

<p>1 Thursday, 16 May 2019 2 (10.30 am) 3 (In Open Session) 4 THE CHAIR: Good morning, everyone. Welcome to Day 4 of 5 this public hearing. 6 Ms Carey? 7 MR HUGH MILWARD (continued) 8 Examination by MS CAREY (continued) 9 MS CAREY: Good morning, chair. Good morning, Mr Milward. 10 A. Good morning. 11 Q. We left, yesterday afternoon, considering your evidence 12 in relation to Microsoft's response in relation to 13 indecent imagery, and yesterday we also considered the 14 number of monthly reports that were made by Microsoft 15 globally to NCMEC. I think I asked you about whether 16 you were able to give UK-specific figures. 17 I understand you have an update as to Microsoft's 18 position? 19 A. Yes, I do have an update on that. 20 So we report around 5,800 -- well, we make around 21 5,800 reports a month to NCMEC. 22 For the majority of those reports, they are images 23 that are found on the web, and those images will 24 typically be hosted somewhere in the world. For the 25 most part, these images are not hosted in the UK.</p> <p style="text-align: center;">Page 1</p>	<p>1 What we don't do, at the point at which a member of 2 the public reports an image they find on the web, we try 3 to make the process as smooth as possible and collect as 4 little information as is -- only the information that is 5 necessary about where that image is and, typically, we 6 may not know at that point, and certainly the user may 7 not know, where that image is actually located. 8 So it is difficult to identify where that image 9 comes from. 10 However, for the numbers of reports or incidents of 11 child sexual abuse material actually on our own 12 platform, we can report for the UK on that. 13 Q. Okay. 14 A. And that is between 100 -- and the way we report on that 15 is the number of accounts we close. So typically, if we 16 find that there is child sexual abuse material on 17 a person's account, we will close the account, and 18 I went through that process yesterday. 19 The number of closures of accounts is then a good 20 indication and that is between 100 and 400 accounts 21 a year. 22 Q. For suspected or actual abuse of children related -- 23 A. That is for where we find and we have verified through 24 this twin-track process that there is child sexual abuse 25 material on our platform.</p> <p style="text-align: center;">Page 2</p>
<p>1 Q. And 100 to 400 a year, is that a roughly average figure 2 over the last three or four years, let's say? 3 A. Yes, so I have the figure for several years and they do 4 vary between, you know, 98 in one year, 400 in another 5 year, 244 in another year, 312 in another year. 6 Q. So there's no real pattern? 7 A. So there's no real pattern on that. 8 Q. You refer there just to the termination of accounts 9 which is one way of assessing or trying to gain an idea 10 of the scale of the problem at Microsoft. 11 When an account is terminated, how do you prevent 12 the user from starting up a new account with different 13 details? 14 A. Well, so if any of the data that we hold on that account 15 user we find is being reused, then we will not allow 16 that account to be set up, but realistically, 17 an individual can use any name they choose to set up 18 an account, using any IP address, they can use a new 19 computer, so technically, it's actually very difficult 20 to verify a person's identity, and we find this again 21 and again in the -- both online and offline. In this 22 country, we have made the decision not to have ID cards, 23 for example. 24 So we're not -- we're not very good at verifying our 25 identities and, as a society, we don't seem to want to</p> <p style="text-align: center;">Page 3</p>	<p>1 verify our identities. So in the online sphere, this is 2 equally as challenging. 3 Q. So when one sets up a Microsoft account, presumably he 4 has to put in an email address, some basic data: name, 5 date of birth, is that required? 6 A. A date of birth is asked for, location, so there are 7 a variety of different pieces of information, but again, 8 the -- our ability to verify that, so some of it 9 through -- we can get the location through -- 10 GO location through IP addressing, but, actually, there 11 are tools that are very easily available to mask or 12 redirect to the actual location. 13 Q. I want to ask you, please, about your paragraph 44 in 14 your witness statement, which deals with the take-down 15 procedures. You say there that where there is suspected 16 child sexual abuse material it's reported or detected 17 it's reviewed by the specialist moderators and we looked 18 at that yesterday. 19 You said this: 20 "The take-down procedures vary for reactive" -- ie, 21 those reports that come into you -- "and active 22 moderation efforts", ie, those found by using PhotoDNA 23 technology." 24 Why is there a distinction between the take-down 25 procedures for either a human report or a PhotoDNA-type</p> <p style="text-align: center;">Page 4</p>

1 report?

2 **A. Let me just familiarise myself with what is here.**

3 **(Pause)**

4 **That is largely because PhotoDNA is identifying**

5 **known images, and so we have previously verified that**

6 **that image is already child sexual abuse, so we don't**

7 **need to go through the process again of verifying it, we**

8 **can make an assumption that PhotoDNA is behaving as it**

9 **should be behaving, and we can assume that it is already**

10 **child sexual abuse material.**

11 **For an image that is new, we will need to go through**

12 **that verification process, which then creates a hash**

13 **that then can be used by PhotoDNA to identify more.**

14 Q. Where there is a known image found, either on one of

15 your products or sent by email -- I just want the panel

16 to try to understand what practically happens -- is that

17 image available to view until such time as it's been

18 hashed or is it stopped from being able to view at the

19 outset?

20 **A. So we will -- so if it's -- are we talking about**

21 **an image that might be on the web?**

22 Q. Yes, let's take that as an example.

23 **A. Yes, so we will typically block the URL so it can't be**

24 **discovered through Bing.**

25 Q. So physically, if someone puts in a URL that is on the

1 blocked list, what comes up on the screen if someone

2 tries to type in that banned URL?

3 **A. If they tried to type in the banned URL, it will go to**

4 **an error page.**

5 Q. Right.

6 **A. What we do find, though, is that people who are really**

7 **determined to share content, a variety of different**

8 **types of illegal content, may make a slight adjustment**

9 **in the URL and it will appear again.**

10 **So it is -- the industry refers to it as**

11 **"Whack-a-Mole", you know, you take it down in one place,**

12 **it pops up somewhere else and you've got to take it down**

13 **again.**

14 Q. What about if someone wanted to send an indecent image

15 as an attachment to an email? How, there, does it

16 practically work? Is the email capable of being sent or

17 what happens?

18 **A. So what happens there is every -- we will scan for --**

19 **through PhotoDNA for -- at the point at which an image**

20 **is shared --**

21 Q. Right.

22 **A. -- and that includes via email. So as soon as a user**

23 **presses "Send" on the email, that will be scanned by**

24 **PhotoDNA and, if it is found to contain child sexual**

25 **abuse material, or if it's found to contain known child**

1 **sexual abuse material, then it will be blocked and the**

2 **image and the account will then be referred to the --**

3 **this online safety team that will then review that**

4 **image, and then that will lead to the potential**

5 **take-down of that account.**

6 Q. So the recipient of that email that contains the known

7 indecent imagery will not receive --

8 **A. They will not receive an email.**

9 Q. And steps will then be taken by you to take action?

10 **A. That's correct. And it's the same principle if**

11 **OneDrive -- if someone is sharing an image they've**

12 **stored on their OneDrive, the moment they try to share**

13 **that image, it will be scanned by PhotoDNA and the same**

14 **procedure takes place.**

15 Q. What about unknown images? What if I tried to send

16 an email containing an indecent image that hasn't

17 previously been hashed, and how does one detect it at

18 that stage?

19 **A. Well, we wouldn't detect it.**

20 Q. No.

21 **A. And that's because we -- you know, aside from PhotoDNA**

22 **scanning, which, again, is not looking at -- can't look**

23 **at any private information, it can't be reverse**

24 **engineered, we -- we don't scan people's private**

25 **correspondence or private e-mails.**

1 Q. Are you able to assist with the take-down times for an

2 unknown or unpreviously hashed image?

3 **A. If it's referred to us, so if it's reported to us --**

4 **Q. Yes.**

5 **A. -- the take-down is -- is usually within -- within**

6 **24 hours. If it's on our own platform, it will be**

7 **significantly faster.**

8 Q. Are you able to give us an indication of the time?

9 **A. Within hours.**

10 Q. Just finally in relation to indecent imagery, I'd like

11 your assistance, please, Mr Milward, in relation to

12 self-generated imagery. I'm looking here at your

13 paragraph 28. The chair and panel have heard about

14 self-generated imagery, but I'd just like you to

15 explain, please, what steps Microsoft have taken to try

16 and make young people aware of the fact that, even if in

17 a consensual relationship at the age of 16, the sharing

18 of that imagery is, in fact, illegal?

19 **A. Yes. So we have a tool that allows the public to report**

20 **those sorts of images, and it's simplified, there are --**

21 **literally, a series of tick boxes to make it as easy as**

22 **possible to report that. And when they do, again, that**

23 **image will go through the same assessment criteria to**

24 **determine whether or not it -- whether or not we believe**

25 **that it fulfils the criteria for -- for revenge porn or**

1 **that kind of content.**
 2 **And that -- that means that it's a similar process**
 3 **to the process around the right to be forgotten. That**
 4 **there is a balance to be struck between something that**
 5 **somebody has said or an image they have posted that they**
 6 **then subsequently regret and want to undo, and the fact**
 7 **that that situation or that comment or statement is in**
 8 **the public domain.**
 9 **And so there is a balance to be struck there between**
 10 **it, we will always err on how do we protect our**
 11 **customers and, for the most part, if someone is**
 12 **reporting some -- what might be called "revenge porn",**
 13 **then they are our customers and so we will err on the**
 14 **side of favouring the take-down.**
 15 Q. I think, is this right, that Microsoft supported
 16 a Home Office/IWF/Marie Collins Foundation/NSPCC
 17 campaign to try and raise awareness amongst 18- to
 18 24-year olds about the fact that sexual images and
 19 videos of under eighteens are illegal?
 20 **A. Yes, that's right, and we typically repeat this kind of**
 21 **advice around moments in time that -- that the general**
 22 **public are paying attention, and that might be around,**
 23 **for example, Safer Internet Day, that might be -- there**
 24 **are moments when, you know, the industry and NGOs and**
 25 **other organisations come together to try to have a spike**

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1 that there is grooming over those two platforms, for
 2 example, if you don't know how much it is, it may be
 3 difficult to know if Microsoft are devoting sufficient
 4 resources, be that financial, technological. Why is it
 5 the case that Microsoft don't have that kind of data?
 6 **A. It is a good question and I'm sorry I don't have the**
 7 **answer to that. I can come back to you with an answer.**
 8 Q. May I ask you this, Mr Milward: is it the case that
 9 Microsoft don't want to publicly state a figure like
 10 that lest it damages the brand?
 11 **A. No. We will be happy to state that.**
 12 Q. Perhaps we'll come back to you in relation to that?
 13 **A. I'm very happy to do that. My apologies for not having**
 14 **that.**
 15 Q. You spoke there of some of the difficulties in where
 16 does one draw the line, and I think you say at
 17 paragraph 32 that, in relation to Xbox Live, there is
 18 realtime moderation technologies to protect the users.
 19 Could you just help explain in, perhaps, layman's terms
 20 what exactly you mean by that?
 21 **A. Yes. So the difference between Xbox Live and Skype**
 22 **really is that Xbox Live is in public. So the**
 23 **conversations that are taking place, generally anybody**
 24 **can see those conversations, and anyone can -- can --**
 25 **could dial in and witness it. So it's not a private**

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1 **in -- in activity on this. And so we try to repeat**
 2 **those sorts of messages at those points as well.**
 3 Q. Can we come on, please, just to deal with Microsoft's
 4 response in relation to grooming, which starts at your
 5 paragraph 29.
 6 **A. Yes.**
 7 Q. I think you told us yesterday that, typically, that
 8 might occur on platforms such as Xbox Live or Skype
 9 where there can be communication between two users.
 10 Do you have any data on the breakdown of figures of
 11 how much grooming happens on either Xbox or Skype?
 12 **A. We don't. There is -- I mean, there is grooming that**
 13 **does take place. And we are developing tools to try to**
 14 **address that. There are complexities around, for**
 15 **example, what is grooming, when do -- where do we draw**
 16 **the line around grooming? Is the same conversation**
 17 **between two 15-year olds -- you know, if the same**
 18 **conversation was between a 15-year old and a 40-year old**
 19 **you might look at it very differently. So there are**
 20 **challenges around, how do you identify the ages of those**
 21 **participants, how do you look for signals in the**
 22 **discussion that indicate that grooming is taking place?**
 23 **And that -- that is complex, but we're making real**
 24 **progress on that.**
 25 Q. I ask about the figures, because, although you accept

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1 **communication. It is not encrypted.**
 2 **What we will do is we will dip in and out of a whole**
 3 **variety of these conversations to check on language**
 4 **being used, so we've got very strong terms and**
 5 **conditions around the use of abusive language, around**
 6 **racial language, for example, homophobic and other**
 7 **aspects, and then, equally, we will look for indications**
 8 **that there might be grooming taking place. And, you**
 9 **know, increasingly, we're able to automate this. We've**
 10 **got a level of automation that we already apply to it.**
 11 **The Hackathon, which I think we're going to go on to,**
 12 **looks extremely promising in improving the quality of**
 13 **that, but that will look, for example, for word**
 14 **combinations that might be, for example, "Are your**
 15 **parents around?" or "Do you have a number I can call you**
 16 **on?" or these sort of indications, these combinations of**
 17 **words that indicate that somebody is trying to take the**
 18 **conversation out of this public forum and turn it into**
 19 **a private discussion.**
 20 **Those are the indications that the grooming is**
 21 **taking place.**
 22 Q. Can I ask you in practical terms, if, for example, there
 23 is abusive language outside of the context of child
 24 sexual abuse being used over Xbox Live, what actually
 25 happens?

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1 A. The user will be censored. So, for example, they might
 2 be blocked from using Xbox Live for a period of time.
 3 Q. Right.
 4 A. The moderator will step in and remove sentences from the
 5 history and that sort of thing.
 6 Q. Does anything pop up on the screen, is there any kind of
 7 warning message?
 8 A. And there will be a warning message as well, so -- and
 9 then, if you -- if we suspect that actually grooming is
 10 taking place rather than just abusive --
 11 Q. That's what I was going to ask you --
 12 A. -- then that account will be suspended, and then that
 13 gives us the opportunity to investigate.
 14 Q. Right. So if someone were mid-conversation and there
 15 were an adult trying to groom a child -- the example you
 16 gave, "What's your phone number?" -- does, literally,
 17 the live chat stop?
 18 A. Well, that is the -- that is the intention. I think we
 19 have to bear in mind that there are -- millions of
 20 conversations taking place, and one of the ways in
 21 which -- one of the reasons why we're so committed to
 22 finding a technological solution to this is because it
 23 allows us to scale, and it means that -- that issues can
 24 be flagged and human eyes put on it much, much faster.
 25 But I can't say for certain that that will happen in

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1 the main administrator for that device, whether it's
 2 an Xbox or a PC, has a level of control over the -- sort
 3 of the child account. And we ensure that it is in fact
 4 a bona fide parent, not another child masquerading as
 5 a parent, by demanding various age verification which is
 6 required by law, and we ensure that it is in fact
 7 a parent by taking a small credit card payment or by
 8 using a -- various publicly-available tools, where -- if
 9 a parent doesn't have a credit card.
 10 That then establishes that the parent is, in fact,
 11 an adult and that they have, you know, a high level of
 12 control over the child's account. So on Xbox, for
 13 example, the default position for a child account is
 14 that all of the Xbox Live settings that allow chat and
 15 those sort of things are actually, by default, switched
 16 off, there's an extremely high level of privacy for the
 17 child so that their data isn't available, that their
 18 gamer tag isn't available, a whole variety of different
 19 measures. Each of those measures can be -- you know,
 20 those permissions can be granted to the child, but only
 21 by the parent.
 22 So this is -- it effectively means that if -- if
 23 a family buys a new Xbox and the parents set it up for
 24 children to use, it is a dramatically more safe
 25 environment for those children to play games.

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1 every instance and we already know about instances where
 2 there has been grooming taking place on Xbox Live and
 3 has transferred to other platforms. So it's not
 4 perfect. Without a doubt, there's work to do on this.
 5 Q. One of the tools that Microsoft uses, I think, are what
 6 you'd term as "family and parental controls". Can you
 7 explain how they work in practice?
 8 A. Yes. So this is very important and it is -- it's
 9 a level of protection that children have using their
 10 devices, that, you know, we can't -- we can't advocate
 11 strongly enough and, you know, we would love to see
 12 there being more focus on these family settings.
 13 Effectively, it works like this. If a parent, and
 14 it's generally a parent, buys a new computer or an Xbox
 15 for their children to use, the set-up procedure right at
 16 the beginning is becoming more and more simple and
 17 straightforward and we have made real steps to improve
 18 this over the years.
 19 But the set-up procedure asks if a child is going to
 20 be using the device, and if the answer is yes or if
 21 there is going to be a user on the computer, if it's
 22 a shared family computer, where you have a child using
 23 it, then the process is much more simple in terms of
 24 setting up that -- that user as a child.
 25 That will involve establishing a relationship where

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1 Q. I think you said that the parents who have parental
 2 control set up can block apps and games that they deem
 3 inappropriate. I just want to be clear, is that
 4 something they can do at the outset, but what if they
 5 find that their child is using an app that is
 6 inappropriate, can that subsequently -- can the parents
 7 subsequently remove the child's access to it?
 8 A. They can.
 9 Q. Right.
 10 A. One of the settings, for example, is that no apps may be
 11 installed without permission, so it means that the child
 12 can't install anything on it and it needs to have
 13 app-by-app permission to install. That can be adjusted
 14 at any time, but only by the parent.
 15 Q. You say that the parents can block websites they deem
 16 unsuitable. I think you say this, there's a "using the
 17 activity report", what is that?
 18 A. So I have four children all set up on -- on our devices,
 19 and each -- each month -- each week, actually, I get
 20 a report for the online activity for each of those
 21 children. So I can see what websites they've been on,
 22 I can see how long they've been online, I can see which
 23 apps they've used, and so it gives me a level of
 24 understanding of what my children's activities are to
 25 a great degree.

