



**INTERNET WATCH FOUNDATION  
BOARD MEETING  
10 am - Tuesday, 27<sup>th</sup> January 2009  
At the offices of Baker and McKenzie, 100 New Bridge Street  
London EC4V 6JA**

**MINUTES**

**Present:** Ian Walden (Acting Chair), Emma Ascroft (industry Vice-chair), Naomi Cohen, Mark Gracey, Stephen Locke, Hamish MacLeod, Tink Palmer (Acting non-industry Vice-chair), Suzy Walton

**IWF Staff:** Peter Robbins (CEO), Keren Mallinson, Brian Wegg

**Apologies:** Rodney Brooke,

**1 Apologies and welcome**

Acting Chair opened the meeting and noted the apology from Rodney Brooke who had forwarded a comprehensive set of comments and notes on the agenda items. Chair thanked Board members for agreeing to bring the start of the meeting forward to 10 o'clock.

**2 Minutes of previous Board meeting**

-25<sup>th</sup> November 2009:

The words '*although shocking*' to be added to line 3, bullet point 2 of the minutes regarding the Hotline report.

The minutes were **approved** subject to the above addition.

-9<sup>th</sup> December 2009 teleconference meeting:

Rodney Brooke asked for his apologies to be added to these minutes and subject to this addition the minutes were **approved**.

**3 Matters arising - (including action summary from 25<sup>th</sup> November)**

Chief Executive confirmed that more work was being carried out to improve our police feedback on reports.

Board noted that the description 'non industry' Board member was an inward looking term which was specific to IWF governance and a more widely recognised title for such Board members would be more appropriate in some circumstances. Board **agreed** that for public-facing communications the term 'independent' Board member would be used.

There were no further matters arising

**4 Minutes from Executive Committee of 16<sup>th</sup> Jan. 2009 - for information**

Board noted that the date the committee had met had been moved closer to Board and that the minutes would follow.

**5 Wikipedia Impact Assessment**

Board considered the two helpful and confidential reports on the wider implications and impact of the blocking of the image hosted on Wikipedia.

The reports provided helpful assessments of media and public perceptions of the event, of other communications matters and of some strategic aspects of IWF's work. Board noted that an over riding conclusion from the reports was that the IWF key messages were not being communicated as well as they might be and Board concluded that all the communications aspects from the reports would be **remitted** to the Communications Committee which would report back to Board.



Communications issues divided into long and short term and Board agreed that it was important in the short term to close down some matters and try to achieve damage limitation. Both members and journalists still seemed unclear on what had actually happened. It was **agreed** that in the short term the following would be carried out:

- A short briefing note would be prepared for members setting out what actually happened and that this should be circulated via Funding Council; and
- Key journalists would be briefed 'face to face' in an attempt to close down some of the key misconceptions.

The strategic matters from the reports would be picked up by the executive and Board Executive Committee and conclusions reported to Board in due course.

Board considered the operational impact and the issues set out in the paper from the executive. Board **endorsed** the recommendation that a contextual assessment of level 1 images as set out in paragraph 5.2 of the report should be developed and reported to Board electronically as soon as possible. Board **supported** the basis for the criteria set out and suggested some additions. Board **agreed** that the following should be taken into account as criteria were developed:

- General availability of the image
- History of image
- Nature of image
- Nature of website featuring the image
- Number of images associated with the URL
- Consideration of collateral damage
- Likelihood of public harm
- Likelihood of content removal without blocking
- The popularity of the site

It was noted that the criteria will fall into two separate procedures, those matters to consider for inclusion on the CAIC list and those for removing from the list.

Board **endorsed** the emergency decision taken by the executive to stop automatically putting non-commercial level 1 images on to the CAIC blocking list and **agreed** that this temporary decision should remain in place until the contextual assessment procedure is finalised.

Board noted that there have been some misunderstandings resulting from misleading messages on 'splash pages' when an image is blocked. Chief Executive pointed out that the executive had produced a briefing note on this matter and it was **agreed** that this should be circulated to all Board members and that consideration would be given to whether members should be required to be consistent on their page returns when content was blocked as a result of the CAIC list.

