

**Minutes of Internet Watch Foundation Board Meeting**  
**Tuesday 11th February 2003 at 10 am.**  
**Finers Stephens, Great Portland Street, London**

**Present:** Roger Darlington (Chair), Emma Ascroft, Charlotte Aynsley, John Carr, Howard Lamb, Sonia Livingstone, Claire Milne, Roland Perry, Jim Reynolds, Camille de Stempel, Mark Stephens, Nigel Williams.

**IWF Staff:** Peter Robbins (Chief Executive), Brian Wegg

**Apologies:** None

**Item 1- Apologies and introduction**

The Chair welcomed everyone to the meeting, noting that there were no apologies. In order to facilitate review decisions the meeting agreed to take items 8 (a), (b), (c), (e) and item 9 before item 7.

**Item 2 – Presentation on web based groups**

Camille de Stempel gave a presentation on the approach that AOL takes with web based community groups. The meeting noted the procedures for forming groups, accepting membership, naming groups and AOL's zero tolerance on any material considered remotely child abuse in nature. The Chair thanked Camille for a helpful presentation.

**Item 3 - Minutes of last Meeting**

Board approved the minutes of the last meeting held on Thursday 7<sup>th</sup> November 2002.

**Item 4 - Matters Arising**

Item 3: The meeting noted that the review of the 48-hour notification delay for UK material was still ongoing and Board members voiced their concern about the delay in resolving the issue.

**ACTION:** Chief Executive to write to the police with a copy to the Home Office in order to express the Board's concern that this matter is resolved expeditiously .

All other "actions" had been carried out.

Concern was expressed that the position with regard to the Chair's appointment to a nine-month contract remained unclear. Mark Stephens proposed an adjournment to the meeting in order to enable a Special Meeting, the proposed adjournment was seconded by Camille de Stempel. A special resolution was placed before the meeting that the Chair be offered a nine-month contract under the existing terms and conditions.

The resolution was carried nem. con.

The meeting returned to the main agenda.

**Item 5 – Chair's report**

Chair introduced his report, which had been circulated in advance of the meeting and invited questions.

**Item 6 – Chief Executive's report**

(a) subscriber progress

(b) projected budget 2003/4

The Chief Executive introduced his paper, which had been circulated in advance of the meeting and invited questions. He outlined the present subscriber position and the round of discussions which were taking place in order to set member subscriptions for the year. It was therefore difficult to present Board with a precise budget which they could approve. The spreadsheet included an anticipated budget with no additional subscriber income set against an expenditure budget, which included some additional staff when income allowed.

Board members asked for clarification on their role in approving the budget and Chair confirmed that the constitution set out that the Board should approve a budget for the forthcoming financial year using the 'special vote' procedure. Following discussions it was

agreed that a financial sub-group will be formed in order to examine the budget more closely and a Board email vote will taken in order to approve the resulting indicative budget.

**ACTION:** (a) sub-group of Jim Reynolds, Roland Perry, Nigel Williams  
(b) Board email vote

Chair asked that the Board's appreciation and thanks to the Chief Executive be placed on record in acknowledging his success in revitalising IWF finances.

In answer to a question the Chief Executive confirmed that office accommodation could present problems in the future if there was significant growth in IWF personnel. Board members asked for clarification on IWF's position with regard to testing or recommending software. The Chief Executive explained that he and a Home Office official had been asked by the Home Office Task Force and ICF to see if there was an independent body that could test and validate software developments. That issue was ongoing. In respect of income generation relating to a commercial software developer that was now advertised on the IWF website, the Board sought more information on the situation for the next meeting.

**ACTION:** Board members to view the web page link and review the position as a matter arising.

The Chief Executive described a recent article about newsgroups which had been published in the Observer newspaper. The executive clarified that the Board minute of 15<sup>th</sup> November 2001 specified names that, "appear to advertise or advocate paedophile content or activity" were to be identified. However, the subsequent legal advice had confirmed that a newsgroup name could be an illegal advertisement under the Protection of Children Act (PCA) 1978 and as a result Board passed a resolution at the meeting on 18<sup>th</sup> July 2002 which supported a list of newsgroup names because, "they fall within the IWF policy on newsgroup names and have the legal backing that they are likely to constitute an advertisement under the PCA 1978". One Board member felt that the legal advice was based upon a restrictive view of newsgroups and of the legislation.

The Executive pointed out that they had produced a "grey" list of newsgroup names from the searches which were based upon the criteria approved by the Board. Although the names contained within the "grey" list were not considered illegal adverts, ISPs may want to be aware of these names and make a judgement on whether they wished to carry them. It was agreed that the Newsgroup Panel should reconvene in order to consider the legal advice and whether any other names may "appear to advertise or advocate paedophile content or activity"

**ACTION:** NG Panel to reconvene and consider the above issues. In addition to the panel members another Board member volunteered to assist in the deliberations.