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1 **In fact, on websites, for example, you have the**
 2 **ability to blacklist websites, but you also have the**
 3 **ability to lock it down further, which is you can**
 4 **whitelist websites. So, for example, you can allow your**
 5 **children no access to any websites except the BBC, for**
 6 **example.**
 7 Q. Okay. So there's a dual level of control there.
 8 Finally, you say that the parents could be empowered
 9 to limit who children and teens can communicate with
 10 while gaming. How does that work?
 11 **A. So the default for a child is that they can communicate**
 12 **with no one, and then there are levels of access that**
 13 **they can be granted. So, for example, if you -- if**
 14 **I buy a new Xbox and I set up a Microsoft account for**
 15 **the first time, I have no friends, as it were, on my**
 16 **Microsoft account. Then I might invite you to be**
 17 **a friend. If that's the case, and you accept, then**
 18 **there is a setting on Xbox that would allow us to**
 19 **communicate, and so it means that a parent can grant**
 20 **children, or child accounts, the ability to communicate**
 21 **with known other accounts.**
 22 Then there is -- so you've got sort of concentric
 23 rings of control with -- that person can be contacted
 24 and contact anyone at the outer ring through to no one
 25 at the inner ring.

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1 **manufactured computers, this is all computers that use**
 2 **Windows -- have the ability to do that.**
 3 So in fact, there is a -- we can come on to ways in
 4 which we might make more of a difference in addressing
 5 child sexual abuse material, but one way is for
 6 retailers to flag these kinds of settings and to help
 7 educate customers at the point at which they purchase
 8 devices.
 9 Q. So what would be envisaged, as a parent buys an Xbox,
 10 goes into a department store, does it online, perhaps,
 11 these days, what they are told, there's a pop-up or --
 12 **A. Well --**
 13 Q. -- a sales assistant says to them?
 14 **A. I think there's a great opportunity for sales assistants**
 15 **to have that kind of conversation, there's a great**
 16 **opportunity for literature to be shared. Typically,**
 17 **when people are buying computers, they're actually**
 18 **buying them from people who know something about them**
 19 **and can advise. How we deal with online is a challenge,**
 20 **which is why we've taken steps to make the start-up**
 21 **procedure when buying a new device to be as simple and**
 22 **as informative as possible, but I think there are**
 23 **opportunities for much richer content to be shared at**
 24 **that beginning.**
 25 Q. Have there been discussions with the major computer

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1 Q. Do the activity reports notify a parent if there is
 2 a new friend that is accepted, so that the parent could
 3 say, "Well, who is this person that you're now gaming
 4 with, or conversing with, online?"
 5 **A. It's a good question, I haven't seen that on the reports**
 6 **that I have seen.**
 7 Q. In addition to the parental controls, you attest in your
 8 statement to what are called "specific child accounts".
 9 How do they operate?
 10 **A. So the child accounts were the accounts that I've --**
 11 Q. They're the ones affiliated, are they, to the adult
 12 account?
 13 **A. That is right.**
 14 Q. I assume, therefore, that the child cannot have
 15 an account unless they are affiliated with an adult
 16 account; is that right?
 17 **A. Well, the child account can't exist without that**
 18 **adult/child relationship. The setting up of a child**
 19 **account requires it to be done by an adult. This is why**
 20 **it's so important that these sorts of things are set up**
 21 **at the beginning, when a parent buys a computer or**
 22 **an Xbox.**
 23 Again, this is -- I'm sure the same is true for the
 24 Apple operating system, but any Windows 10 device and
 25 earlier operating systems -- so this is not just our own

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1 retailers about the potential for further information to
 2 be given at the point of sale?
 3 **A. Yes, there have, and some of the campaigns that we've**
 4 **run have been -- have been pretty successful. So**
 5 **a couple of years ago we -- we did "A Letter from**
 6 **Santa". So, typically, around Christmas, you may have**
 7 **a child who writes to Santa Claus and asks for an Xbox**
 8 **or whatever it might be, and then we did a letter back**
 9 **from Santa to the child, which was included with the box**
 10 **at the point of purchase, which included advice from**
 11 **Santa on how they should behave online and the sort of**
 12 **settings that should be put in place for them to be safe**
 13 **online.**
 14 It was nice and it worked well, and those are the
 15 sorts of initiatives that take place across industry
 16 that we should focus on.
 17 Q. We were discussing parental controls and the like to try
 18 and see about combating the problem of grooming, and we
 19 mentioned yesterday the Hackathon. I was just wondering
 20 if there was any update that you're able to give in
 21 relation to the prototype that was being -- was made
 22 possible as a conclusion of that two-day Hackathon; is
 23 there any update you can give?
 24 **A. Yes, there is an update. So we had a second, mini**
 25 **Hackathon to make further improvements to this**

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<p>1 technology on 2 May. The technology is now in live 2 testing with three companies, and we're reporting, 3 actually, very strong accuracy. There's obviously still 4 more work to do on this, but the indications are that 5 we're actually getting the results we're looking for for 6 this tool. 7 Q. May I move on, please, to deal with Microsoft's liaison 8 with law enforcement. I'm looking, Mr Milward, at your 9 paragraph 52 onwards. 10 I think in relation to the requests that UK law 11 enforcement makes of Microsoft, in fact there are some 12 figures available. Can I ask, please, that we look at 13 INQ004285, behind your tab 7, chair? 14 A. Yes. 15 Q. Now this comes from a law enforcement report, which 16 I think is published twice a year by Microsoft. 17 This refers to law enforcement, I think, in its 18 broadest sense and doesn't distinguish between the 19 National Crime Agency and local police forces; is that 20 right? 21 A. That is correct. 22 Q. The requests that are made of law enforcement, which we 23 should make clear at the outset are not solely child 24 sexual abuse or exploitation-specific; is that correct? 25 A. That's correct.</p> <p style="text-align: center;">Page 21</p>	<p>1 Q. There are some caveats to this. Why is it that 2 Microsoft doesn't keep data on the number of requests 3 that are about child sexual exploitation and abuse? 4 A. So, for a number of reasons, including the fact that we 5 may not know that it's about child sexual abuse, so it 6 may be a law enforcement request for information about 7 a user that we don't know whether it's to do with any 8 particular type of ongoing crime or -- 9 Q. You just know they want information about the user, not 10 the underlying criminality that might underpin that 11 request? 12 A. That's correct. 13 Q. Notwithstanding those caveats, though, there is some 14 data set out in that report. In the first half of 2018, 15 there were 3,499 requests relating to 5,600 accounts or 16 users. Is that correct? 17 A. That's correct. 18 Q. The circle at the bottom, is this right, attempts to set 19 out Microsoft's response to those requests? If we look 20 at the table on the right-hand side, you can see blue is 21 the percentage of content requests; yellow, non-content 22 data. Would that be just for an IP address or a user, 23 some user information? 24 A. That -- yes, so content requests would typically require 25 an MLAT.</p> <p style="text-align: center;">Page 22</p>
<p>1 Q. Yes. 2 A. Non-content requests would be -- would be things like IP 3 logs, registration details, they may be billing 4 information, it may be, you know, a variety of serial 5 numbers, a variety of information that is not the 6 content of the communication. 7 Q. Yes. So not the actual e-mails or the Skype messages or 8 whatever it may be? 9 A. That's right. 10 Q. If we can work through that, does it follow then that 11 there were no requests for content made by English law 12 enforcement, or does it mean that no provision by 13 Microsoft of that content as a result of the law 14 enforcement requests? 15 A. Yes, it looks from there as if there is -- there were no 16 content disclosures. 17 Q. Yes. It doesn't mean you weren't asked for it, but that 18 you didn't disclose any through a law enforcement 19 request? 20 A. That's right, but my -- so I'm making an assumption here 21 that, you know, generally, we try to make sure that we 22 don't reject requests for no extremely good reason, and 23 so, if there were no content disclosures, that is much 24 more likely to be because there were no content requests 25 than we decided to reject them.</p> <p style="text-align: center;">Page 23</p>	<p>1 I mean, we can talk about complexities around MLAT, 2 but I think you've probably heard that from other 3 witnesses. 4 Q. We heard a little bit about it. I think what would be 5 helpful for the chair and panel is, do you have any 6 sense of how long an MLAT request takes, as far as 7 Microsoft is concerned? 8 A. Well, it is -- the speed has improved slightly now that 9 we store a lot of our data in Ireland, and so the MLAT 10 request is from the UK Government to the Irish 11 Government rather than to the US Government, but still, 12 these procedures are -- you know, they come from 13 a different age. 14 Q. Mm. 15 A. And in many requests, in many instances, an MLAT will 16 require a handwritten signature, a physical document to 17 be handed from one individual to another individual in 18 order for that MLAT to be served, and it is not suitable 19 for the digital age at all. 20 We have been pressing very hard for there to be 21 a UK/US bilateral agreement that allows for the 22 significant improvement in the speed of content data 23 access requests. 24 That is ongoing, but we do believe that the MLAT 25 procedure could benefit from some government attention</p> <p style="text-align: center;">Page 24</p>

1 **or a number of government's attentions in order to**
 2 **actually update it and so it serves the purposes of the**
 3 **digital age.**
 4 Q. Would it be fair to say, therefore, even if you can't
 5 give specific figures, that the MLAT procedure takes in
 6 the region of months, not weeks?
 7 **A. Very much so, months, yes.**
 8 Q. The chair and panel may be aware that there is the
 9 CLOUD Act that came into force in the United States and
 10 it is hoped that would enable an agreement between the
 11 UK and the United States to speed up this process.
 12 Has Microsoft any sense of actually, practically,
 13 how much quicker it will be?
 14 **A. So it will be significantly faster.**
 15 Q. We're going down to weeks now?
 16 **A. No, we're going down to -- if it's -- if it can be -- we**
 17 **would go down to days, if not faster.**
 18 Q. Before we leave the law enforcement request, we've
 19 obviously got on screen there the data for the first
 20 half of 2018 and, in due course, I suspect we'll ask you
 21 for the remaining half of that year.
 22 But just to put it into context, can I ask you,
 23 please, to look at your paragraph 55. The requests from
 24 the UK law enforcement across all types of illegality in
 25 2015 were 10,934. That reduced to 8,577 in 2016.

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1 **enforcement, including law enforcement in the UK.**
 2 **At that point, the clock is still ticking on that**
 3 **90 days, and so, actually, UK law enforcement can then**
 4 **get that -- that cyber tip from NCMEC with very little**
 5 **time left on the clock to actually follow up with us.**
 6 **The moment law enforcement get in touch with us, we will**
 7 **extend the hold period, and in fact we will keep**
 8 **extending the hold period while law enforcement gets its**
 9 **MLAT in place, because it takes so long.**
 10 **But it does mean that law enforcement is not able to**
 11 **take any action until the MLAT is in place. We are**
 12 **storing what is, in effect, child sexual abuse material**
 13 **on our servers, which is a very uncomfortable position**
 14 **for us to be in, and so the faster that we can speed**
 15 **this process up, the shorter time we are holding child**
 16 **sexual abuse material on our own systems, which is**
 17 **against the US law, and that we can actually help law**
 18 **enforcement to have access to the right kind of**
 19 **information in order for them to be able to act.**
 20 **So I mean, I think that's, in a nutshell, why it's**
 21 **so important that this process is sped up.**
 22 **I'm sorry, I --**
 23 Q. No, no, not at all.
 24 One of the things that the National Crime Agency has
 25 asked for publicly, both before the House of Lords and,

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1 A further reduction in 2017. And potentially, although
 2 we don't have the full year figures there, a further
 3 reduction in 2018.
 4 Does Microsoft have any understanding of why the
 5 numbers have diminished in the last five years?
 6 **A. No, we don't.**
 7 Q. Are you engaged in any discussions with law enforcement
 8 as to why there is the reduction in the numbers?
 9 **A. Not that I'm aware of, but, I mean, I wonder if law**
 10 **enforcement has a view on why.**
 11 Q. Yes. Well, we'll be hearing from them next week, but
 12 I thought I would ask you now?
 13 **A. A question for them.**
 14 **I wonder whether it's worth explaining -- I know**
 15 **it's going back to the previous -- your previous**
 16 **question -- but worth explaining why it's important to**
 17 **speed up the process for law enforcement requests?**
 18 Q. Please do.
 19 **A. Because I think this makes -- it makes a big difference.**
 20 **So at the moment, what happens is, if we identify**
 21 **a piece of child sexual abuse material, then we will --**
 22 **that will be referred to NCMEC. And at the point it's**
 23 **referred to NCMEC, we will store that for 90 days, which**
 24 **is what is required under US law. NCMEC will then**
 25 **process it, and then that will be passed to law**

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1 indeed, the Home Affairs Select Committee, is for there
 2 to be the development and implementation of technology
 3 sort of known as prescreening or prefiltering, and
 4 I wanted, please, to ask you what Microsoft's view is of
 5 that National Crime Agency ask?
 6 **A. So we screen against known imagery at the point at which**
 7 **it's shared. That is largely because we feel that the**
 8 **invasion of privacy around routinely screening people's**
 9 **private files and folders would not be accepted by the**
 10 **general public as being an appropriate level of**
 11 **intrusion by a technology company.**
 12 **If we are required to do so by UK law, then we will**
 13 **comply with the UK law. So we've set the threshold at**
 14 **the point at which an image is shared with somebody**
 15 **else, and it doesn't need to be a whole group of people,**
 16 **it just needs to be one single person it's shared with,**
 17 **and, at that point, we feel that it is appropriate that**
 18 **that individual has chosen to take something out of**
 19 **their own private domain and move it into a more public**
 20 **sphere.**
 21 **So that's the reason why we believe that it is --**
 22 **that the threshold should be on sharing.**
 23 **We also feel, you know, that the -- applying**
 24 **PhotoDNA at that point actually is very fast, it doesn't**
 25 **slow down the process in any meaningful way and so is**

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<p>1 a very lightweight mechanism for being able to identify 2 known imagery. 3 Q. The National Crime Agency also have suggested that there 4 would be value in kitemarking either various platforms 5 or products as a way of trying to, I suppose, enhance 6 the fact that there are more products that are deemed to 7 be safer for children than perhaps products that aren't. 8 Do you have any views, or does Microsoft have any views, 9 about the efficacy and utility of that suggestion by the 10 NCA? 11 A. I think it's an interesting idea and I think it's one we 12 probably would like to discuss further with the NCA. 13 I think there may be practical elements that are 14 challenging, including, how do you -- do you 15 inadvertently create the sense of a safe space that then 16 becomes effectively a honeypot. Is there, in fact, 17 a sliding scale, rather than a kind of a black and 18 white, "This is safe" and "This is unsafe"? 19 So you know, maybe a sort of star rating or a scores 20 on the doors or something like that. 21 But I do worry that it may inadvertently create 22 areas that paedophiles may find to be, you know, 23 attractive places to identify more material, but I mean, 24 I think in some respects it's an idea that's worth 25 trying out on a limited degree to see how it might work</p> <p style="text-align: center;">Page 29</p>	<p>1 in practice. 2 Q. In addition to those asks of the National Crime Agency, 3 the chair and panel heard a couple of days ago from 4 a mother of two children who had been abused online. 5 At the conclusion of her evidence, she suggested 6 that she thought that it should be the internet 7 companies who should be found wanting for a breach of 8 duty of care and should actually make available money to 9 compensate the victims of the crime. I just wondered if 10 Microsoft have any provisional views about that 11 suggestion? 12 A. I think it's a heartbreaking story. I think that it 13 is -- it's absolutely natural to look around to see 14 who -- who is involved and what the levels of 15 responsibility should be and, frankly, who should, you 16 know, pay that compensation. 17 I do think that it is a difficult challenge to 18 say -- to establish causation that this company allowed 19 this image through and, therefore, you know, is guilty 20 and has caused this to happen. I do think that it is -- 21 there is a responsibility for technology companies to 22 protect their users. 23 So I -- I don't have a strong view as to whether, 24 you know, we should be paying compensation, but I do 25 think that there is a responsibility to keep users safe</p> <p style="text-align: center;">Page 30</p>
<p>1 on our platforms. 2 Q. In that regard, you will be aware that the government 3 have recently issued the Online Harms White Paper, and 4 although we are mid-consultation in relation to that 5 document, are Microsoft able to provide any views on the 6 suggestion that there should be a regulatory framework, 7 in particular related to CSEA and terrorist content? 8 A. So we think that the -- the -- I think one of the only 9 ways that we're going to re-establish trust between the 10 general public and technology is to give them the 11 reassurance that they're not just relying on technology 12 companies to do what they say they're going to do, and 13 so, having some sort of regulator, having a regulatory 14 framework in place, does seem to be the right kind of 15 thinking. 16 And so, broadly, we're still looking through the 17 White Paper and trying to understand what it will mean 18 in practice. It does leave a lot of the detail to these 19 codes of practice, which will be coming down the road, 20 and it really sets up the opportunity to put in place 21 these codes of practice. 22 So really, there's not a huge amount of detail as to 23 how it will work, but one of the -- but in principle, it 24 seems like the right kind of direction for us to go in. 25 I do worry that it may establish some slightly</p> <p style="text-align: center;">Page 31</p>	<p>1 unusual requirements, such as, for example, no general 2 requirement for monitoring, but a requirement to remove 3 certain types of material, and so it's unclear as to how 4 you would identify those specific types of material if 5 you weren't conducting general monitoring, for example. 6 So there are some elements there that we'll need to 7 iron out and just to understand where this is going, but 8 broadly, without saying we're in favour, we're broadly 9 in favour. 10 Q. I think Microsoft did, in fact, put in a response to the 11 Green Paper that was the forerunner to the White Paper. 12 Do I take it from your last answer that Microsoft will 13 again be responding to the White Paper? 14 A. We will be. 15 MS CAREY: Mr Milward, those are all the questions I have 16 for you. 17 Chair, are there any other questions from either you 18 or the panel members? 19 THE CHAIR: Mr Frank? 20 Questions by THE PANEL 21 MR FRANK: Just one thing, really developing on the answer 22 that you've already addressed in relation to the 23 question of compensation. Clearly there are some 24 industry-wide initiatives which you've already explained 25 to us and I'm just wondering whether an industry-wide</p> <p style="text-align: center;">Page 32</p>