**ACTION 1** : Secretariat to circulate 'splash page' briefing note to Board

Board **supported** the revival of the Technical Working Group in order to look at the technical aspects of blocking which had been highlighted by this incident. Chief Executive pointed out that there had been a number of accusations that the CAIC blocking list contained content which was not child sexual abuse and that the IWF was acting as a wider censor on other online content. He asked Board to consider whether it would be helpful to appoint an independent senior professional, for example a member of the judiciary, to carry out an annual sample audit and confirm that only child sexual abuse content was blocked by the CAIC list. Board asked that



this proposal be brought forward as part of the package of potential improvements. The executive confirmed that they were considering responses to the issues raised by Dr Richard Clayton in his September presentation (to the joint Board and industry day) and the high level strategic issues identified in the Wikipedia impact paper and a report would come to the next Board meeting responding to the issues.

Chair concluded by noting that Board **supported** both recommendations in section 2 of the executive's initial assessment paper.

### **6 Draft budget for 2009/10**

Hamish MacLeod, Chair of the Audit Committee, introduced this item and explained that the committee had reviewed the budget and had proposed some presentational changes which had been included in the draft budget presented to Board for approval. Hamish highlighted two key aspects, firstly, that there may be an expenditure shortfall of around £40,000 and, secondly, that there were a number of items of expenditure marked with an asterisk which will be deferred to the second half of the year and will be subject to a mid-year review of expenditure.

Board concluded that the shortfall was at a manageable level and **approved** the draft budget subject to a mid-year expenditure review conducted by the Audit Committee.

**ACTION 2:** Board asked for a copy of the deliverables from the PI consultancy contract to be circulated.

### **7 Strategic plan 2009/10**

Board proposed the following amendments:

- Goal 1, section 1 - The one-year review of the impact on IWF of the EP legislation was intended to be wider than the Hotline services and should be moved to a another section of the matrix;
- Goal 1, section 4 – Replace the word '*increase*' income with '*maintain and grow income in order to maintain services*';
- Goal 2 – This goal should make specific mention of '*raising awareness*';
- Goal 2, section 2 – remove the words '*including the potential omission of racial hatred content*' from the title;
- Goal 2, sections 4, 5, and 6 – recent events require a much higher priority for communications and this should be much wider than a police focus; and
- Some of the wording in the matrix requires amendment to '*what*' will be done from '*how*' it will be done.

Subject to the above amendments Board **unanimously supported** the plan.

### **8 Performance Management Framework - KPIs for Board**

Although it was noted that Board may not be in control of all the variables in some situations, it was concluded that these were key indicators of what IWF does and the framework should have the flexibility to capture and respond to new issues that may arise.

Board **supported** the framework and concluded that it should be the basis of a one year pilot.

### **9 A Funding Model for IWF – presentation by Dr Rachel Hopper**

Chair thanked Rachel Hopper for a very helpful presentation on a complex issue and asked Board members for comments.

Some Board members asked for clarification on the drivers behind this review and Chief Executive explained that issues for further debate included, the voluntary nature of our subscriptions, that the executive has to spend a significant amount of time cajoling and explaining the process and that the system of three bands has produced some anomalies.



Board noted the 'three band' process which was being applied and felt the 'floor' for each band should be clearer and firmer and, where there is negotiation within a band, it should be clear to the member on what basis the negotiation is taking place. Board noted that a rigid mechanical approach may not work and that we should publish and operate within a framework and give indicators of company size within the company sectors and bands.

Concern was expressed about how the minimum £1,000 subscription would be phased in and whether we may lose some members as a result.

It was noted that some members were rolling out the CAIC list in their overseas services and this involved additional costs for IWF. The issue of whether an additional service charge should be charged to these companies should be considered.

The position with company members that join for CSR reasons was considered and it was noted that company size and banding was not applicable for CSR membership. A membership category of Sponsor Member with appropriate benefits may be the best way forward.

Board concluded that although the present process can be time consuming and result in occasional anomalies it was not seriously flawed. Board **concluded** that:

- Option 1 was the preferred way forward - and that the present process should be 'tweaked';
- The floor for each band should be firm and clear;
- The criteria within each industry category and band should be published and the negotiable aspects should be identified;
- The minimum £1,000 subscription should be phased in over 12 to 18 months;
- The Supporter members should be given full visibility;
- The executive to investigate how a service charge for overseas CAIC services might be introduced for members that apply CAIC to overseas subsidiaries;
- Where a non-member licence is issued that company's relationship with IWF should be given greater visibility and published on the website, in the Annual Report and reported via the Board membership paper;
- A review of the funding model to take place in 12 months; and
- A progress paper and draft timetable to come to the next Board meeting in March.