The Chief Executive informed the meeting that he was part of a Working Group which was looking at how existing legislation might be used to target some outstanding issues on newsgroup content.

## **Item 8 – Working Groups**

### (a) Governance

### (b) Charitable Status

Emma Ascroft, Chair of the Working Group, introduced her paper outlining some of the feedback the group had received through consultation, noting the Working Group's disappointment that government had failed to clarify and endorse the status of the IWF to the extent hoped for. Following discussions the meeting agreed that:

- Recommendation 5 - the second sentence should have the word "racism" deleted and replaced by "experience of assessing criminally racist material";
- Recommendation 18 - all Board members are clear that this is a recommendation to explore charitable status only.

Subject to the above clarification the Board unanimously supported the proposals in recommendations numbered 1 to 19 of the Governance final report.

Mark Stephens asked it be placed on record that he did not support the proposed reduction in the number of Board places to 9, which was contained in recommendation number 7 of the report.

The meeting agreed that:

- the Executive Committee proposed in recommendation number 9 should consist of the Chair and two Vice-chairs with appropriate co-options and consultations;
- the Chief Executive would commission work on the Chair's job description from independent personnel consultants currently being used for staff job descriptions.

The Chair thanked Emma Ascroft and her Group for all their work

#### (e) Chair's appointment timetable

The proposed timetable was approved unanimously.

#### (c) Role and remit

Camille de Stempel, Chair of the Working Group, introduced the final paper of the role and remit Working Group and outlined the pragmatic approach that they had taken. Camille explained that as a result of the consultation process the mission statement had been amended to remove the words "working in partnership". A number of Board members felt that the proposed mission statement "combating child abuse images and criminal content online" required further thought and was therefore withdrawn as a recommendation.

The meeting considered the recommendations contained within the "Aims and Priority objectives" section of the report and after further discussions the following changes were agreed:

- In section one, titled "To assist law enforcement...", a further bullet point should be added describing the process when dealing with UK hosted material;
- In section two, titled "To assist service providers...", the description contained at the first bullet point should be moved to section three, titled "to foster trust...";
- In section two, bullet point two, the bracketed word "subscribing" should be deleted;
- Section three, titled "to foster trust...", should be amended to read, "by promoting wider education and awareness of IWF functions and role and those of other key players such as government departments, law enforcement and consumer bodies".

Subject to the changes detailed above the recommended Aims and Priority objectives described in the Working Group report were approved unanimously.

The Chair thanked Camille de Stempel and her Group for all their work. Claire Milne said that although she understood the reasons for such a narrow set of objectives in the short term, she was disappointed at the absence of longer term direction. She felt that this narrow set of objectives did not require the complex governance arrangements agreed earlier.

**ACTION:** Executive to consider and bring forward proposals on the necessary amendments to the Constitution.

#### **Item 9 – Vetting and security recommendations**

The Chief Executive informed the Board that many of the recommendations contained in this paper had already been implemented over the last 10 months and further changes are planned. Board agreed that the spirit of all the recommendations should be progressed..

#### **Item 8 – Working Groups**

##### (d) Code of Practice

Mark Stephens, Chair of the Working Group, introduced the revised Code and thanked Stephanie Harris, ISPA, for her work in re-drafting the document. Board agreed that the revised Code was a far more appropriate document. The impact of non-compliance was considered and it was noted that the sanction for failure to comply with the Code could only apply to subscribing members of IWF. The Chief Executive pointed out that the police will accept allegations from IWF and take appropriate action, when an ISP is not a member of IWF, providing the ISP has been warned that they should remove specific material and have failed to do so. A non-member in those circumstances could be named and would have no right of appeal in the matter.

The comments received so far would be taken into account and the revised Code will be circulated to Board and Funding Council. Following any amendments the Code would be

published for wider consultation with the final document being presented to the Board meeting on the 21<sup>st</sup> May 2003 for approval.

The Chair thanked Mark Stephens and his Group for all their work.

**Item 10 – Any other business**

The Chief Executive described the offer of a donation to the IWF which he had recently received. Board agreed to have a fuller discussion and make a policy decision on similar donations at the May Board meeting.

Board agreed to defer **item 7** on mobile Internet to the next meeting. Members were invited to exchange their views in the issues raised via email.

**Item 11 – Date of next meeting** – An all day meeting will take place on Wednesday 21st May 2003.

The meeting closed at 1-30 pm.