

Children's Charities' Coalition on Internet Safety

27th October, 2004.



Dear Lord Avebury,



Thank you for the copy of Lord Bassam's letter to you of 21st instant.



In all essentials, Lord Bassam's letter is, of course, correct. However, to answer the question you asked on the phone, "Why do the British police seem so reliant on the Americans supplying them with the names and credit card numbers?" I will need to go into a little detail.



Firstly, as Lord Bassam indicates, the credit card companies absolutely forbid the use of their facilities for any illegal purpose. However, in some parts of the world, the banks that issue the cards on behalf of Visa or Mastercard are not always as fastidious or diligent as, say, banks in the UK. Companies selling the abusive images rarely oblige by trading under a name which would make it obvious what their business actually was. They will trade under an innocuous name which gives nothing away.



Illegal traders therefore do slip through the net and are able to set up shop online. The problem then becomes one of detecting the illegal activity that is actually going on. Both Visa and Mastercard say they have programmes in place for checking on dubious sites which may be misusing their name and their facilities, but I cannot give you an up to date account of how effective they are being or how extensive these efforts are. I understand they have recently made changes to their arrangements. This therefore may be a point worth pursuing in its own right, either through the Minister or directly with the companies.

Thus, at the moment, the only real way into this area for law enforcement is to find and seize the computers of the companies or web sites that are trading in the images. Typically the police would get a tip off, as they did in the Texas Landslide case (which ultimately gave us Operation Ore), when an innocent party stumbles over the site. Once the police have the servers they have a route to both the buyers and the sellers. In the Landslide case there were over 250,000 names of individuals who had bought images. 7,200 of them appeared to be in the UK and this list ultimately resolved itself to about 6,000 genuine cases. The suppliers were 4 men: three Indonesians and one Russian, who ran a whole network of illegal sites. They were never arrested.

The reason, therefore, why the British police have not been more to the fore in making arrests of this kind is quite simply because there are no known UK-based web sites which trade in illegal images. The UK police have, however, been very active in arresting those caught downloading, and they have been active in a number of other areas which are related to this type of work but which do not involve credit cards or web sites. The UK police, working with Interpol, have also been developing a huge digital database of known illegal images which, potentially, could facilitate more technologically focused proactive solutions to locating the sites without having to wait for a concerned member of the public tripping over them. Then there are other initiatives such as BT's "Cleanfeed" which also promises to attack the problem in new and innovative ways.

If you look at the figures published annually by the UK's Internet Watch Foundation you will see that 55% of all child pornography images reported or found in the UK originated in the USA and 23% came from Russia. Less than 1% came from the UK, and the UK ones that were found did not come from commercial web sites.

Incidentally, it is worth observing that in 1997 the UK total was 18%, so to get it down to less than 1% is quite an achievement and a tribute to the way that the UK police and internet industry have collaborated to deal with the problem.

You may be aware that, recently, we pressed the credit card companies to act against any of their customers who were convicted of buying child pornography using their cards. Eventually the banks, through APACS, agreed to this idea but we all then discovered that, seemingly, it requires a change in the law. The Information Commissioner has indicated that he sees no problem about changing the law in the way envisaged, and the Home Office and the Police have indicated their support. We also wrote to Lord Falconer expressing our support and we are awaiting news about how and when the matter will be progressed.

There are many additional points I could make, especially about the need for the Police to be given new and specialised resources, about the need for further changes in the law, and so on, but next Tuesday, 2nd November, we are launching our Digital Manifesto. It contains many specific proposals around these issues. I will, of course, send you a copy of the Manifesto as soon as it gets back from the printers or, if you prefer and have the time, you might like to come to our launch seminar? The seminar is being held in The Moses Room of the House of Lords, from 2.00.p.m. The seminar is being hosted by Baroness Thornton, who is also my wife.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Carr', written in a cursive style.

John Carr
Secretary
CHIS

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