1 scheme for -- it may be called compensation or something
 2 else, and it may not actually depend upon the issue of
 3 actual liability for any particular industry member.
 4 But clearly, with a hugely well-endowed industry, it
 5 isn't beyond the bounds of possibility for a fund to be
 6 set up for those who are inadvertently, as far as your
 7 industry is concerned, the victims of abuse and families
 8 who suffer harm through that.
 9 Is it beyond the bounds of possibility that that
 10 could be initiated, do you think?
 11 **A. I think it's not beyond the bounds of possibility.**
 12 **I think what has been quite helpful in shaping our**
 13 **opinion about the various responsibilities of different**
 14 **actors in this space has been the WePROTECT model --**
 15 **model response, and model national response.**
 16 **That establishes, in effect, swim lanes of different**
 17 **types of responsibility for different elements of this**
 18 **field.**
 19 **We think that there is -- whilst we have four very**
 20 **clear responsibilities that have been set by that**
 21 **document, I think it's incumbent on everyone who has**
 22 **a role to play across all those different swim lanes to**
 23 **think about, well, how do they show up in terms of the**
 24 **response to the victims? How do we make sure that**
 25 **those -- that nothing can really compensate a victim.**

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1 witness from Google. Can I ask you to break? We'll
 2 reconvene when we're ready for the closed session, and
 3 for those who are watching outside or following online,
 4 if they would like to come back again in 30 to
 5 40 minutes, we'll be able to resume with the next
 6 witness. Thank you very much.
 7 (11.20 am)
 8 (A short break)
 9 (11.40 am)
 10 (In Closed Session)
 11 (12.25 pm)
 12 (In Open Session)
 13 MS CAREY: Chair, the next witness is Ms Kristie Canegallo
 14 on behalf of Google. Can I ask that she is now sworn?
 15 MS KRISTIE ANNA CANEGALLO (sworn)
 16 Examination by MS CAREY
 17 MS CAREY: Ms Canegallo, your full name, please, for the
 18 inquiry?
 19 **A. Kristie Anna Canegallo.**
 20 Q. I think you are the vice president and global lead for
 21 the trust and safety organisation within Google?
 22 **A. That's correct.**
 23 Q. You have worked at Google's base in California
 24 since March of 2018?
 25 **A. Yes.**

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1 **But certainly there are bits that -- there are**
 2 **things that all of those actors can do that will make**
 3 **some difference and will demonstrate that sympathy and**
 4 **empathy with what's happened. And urge, therefore, more**
 5 **action to take place.**
 6 MR FRANK: Inasmuch as this proposal, suggestion -- it's no
 7 more than that, really -- is not beyond the bounds of
 8 possibilities, how and who should it be initiated by?
 9 **A. Well, I think, again, this is a global issue. You know,**
 10 **there are children who are being abused all over the**
 11 **world. You know, naturally, we want, in the UK, to**
 12 **protect British children, but I think we need to think**
 13 **about the way in which we protect children everywhere.**
 14 **And I think the response would need to -- that that sort**
 15 **of response, we'd need to bear that in mind as well.**
 16 MR FRANK: It has to start somewhere?
 17 **A. It does have to start somewhere.**
 18 MR FRANK: Thank you.
 19 THE CHAIR: No further questions. Thank you, Mr Milward.
 20 MS CAREY: Thank you. Chair, we're going to break now
 21 before moving into a closed session.
 22 For the assistance of those who are following this
 23 morning's proceedings, there is a witness who comes
 24 after the closed session, from Google, and I anticipate
 25 it will be another 30 or 40 minutes before we reach the

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1 Q. Prior to joining Google, is this right, you were the
 2 White House deputy chief of staff for implementation for
 3 President Barack Obama?
 4 **A. Yes, I spent the majority of my career in the**
 5 **US Government, that was my last job.**
 6 Q. And indeed, before that, in a variety of roles under his
 7 tenure and, indeed, that of George W Bush?
 8 **A. Yes.**
 9 Q. In respect of your roles under the presidents, was any
 10 of your work related to child safety and, in particular,
 11 child sexual abuse?
 12 **A. It was not. I would describe my role working for**
 13 **President Obama as his deputy chief of staff for**
 14 **implementation as being one where I was charged with**
 15 **helping to manage some of the most complex government**
 16 **priorities, helping leverage subject matter experts to**
 17 **drive to an outcome and resolve issues, and so, in that**
 18 **way, I think some of my experience is directly**
 19 **applicable to this work, whereas a corporate priority,**
 20 **child safety, is under my remit.**
 21 Q. We'll look at a little background, please, to Google
 22 itself. I think at your paragraph 8 in your statement
 23 you say that Google LLC, previously Google Inc, was
 24 incorporated on 4 September 1998, so 20 and a half, or
 25 thereabouts, years ago.

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<p>1 A. Yes.</p> <p>2 Q. Google's businesses clearly span a number of different</p> <p>3 internet based products. I'm looking at your</p> <p>4 paragraph 10, please, and I wonder if we could just</p> <p>5 start with an outline of the various products that</p> <p>6 Google operates.</p> <p>7 There is reference there to Google Chrome, what is</p> <p>8 that please?</p> <p>9 A. Google Chrome is a web browser.</p> <p>10 Q. There is also Google Search Engine, can you help us with</p> <p>11 what's the difference between a web browser and a search</p> <p>12 engine?</p> <p>13 A. Sure, so Google is most well known for a search engine</p> <p>14 we originally started as a search company whereby</p> <p>15 individuals can go to Google and look for information.</p> <p>16 Google Search is an index of what is available on the</p> <p>17 web, so we will return various results to an</p> <p>18 individual's queries.</p> <p>19 A browser, on the other hand -- there are a variety</p> <p>20 of browsers that an individual could use to access</p> <p>21 www.google.com, which is our search engine.</p> <p>22 Q. There is reference there to Google Drive, what is that?</p> <p>23 A. Google Drive is an online file storing system that</p> <p>24 individuals can use for either storing themselves or</p> <p>25 sharing digital files.</p> <p style="text-align: center;">Page 37</p>	<p>1 Q. Gmail, an email service, I suspect we're all familiar</p> <p>2 with that?</p> <p>3 A. Yes.</p> <p>4 Q. I won't deal with Maps, as that's perhaps less</p> <p>5 applicable to the topic matter we're dealing with. Then</p> <p>6 YouTube, please, what is YouTube?</p> <p>7 A. So YouTube is an online video sharing platform that,</p> <p>8 like the other products referenced here, has over</p> <p>9 a billion active users around the world.</p> <p>10 Q. Does Google provide any messaging services?</p> <p>11 A. Yes, it does. We have services -- a variety of</p> <p>12 communication services, Google Hangouts is a service</p> <p>13 that might be familiar to the inquiry.</p> <p>14 Q. All right.</p> <p>15 In terms of scale, do you have any information about</p> <p>16 the number of users across, firstly, globally, your --</p> <p>17 sorry, your Google products?</p> <p>18 A. So as -- as we've indicated here in this statement, the</p> <p>19 products referred to here each have over a billion</p> <p>20 monthly active users. Those are global numbers.</p> <p>21 Q. So that's a billion worldwide?</p> <p>22 A. Correct.</p> <p>23 Q. Does Google keep any data about how many users there are</p> <p>24 in the UK?</p> <p>25 A. So we don't have an exact number for that. It's</p> <p style="text-align: center;">Page 38</p>
<p>1 difficult for us, for a variety of reasons. For</p> <p>2 example, an individual UK user might have multiple</p> <p>3 accounts. Similarly, an individual might sign up for an</p> <p>4 account in the UK and then move, and an individual may</p> <p>5 use a proxy or VPN where their location might not be</p> <p>6 clear, so we don't have accurate numbers about</p> <p>7 individuals in the UK.</p> <p>8 Q. Do you have an estimate of numbers of users?</p> <p>9 A. I would estimate tens of millions of users of some of</p> <p>10 these products; for example, Gmail.</p> <p>11 Q. You don't have any indication, perhaps, of how many</p> <p>12 Gmail accounts?</p> <p>13 A. I would estimate tens of millions.</p> <p>14 Q. All right. With that in mind, I think you said in your</p> <p>15 statement that Google has offices in over 100 -- sorry,</p> <p>16 more than 160 cities, spanning 60 countries, employs</p> <p>17 over 85,000 people. In the UK, how many does Google</p> <p>18 employ?</p> <p>19 A. I believe over 4,000 people.</p> <p>20 Q. Right. Based in six offices. Is that all around the</p> <p>21 UK?</p> <p>22 A. Yes, that's correct.</p> <p>23 Q. The department that you work for is the trust and safety</p> <p>24 department or organisation within Google. What is that</p> <p>25 trust and safety organisation set up to deal with?</p> <p style="text-align: center;">Page 39</p>	<p>1 A. So the trust and safety team is charged with preventing</p> <p>2 abuse across our platforms. My team is charged with</p> <p>3 thinking about how bad actors could use our systems for</p> <p>4 nefarious purposes; we're also charged with</p> <p>5 anticipating, preventing and responding to those bad</p> <p>6 actors.</p> <p>7 Q. Does that incorporate a number of different areas of</p> <p>8 abuse?</p> <p>9 A. Indeed.</p> <p>10 Q. But, as far as we're concerned, would also cover child</p> <p>11 sexual abuse?</p> <p>12 A. Yes, it does.</p> <p>13 Q. At your paragraph 13, I think you outline the structure</p> <p>14 of the teams and the number of teams that are involved</p> <p>15 in child safety, I'd just like to look at those with</p> <p>16 you.</p> <p>17 You say there that there is a content policy team.</p> <p>18 Just summarise for us, please, what that team does?</p> <p>19 A. Sure, content policy teams would develop the policies or</p> <p>20 rules of the road, if you will, for what is</p> <p>21 appropriate -- what is allowed and not allowed across</p> <p>22 our platforms.</p> <p>23 The types of backgrounds for these individuals will</p> <p>24 include: some former government officials; former law</p> <p>25 enforcement; we have a team member that formerly worked</p> <p style="text-align: center;">Page 40</p>

<p>1 at NCMEC; former members of youth groups. 2 These policies are dynamic, so this would be 3 a process whereby they would set and publish policies 4 and then relook at policies based on feedback. 5 Q. I missed that last bit, sorry. 6 A. Policies based on feedback. 7 Q. Right, thank you. 8 Engineering teams perhaps speak for themselves. 9 Legal and operational teams, would that involve those, 10 also, who are responsible for reporting to NCMEC? 11 A. Yes, it would. 12 Q. The analysts and investigations teams, you say in your 13 statement "leverage data to quickly identify abuse 14 patterns and pave the way for new detection approaches". 15 What does that mean in simple terms? 16 A. So these would be teams that would partner closely with 17 our engineering teams to take a data-driven look at why 18 abusers or content was not captured by our automated 19 systems and provide feedback again to refine and improve 20 those automated systems. 21 Q. The chair and panel have heard about analysts who are 22 sometimes responsible for looking at a suspected child 23 abuse image and then determining whether it is, in fact, 24 a child abuse image and needs referral. 25 Who would deal with that, in terms of the teams that</p> <p style="text-align: center;">Page 41</p>	<p>1 Google has? 2 A. So, in this case, that would include our operational 3 teams in large part. We may escalate a particularly 4 difficult decision and seek legal or other counsel on 5 an individual decision. 6 Q. So the analyst teams are really looking at the data, it 7 would be the operational team that has to look at and 8 determine whether an image is, in fact, child sexual 9 abuse? 10 A. That's correct and, again, the culmination of -- there 11 could be particular instances where other teams would be 12 brought in to consult and also to consider why an image 13 may or may not have been caught by our systems. 14 Q. The final team of which you speak is the Outreach team, 15 who, you say there, "promotes digital citizenship and 16 online safety best practices for end-users". 17 So across those five teams, can you help with 18 the number of employees that Google has? 19 A. So working specifically on child safety issues where 20 child safety is a core function of an individual's job, 21 we have over 400 individuals. There are many other team 22 members who contribute and support, so that number would 23 be larger in terms of the teams that -- the individuals 24 who are working on abuse more comprehensively at Google. 25 Not all of those people report into me. We take</p> <p style="text-align: center;">Page 42</p>
<p>1 a cross-functional, cross-team approach to child safety, 2 and so some of those team members will report in to me 3 and some of them will report in to other areas. 4 Q. So that's 400 individuals obviously supported by others. 5 Those 400, are they based solely in the States or are 6 they globally? 7 A. Globally. 8 Q. At paragraph 13 in your statement, you make reference to 9 a blog post in 2017 which announced that Google was 10 raising the number of people working on what is 11 described as unacceptable content to over 10,000 by the 12 end of 2018? 13 A. Mm-hm. 14 Q. Firstly this, was that number met? 15 A. Yes, it was. 16 Q. Are you able to help with what the number was before 17 that increase? 18 A. I am not. I would say that there has been increased 19 investment over time in the teams doing this anti-abuse 20 work. 21 Q. "'Abusive content' may encompass a number of different 22 harms". Is that related to child sexual abuse or 23 bullying content? What is the context around the phrase 24 "abusive content"? 25 A. So abusive content, as you say, encompasses many</p> <p style="text-align: center;">Page 43</p>	<p>1 harms: it could encompass harms related to children 2 along the lines which you outline; it could encompass 3 violent extremism harms; it could encompass things like 4 payment fraud for an individual on our platforms. So it 5 really does run the gambit of potential abuses of 6 Google's platforms. 7 Q. What was it that brought about Google's decision to 8 increase the number of people working in this area? 9 A. I think it was a -- a natural reflection of the priority 10 that we, at Google, place on not only being a space 11 where individuals can find useful and helpful 12 information, but in ensuring that users are having 13 a safe experience and that we're being a responsible 14 platform. So as online and off-line harms proliferate, 15 it is natural that that responsibility necessitates 16 Google to increase our investment in this area, and 17 I would say, having been at the company over the past 18 year, continue to see the priority and investment 19 support in this area. 20 Q. Having been in post now for the length of time you have, 21 is there any sense of whether the 10,000 people working 22 in this area is sufficient -- whichever word you choose 23 to pick, have you got any sense of whether, in fact, you 24 need more? 25 A. We use a combination of technology and humans to counter</p> <p style="text-align: center;">Page 44</p>