## **10 Operational matters:**

### **a) Hotline report**

Board **noted** the report and found the graphs and pie charts a helpful way illustrating trends in reports.

## **11 Online content – policy matters:**

### **a) Extreme Pornography**

Chief Executive asked Board to note that there had been no significant impact on IWF from the first day of the enactment of the legislation. The exchange of letters with government Ministers was **noted**

### **b) Proposed legislation on non-photographic images:**

#### **▪ Provisions and Implications**

Chair asked Board to note that this would be a possession offence via new legislation and was similar to EP in the provisions.

Chief Executive said that he would be giving evidence to the parliamentary committee for the bill and asked Board to note that at some time they would need to consider whether



they would be taking on this work. It was pointed out that there may be some resourcing implications for IWF and there was a significant volume of such content hosted outside the UK. There is also a number of countries where this content is already considered illegal. A number of decisions will need to be taken by Board and consultations will need to take place with Funding Council and partner Hotlines in other countries.

**ACTION 3:** a) Chief Executive to write to the relevant Ministers requesting a meeting to explore the issues; and

b) A briefing paper to come to the next Board meeting in March.

Board also noted the amendment to the 1961 Suicide Act which will make hosters liable for content which '*encourages and facilitates suicide*'.

Some Board members expressed concern about any extensions to the blocking list which may include the above content and potentially cause damage to IWF's reputation.

#### c) **CAIC**

##### ▪ **Self-certification**

##### ▪ **Remedies and sanctions**

##### ▪ **Testing** by IWF/IWL

Board noted that there was a further meeting of the industry working group on 4<sup>th</sup> February and there may be developments to report to the next Board meeting.

#### **Committee matters:**

#### **12 Audit Committee – Hamish MacLeod, Chair:**

a) 2008/9 – financial reports – mgt. accounts to end of December 2008 and balance sheet at 9<sup>th</sup> January 2009

Committee Chair reported that there were no unexpected variances or matters of significance to report.

Board expressed concern about the continuing volatility within the banking sector and although the Investments Policy had been reviewed in order to spread and minimise risk, Audit Committee was asked to keep the situation under constant review and consider the prevailing market conditions at their next meeting.

#### **13 Remuneration Sub-committee – Suzy Walton, Chair**

a) Date of next meeting – 25<sup>th</sup> February

Committee Chair reported that a further meeting had been arranged when it was planned to conclude some items.

#### **14 Communications Committee – Naomi Cohen, Chair:**

a) Press cuttings inc. 'Wikipedia summary'

b) IWF Internet Users Research – Summary Report

Board members found the paper very helpful and were asked to forward any comments to the Director of Communications.

**ACTION 4:** The paper would be added to the next Board agenda and be more fully considered.

#### **15 Funding Council feedback**



Industry Board members had no further feedback on this occasion and asked Board to note that there were a lot of matters currently requiring an input from industry and it may be necessary to review their priorities.

## **16 Membership matters:**

### **a) Membership update**

The membership applications from Red Moderation and E2BN were approved.

**ACTION 5:** Non-membership licences for the CAIC list to be notified to Board via the membership report at future meetings.

## **17 Governance matters:**

### **a) Chair appointment process – verbal update**

Secretariat outlined progress but expressed concern that the draft text for our advertisement in the Times Online had not been forwarded by an agreed deadline and would be uploaded later than agreed.

**ACTION 6:** Secretariat to remind Odgers that they were due to contact Board members in order to gather any suggestions on potential candidates for the office.

Board noted that the Chair was described as 'independent' and with reference to the earlier discussion on independent Board members it would be helpful to have a briefing note on definitions.

**ACTION 7:** Secretariat to circulate a briefing note to Board

## **18 Chair and CEO matters:**

### **a) Chair's report – verbal update**

Chair outlined his IWF work.

### **b) Chief Executive's report**

In answer to a question Chief Executive outlined the progress on setting up the UKCCIS Board. The report was noted.

## **19 AOB**

**There was no further business**

## **20 Board dates for 2009:**

Tuesdays - start time usually 10.30 am

March 24<sup>th</sup>, May 19<sup>th</sup>, June 30<sup>th</sup>, Sept 29<sup>th</sup>, December 1<sup>st</sup>.

The next meeting will take place on Tuesday 24<sup>th</sup> March at the offices of Yahoo! in Shaftesbury Avenue

The meeting closed at 1.25 pm.