a number of meetings with UK and non-UK MEPs in Brussels. There was a strong recommendation that if the IWF was to retain influence in policy development, it had to be represented on a certain number of committees. There was a proposal to hold a roundtable with non-UK MEPs to share information about the IWF.

2.2 Self-regulation

The IWF commissioned Demos, the Centre for the Analysis of Social Media to write a paper about CSAI online to help policy makers to understand the issue and the technology behind it. There will be a launch in Westminster in January.

The IWF has no control over the editorial.

2.4 Theory of change and impact study

The study will be undertaken and completed by end of January 2017 with the results feeding into a membership development strategy.

2.9.1 NSPCC/CEOP self-generated content roundtable discussion

A legal agreement is still being drawn up by the IWF solicitors. From a technical point of view, the IWF is ready to receive reports and remove the content, any liability and safeguarding issues will be dealt with by the NSPCC.

3. International report

The International Development Manager will be launching a Portal this week in Tanzania. This is the first Portal to be delivered as part of the Global Fund to End Violence programme. In total, thirty Portal will be set up over the next three years in the least developed countries. The International Development Manager will present the programme to the Board in Spring 2018.

5. Skating Panda

The work with Skating Panda has been put on hold pending the outcome of the Theory of change study as this will feed directly into developing a celebrity engagement strategy.

8. Communications report

2. PR and marketing

2.1 The DER pointed out that more blogs had been written in order to help to raise awareness around the organisation and help in recruiting new members.

4. Website

The IWF noticed an increase on its website traffic in May due to the Home Office young men's campaign awareness.

4.1 A Board member queried whether the spamming issue had any impact on the organisation. The DER informed the Board the issue had been sorted and, it might have raised awareness amongst the public.

5. Annual report

The DER asked the Board to send her feedback about the Annual report such as a printed or any other suggestions the Board would like to see for next year.

Action: Board to send feedback about the Annual report to the DER by email.

7. Harm reduction campaign with Everton and launch of Game On

The Everton FC campaign has been nominated and shortlisted for three awards. A Board member queried whether the organisation had received a feedback on whether the campaign had any positive impact on young people's mental health. The consequences of the campaign on young men's general wellbeing and health is unknown, but evaluation has evidenced that it has raised awareness amongst them of appropriate sexual behaviour.

8.a. Members' service update

The DER explained the three categories into which the IWF Members have been allocated into in terms of the services they were taking:

- Green: Companies, which take all the services;
- Yellow: Companies, which take all the services they should, except the keyword list;
- Orange: Companies, which are either not taking the services or not deploying them accordingly. These companies could also potentially use more of the IWF services.

It was speculated that a reason that some bigger Members fell into the yellow category (not taking the Keyword List) could be due to the change in the way the service is provided.

The Members in the green category, are the companies, which are deploying all relevant services for them.

The orange category highlights those Members, which are not taking either the agreed services, or have the ability to deploy other ground-breaking services offered by IWF, but are not doing so. Some of these are top fee-payers, or high-profile Members and they could potentially create a risk to the IWF. In particular, some publicly say they are taking the services when they are not.

A Board member queried whether the fact of not using a service could be a breach of contract. Due to the nature of the agreement, which is on a voluntary basis, it cannot be considered as a breach.

It has been pointed out that there was a difference between actually deploying a service and taking a service. This means that it might appear to IWF that a company is downloading a service but not known to IWF is the company is then deploying it. The Code only relates to Notice and Takedown from the IWF.

The CEO highlighted that the price to pay for being self-regulatory was transparency. It has been asked whether the Members received a list of the services provided by the IWF explaining clearly each of them. This has been confirmed by the DER. The Chair suggested to keep a record of the reasons why they are not taking the services. The DER has been requested to write to each Member in the orange category in order of priority to ask for the reasons for not taking some of the services.

Action: EH to write to each company in the orange category to ask for the reasons for not taking the services.

It has also been mentioned that if the companies are not taking some of services, which can be provided by the IWF, this could undermine the Demos briefing paper about self-regulation and transparency.

11.45am –Two members of the Home Office joined the meeting.

9. Home Office campaign

The Chairman welcomed two members of staff from RICU in the Home Office to the meeting for their presentation.

They explained that further to research from Ipsos Mori, the government realised there was a gap in young people's knowledge in recognising the law around child sexual images online and on how to report these. The Home Office wanted to address this issue in creating a pilot campaign to raise awareness amongst young people. The pilot campaign was made of a series of short films one of which was about reporting CSA

online, to the IWF. The main challenge for people is to understand the harm in viewing an image, which is already online.