<p>1 abuse across our platforms, as we'll discuss, I'm sure, and so, for us, it's constant investment in both.</p> <p>2</p> <p>3 We will continue to invest the resources we need on</p> <p>4 both sides. Whether that number could increase, it</p> <p>5 certainly is possible, but it will be driven by the</p> <p>6 threats that we're seeing on our platforms and the risks</p> <p>7 that we need to mitigate to ensure the safety of our</p> <p>8 users.</p> <p>9 Q. One other matter that you outline there is a part of the</p> <p>10 Outreach Program that, in 2018, Google launched</p> <p>11 an online safety centre website in six countries across</p> <p>12 Europe, including the UK.</p> <p>13 Why was that online safety centre set up?</p> <p>14 A. Well, we view, again, a fundamental responsibility is to</p> <p>15 ensure the safety of our users and folks who are using</p> <p>16 our products. We wanted to make it as easy as possible</p> <p>17 for any individual to understand what safety protections</p> <p>18 existed, what tools existed.</p> <p>19 So, for example, one of the things we highlight on</p> <p>20 that website are the tools that we've created</p> <p>21 specifically for families and children. So that parents</p> <p>22 can control the digital -- can kind of create the rules</p> <p>23 of the road for their children when it comes to their</p> <p>24 digital use.</p> <p>25 Q. What's was sort of behind the thinking of the need to</p> <p style="text-align: center;">Page 45</p>	<p>1 set up a specific safety centre website?</p> <p>2 A. Again, the idea being that we want to make it as easy as</p> <p>3 possible for the people using our platforms to know what</p> <p>4 protections are in place and what tools are in place.</p> <p>5 So we really wanted to be responsive and make it as easy</p> <p>6 as possible for folks.</p> <p>7 Q. Why was the UK singled out as one of the six countries</p> <p>8 across Europe where this website was going to be based?</p> <p>9 A. I'm not sure in terms of why the six countries were</p> <p>10 decided.</p> <p>11 Q. May we consider, please, financing. Is there an overall</p> <p>12 budget dedicated to your organisation, the trust and</p> <p>13 safety organisation?</p> <p>14 A. Much like the teams that I referred to, we work</p> <p>15 cross-functionally on abuse-related matters, and we</p> <p>16 spend hundreds of millions of dollars as a company on</p> <p>17 an annual basis fighting abuse.</p> <p>18 Q. So that's across all of trust and safety?</p> <p>19 A. Yes, trust and safety, plus other efforts.</p> <p>20 Q. Is there any sense of how much within those hundreds of</p> <p>21 millions of dollars is actually used towards the fight</p> <p>22 against child sexual abuse?</p> <p>23 A. So the way that we do our budgeting, we don't budget by</p> <p>24 issue area or by abuse item, so it's not possible for me</p> <p>25 to say with specificity. I would say that as</p> <p style="text-align: center;">Page 46</p>
<p>1 a corporate priority the child safety space is one where</p> <p>2 resources are not an issue in terms of dedicating the</p> <p>3 resources that are needed for the fight. That includes</p> <p>4 both the monetary resources as well as the personnel</p> <p>5 needed to tackle this issue.</p> <p>6 Q. What about any research and design budget or something</p> <p>7 that's got a similar moniker to that?</p> <p>8 A. Sure. I'd say the way that we think about our research</p> <p>9 and design work is largely through the investment of</p> <p>10 technological innovation that many of our engineers are</p> <p>11 doing. So, again, do not have a research and design, a</p> <p>12 research and development line item related to child</p> <p>13 safety; but it would be really embedded in the fabric of</p> <p>14 much of the work that we are doing, much of the work</p> <p>15 that these teams that we've just talked about are doing.</p> <p>16 Q. I asked because I think you are aware that the National</p> <p>17 Crime Agency within this country has recommended or</p> <p>18 proposed as one way of combating this problem is that</p> <p>19 actually there is a proportion of any research and</p> <p>20 design budget specifically set aside to combating</p> <p>21 online-facilitated child sexual abuse. That's</p> <p>22 a statement that's been made publicly in a number of</p> <p>23 forums.</p> <p>24 What is Google's response to the suggestion that</p> <p>25 that might be a starting point of a way to trying to</p> <p style="text-align: center;">Page 47</p>	<p>1 combat this problem?</p> <p>2 A. I think from our perspective resourcing this with the --</p> <p>3 providing the priority that this harm necessitates has</p> <p>4 never been a question of resourcing for us, we've always</p> <p>5 provided the resources that are necessary. We've</p> <p>6 invested for two decades in this work, and I think you</p> <p>7 can see that with the impact of some of the technology</p> <p>8 we've been able to develop.</p> <p>9 Q. We're going to come and look at that I suspect this</p> <p>10 afternoon, but there are, I think, specific</p> <p>11 contributions that Google makes both financially and in</p> <p>12 terms perhaps of personnel. Can I ask you please to</p> <p>13 turn to paragraph 18 onwards in your statement and just</p> <p>14 look at some of the contributions that Google makes.</p> <p>15 Google is a member of the Internet Watch Foundation.</p> <p>16 You say at paragraph 19 that Google has made significant</p> <p>17 donations of over £1 million, and provides valuable</p> <p>18 engineer assistance to bolster the aims and objectives</p> <p>19 of the IWF.</p> <p>20 Can you help us with over what time frame that</p> <p>21 £1 million has been donated?</p> <p>22 A. 2013 through 2016 there were annual instalments of £250</p> <p>23 each. Excuse me, £250,000.</p> <p>24 Q. Yes.</p> <p>25 How do those donations come about? Was that you</p> <p style="text-align: center;">Page 48</p>

1 were asked or you volunteered? What was the position?
 2 **A. Yes, so those were -- we were asked -- those were used**
 3 **to fund an increase in staff capacity at the IWF. My**
 4 **understanding is -- I was not in the position at the**
 5 **time -- but my understanding is that was around the time**
 6 **that there was a decision made that the IWF could do**
 7 **proactive searching for CSAM. So part of the monetary**
 8 **support that we provided was to create staff positions**
 9 **that could deal with this increased workload.**
 10 Q. Also provide engineer assistance with what I think you
 11 term as the "Googler in Residence". Google provided two
 12 engineers to work with the IWF to boost its technical
 13 capacity. Are they perceived as one-off contributions?
 14 **A. So the Googler in Residence Program -- and "Googler" is**
 15 **a term we refer to, as people who work at Google are**
 16 **Googlers -- the Googler in Residence Program is**
 17 **a programme we actually started with NCMEC in 2014. And**
 18 **we have had Googlers in Residence at NCMEC, at IWF, at**
 19 **Thorn. So it's an ongoing programme, though whether we**
 20 **have Googler working out of a specific partner depends**
 21 **on partner request staffing and whatnot. So it is**
 22 **an ongoing programme, but dynamic in terms of who might**
 23 **be where at any given time.**
 24 Q. Now, you mentioned Googler in residence at NCMEC;
 25 I think Google also donates to NCMEC?

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1 **of regular donations and the one-off donations.**
 2 Q. Ah, I see.
 3 **A. Actually our total contributions are 3.8 million, the**
 4 **additional 100,000 comes from a programme we have which**
 5 **allows Google employees to contribute funds, and so**
 6 **an additional \$100,000 would've been given by Google**
 7 **employees for a total of 8.3 million, to the extent**
 8 **that's useful.**
 9 **An example of a project would be we completed**
 10 **a technical survey in 2015, it actually was looking at**
 11 **global hotlines for dealing with CSAM, and what common**
 12 **challenges those hotlines were experiencing and what**
 13 **lessons could be learned and shared across those groups.**
 14 Q. You have spoken about "the Googler in Residence also
 15 provided to NCMEC". I think you go on to say in your
 16 statement that you funded a one-year technical
 17 fellowship for an engineer to work at NCMEC in 2017;
 18 provided cloud storages to NCMEC in 2017; and, indeed,
 19 arranged for Google's engineering and product teams to
 20 spend what is termed as thousands of hours creating
 21 an innovative, cloud-based custom visual search tool.
 22 Can you just help us with what that actually means?
 23 **A. Sure. The tool that we're referring there in**
 24 **paragraph 24 is a tool that would allow NCMEC to**
 25 **consider, when looking at CSAM images, to the extent**

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1 **A. That's correct.**
 2 Q. And that, since 2009, a total of USD3.7 million has been
 3 donated to NCMEC. I'm looking at your paragraph 23, if
 4 that assists you, Ms Canegallo. That's roughly \$370,000
 5 a year. Potentially, against the billions of users
 6 worldwide, why is there only \$370,000 being donated to
 7 NCMEC?
 8 **A. Well, when we think about our support to partners we**
 9 **think about it as having two components, one being the**
 10 **financial support -- and this may come in the form of**
 11 **annual dos or donations and often times Google is making**
 12 **donations at the highest level -- but really we also**
 13 **think about the valuable contribution that we can make**
 14 **by virtue of our technical expertise and technical**
 15 **talent, which can often be beneficial to a greater**
 16 **degree than any sums of money that we might be giving.**
 17 **That being said, we're always looking for and always**
 18 **engaged in conversations with our partners that we**
 19 **support about whether additional resourcing support**
 20 **would be beneficial to them.**
 21 Q. I think, in addition to the \$3.7 million over that time
 22 frame, you state that Google has made one-off donations
 23 to NCMEC in order to fund bespoke projects.
 24 Can you give us an example of that?
 25 **A. So actually, if I may clarify, 3.7 million is inclusive**

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1 **that there were common elements of the background -- for**
 2 **example, a common bedspread in a hotel room -- that**
 3 **would facilitate the review of those images more**
 4 **rapidly.**
 5 Q. Can I have your help, please, on your paragraph 25, and
 6 Google and NCMEC working together to incorporate NCMEC's
 7 hash database into Google's content safety API, which is
 8 application programming interface, to give it its
 9 technical definition. But what does that actually mean?
 10 **A. Sure. So, much like with each of our partners, we have**
 11 **an ongoing dialogue about how Google might be able to**
 12 **support their work. We have been having conversations**
 13 **with NCMEC that originated in 2017 about some challenges**
 14 **with their hash sharing database, in terms of whether it**
 15 **could scale using the infrastructure that it had.**
 16 **So one of the things that we've been working with**
 17 **them over the past several months has been to**
 18 **incorporate their hash database into our content safety**
 19 **API, which would allow for better optimisation of the**
 20 **database for their own use.**
 21 Q. So it's a way of helping NCMEC --
 22 **A. Correct.**
 23 Q. -- deal with their database, not something that helps
 24 Google?
 25 **A. Yes, that's exactly correct. So we are facilitating our**

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1 **reviews and aiding from a technical and infrastructure**
 2 **perspective the reviews that NCMEC might be doing for**
 3 **their own purposes using their hash database.**
 4 Q. I think Google is also a supporter of Thorn, who are
 5 an international organisation that work to address
 6 sexual exploitation.
 7 The Tech Coalition, the chair and panel have heard
 8 a little bit about. Google joined the Tech Coalition in
 9 2006, and you say at paragraph 31 donated USD150,000 to
 10 develop technical solutions. But, in practice, how
 11 often does the Tech Coalition meet?
 12 **A. The Tech Coalition convenes regularly, monthly calls,**
 13 **sometimes more periodic, my understanding is that**
 14 **there's often three or four convenings a year. The**
 15 **Tech Coalition would be an opportunity for us to share**
 16 **best practices with one another, also as a larger**
 17 **company, and help monitor smaller companies that may not**
 18 **have the history or resources of activity in this space**
 19 **in terms of optimising their processes.**
 20 Q. So I take it from what you said that that's not
 21 something that you are personally involved in, those
 22 meetings or conventions?
 23 **A. I have not been, no.**
 24 Q. Can you give us any idea of the kind of level of
 25 employee that Google sends to the meetings or puts on

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1 Was the idea, in a nutshell, so that they could
 2 advance and promote themselves more easily on Google's
 3 various platforms?
 4 **A. Yes, and avail themselves of our offerings that they may**
 5 **or may not have been aware of.**
 6 Q. Finally, please, the Google Facebook Annual Child Safety
 7 Summit - what is that, please?
 8 **A. So this is an initiative that has been in place since**
 9 **2016, it's an opportunity for Facebook and ourselves to**
 10 **host NGOs, academic partners and others in the child**
 11 **safety space, to again come together, share best**
 12 **practices. It's an opportunity for us to update**
 13 **individuals about advances in technology, and again**
 14 **developments that we're seeing on our platforms.**
 15 Q. Is that something that effectively Google and Facebook
 16 fund?
 17 **A. Yes.**
 18 MS CAREY: Chair, I wonder if that would be a convenient
 19 moment to break before we move to actually prevention
 20 and detection and Google's response.
 21 THE CHAIR: Yes, we'll return at 2.00.
 22 MS CAREY: Thank you, chair.
 23 (1.00 pm)
 24 (The short adjournment)
 25 (2.00 pm)

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1 the phone calls?
 2 **A. Sure. A good example would be our lead engineer on CSAM**
 3 **matters represented us at a recent meeting.**
 4 Q. I think Google also helped with the Lucy Faithfull
 5 Foundation's Stop It Now Campaign.
 6 The final two matters I'd like to deal with just
 7 before lunch is what is described as the N-Gage Outreach
 8 Program. What is that?
 9 **A. Sure. So the N-Gage Outreach Program is an initiative**
 10 **whereby we at Google will, on a periodic basis -- it's**
 11 **an ongoing programme -- gather together NGO partners to**
 12 **discuss items of interest. So, for example, in the**
 13 **child safety space we conducted a programme here in the**
 14 **UK in 2016 where we shared training on search engine**
 15 **optimisation, things like improving indexing and**
 16 **discoverability of an NGO where we advised them on our**
 17 **Ad Grants Program, which is an example of an in-kind**
 18 **contribution we would provide to NGOs to run ads for**
 19 **free on Google Search.**
 20 **So it's providing information about how to avail**
 21 **themselves of Google platforms and projects.**
 22 Q. So in the UK there was a workshop which involved
 23 representatives from Parent Zone, Internet Matters, the
 24 IWF, the Breck Foundation, that I know the chair and
 25 panel will be aware of.

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1 MS CAREY: Thank you, chair.
 2 Ms Canegallo, I'm going to start this afternoon,
 3 please, by considering Google's response to the problems
 4 of grooming and live streaming. Can I ask you, please,
 5 and you, chair, for your assistance to turn to
 6 paragraph 48 onwards in the statement.
 7 Dealing firstly with grooming, can you help us,
 8 please, with what Google products or service that
 9 grooming is most commonly encountered on?
 10 **A. Sure. When we think about the ways that grooming could**
 11 **manifest itself on our products, the products that we're**
 12 **most focused on, in terms of preventing grooming, would**
 13 **YouTube. We also would think about Hangouts and Gmail,**
 14 **perhaps, as lesser-included products.**
 15 Q. And live streaming, the same question there, is it,
 16 again, YouTube that is the most commonly-encountered
 17 forum for that form of abuse?
 18 **A. Yes.**
 19 Q. All right.
 20 How is it that Google responds to the threats posed
 21 by both grooming and live streaming? What steps do you
 22 take to try and prevent it and detect it?
 23 **A. Sure, maybe I'll take the two in turn, starting first**
 24 **with grooming.**
 25 Q. Please do.

