

Guideline for suppliers of UK content services on illegal and potentially illegal content

1. This guidance is intended for O2 UK suppliers on treatment of potentially illegal content.
 - 1.1. It is an **interim document** pending final release of IWF guidelines which will be updated to reflect imminent changes to the law (s46 of Sexual Offences Act 2003 and guidance from the CPS and ACPO).
 - 1.2. Whilst the focus is on illegal images of children the same process should be followed for obscene and criminally racist content.
2. Where the **IWF suspects that illegal images are being hosted on an O2 service** they may contact the service provider directly to request access.
 - 2.1. Service providers should be in a position to provide the IWF with immediate access to services.
 - 2.2. Service providers make the IWF aware that they are providing a service for O₂ and should ensure that they have direct access to a relevant contact person.
3. Where the **IWF identifies illegal images on an O2 service** they will:
 - 3.1. Issue a Takedown Notice to O2. This is a distribution list of relevant supplier contacts, O2 Product Managers and the O2 Nuisance Call Bureau.
 - 3.2. Inform the Police.
4. **On receipt of an IWF Takedown Notice:**
 - 4.1. Suppliers should immediately disable access to the relevant image. Nobody should view or copy the image. Image and log files should be secured and preserved with access granted only to the Police on request.
 - 4.2. O₂ will log the notice and seek confirmation from suppliers that the steps detailed in 5.1 have been taken.
5. Where a **supplier identifies a potentially illegal image** on a service they provide, for example through moderation of a service, they should:
 - 5.1. Immediately¹ complete a report to the IWF using their online reporting tool. The report should include full details of the individual making the report and sufficient information for the IWF to be able to access the image. Typically this would be the exact location together with login details.
 - 5.2. Follow up their report with a phone call to the IWF at the earliest opportunity.
 - 5.3. Stop viewing it and not download, transmit or otherwise create an electronic copy of the image file – if the image is illegal then to do so would be a criminal offence².

¹ It is important that reports are made immediately as the speed with which a report was made is one of the principles affecting whether there is likely to be a defence available to the person discovering the image under the new law.

² Protection of Children Act 1978 S1(1)(a) prohibits the 'taking or making' of an indecent photograph or pseudo-photograph of a child.