Post-pilot further research was conducted and the evaluation was very positive. Young men were more aware about the risks and more likely to report indecent images. The Home Office is going to continue to develop this campaign with the IWF and creating some material available.

At the end of the presentation, the Board queried whether young men felt confident in reporting to the IWF and whether the anonymity and confidentiality were an important message to them. Young men replied that they were more confident in reporting to other organisations than to the government and the question about anonymity and confidentiality had not been asked, but they were more interested in doing the right thing.

The DER reported that the campaign had been very well received by the IWF Members and there was a good relationship with RICU at the Home Office.

The Board thanked the members of staff of Home Office for coming and presenting.

12.10pm – The two members of the Home Office left the meeting.

10. Technical report

The DCEO took questions from the Board about his paper.

10. IWF Crawler Suite Programme

It was agreed to create a designated fund to allow for the fast-tracked development of the IWF Crawler Suite. The DCEO explained the impact the Crawler Suite Programme would have at removing CSAM online and highlighted that a challenge was accessing sufficient “processing power. A Board member mentioned that, in some cases, the government matched funding and the IWF should investigate this as a possible route to addressing the forthcoming funding gap.

14. General Data Protection Regulation (GDPR)

A Board member queried whether there was a possibility that the new regulations on GDPR could create more workload for the staff and whether some extra help would be provided. The DCEO confirmed that several members of staff were following courses about the new rules but that it would, indeed, have major implications for the IWF interns of ensuring that all our current operations are compliant and that we continue to be in the future. This is likely to have an impact on resources both in terms of human resources and reserves.

16. ISO270111

The DCEO mentioned a team for the next ISO certification was in place and it the audit would occur on 12 and 13 December 2017

24. IWF/NSPCC

The Report Remove Project was presented. For some time, the IWF has been engaged in a pilot project encouraging young people to self-report. The pilot was using an app. A Board member questioned the reasons behind the 100% drop out rate of the app The DCEO explained the problem in reporting laid with the app, which requires registration with an ID, which seems to put off children.

The full project would not be launched until Spring 2018 to give time for a legal agreement to be put in place.

11. Director of Business Affairs report

2. Strategic developments

2.2 The Chair queried whether it was worth looking at investing in the building rather than renting. The DBA informed the Board that some buyers were already interested and surveys around the building were conducted. As the buyer already owns other building in the park, it is thought that the IWF won't be too affected by the change of owner.

3. Membership

With Tata Communications joining as a new Member, the result for the year is break-even. The DBA mentioned that there has been a trend in universities joining membership, so this might be an area of development.

The Board noted the rest of the paper.

12. GCHQ update

During the last meeting between GCHQ and IWF, GCHQ were very keen in collaborating with the IWF on the following areas:

1. Closer working/working process

The Board **agreed** to share data with GCHQ.

2. Developed vetting (DVd)

GCHQ would be ready to sponsor the process of developed vetting for two members of staff in order to share more in-depth technological trends, emerging patterns and where to get intelligence from. The Board **agreed**, in principle, to have two members of staff DVd, but wanted an assurance from GCHQ that they would only share data that was directly related to the remit of the IWF.

Action: SH to enquire whether it would be possible for the DVd staff to only receive information about CSAI.

3. Access to the IWF services, particularly URL list

The advantage for GCHQ to have access to the IWF services would be to save time in searching themselves and duplicating work. The IWF understand and acknowledge that this area of collaboration could raise some concerns among its Members and would like to discuss this area of collaboration with the Funding Council. The Board **agreed** that this point should be presented to the Funding Council before making any decisions.

Action: SH/RT to present to the FC the request from GCHQ to access the IWF services.

A Board member pointed out that the IWF is an organisation well-recognised for its independence from the government, so it would be appropriate to be transparent about its relationship with GCHQ as it is with NCA CEOP with a MoU as some organisations might take the opportunity to criticise the IWF and its relationship with GCHQ putting the organisation at a risk of being seen as dependent on the government.

Action: SH to progress the development of an MOU with GCHQ

13. Funding model

This item has been discussed under item 6. Chair's report.

14. Hotline audit

The Board **approved** to publish the Hotline audit report unredacted subject to the word “model” to be changed to “child”. The report was positively received and the Board commended the team on the successful outcome of the audit.

The Board briefly discussed the recommendation about succession planning and agreed with the Management response.

Action: SJH to replace the word “model” to “child”.

15. AOB

It has been briefly mentioned that the IWF might be asked to provide more information about its model to the government.

16. Dates of next meetings

The Board **approved** the dates for the 2018 Board meetings.

The meeting ended at 12.50pm.