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<p>1 A. So grooming presents many challenges not just for 2 Google, but, when we think about the various platforms 3 or ways in which grooming could manifest itself, several 4 of these challenges have to do with the fact that 5 grooming could begin with interaction that seems 6 innocuous or comments that, without clear understanding 7 of the intent, could – could not raise suspicion. 8 Another reason why grooming is particularly 9 difficult is it can happen online and offline. It could 10 happen across many platforms and it could happen in 11 a way where it may not be clear the individual's age. 12 That being said, we take grooming and the threat of 13 grooming very seriously. It's something that we are 14 studying now to include, looking at how it might 15 manifest itself on our platforms and also hearing from 16 experts advice on how grooming develops. 17 In terms of the protections that we have on our 18 platforms and systems, and I'll speak first about 19 YouTube, we have deprecated our private messaging 20 functionality such that an individual would need to 21 accept an invitation to engage in a private conversation 22 with another. When we think about comments and the 23 potential for grooming to occur on comments, we have 24 a classifier that we use; this would be an automated 25 system that would look for potentially inappropriate</p> <p style="text-align: center;">Page 57</p>	<p>1 comments, capture those comments, and remove those 2 comments, report those comments, if – if necessary, to 3 NCMEC. 4 We also introduced several tools for creators – so 5 YouTube channels are owned by creators. 6 Q. Sorry, I missed that last phrase. 7 A. Sorry. So to explain how YouTube channels are owned by 8 creators. So we would provide to a creator, a person 9 who is creating a channel or a video, tools to moderate 10 comments. This can include a creator deciding that they 11 would like to have comments off, to have no comments 12 present themselves next to a video. It could include 13 a functionality whereby comments would be comments that 14 our classifier identifies as potentially risky. It 15 could be enqueued to wait to be reviewed by that 16 creator. So we seek to arm our creators with various 17 tools. 18 And we have also, over the past several months, 19 turned off comments – the comment functionality for 20 tens of millions of videos that would have minors. 21 Q. Right. 22 I asked you about in relation to some of the 23 articles that you've been provided with. 24 A. Sure. 25 Q. But you said in response to that, there is some action</p> <p style="text-align: center;">Page 58</p>
<p>1 you've taken in the last few months, you're studying 2 now – forgive me, for making the observation, but it 3 sounds like this is all relatively recent work being 4 undertaken by Google. Why is it you've turned your 5 attention to grooming now? 6 A. On YouTube, we've actually been looking in the child 7 safety space over 2018 and 2019, working intensively on 8 several product and policy changes to strengthen the 9 safety of the experience on our platforms for children. 10 And so it is true that some of these are coming to 11 fruition now, but things like our comments classifier, 12 the tools that we would've provided to creators, those 13 have been in place for quite some time, those are not 14 new developments. But it is certainly true that we are 15 constantly looking to improve our technology and we will 16 continue to do so. 17 Q. Can I ask you, please, to have a look behind your tab 1 18 and can we call up on screen INQ004188. 19 That's starting at page 1. 20 Ms Canegallo, this is an article that appeared in 21 The Times in December of last year, with the heading 22 "Paedophiles grooming children live on YouTube". 23 When one scrolls down to the body of the article, 24 The Times reported that: 25 "Paedophiles were taking advantage of the boom in</p> <p style="text-align: center;">Page 59</p>	<p>1 live streaming on YouTube to convince children to take 2 off their clothes or adopt sexualised poses. 3 "The Times has discovered more than 100 grooming 4 cases in which young people who broadcast online are 5 manipulated into inappropriate behaviour by strangers. 6 "Children are promised thousands of extra 7 subscribers for their channels if they comply." 8 It says: 9 "YouTube, which is owned by Google, failed to remove 10 half the live stream videos showing the sexual 11 exploitation and the findings prompted various experts 12 to warn parents against using the internet as 13 a babysitter." 14 Now, can I go slightly further down on our page 2 to 15 the paragraph beginning: 16 "YouTube is one of the biggest hosts. It initially 17 enabled only users with at least 10,000 subscribers to 18 stream live from their phone, but last year it dropped 19 that requirement. Paedophiles can search for streams 20 using key words and then communicate with children 21 through the comments section where they can make sexual 22 suggestions or ask children to exchange personal 23 details." 24 I just want to try to break down what is identified 25 as being a problem by The Times and then look at what</p> <p style="text-align: center;">Page 60</p>

<p>1 Google's response to that was.</p> <p>2 In terms of how YouTube itself works, do you need to</p> <p>3 sign in to be able to comment or chat with another user?</p> <p>4 A. In -- yes.</p> <p>5 Q. Right.</p> <p>6 And when you sign in, is there any age limit of the</p> <p>7 person that can sign in?</p> <p>8 A. So, to have a YouTube account, you must be over 13 years</p> <p>9 of age.</p> <p>10 Q. How do you verify the age of the person setting up the</p> <p>11 account?</p> <p>12 A. So we take the attestation of the individual at the time</p> <p>13 of sign-in. We have an age verification process.</p> <p>14 Should we become aware that an individual is underage or</p> <p>15 appears to be underage, and that could be by virtue of</p> <p>16 it being flagged to us by a third party, perhaps the</p> <p>17 individual self-attests -- indicates in a comment or in</p> <p>18 the start of a video, "I am ten years old", we would</p> <p>19 then begin our age verification process, which would</p> <p>20 require a responsible party to submit additional</p> <p>21 verification or we will terminate the account.</p> <p>22 We terminate thousands of accounts on a weekly basis</p> <p>23 for not passing that age verification process.</p> <p>24 Q. So, if I understand that right, at the time at which you</p> <p>25 sign up, no identification is required, you take,</p> <p style="text-align: center;">Page 61</p>	<p>1 effectively, the user at trust?</p> <p>2 A. That's correct. As you can imagine, as a platform, we</p> <p>3 have to balance many considerations. One of the things</p> <p>4 we weigh is thinking about privacy and data</p> <p>5 minimisation, and so we do not require additional</p> <p>6 documentation at the time of -- at the time of sign-up.</p> <p>7 Q. Your second statement behind tab 2, chair, sets out the</p> <p>8 position at the time that The Times article was</p> <p>9 published, then also changes subsequent to the article.</p> <p>10 You said at the time that the article was published,</p> <p>11 so back in December, your methods of detection included</p> <p>12 the comments classifier to assess comments and live chat</p> <p>13 messages.</p> <p>14 I want to just understand, is that a piece of</p> <p>15 machine learning that assesses the content of those</p> <p>16 messages?</p> <p>17 A. Yes, it is.</p> <p>18 Q. Is there any human element of moderation once the</p> <p>19 machine has identified a comment perhaps as being</p> <p>20 potentially abusive or indicative of child sexual abuse?</p> <p>21 A. Yes.</p> <p>22 Q. Right. So there is a sort of two-stage process, is</p> <p>23 there? What, is it identified initially by the machine</p> <p>24 and then reviewed by a human?</p> <p>25 A. Yes, that's correct.</p> <p style="text-align: center;">Page 62</p>
<p>1 Q. If the machine identifies, in a live chat, inappropriate</p> <p>2 content, what actually happens as between the two users?</p> <p>3 A. So when I was speaking earlier, I spoke about some of</p> <p>4 our working protections as it related to grooming.</p> <p>5 If I may just comment on some of our live streaming</p> <p>6 protections.</p> <p>7 We have invested in -- much like with comments,</p> <p>8 invested in technology that would allow us to monitor</p> <p>9 live streams and flag any potential inappropriate</p> <p>10 behaviour as well as flag whether minors are engaging in</p> <p>11 a live stream.</p> <p>12 So to the extent that there was a minor engaged in</p> <p>13 a live stream where it seemed that there was</p> <p>14 inappropriate behaviour, potential CSAM, occurring, we</p> <p>15 would enqueue that, so it would be flagged by our</p> <p>16 automated system, it would be reviewed -- we have</p> <p>17 a dedicated team of human reviewers, that reply</p> <p>18 within minutes, to look at any live streams that are</p> <p>19 flagged and, to the extent that we saw CSAM there, we</p> <p>20 would terminate that -- that live stream, we would --</p> <p>21 and then report it to NCMEC.</p> <p>22 Q. Right, so there would be potentially a few minutes</p> <p>23 between it being flagged as potentially inappropriate,</p> <p>24 it being reviewed and then the feed being cut?</p> <p>25 A. That's correct. Just by virtue of the speed at which</p> <p style="text-align: center;">Page 63</p>	<p>1 live streaming occurs. Nonetheless, we undertake -- we</p> <p>2 endeavour to with a combination of our automated systems</p> <p>3 and this, again, kind of dedicated, live stream review</p> <p>4 team, to review within minutes any type of inappropriate</p> <p>5 behaviour.</p> <p>6 Q. You said that using that classifier to detect</p> <p>7 inappropriate content, presumably that spans a number of</p> <p>8 different harms, not just child sexual abuse?</p> <p>9 A. That's correct.</p> <p>10 Q. Does that also include things like abusive language,</p> <p>11 swearing, bullying, that kind of thing?</p> <p>12 A. Swearing I'm not sure of, but we are looking for,</p> <p>13 broadly speaking, any inappropriate behaviour that would</p> <p>14 violate our community guidelines.</p> <p>15 Because of, though, the unique urgency which CSAM</p> <p>16 would present -- would present in a live stream, we</p> <p>17 obviously prioritise that and focus on that area.</p> <p>18 Q. Now you referred in evidence to terminating perhaps</p> <p>19 thousands of accounts -- did you say per week?</p> <p>20 A. Per week.</p> <p>21 Q. Do you keep any data about the reason for the</p> <p>22 termination?</p> <p>23 A. Yes.</p> <p>24 Q. So you're able to say that the accounts were terminated</p> <p>25 because there were 100 that are dealing with underage,</p> <p style="text-align: center;">Page 64</p>

1 a thousand dealing with CSAM, ten that dealt with
 2 terrorism, that kind of data?
 3 **A. Yes, I believe, as a general matter, we would keep**
 4 **information as to why an account was terminated.**
 5 Q. Right. So are you able to give us any sense of, of
 6 those thousands that you terminate a week, how many are
 7 terminated because of a concern about child sexual
 8 abuse?
 9 **A. I'm sorry, if I could be specific, when I was referring**
 10 **to the thousands -- if I just clarify it. When I was**
 11 **referring to the thousands of accounts that were**
 12 **terminated per week, those are because they failed to**
 13 **successfully complete our age verification process.**
 14 Q. Ah, so that's just age-related?
 15 **A. Yes.**
 16 Q. Right, okay. Let me deal with that.
 17 So there are thousands a week that are terminated
 18 because of age-related?
 19 **A. Yes, on YouTube.**
 20 Q. On YouTube. What about the numbers terminated because
 21 of suspected child abuse?
 22 **A. So I have a 2018 number, which is that, in 2018, we**
 23 **terminated -- this is Google, all of Google products --**
 24 **47,000, approximately 47,000 accounts for -- for**
 25 **CSAM-related activity.**

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1 **A. Again, it's a constant. We are constantly listening to**
 2 **feedback and updating our processes to ensure that we**
 3 **are able to -- that we are able to create an experience**
 4 **on our platforms that is safe for all of our users**
 5 **I cannot say, today, whether we're going to make any**
 6 **specific changes to that process, though.**
 7 Q. Does it the come to this, Ms Canegallo, that it's no
 8 more complicated than a child putting in a fake date of
 9 birth to be able to set up a YouTube account?
 10 **A. Well, we do have protections in place. If a child were**
 11 **to put in place a fake date of birth -- let's say**
 12 **a child put in a date of birth that said they were 12**
 13 **and then they would get a prompt that basically says,**
 14 **"You can't sign up. You must be more than 13". Well,**
 15 **this would, in effect, block the child from trying then**
 16 **to enter another birth date to pretend that they were**
 17 **14.**
 18 **So there are protections in place like that, because**
 19 **we do take very seriously the responsibility that we**
 20 **have to ensure that children are not -- children**
 21 **under 13 are not using YouTube.**
 22 Q. I understand that. So they're locked out, effectively,
 23 from coming back in and changing their age that way, but
 24 if a 12-year old just decides to make themselves 13 when
 25 they sign up, there's effectively no way you can verify

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1 Q. So that's a global figure?
 2 **A. Yes, that's correct.**
 3 Q. And that's not just solely related to YouTube, but
 4 across Gmail, all sorts of different --
 5 **A. Exactly.**
 6 Q. Understood.
 7 The thousands that you terminate a week, though,
 8 because of underage, is that not potentially a signifier
 9 that your age verification process is inadequate in the
 10 first place?
 11 **A. We have been -- as across all of our systems, are**
 12 **constantly looking to improve, and we are also, with**
 13 **respect to our age verification process, looking to**
 14 **ensure that we are weighing those considerations of**
 15 **safety on the platform as well as privacy and data**
 16 **minimisation appropriately, but it is something that we**
 17 **take very seriously, that YouTube is a product that is**
 18 **created for individuals 13 and above. We have**
 19 **a separate dedicated product for children 13 and below**
 20 **called YouTube Kids, which parents can avail themselves**
 21 **of, but which has more child-appropriate content, but**
 22 **age verification is something that we do take very**
 23 **seriously.**
 24 Q. Are there any plans to change the age verification or
 25 the way in which you deal with age verification?

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1 whether that's accurate or not?
 2 **A. Again, that's not something that we do at the time of**
 3 **sign-up, but we do have in place a number of automated**
 4 **systems as well as human reviewers where we are looking**
 5 **for signals where we would get a sense that there was**
 6 **an underage user and, if we did have -- if one of these**
 7 **signals gave us that indication, we would route them**
 8 **through this underage verification process or actively**
 9 **terminate the accounts.**
 10 Q. In The Times article there was reference to YouTube
 11 enabling users with 10,000 subscribers to stream live
 12 but last year that was dropped. Firstly, why was that
 13 a requirement in the first place and what caused you to
 14 change that requirement?
 15 **A. Sure. So because, again, of the -- of the urgency that**
 16 **the live streaming functionality introduces, we wanted**
 17 **to roll it out in a deliberate and responsible manner.**
 18 **We had had a functionality for live streaming on desktop**
 19 **and, as we introduced it to mobile devices, we wanted to**
 20 **ensure that we understood how abuse could manifest**
 21 **itself. So we set an initial requirement that a user,**
 22 **a creator, needed to have 10,000 or more subscribers in**
 23 **order to live stream and, over time, we adjusted that**
 24 **subscriber requirement, we reduced it, and we monitored**
 25 **what sort of abuse was happening and with what frequency**

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<p>1 abuse was happening. 2 What we found was, over time, as we were studying 3 this, that the frequency and severity of abuse was -- 4 was not -- was not such that we believed that that 5 requirement had a significant impact in terms of 6 detering abuse. 7 So the types of abuse that we were seeing on live 8 stream had to do with gambling or other things, so we 9 were not seeing kind of particularly egregious types of 10 abuse. So we removed that requirement after we had 11 careful study and data. We have, though, over the past 12 several months, re-introduced a requirement of 13 a subscriber -- necessitating subscribers of 1,000 on 14 mobile devices. 15 Q. The Times article at the end of page 3 says that YouTube 16 acknowledged that paedophiles had found a way to target 17 children on the platform and: 18 "... recognised there is still more to do." 19 In response to the article, can I ask you about your 20 paragraphs 10 and 11 in your second statement and 21 understand what Google found. I think, as a result of 22 the article, that you say had been investigated prior to 23 the article's publication, a total of 37 videos that had 24 originally been live streams had been reported to 25 Google. Is that right?</p> <p style="text-align: center;">Page 69</p>	<p>1 A. Yes. 2 Q. Of those 37 videos, 22 were removed for violating 3 Google's child safety policies and 15 videos were found 4 not to have breached Google's policies. 5 Google analysed the 37 videos, and what was the 6 effect of that analysis? 7 A. So we took action on 22 of those videos, removing them 8 for violations and we also terminated 75 accounts. And 9 we did make some -- we did refer some of that 10 information to NCMEC. 11 Q. Right. 12 Since that article, at paragraph 12 you set out 13 steps taken by Google. 14 You say that "Google have dramatically improved our 15 comments classifier", which might tend to suggest that 16 it wasn't up to scratch in the first place, if I put it 17 colloquially. 18 What has Google actually done that has brought about 19 this dramatic improvement? 20 A. So the way that classifiers are -- I describe it as they 21 take a number of pieces of data, and you can train them 22 to look for other similar pieces of data. And 23 classifiers get better over time when they have more 24 training data. 25 There also is an ability to, with a classifier,</p> <p style="text-align: center;">Page 70</p>
<p>1 capture more things that might be less similar to that 2 original data or capture fewer things that might be 3 quite similar. 4 And so, we are -- as it's part of our effort to 5 constantly be improving our technology, we're constantly 6 looking for new data points to train our classifier so 7 it can improve the accuracy of what its capturing, even 8 while we're also making determinations about whether we 9 want to sweep in more things. I'm not sure if that 10 explanation is helpful, so please tell me if -- 11 Q. No, no, I think it does. It was -- really, I suppose, 12 what it comes to is this: why does it take an expose 13 like this to bring about the improvements that you've 14 just told us about? 15 A. If I may, the improvements in our comment classifier was 16 not in response to this article. As I mentioned, 17 throughout 2018, YouTube has -- had -- our YouTube team 18 has been investing in how to improve the technology in 19 this space, and so it was the result of that ongoing 20 effort as opposed to -- in the instance of this comments 21 classifier, it was not a specific response to the 22 article. 23 Q. Can I ask you please to look behind tab 2 and can we 24 call up on screen INQ004185. 25 This is an article that was taken from the BBC News</p> <p style="text-align: center;">Page 71</p>	<p>1 website at the very end of December last year on 2 28 December, with the headline: 3 "Google and Facebook put ads in child sex abuse 4 discovery apps". 5 Again, you deal with this in part in your second 6 statement, if that helps you, Ms Canegallo, but the 7 article refers to apps which were available to download 8 on Google Play Store. 9 And as I understand it, the apps allowed users to 10 then search for WhatsApp groups that were being used to 11 share illegal content. So effectively facilitated those 12 who were looking for the WhatsApp group with the illegal 13 content. 14 The article makes plain that the apps involved 15 Google's Play Store for Android devices, and that, in 16 addition to allowing that, there were adverts associated 17 with this. 18 I just want us to try and understand how the 19 advertising fits in with Google Play and the search for 20 the WhatsApp grooming. At what stage does the advert 21 become visible? 22 A. So perhaps I could separate these two. So an app that 23 is using the Google Play Store, there are a series of 24 policies that, in order to be able to operate an app in 25 the Google Play Store, an app must be compliant with --</p> <p style="text-align: center;">Page 72</p>

