

INTERNET WATCH FOUNDATION

Board Meeting

10.30 am, Tuesday 16th January 2007

At the SMART Company, 78 Cowcross Street, London EC1M 6HE

MINUTES

Present: Amanda Jordan (Chair), Emma Ascroft, Chris Atkinson, Sonia Livingstone, Hamish MacLeod, Jim Reynolds, Camille de Stempel, Ian Walden,

IWF Staff: Peter Robbins, Brian Wegg

Apologies: Tink Palmer

1 Welcome

Amanda Jordan opened the meeting, welcomed Emma Ascroft back to the Board and noted the apology from Tink Palmer. Board asked that their appreciation of Nick Truman's contribution be recorded in the minutes.

2 Minutes of the previous Board meeting

The minutes of the meeting on Tuesday 5th December 2006 were agreed as a true record of the meeting.

3 Matters arising - (including action summary from 5th Dec.)

It was noted that all actions were in hand and there were no further matters arising.

4 Executive Committee minutes - 9th January meeting - for information

The minutes were noted.

5 Election of two Vice-chairs

Hamish MacLeod and Ian Walden were elected for a further term of office as Industry and Non-industry Vice-chairs respectively.

Policy matters:

6 Review of governance:

a) Chair's update

As requested, Chair had forwarded a summary report to Funding Council outlining the next stages in the governance review for the industry forum. This would be discussed at the next Funding Council meeting.

b) Committee terms of reference

The proposed terms of reference were approved subject to the following changes:

-that the Audit Sub-committee should include an audit of legal and contractual issues as part of its responsibilities;

-that the section entitled, "Advisors" for both Sub-committees should read:

The Sub-committee may only obtain outside legal or professional advice with the express permission of the Chair of the Board and, subject to the availability of funds, in consultation with the Chief Executive.

ACTION 1: Secretariat to liaise with both Sub-committee Chairs on timing of next meetings and the agenda.

7 CAIC:

a) URL list deployment



The meeting considered the present position with regard to the deployment of the CAIC URL list. Board confirmed that they had agreed to develop:

- A list of small ISPs;
- A verification and validation proposal; and
- The wording which would accompany the publication of the list of companies taking the CAIC list.

Board confirmed their view that it is not IWF's role to pursue those ISPs not taking the list but the role of government to follow up in whatever way it considers appropriate. It is IWF's role to provide the CAIC URL list when requested for ISPs to provide a blocking solution.

The meeting considered what constituted a "small ISP" and the alternatives for assessing the size of a company. Chair concluded that the key consideration was that the cost of the data should not present a barrier to any ISP wishing to implement a blocking solution.

Chief Executive confirmed that based on a decision made at a previous Board meeting, the executive was scoping and developing a verification and validation system. Chair concluded that it was implicit that verification and validation would be part of the process but no agreement had been reached on what would happen if companies were not deploying. Some Board members expressed concern that verification and validation may reinforce the perception that IWF was working as an arm of government. Board concluded that the executive should carry on developing an approach to verification and validation and a report be presented to March Board meeting setting out the options

ACTION 2: Paper to March Board meeting on verification and validation for further discussion and resolution

Decision on transparency:

The meeting considered the position on transparency and concluded that the transparency list will only include those companies that have agreed to publication.

Board noted that an ISP that wished to take the CAIC URL list had asked for variations to the standard contract and wanted to exclude any reference to verification and validation or publication of their name on a "transparency" list.

Board felt that the company should sign a standard contract. Following further discussion on the terms within the contracts, Board asked that this matter be more fully discussed at the March Board meeting.

ACTION 3: Further discussion on the terms of the CAIC list supply contract at the March Board meeting.

The meeting considered the risks of the CAIC URL list being leaked and published, and the action which had been taken to minimise that risk. Following further discussion it was agreed that a press release should be prepared and agreed by Board that responded in the event of publication.

ACTION 4: Executive to prepare a draft press statement for the March Board meeting which responds to the publication of the CAIC URL list.

Following further discussions with regard to issues raised by John Souter's presentation at the beginning of the meeting, Chair agreed to write to LINX stating that:

- Board would not suspend their activity towards the publication of the list of companies that deploy the CAIC list as a blocking tool as Funding members had indicated they would like that information published; and
- We would continue to explore options for verification and validation.



