IWF
Internet
Watch
Foundation
STOP Child Sexual
Abuse Imagery Online

DO the right thing

Backbench business debate- Report of the Draft Online Safety Bill Committee

Thursday 13 January 2022

Key asks:

1. **That the Government accepts the recommendations of the Draft Online Safety Bill Joint Committee as it relates to CSEA material online and that the Government provides further details on the anticipated timeline for the implementation of when the regime will go live.**

2. **That the Government provides more information and guidance on how Ofcom will be expected to work with expert organisations, such as the IWF, including through co-designation, and sets out what the criteria will be for achieving this.**

3. **That the Government further strengthens the Bill to protect children, including addressing the issue of end-to-end encryption.**

Tackling CSEA content:

- The UK already has extremely effective mechanisms in place for dealing with CSE/A and is recognised as a global model of best practice. The Independent Inquiry into Child Sexual Abuse stated: "The IWF was a genuine success story" and "deserved to be recognised publicly as a large part of the reason comparatively little CSAM was hosted in the UK."

- In the year the IWF was founded, **18%** of the world's known child sexual abuse material was hosted in the UK. Thanks to our efforts and that of our industry partners, it has been consistently below **1%** ever since 2003.

- We have some of the fastest removal times for this content anywhere in the world. The IWF's record removal time is less than **2 minutes**.

- We want the Online Safety Bill to build on this best practice and enhance it further by acknowledging the current best practice, skills and expertise which sit outside of the future regulator in this space, Ofcom.

- Article 9 of the Bill requires companies to have systems and processes in place that:

    - Minimise the spread of illegal content;
    - Minimise the length of time it is available for;
    - Minimise the dissemination of illegal content;
    - Ensure illegal content is swiftly removed once notified.

- It is our belief that these responsibilities for notifying companies about potential breaches is very close to the IWF's current responsibilities as the appropriate authority for notice and takedown (as acknowledged by the MoU we have with the CPS and NPCC.)

Co-designation:

- We believe that for the Online Safety Bill regime to be effective, it will require the cooperation of industry, close collaborative working with law enforcement and close working with Government.

- The report by the draft Online Safety Bill Joint Committee said the IWF had made a “persuasive case” for co-designation to regulate CSE/A content, an argument that was supported by both CPS and Talk-Talk in their evidence to the Committee. The Committee also agreed with us that it “would have been beneficial to see information published alongside the Bill about how such co-designation might be achieved or even a timeline on when such decisions will be taken”.

- We would like to see more information provided and published by the Government on how Ofcom and Government intends to see collaborative working between Ofcom and other stakeholders - particularly through co-designation.

- The IWF has proposed several areas where we believe we can assist Ofcom:

    - Developing the Code of Practice
    - Investigations
    - Monitoring Compliance
    - Transparency Reporting
    - Mandatory Reporting

- The Joint Committee report states that they “expect Ofcom to work closely with experts like the Internet Watch Foundation, to develop and update the child sexual exploitation and abuse Code of Practice; monitor providers to ensure compliance with the child sexual exploitation and abuse code; and during investigations relating to child sexual exploitation and abuse content.”

- The IWF has already contributed through helping to shape the interim Code of Practice for CSE/A, providing input to the Government’s CSE/A strategy and is a member of the Ministerial working group on transparency. We have also hosted regular roundtables with the Government to help develop policy in this area.

End to End Encryption:

- We believe encrypted platforms should have equivalent levels of protection in place for identifying CSE/A as platforms which are not encrypted.

- We welcome the recommendations by the draft Online Safety Bill Committee, acknowledging the potential risk of end-to-end encryption in the design of services, particularly for children.

- We think it is entirely proportionate to ask companies, through the risk assessment process, to detail the systems and processes they have in place to detect, identify, flag, and report illegal child sexual abuse imagery in encrypted channels, particularly if the platform is likely to be accessed by children or have a large number of child users.