<p>1 one of them suggested -- you know, CSAM material cannot 2 be used, child sexual exploitation. So there are 3 a variety of policies that would apply to a specific 4 app. 5 In parallel, app developers can choose to monetise 6 can choose to have advertisements run against their app, 7 they could use a Google service to have Google 8 facilitated advertisements or they could use another 9 advertising service that is not Google. If they're 10 using a Google advertising service, there are additional 11 policies that guide advertisements that we would place 12 with a -- with a -- an app or that would be placed with 13 an app. Those policies would also not allow CSAM or 14 child exploitation. 15 Q. I understand that's the policy, but I think it would 16 help the chair and panel just to understand where in 17 that process of going into Google Play, trying to search 18 for the app, where does one see the advert? 19 A. It depends. Pardon me, it depends. Some ads might 20 appear initially when going into an app, some might 21 appear further on when using an app, so it really does 22 depend on the apps design itself, and what sort of 23 functionality the app has for hosting advertisements as 24 well as what the advertiser -- what and where the 25 advertiser is looking to be advertised.</p> <p style="text-align: center;">Page 73</p>	<p>1 Q. As I understand the article, then, once you were in the 2 Google Play Store and searching for the apps, you were 3 allowed then effectively to be able to search for groups 4 that wished to share illegal pictures and videos on the 5 WhatsApp groups; is that right? 6 A. That's my understanding from the article, yes. 7 Q. The article makes the point at page 3 of the document 8 that none of the apps were to be found in Apple's 9 App Store and they go on to say, "a point which should 10 raise serious questions about Google's app review 11 policies". 12 Does the mere fact that that in itself -- is that 13 telling, the fact that it's not available on Apple but 14 that it was available on Google Play? 15 A. I can't speak to the Apple policies or procedures. What 16 I can speak, though, is to the Google Play policies and 17 procedures and, as I mentioned, we do have clear 18 policies that -- that prohibit this type of activity. 19 From the perspective of the -- how we enforce those 20 policies, we have an upfront review process so before 21 an app is uploaded, we will do a review of that 22 application. One of the challenges that we have is that 23 apps are -- the content in apps are dynamic, so the app 24 that we review, when it is first uploaded, might have 25 different content than it would a month, two months,</p> <p style="text-align: center;">Page 74</p>
<p>1 three months down the road. 2 For that reason, we -- every time an app has 3 an update, we do do a periodic rereview, we also have 4 functionality in Google Play where an individual can 5 flag if they believe they are experiencing -- 6 interacting with an app that is inappropriate or 7 violates our policies, for whatever reason, and that 8 would prompt an additional review by our dedicated -- we 9 have a dedicated team that looks at CSAM on Play 10 specifically. 11 Q. So can you help us understand how it is that, not 12 withstanding the review and perhaps the potential 13 rereviews as the app gets updated, there are still apps 14 available on Google Play that enabled one to search for 15 this type of material? How did it slip through the net? 16 A. In terms of the specific instance, again, sometimes when 17 we do the upfront review, it is not apparent the full 18 functionality of the apps, so this could've been 19 an instance where, during the initial review, if -- to 20 be clear, if, during the initial review, it became clear 21 that you could search for WhatsApp group and that CSAM 22 was being returned, that absolutely would have violated 23 our policies and we absolutely would not have allowed it 24 to run and, after we did -- after we were prompted by 25 the inquiry here, by the article, we did conduct</p> <p style="text-align: center;">Page 75</p>	<p>1 a rereview, saw that it violated our policies, took 2 action and reported some of the developers to NCMEC. 3 Q. So if I understand that correctly, you are confident 4 that, had it been on there at the time the app was first 5 published, your reviews would've been able to pick up 6 that fact, which might tend to point to the fact that 7 the app progressed over time and that your reviews 8 didn't pick up the fact that it now enabled this 9 content. 10 It might suggest a flaw in the rereview process 11 rather than the initial process. 12 What can you do to satisfy the chair and panel that 13 you have taken actions to make sure that apps don't end 14 up being able to show such material? 15 A. It is for us -- this is another example where we are 16 constantly looking to improve and we are constantly 17 taking the feedback for the things that might have 18 slipped through our existing automated and human 19 processes and learning the lessons for what additional 20 changes we need to make. 21 The dedicated CSAM team that I mentioned is 22 something that we have put in place over the past 23 several months to ensure that we, again, have dedicated 24 professionals that are familiar with how this type of 25 threat could manifest itself on the Google Play Store.</p> <p style="text-align: center;">Page 76</p>

<p>1 Q. I think in response to this article, Google conducted 2 a review of the apps, as you told us, suspended the apps 3 from use of Google's in-app advertising, and terminated 4 the developer accounts. And I think, as a result, two 5 of the apps, reports were made to NCMEC due to the 6 nature of the content? 7 A. Correct. 8 Q. I asked you a moment ago about the fact that they didn't 9 appear in Apple's App Store, was there any thought given 10 by Google to asking Apple, "Well, how is it we've ended 11 up with this on Google Play and you haven't on Apple 12 App Store"? 13 A. Both we and Apple have our own policies that guide each 14 of our stores. Some of those policies are similar, 15 certainly in the CSAM space they would be. We engage 16 with our industry partners, Apple included, to discuss 17 a wide range of issues to include how we can 18 collectively work together better to counter this sort 19 of challenge and exchange best practices. 20 Whether it happened in this specific instance, I'm 21 not aware, but generally, as a member of the 22 Tech Coalition, we're interested in learning from other 23 industry partners about things that are working for them 24 on their platforms and trying to import those best 25 practices.</p> <p style="text-align: center;">Page 77</p>	<p>1 Q. The chair and panel have heard from a number of tech 2 companies now who speak of collaboration, but actually 3 have seen very little evidence of a concrete example of 4 where there has been a breach and someone has gone, 5 perhaps, to a competitor and said, "How did you manage 6 to not have this on your platform?" I think what we're 7 trying to establish is, is it just lip service that you 8 all collaborate or is there actually genuine 9 collaboration? Where there is a problem on one app and 10 actually another app doesn't have that problem, and you 11 might want to ask them, "Well, how did you achieve 12 that?", does that kind of thing happen? 13 A. Well, I think a tangible example of the industry 14 collaboration is some of the technology that we have 15 shared with our industry partners. 16 CSI match -- CSAI match, which is the industry 17 standard for video hash matching, is something that we 18 developed at Google that we share with our industry 19 partners free of charge. 20 Another example would be our content safety API, 21 which we announced last year, which really is a game 22 changer, in terms of shifting the conversation around 23 CSAM from known images to, for the first time, being 24 able to identify new potential images, which we are also 25 going to be sharing with industry partners.</p> <p style="text-align: center;">Page 78</p>
<p>1 So from our perspective, sharing any technology we 2 develop is the right thing to do, not only to ensure 3 that people who are using Google platforms are safer, 4 but to ensure that any individuals using any platforms 5 are safer, and that's why we are so forward leading in 6 terms of sharing that technology. 7 Q. The final article I'd like to ask you about, please, is 8 behind your tab 3 and if we can call up on screen 9 INQ004184. 10 This is an article in the Guardian, I think 11 from February this year, with the headline: 12 "Fortnite maker pulls out over YouTube paedophile 13 ring claims." 14 I just want to try and break down the 15 article firstly. 16 I think Fortnite, is this right, is a video game? 17 A. Yes. 18 Q. And it advertises on YouTube? 19 A. Yes. 20 Q. Essentially, it's a child's game where they have to stay 21 alive through the process of the game? 22 A. I believe -- I've never -- I believe so. 23 Q. All right. 24 It is certainly, according to the article, said to 25 be popular with children, so we can assume, for these</p> <p style="text-align: center;">Page 79</p>	<p>1 purposes, it's a child-focused game. 2 It advertises -- the game is advertised on YouTube 3 and, as I understand the article, alongside the adverts 4 were comments posted by paedophiles and, as a result of 5 that, Fortnite withdrew the adverts; is that correct? 6 A. Yes, my understanding is that this would've been 7 an advertisement that had run against a video, the 8 comments were on the video as opposed to the comments 9 being on the advertisement. 10 Q. Yes, understood. 11 As the article continues, it says: 12 "Epic Games [who I assume were the makers of 13 Fortnite] had withdrawn its adverts from the 14 Google-owned site, joining Nestle in temporarily 15 abandoning it due to the latest scandal over 16 inappropriate content. 17 "A YouTube user called Matt Watson had posted 18 a video highlighting a quote 'Wormhole into a softcore 19 paedophile ring' on the site. He showed how, in 20 a matter of clicks, with a new YouTube account, users 21 could find videos filled with provocative comments about 22 children." 23 He says, a little bit further down in the article: 24 "The scandal poses a challenge for YouTube because 25 the videos themselves are not necessarily problematic.</p> <p style="text-align: center;">Page 80</p>

<p>1 They are mostly innocent videos of young girls playing, 2 doing exercises, for example. The issue is the comments 3 section where YouTube users have left sexually 4 provocative messages and shared tips on when to pause 5 the videos to take compromising still images of the 6 children. 7 "After watching a few such videos on a new YouTube 8 account, Watson described how the site's algorithm, 9 designed to provide users with content they might like 10 to keep them watching, would serve up endless videos of 11 apparently underage children where the comments section 12 contained inappropriate comments. 13 "Many of these videos were accompanied by the 14 adverts placed by major brands such as Nestle, Fortnite 15 and Disney." 16 I think you deal with Google's response to this at 17 paragraphs 22 and 23 onwards in your second statement. 18 But, in a nutshell, does it tend to suggest there is 19 a problem with the moderation of the comments section in 20 YouTube? 21 A. And this is -- as we discussed in the first article, we 22 employ multiple tools to moderate the comments because, 23 as is -- as was pointed out in the article, the videos 24 themselves were not violative, but the comments were, 25 when taken together, of course wholly inappropriate to</p> <p style="text-align: center;">Page 81</p>	<p>1 have on YouTube. 2 So as -- as discussed, the first tool we use is we 3 allow creators and we give creators tools to moderate 4 comments themselves to include the ability to turn off 5 comments. 6 Second, we have the comments classifier that, as 7 discussed, is a piece of technology that we are 8 constantly seeking to improve. We also partner with, 9 and have the ability for, either individual users or 10 trusted flaggers to flag issues that they're seeing so 11 that we can take appropriate action. 12 Q. Can I just pause you there -- 13 A. Yes. 14 Q. -- because chair and panel have not heard about trusted 15 flaggers yet. Just help us: in summary, what is 16 a trusted flagger? 17 A. Sure, so a trusted flagger is an NGO or other partner 18 that is a subject matter expert in a space and they can 19 partner with us to avail themselves of some tools and 20 functionality to, for example, use a bulk reporting tool 21 if they would like to raise concerns across a number of 22 videos, if we're talking about YouTube. 23 We also work with trusted flaggers in terms of 24 giving them prioritisation in our review queue, because 25 we have found that trusted flaggers often have a very</p> <p style="text-align: center;">Page 82</p>
<p>1 high accuracy rate of what they are flagging, as 2 compared to an everyday user who might not have that 3 subject matter expertise. 4 So an example of a trusted flagger here in the UK 5 would be the Metropolitan Police, for example. 6 Q. Can you give us another example? Is the IWF also 7 a trusted flagger? 8 A. I do not -- I'm not sure about the IWF. An organisation 9 like the NSPCC -- 10 Q. Yes. 11 A. -- would be a trusted flagger. Barnardos, others of 12 that nature. It's possible the IWF is, I'm just not 13 sure. 14 Q. Okay. 15 A. But if I may, notwithstanding all of those tools, we did 16 take the step of turning comments off for tens of 17 millions of videos because we wanted to talk about the 18 improvement that was being made in our comments 19 classifier. We saw that comments classifier was not 20 working as well as we wanted it to, so that's why we 21 took the step of turning comments off, so that -- 22 because we wanted to prioritise safety, and we -- even 23 as we continued to work to improve that comments 24 classifier. 25 Q. The fact that companies such as Fortnite, Disney and</p> <p style="text-align: center;">Page 83</p>	<p>1 Nestle withdrew their adverts, did that lead to a loss 2 of revenue to Google? 3 A. I would imagine that it did. Yes. 4 Q. Is that any way a motivator, that loss of revenue, 5 a motivator for being seen now to be taking this more 6 seriously than perhaps you should before? 7 A. Again, the -- the work that -- the work that the YouTube 8 team has been doing throughout 2018, some of which has 9 come to fruition recently, is the result of continued 10 effort on the part of our team that was not prompted by 11 any one article or news inquiry. 12 Q. I think, in response to this article, there were, 13 according to your paragraph 25, Ms Canegallo, 37 videos 14 removed from YouTube. Is that different to the 37 that 15 were removed in relation to the earlier -- 16 A. Yes -- 17 Q. Times article? 18 A. Yes, it is different, it just so happens there are 37. 19 Q. 360 accounts were terminated due to violations of 20 Google's policy. What was the violation? Was it 21 because of CSAM-related comments? 22 A. Yes, in large part. 23 Q. Eleven accounts were disabled due to a concern the 24 account owner was underage. Is there a distinction 25 between termination and disablement?</p> <p style="text-align: center;">Page 84</p>

1 **A. No.**
 2 Q. So should it be actually 11 accounts were terminated due
 3 to a concern about the owner being underage, or is that
 4 to indicate you were concerned they were and therefore
 5 required further verification?
 6 **A. I think the distinction here is 37 were submitted to the**
 7 **underage accounts review process, which I spoke of**
 8 **before; 11 accounts were disabled -- would have been --**
 9 **"disabled" is terminated.**
 10 Q. Okay, right.
 11 I think, in February '19, you conduct a wider review
 12 of videos that included minors. And, as a result of
 13 that now, I think disabled comments on videos featuring
 14 younger minors you might have spoken of that a moment
 15 ago, resulting in tens of millions of videos having the
 16 comments disabled. Is there any plan for that comment
 17 function to be allowed back?
 18 **A. What we're doing is continuing to improve our comments**
 19 **classifier. It may be that we reintroduce comments, but**
 20 **we want to ensure that, if we do so, we have increased**
 21 **confidence that the automated/human review solutions**
 22 **that we've introduced on the platform are doing what's**
 23 **required to keep our users safe.**
 24 Q. Just standing back and looking at those three articles
 25 in the round, you have told us that there is always

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1 **solutions that we use to take down content, we can think**
 2 **about it in two forms: one is matching technology; and**
 3 **another is classifier technology.**
 4 Q. Can we deal with them both in turn then, please --
 5 **A. Sure.**
 6 Q. -- starting with the matching technology?
 7 **A. You can think about matching technology as when we want**
 8 **to find copies of content that we know. Examples of**
 9 **that matching technology are we have an image**
 10 **hash-matching technology at Google, we also have,**
 11 **I referenced earlier, CSAI match, which is the video**
 12 **matching technology that we have developed and shared**
 13 **with industry partners. So, again, matching, when you**
 14 **have a piece of content that you know and you're looking**
 15 **for copies of that.**
 16 Q. Can I pause you there, because the chair and panel have
 17 heard about PhotoDNA --
 18 **A. Yes.**
 19 Q. -- and the way that that matches hashes?
 20 **A. Yes.**
 21 Q. Does Google use PhotoDNA?
 22 **A. Yes, we do. We use PhotoDNA to import and export hashes**
 23 **from NCMEC.**
 24 Q. So can you help us with what additional benefit there is
 25 from your own proprietary technology in addition to that

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1 continually work going on. But inevitably, do articles
 2 like those three not prompt Google to put more of
 3 a focus onto their child safety?
 4 **A. Child safety has been a company-wide priority for us.**
 5 **That -- that work is done by the hundreds and thousands**
 6 **of folks day in and day out, and there is, we believe,**
 7 **real impact, day in and day out. That's irrespective of**
 8 **news articles.**
 9 Q. Turning now, please, to indecent imagery and Google's
 10 response in relation to that harm.
 11 Can we turn back to your main statement, behind
 12 tab 1, starting at 46, and paragraphs 46 and 47 onwards.
 13 Just help us, please, Ms Canegallo. On what of
 14 Google's products and services is indecent imagery most
 15 commonly encountered?
 16 **A. So we focus most intensively on preventing indecent**
 17 **imagery across Search, YouTube, Drive, Photos, Gmail.**
 18 Q. You say, by way of introduction, that Google uses both
 19 technology and human solutions to try and combat the
 20 presence of indecent imagery. And over at your
 21 paragraph 52, you speak of Google's own proprietary
 22 technology to identify child sexual abuse material on
 23 its platforms. Can you help us with, in general terms,
 24 what that technology does?
 25 **A. Sure. And I might, in describing the technical**

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1 provided by PhotoDNA?
 2 **A. Sure. So we would import hashes from NCMEC using**
 3 **PhotoDNA, and then what we would in effect do would be**
 4 **rehash that image, we would search for that image across**
 5 **the web, we would find the image, we would rehash it**
 6 **using our own technology.**
 7 **The reason we do this is because we have found that,**
 8 **as we are using that hash to scan across our products,**
 9 **we have found improved accuracy by using our own**
 10 **proprietary technology, but we absolutely use PhotoDNA.**
 11 Q. When did Google's own technology come into existing?
 12 **A. Our hash-matching technology we've been working on for**
 13 **about ten years. With respect to the video hash**
 14 **matching, the CSAI match, that's something we introduced**
 15 **in 2015.**
 16 Q. Google -- I think you said that the CSAI technology was
 17 something you did make available --
 18 **A. Yes.**
 19 Q. -- to other tech companies. What about your own
 20 proprietary technology in terms of the hashing is that
 21 made available?
 22 **A. We haven't, because PhotoDNA is the industry standard.**
 23 **Again, we use PhotoDNA, but we just find that our image**
 24 **hashing works well on our products. But we've not made**
 25 **that available, again, because PhotoDNA is the industry**