ACTION 5: Chair to write to John Souter

b) CAIC data as an intelligence tool

Chief Executive outlined the background to this controlled experiment which involved the monitoring of school networks to identify devices where an attempt was made to access a URL on the CAIC list. Board noted that the two companies involved were both IWF members and that all the schools would be participating on a voluntary basis. It was confirmed that this was a change of purpose with regard to the use of the data.

Some Board members expressed concern about the value of the project and its potential impact. Board noted the pressure on IWF to allow the data to be used for the experiment but confirmed the view that, as the purpose of the project could lead to the identification of potential offenders, this was a matter outside our current remit. Following further discussion, Board concluded that the two licensees could extend their use of the data for this controlled experiment only and that IWF should withdraw from the Project Board.

ACTION 6: CEO to:

- (a) write to chair of the project explaining our reasons for withdrawing from project management; and
- (b) confirm with the two members that they may extend the use of the data for the duration of this project only.

Organisational matters:

8 Financial:

a) Exception report Apr-Dec 2006/7

CEO outlined the position which was noted.

b) One-year transitional business plan 2007/8

CEO outlined the assumptions in the plan, explained that those items described as discretionary would only be possible if funding became available and that the forecast on income had been deliberately cautious.

A view was expressed that the wording in some of the objectives could be rephrased. Following further discussion, Board supported the broad principles in the objectives but agreed that the wording of objectives 1, 2, 4 and 10 needed further development.

After discussion some modifications to the expenditure lines were agreed.

Industry Board members agreed to present the revised budget to Funding Council subject to agreement on revised wording for the proposed objectives.

9 Membership:

a) Member update report

The membership application was approved and the report noted.

Chair and CEO matters:

10 Chair's report

Chair reported that apart from the Summary Governance paper forwarded to Funding Council she had nothing further to report.

11 Chief Executive's report

CEO asked the meeting to note that it was possible extreme pornography would be included in the Criminal Justice Bill which will go before Parliament in the spring. IWF position remains that we are seeking clarification on a range of issues including



a defence condition for the possession of such content and clarity on definitions. It was noted that the work was within our remit but agreements were necessary on processes and IWF's role. Chair confirmed that at this stage IWF has agreed to do nothing with regard to this work and referred to her correspondence with the Minister on this matter.

Board agreed to reconsider this item at the March Board meeting when further information should be available.

ACTION 7: Further discussion at next Board meeting

Operational matters:

12 Hotline:

a) Hotline Operational report

Board noted the helpful report.

b) Sexually explicit content hosted in the UK available to minors

The background to the paper was outlined and the CEO confirmed that the Parliamentary answer appeared to lower the criminal threshold on this matter. It was noted that most UK hosted commercial sites utilised credit payment mechanisms as their age verification process but there was uncertainty about what other age verification systems or other access controls methods would be required. However, there is the possibility that unmoderated user-generated sexually explicit content available on community related websites might have an impact and the Chief Executive confirmed that the Hotline was monitoring the situation. IWF would require a police contact point to take this forward effectively. Following further discussion Board were advised that the matter had been referred to the Criminal Law Sub-group of the Task Force in order to obtain more clarity on definitions and guidelines for prosecution.

13 Communications:

a) News cuttings service

Noted

b) Annual Report 2006 -update

Progress noted.

c) ISPA Award

The Board working Group which had considered the nominations for this award reported back on their deliberations and recommended that the Home Secretary's Task Force be nominated as the winner. The working group pointed out that the Task Force included the individuals who had been short-listed and they wished to see the work of the Home Office officials who had supported the Task Force to be recognised.

d) Political Affairs work plan and contract 2007

Board noted the report and supported the continuation of the contract. They asked that issues involving Russia should remain within the brief.

Chair said that a discussion on what IWF should do outside the UK should form part of the strategic stakeholders' Board meeting in July. It was asked that INHOPE and its role be part of that discussion.

14 AOB

Chief Executive asked Board members to note that they had been included in a governance information service where they could log on to a web site and research



issues and would receive regular newsletters. Further information would be forwarded.

15 Board dates:

Board dates for 2007:

20th March, 22nd May, 3rd July, 18th September, 27th November – all Tuesdays, start time **10.30 am**

[The 3rd July meeting will be the annual strategic meeting and Board away-day and the September meeting to be hosted at the IWF offices.]

The next meeting will be at the Smart Company.