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1 **standard.**
 2 Q. Would it be of benefit, though, to other companies in
 3 this area to have, in addition to PhotoDNA, the
 4 proprietary technology?
 5 **A. Possibly. We're not -- I'm not sure if the benefit that**
 6 **we derived is because it is tailored to our products.**
 7 **So I'm not sure whether others would find similar**
 8 **benefits. The reason why we had focused on something**
 9 **like the video hash matching and sharing it is because**
 10 **there was no industry standard for that, and so we saw**
 11 **a gap in the industry and that's why we moved to share**
 12 **it free of cost with others.**
 13 Q. In terms of practically how the proprietary technology
 14 works, can you just help us with that? Is the image --
 15 I just want -- could you talk us through how it works?
 16 I think that is probably the easiest way to start?
 17 **A. So our image hashing works in the same way that**
 18 **Microsoft's PhotoDNA works, if that's helpful.**
 19 Q. But is the image available to be -- is visible until the
 20 technology has done the scan and has been identified as
 21 involving CSAM? I think we're trying to get a steer on
 22 whether, if you identify it, is it immediately taken
 23 down --
 24 **A. Sure.**
 25 Q. -- is it still visible until the technology has run over

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1 someone reports it?
 2 **A. Sure. So perhaps I could explain the second portion.**
 3 **So I explained there were two tracks through which we**
 4 **use technology to detect: one is the matching**
 5 **functionality; another track is classifier.**
 6 **So this is when we want to find previously unknown**
 7 **content and, in the CSAM space, this has been an area**
 8 **that there has not been a broad -- a broadly used**
 9 **technology tool to identify unknown images. So what we**
 10 **have invested in and developed is a classifier that**
 11 **allows us to prioritise never-before-seen images, and**
 12 **the way that it works is it tries to find images that**
 13 **have similar characteristics to those images of known**
 14 **CSAM.**
 15 **We've developed that classifier -- and I'm at**
 16 **paragraph 53(d), where we talk about the content safety**
 17 **API.**
 18 **We developed that classifier for our use at Google**
 19 **and we've begun using it over the past year. We have**
 20 **also, because we identified this as a gap for the**
 21 **industry, want to share this technology with industry**
 22 **partners free of charge.**
 23 **So we would do that through the content safety API.**
 24 **Now, to your question, as to, if that same offender**
 25 **was on Drive trying to share an image that was a new**

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1 it --
 2 **A. Sure.**
 3 Q. -- those kinds of questions?
 4 **A. Sure, let me give you an example. If we had a user who**
 5 **had a CSAM image on Drive that they were seeking to**
 6 **share.**
 7 Q. Yes.
 8 **A. That individual would upload it to Drive and, you know,**
 9 **hit the "Share" functionality. What would happen then**
 10 **would be, immediately, our technology would review that**
 11 **image to see if it was known CSAM and, if it was known**
 12 **CSAM, it would not allow that image to be shared.**
 13 Q. Right.
 14 **A. Similarly, on YouTube, if there is a video that is known**
 15 **CSAM, that a user seeks to upload, our technology would**
 16 **review it, and prevent it from being shared.**
 17 Q. Is there any instance of people being able to share this
 18 material and actually it being visible to the recipient
 19 at the other end until such time as the technology has
 20 worked?
 21 **A. Not for known CSAM, so not for known images or known**
 22 **videos.**
 23 Q. Right. Does it follow, therefore, that for unknown or
 24 previously unidentified indecent imagery, it is capable
 25 of being viewed by the recipient unless and until

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1 **image.**
 2 Q. Yes.
 3 **A. What would happen would be they would share it. Our**
 4 **classifier, to identify a new image, could identify it**
 5 **as a potential CSAM. That image would be allowed to be**
 6 **shared but it would be queued up for human review and we**
 7 **seek to do that review expeditiously.**
 8 Q. What's the time frame?
 9 **A. Within a day.**
 10 **And if the human reviewer were to affirm that it was**
 11 **CSAM, then we would hash that image, share it with NCMEC**
 12 **for sharing on as well, we would disable that**
 13 **individual's account, we would report them, and so on.**
 14 **So the distinction there being that, for new images,**
 15 **a human would need to -- our automated systems cannot**
 16 **determine if a new image is a piece of CSAM; we have to**
 17 **have a human involved in that decision process.**
 18 Q. Do I have this right, that as a result of that
 19 classifier, that has enabled Google to share 92,000 new
 20 hash images with NCMEC?
 21 **A. So actually, the 92,000 would reflect -- was a 2018**
 22 **number that might have been flagged by virtue of hash**
 23 **matching or by virtue of -- so it's not necessarily**
 24 **related to this new technology.**
 25 Q. Do you have any sense of how successful the new

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<p>1 technology has been --</p> <p>2 A. So --</p> <p>3 Q. -- in identifying new images?</p> <p>4 A. -- it has allowed us to significantly increase the</p> <p>5 number of images identified. We believe that it allows</p> <p>6 us to take action on 700 per cent more CSAM content than</p> <p>7 before. It is something that we are using on a daily</p> <p>8 basis to identify new images.</p> <p>9 Q. If you know that it's allowed you to take 700 per cent</p> <p>10 more action -- 700 per cent more -- you must know the</p> <p>11 figures involved. Are you capable of providing us with</p> <p>12 the actual number of images that it's helped you to</p> <p>13 recognise and action?</p> <p>14 A. I -- I cannot, but I believe that we can.</p> <p>15 Q. Right. So it's not a question of you won't, it's just</p> <p>16 a question you don't have those figures available?</p> <p>17 A. Correct, I do not have the figures that undergird the</p> <p>18 700 per cent.</p> <p>19 Q. It's likely we will come back and ask you to provide us</p> <p>20 with those figures.</p> <p>21 Can I ask you, please, about your paragraph 53(c),</p> <p>22 and Google's assistance with Project Arachnid. It may</p> <p>23 assist if we look in our bundle behind tab 4, chair, and</p> <p>24 if I can call up on screen GOO000013, starting at</p> <p>25 page 2, because, chair, we are going to think about</p> <p style="text-align: center;">Page 93</p>	<p>1 Project Arachnid, I suspect, with a number of witnesses</p> <p>2 and we might as well deal with what it is now and how it</p> <p>3 actually operates. And then, after we've dealt with</p> <p>4 that, perhaps there will be time for the afternoon</p> <p>5 break.</p> <p>6 Ms Canegallo, Project Arachnid I know was started by</p> <p>7 the Canadian Centre for Child Protection. I think you</p> <p>8 say in your statement that Google has helped with</p> <p>9 Project Arachnid. Indeed, if you go through on this</p> <p>10 bundle, you will see Google's logo attached to the back</p> <p>11 of it, but dealing with page 2 and what actually</p> <p>12 Project Arachnid is, can you help us, please, with</p> <p>13 an overview of the project?</p> <p>14 A. Erm --</p> <p>15 Q. It's further down the page, please.</p> <p>16 A. Sure, so Project Arachnid is a tool that crawls the web</p> <p>17 and indexes sites that may have CSAM on them. It then</p> <p>18 sends notices to the website hosts, asking them to take</p> <p>19 down those images, it also hashes those images and sends</p> <p>20 them to NCMEC.</p> <p>21 Q. Can I just ask you this, you've spoken there of it</p> <p>22 taking down images, does it also operate by crawling the</p> <p>23 web pages effectively. Has it anything to do with</p> <p>24 taking down the web pages or just solely acts on the</p> <p>25 images?</p> <p style="text-align: center;">Page 94</p>
<p>1 A. So Project Arachnid itself does not take down the</p> <p>2 images, it alerts the website, the hosts, that the hosts</p> <p>3 need to take action to take down the images.</p> <p>4 Q. Right. In assisting with Project Arachnid, has it</p> <p>5 helped to detect potentially as many as 100,000 unique</p> <p>6 images per month?</p> <p>7 A. Yes.</p> <p>8 Q. And has Project Arachnid helped industry use their</p> <p>9 classifiers and the like to detect known child sexual</p> <p>10 abuse material on their services?</p> <p>11 A. Yes, certainly we would take action, the Canadians would</p> <p>12 report it to NCMEC, we would download those hashes from</p> <p>13 NCMEC, so it would both help us identify known CSAM,</p> <p>14 but, again, using our new classifier. New data points</p> <p>15 of known CSAM helps improve our classifier, so it would</p> <p>16 also allow -- improve, from a training perspective, our</p> <p>17 ability to identify potential CSAM.</p> <p>18 MS CAREY: Chair, would that be a convenient moment for the</p> <p>19 afternoon break?</p> <p>20 THE CHAIR: Yes, thank you. We'll return at ten past three.</p> <p>21 (2.55 pm)</p> <p>22 (A short break)</p> <p>23 (3.10 pm)</p> <p>24 MS CAREY: Thank you, chair.</p> <p>25 Ms Canegallo, we were discussing before the break</p> <p style="text-align: center;">Page 95</p>	<p>1 the Project Arachnid impact on the identification of</p> <p>2 indecent images and I'd just like to briefly look at</p> <p>3 what Google does at your paragraph 53(e) in relation to</p> <p>4 videos on YouTube.</p> <p>5 I think you say there that Google has used machine</p> <p>6 learning on YouTube in order to rapidly remove millions</p> <p>7 of videos uploaded to the platform, often before users</p> <p>8 have viewed them.</p> <p>9 In this regard, there is, in fact, a YouTube</p> <p>10 community guideline, is there not? Chair, can I invite</p> <p>11 you please to look behind tab 6 in your bundle, and call</p> <p>12 up on screen GOO000024, which is the transparency report</p> <p>13 for the period April to June, 2018. I wonder if we</p> <p>14 might just start at the top of the page and expand that.</p> <p>15 Thank you.</p> <p>16 This report breaks down into different types of</p> <p>17 either harm or, indeed, who has flagged the harm.</p> <p>18 I just want to go through the various sections with you.</p> <p>19 Just standing back for a moment, is this the</p> <p>20 position, that between April and June 2018 nearly</p> <p>21 7.8 million videos removed globally?</p> <p>22 A. Yes.</p> <p>23 Q. The reason for the removal is that there has been</p> <p>24 a breach of the community guideline?</p> <p>25 A. Correct.</p> <p style="text-align: center;">Page 96</p>

<p>1 Q. Is that right?</p> <p>2 A. Yes.</p> <p>3 Q. The guidelines include illegal content, such as child</p> <p>4 sexual abuse material?</p> <p>5 A. Yes, that's correct.</p> <p>6 Q. But they also include non-illegal content, such as</p> <p>7 abusive material?</p> <p>8 A. Yes.</p> <p>9 Q. This doesn't break down the reason for the removal, just</p> <p>10 that there's been a breach of the guideline and, over</p> <p>11 that three-month period, that's how many videos were</p> <p>12 removed?</p> <p>13 A. Yes.</p> <p>14 Q. Now, of that 7.8 million, is this right, 88 per cent was</p> <p>15 identified by a machine as requiring review?</p> <p>16 A. Yes.</p> <p>17 Q. That equates to about, I think, 6.8 million or</p> <p>18 thereabouts. So the machine identified a potential</p> <p>19 breach of the guideline.</p> <p>20 And of that 6.8 million, I think was 75 per cent of</p> <p>21 those videos removed before they were viewed?</p> <p>22 A. Yes.</p> <p>23 Q. That's about 5.1 million videos over that three-month</p> <p>24 period that were not looked at and were removed by</p> <p>25 Google on YouTube for breach of the community</p> <p style="text-align: center;">Page 97</p>	<p>1 guidelines. That gives an idea of the scale of</p> <p>2 machine-identified problems.</p> <p>3 A little lower down on the page of the guidelines,</p> <p>4 there is reference to human flags by flagger type.</p> <p>5 It says this:</p> <p>6 "In addition to the automated flagging system, the</p> <p>7 trusted flaggers ..."</p> <p>8 Of whom you spoke of earlier, those kinds of</p> <p>9 organisations or companies, people like the Metropolitan</p> <p>10 Police, et cetera:</p> <p>11 "... and the broader community ..."</p> <p>12 Does that just mean an ordinary user?</p> <p>13 A. Yes.</p> <p>14 Q. "... play an important role in flagging content.</p> <p>15 A single video may be flagged multiple times or may be</p> <p>16 flagged for different reasons."</p> <p>17 And YouTube received in that quarter of -- sorry, in</p> <p>18 the Q4 of 2017, which I assume is the last quarter of</p> <p>19 2017, 9.3 million human flags on unique videos.</p> <p>20 So does that mean there, even if someone reported</p> <p>21 it -- numerous reporters reported one video, you've</p> <p>22 worked out the figures to be able to say there were</p> <p>23 9.3 million unique videos --</p> <p>24 A. That were flagged.</p> <p>25 Q. -- that were flagged? Absolutely.</p> <p style="text-align: center;">Page 98</p>
<p>1 Over the page, at the top of page 2, the</p> <p>2 transparency report lists there the countries by human</p> <p>3 flagging volume. I just want to understand, why does</p> <p>4 Google keep this data?</p> <p>5 A. It's useful for us to understand who -- who is flagging</p> <p>6 specific content. It may be that we have a particular</p> <p>7 issue with the way that our community guidelines are</p> <p>8 being interpreted in a particular region, perhaps</p> <p>9 there's a cultural sensitivity that we might not be</p> <p>10 taking into account fully, and so, by having</p> <p>11 a geographic indication, that helps us, again,</p> <p>12 recalibrate our policies when we must.</p> <p>13 Q. If we look at the top 10 countries by human flagging</p> <p>14 volume, we see the top country is India, then the</p> <p>15 States, Brazil, Mexico, Russia, Indonesia, Turkey,</p> <p>16 Vietnam, South Korea and the United Kingdom.</p> <p>17 Do you keep data on how many flags the</p> <p>18 United Kingdom make?</p> <p>19 A. Presumably, yes, in that that would have informed the</p> <p>20 report here.</p> <p>21 Q. Yes, are you able, or will you be able, to provide us</p> <p>22 with the figure?</p> <p>23 A. I'm happy to take that back, I don't have that figure.</p> <p>24 Q. No, but in due course, that may be a figure you can</p> <p>25 provide us with.</p> <p style="text-align: center;">Page 99</p>	<p>1 Are you aware of any particular sensitivity or</p> <p>2 cultural issue that accounts for the number of human</p> <p>3 flags from the UK?</p> <p>4 A. I'm not aware of what's driving that -- those flags, no.</p> <p>5 Q. Google does keep the data, though, for the reasons</p> <p>6 behind the flagging. If we look to the bottom of the</p> <p>7 page, please:</p> <p>8 "When flagging a video, a flagger can select</p> <p>9 a reason they are reporting the video and leave comments</p> <p>10 or video stamps for YouTube's reviewers."</p> <p>11 There are various categories, is this right, for the</p> <p>12 reasons -- and if we can perhaps just take off the</p> <p>13 bigger box and go back to the circle there. We can see</p> <p>14 there that the reasons that can be selected are sexual,</p> <p>15 spam or -- I can't read --</p> <p>16 A. "Hateful or abuse".</p> <p>17 Q. "Hateful or abuse", thank you -- violence, and I think</p> <p>18 there may be one or two other categories but for our</p> <p>19 purposes, one can see there that the reasons given for</p> <p>20 the human flagging -- is this globally? --</p> <p>21 A. Yes.</p> <p>22 Q. -- 27 per cent of the time is related to sexual content?</p> <p>23 A. Yes.</p> <p>24 Q. Now, would that also include, though, inappropriate</p> <p>25 sexual nudity; for example, we shouldn't read that as</p> <p style="text-align: center;">Page 100</p>

<p>1 being solely related to child sexual abuse material?</p> <p>2 A. Yes, that's correct, and in fact, I do believe that</p> <p>3 there is an additional category for child abuse that</p> <p>4 just may not appear here in the list, but if you</p> <p>5 continue to scroll down, there is a flagging reason</p> <p>6 type, "Child abuse". I would also say that the</p> <p>7 transparency report, we continually update the</p> <p>8 transparency report to provide more information, so in</p> <p>9 the latest iterations of the transparency report there</p> <p>10 is additional information actually breaks down</p> <p>11 a child -- there's a child safety section. That is</p> <p>12 inclusive of both CSAM as well as other child</p> <p>13 endangerment, bullying or a dangerous activity involving</p> <p>14 a child, but there would be more information around</p> <p>15 child safety in subsequent reports.</p> <p>16 Q. Are you able to tell us, when is the next report out?</p> <p>17 A. So they are released on a quarterly basis. I don't</p> <p>18 know, off the top of my head, the next, but they are</p> <p>19 released at regular --</p> <p>20 Q. Okay. The reason we looked at this one was this was the</p> <p>21 one closest in time to the statement being made and it</p> <p>22 may well be, as we progress through to the report stage,</p> <p>23 that we will refer to more recent iterations of the</p> <p>24 report?</p> <p>25 A. Those are available on our website. We, of course,</p> <p style="text-align: center;">Page 101</p>	<p>1 would be happy to make them available to you as well.</p> <p>2 Q. Why, though, do the human flags -- why there is there --</p> <p>3 Google keeps the data for the reason for the flagging?</p> <p>4 A. Again, this is an opportunity for us to receive feedback</p> <p>5 from users, from trusted flaggers, and potentially use</p> <p>6 that feedback to recalibrate our policies to the extent</p> <p>7 that there is a lack of clarity or, alternatively, if we</p> <p>8 are finding a particular area receives a high number of</p> <p>9 flags, it could be an indication to us that our</p> <p>10 automated systems or human review systems need</p> <p>11 improvement. So this is an opportunity for us to -- you</p> <p>12 know, we're always looking to improve these systems and</p> <p>13 so this is an important input to do that.</p> <p>14 Q. Can I ask you about them, because we can see there that</p> <p>15 the circle deals with human flaggers, but when we turn</p> <p>16 back a page to deal with the automated reasons for</p> <p>17 removal, there isn't a similar breakdown of the reasons</p> <p>18 why the machine has identified a breach of the</p> <p>19 guidelines.</p> <p>20 Does Google keep that data for the machine-generated</p> <p>21 flags?</p> <p>22 A. Yes, and, again, I believe in the newer versions of the</p> <p>23 report there's more specificity.</p> <p>24 Q. Right.</p> <p>25 There are reporting tools, are there not, on all of</p> <p style="text-align: center;">Page 102</p>
<p>1 Google's platforms, such as on YouTube there is</p> <p>2 a reporting tool. You've spoken about the trusted</p> <p>3 flagger programme. Can I ask you, please, about the URL</p> <p>4 list or the web page list and I'm looking at your</p> <p>5 paragraph 55, Ms Canegallo?</p> <p>6 A. Mm-hm.</p> <p>7 Q. I think you say this, that Google regularly accepts URL</p> <p>8 lists from anti-child sexual abuse material</p> <p>9 organisations and in particular you take them from the</p> <p>10 IWF from NCMEC and I think a German organisation.</p> <p>11 What is the perceived benefit, as far as Google is</p> <p>12 concerned, of accepting the URL list?</p> <p>13 A. So as Google Search is one of the products that we are</p> <p>14 focused on ensuring we are doing our part to prevent</p> <p>15 CSAM, we use those URL lists, we download them</p> <p>16 regularly; for example, we download the IWF list twice</p> <p>17 daily. We would use those URL lists to de-index CSAM</p> <p>18 content from what we would return in search results as</p> <p>19 well as to train our classifiers to identify other</p> <p>20 potential bad URLs that might be containing CSAM.</p> <p>21 Q. So if a user were to put in a URL of a -- that's on the</p> <p>22 banned list, what actually happens when they type in the</p> <p>23 banned URL?</p> <p>24 A. Well, I'd like to distinguish between when searching for</p> <p>25 CSAM on Google Search and if an individual were to type</p> <p style="text-align: center;">Page 103</p>	<p>1 in a URL.</p> <p>2 So Google Search will return results from this --</p> <p>3 from an index of all of the websites, but if there is</p> <p>4 a URL that we have that has been determined to have</p> <p>5 CSAM, we would not return that URL in a Google Search</p> <p>6 result.</p> <p>7 However, that is separate from whether an individual</p> <p>8 were to type in that URL separate and apart from</p> <p>9 Google Search, we are focused on de-indexing for search</p> <p>10 results when users are using Google Search.</p> <p>11 Q. So what actually happens if -- can the user see the web</p> <p>12 page or does it come up with an error message or how</p> <p>13 does it work?</p> <p>14 A. I think -- so on Google Search you would not be able to</p> <p>15 return that website -- that website would not be part of</p> <p>16 the results that are returned to you. You may be</p> <p>17 familiar with, if you search for an item, there are</p> <p>18 a number of blue links that would be returned to you</p> <p>19 across several pages. Nowhere in those Google Search</p> <p>20 results would you be able to find that website.</p> <p>21 Q. That covers the ways in which Google detects this type</p> <p>22 of material.</p> <p>23 Turning to prevention, can I have your assistance,</p> <p>24 please, on the steps that Google has taken to prevent</p> <p>25 people being able to view CSAM or share CSAM?</p> <p style="text-align: center;">Page 104</p>

<p>1 A. Sure. Much as we have invested in the -- our efforts to 2 identify and remove content across our products, we also 3 think that we have an important role to play in the 4 prevention and deterrence of CSAM and of offenders who 5 might be looking for this content. So we do that in 6 several ways: (1), when individuals might be using 7 Google Search to input CSAM-related queries, we do 8 several things to ensure that we are not returning CSAM 9 material to those individuals. 10 So (1), as we just discussed, we de-index URLs that 11 have CSAM, so those are not returned, those are filtered 12 out of all Google results. 13 Second, we would turn off -- folks may be familiar, 14 sometimes, when you're typing in a query, a query will 15 auto-complete, "What's the weather in London?", for 16 example, if I'm in London. We will not auto-complete 17 any queries that have to do with CSAM. That's the 18 second thing we do to prevent on Search. 19 And the third thing we do is, while it is possible 20 to search for legal pornography in countries where 21 pornography is legal, if an individual is seeking -- is 22 searching for pornography, we would not return any 23 images of children, in any event, we -- we have already 24 filtered out the CSAM material, but we would not return 25 any images of children, and then, similarly, when --</p> <p style="text-align: center;">Page 105</p>	<p>1 when we are understanding that a user is inputting 2 a query that is seeking CSAM, we would not return any 3 pornographic images. 4 Q. I'll ask you about that, please. Can we look on screen 5 at -- it's not in your bundle, but GOO000028. 6 Just to give an example of what is displayed on the 7 screen, if someone were to input into Google "child 8 pornography" in this instance, this is the kind of page 9 that might get pulled up. So not only is there 10 a warning given that child abuse imagery is illegal, 11 there is reference to the Internet Watch Foundation's 12 website, Stop It Now, and finally, then, a Wikipedia. 13 But is that a classic example of the kind of flash 14 that you might put up on a screen where someone has 15 actually deliberately inputted a CSAM-related query? 16 A. It is, and the three examples I was talking about were 17 ways in which we prevent or ensure that users seeking 18 CSAM information are not provided CSAM information, but 19 we also view this as an opportunity to educate and to 20 deter, and what you see here on the screen is our effort 21 to do that. So we work in partnership with the 22 Lucy Faithfull Foundation, other NGOs, IWF here, through 23 our Ad Grants Program we'll provide free advertising 24 space that is prioritised. 25 We also -- if you were to scroll down, you would see</p> <p style="text-align: center;">Page 106</p>
<p>1 "News for child pornography". We also elevate our news 2 articles around child -- offenders being arrested as 3 part of this deterrent effort. So we want to make sure 4 we are using our platforms where we can to educate and 5 deter, and this is a good example of our efforts to do 6 that. 7 Q. Now you go on to say that, as a result of the four 8 changes that you've just outlined, Google has observed 9 a 13-fold decrease of interest in this type of content 10 over the last five years, measured by the reduction of 11 common child sexual abuse material-seeking queries 12 entered by users. 13 Are you able to provide the underlying statistics 14 which enable you to say that there's been a 13-fold 15 decrease? 16 A. I can't. My understanding is what we did is we took 17 certain terms and we've tracked, over time, the 18 frequency with which those terms are searched for and 19 that's what undergirds those numbers. 20 Q. Right. 21 And the -- within Google, is there a specific 22 function within Search called Safe Search, which enables 23 individuals or group administrators to filter out 24 pornographic material? 25 A. Yes, so Safe Search is a tool and a functionality that</p> <p style="text-align: center;">Page 107</p>	<p>1 individuals -- parents, for example -- might decide to 2 avail themselves of that would block explicit images, 3 websites, videos. 4 I would like to clarify that while you can turn 5 Safe Search on or off, you can never turn off the C -- 6 the CSAM filtering that we're doing. That is always -- 7 no matter who is searching, no matter if Safe Search is 8 on or off, we are always doing that filtering and that 9 protection against CSAM images, so those would never be 10 returned to a user. 11 Q. You spoke of education, can I ask a little about that 12 please, in relation to what Google has published which 13 is an app called Family Link, and it's at your 14 paragraph 70, Ms Canegallo. 15 Help us with what Family Link is? 16 A. So our approach to child safety includes not just 17 protection through all of the CSAM efforts that we've 18 been speaking of, it also includes educating families 19 and children how to stay safe online, and a third 20 component is giving parents tools to make the decisions 21 about online behaviour that are right for them and their 22 families, and Family Link is the mechanism for them to 23 do that. It's an app that you can download, whether 24 using a Google device or another internet company's 25 device, where parents can make decisions and create</p> <p style="text-align: center;">Page 108</p>

1 profiles for their children.
 2 They can make decisions like, "Should Safe Search be
 3 on?" or "Are there certain apps in the Google Play Store
 4 that I would like my children to have access to or not
 5 have access to?", "Are there certain channels on
 6 YouTube Kids that I would like my children to have
 7 access to?", "How much time should they be spending
 8 online?".
 9 So this is, again, a tool we're giving to parents to
 10 help them make the decisions that are right for them and
 11 their families.
 12 Q. It enables a parent to help monitor what their child has
 13 been doing, what their child has been viewing?
 14 A. Yes.
 15 Q. And how long has been spent on those activities?
 16 A. Yes.
 17 Q. In terms of educating the children themselves, can I ask
 18 you, please, about what Google does in terms of trying
 19 to educate children in the UK.
 20 I'm looking now at your paragraphs 64, 65 and 66.
 21 I think, are there two different programmes, depending
 22 on the age of the child?
 23 A. That's correct. So the first programme, Be Internet
 24 Awesome, is how it's known globally. Here, in the UK,
 25 it's known as Be Internet Legends.

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1 a slightly older audience helps teach critical thinking
 2 skills, how to spot fake news, how to think about what
 3 information you're providing online and, again, targets
 4 13- to 15-year olds.
 5 Q. I'd like to ask you about two documents that draw
 6 a little upon some of the surveys that have been
 7 conducted. Can you just bear with me one moment just to
 8 make sure I've got my references correct?
 9 (Pause)
 10 Staying with education, can we look at, please,
 11 behind your tab 11 -- and GOO000008. Yes, thank you
 12 very much.
 13 This is a screenshot of a page, I think, that's
 14 available on the website's safety centre and it deals
 15 with a survey that Google conducted. Perhaps if we can
 16 just highlight the middle section there, where there's
 17 the yellow, green and blue.
 18 Thank you.
 19 There was a survey conducted, I think
 20 in October 2017, taking a sample size of 207 teachers
 21 and the results are set out there that 37 per cent had
 22 seen an online safety incident at their school.
 23 99 per cent of those teachers thought that online
 24 safety should be part of the curriculum.
 25 Teachers believed that students aged 7 years old

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1 So this targets children who are aged 7 to 11. We
 2 developed this in partnership with ParentZone and it's
 3 the first online safety course that has been accredited
 4 by the PSHE Association. This provides student -- it
 5 provides children with fun ways to learn about online
 6 safety. So there's an online game, for example, there's
 7 some teacher tips, there's some parent tips. We have,
 8 through Be Internet Legends, reached over half of the UK
 9 primary schools, and --
 10 Q. How do you know that?
 11 A. Just by virtue of the number of either trainings that
 12 we've done for teachers, packs that have been downloaded
 13 and things of that nature, lesson packs. We have Google
 14 employees who would go and provide some of this training
 15 in partnership with teachers, and so that's how we know
 16 that 50 per cent stat. We believe we've reached
 17 1.3 million children.
 18 Q. There is, for the older age range, I think, a programme
 19 launched in 2017 for -- is it 13- to 15-year olds --
 20 A. Yes, that's correct.
 21 Q. -- called Be Internet Citizens?
 22 A. Yes, and that initiative is part of our YouTube
 23 Creatives 4 Change. We've developed that in partnership
 24 with the Think Tank Institute for Strategic Dialogue and
 25 that, for a more sophisticated -- excuse me, for

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1 should start learning about online safety.
 2 And of those teachers that were asked, 85 per cent
 3 thought that parents were not doing enough.
 4 The teachers themselves, 94 per cent of them said
 5 that they would find online safety seminar workshops
 6 useful and 82 per cent of the teachers did not think
 7 they had all of the resources they needed, and the
 8 teachers' concerns included inappropriate content, as
 9 you can see there on the right.
 10 Is that a survey that has been replicated in other
 11 countries?
 12 A. Yes.
 13 Q. Why do you do it on a country-by-country basis?
 14 A. Well, as we're developing these programmes, you know,
 15 a good example is we have an umbrella programme called
 16 Be Internet Awesome, but we've developed something
 17 specific for the UK called Be Internet Legends. We want
 18 to make sure that we're being responsive, as we're
 19 developing these curricula, to issues that are top of
 20 mind, both for parents and teachers in a particular
 21 country, and so these surveys are a really important
 22 input to that process. So, too, is the partnership that
 23 we have with groups like ParentZone, who would've helped
 24 us develop the curriculum, and so we do these surveys on
 25 a regular basis to make sure that we're being responsive

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<p>1 to the needs of parents and teachers.</p> <p>2 Q. Now, I think Google also conducted a survey of parents</p> <p>3 and I would just like to look a little bit at the</p> <p>4 findings of that survey which is behind your tab 12,</p> <p>5 Ms Canegallo, GOO000032.</p> <p>6 This was a survey conducted in 2016.</p> <p>7 It was a survey that was conducted globally, chair,</p> <p>8 but did in fact include participants from the UK amongst</p> <p>9 a number of other countries, including Canada, USA and</p> <p>10 the like.</p> <p>11 In total, worldwide, there were 6,453 participants</p> <p>12 in the survey. A slight majority towards dads rather</p> <p>13 than mums.</p> <p>14 Looking at the middle of the page, there, the survey</p> <p>15 found that 22 per cent of children accessing the</p> <p>16 internet used at least two devices. That 9 was the</p> <p>17 average age that children got access to their own</p> <p>18 device. The two issues of all the parents globally</p> <p>19 mentioned was "Stranger Danger" and inappropriate</p> <p>20 content. 70 per cent of parents had spoken with their</p> <p>21 child about how to properly share information online.</p> <p>22 And 52 per cent of parents restricted chatting or</p> <p>23 playing online games with strangers.</p> <p>24 Then there were 400 responses from the UK -- if one</p> <p>25 just looks at the green side of the page -- bringing in</p> <p style="text-align: center;">Page 113</p>	<p>1 190 dads and 210 mums.</p> <p>2 As far as the UK was concerned, 76 per cent of</p> <p>3 parents let their children use their own phones or</p> <p>4 tablets to access the internet.</p> <p>5 48 per cent of parents reported using Google</p> <p>6 Safe Search.</p> <p>7 28 per cent of parents reported using Chrome</p> <p>8 restrictive profiles.</p> <p>9 47 per cent of the parents say that the most common</p> <p>10 problem faces the download of malicious software and</p> <p>11 apps.</p> <p>12 77 per cent of parents advised their children about</p> <p>13 sharing personal information.</p> <p>14 And 39 per cent of parents say their biggest fear</p> <p>15 for their children is contact with strangers.</p> <p>16 So there is an indication of what the global</p> <p>17 position was and then what the UK position was.</p> <p>18 Why did Google initiate a survey like this of</p> <p>19 parents?</p> <p>20 A. Again, as we think about ensuring safe online</p> <p>21 experiences for all of our users, the safety of children</p> <p>22 is a top priority for us. So we wanted to better</p> <p>23 understand what was top of line for parents so that we</p> <p>24 could both ensure that our products were being designed</p> <p>25 with them in mind, that we were giving them tools like</p> <p style="text-align: center;">Page 114</p>
<p>1 Family Link that we talked about earlier, but also that</p> <p>2 we could be developing training and resources that were</p> <p>3 responsive to their top of line concerns.</p> <p>4 Q. Do you know are there any plans to replicate the</p> <p>5 surveys, either with the teachers or indeed with the</p> <p>6 parents, in future?</p> <p>7 A. So my team actually completed, I believe, a new survey</p> <p>8 of parents and teachers in February of 2019, to the</p> <p>9 extent that that would be of interest.</p> <p>10 Q. And would those results be available to us if we asked?</p> <p>11 It may be an interesting comparison to see what has</p> <p>12 changed --</p> <p>13 A. Over time, yes.</p> <p>14 Q. -- in the last two or three years, depending on which</p> <p>15 survey one looks at.</p> <p>16 Can I change topic, please, now, to consider</p> <p>17 Google's liaison and reporting with NCMEC and law</p> <p>18 enforcement generally.</p> <p>19 I am turning now to paragraph 72 initially in your</p> <p>20 statement, Ms Canegallo. The chair and panel have heard</p> <p>21 about the obligation under US law to report suspected</p> <p>22 child sexual abuse leading to the report to NCMEC. We</p> <p>23 have been over that, all right?</p> <p>24 The report is called the Cybertip. As we are aware,</p> <p>25 if the Cybertip resolves to a UK address, the matter is</p> <p style="text-align: center;">Page 115</p>	<p>1 then sent to the National Crime Agency.</p> <p>2 Do I understand this, that once Google has reported</p> <p>3 child sexual abuse to NCMEC, Google hashes the content</p> <p>4 and what does it do with it then?</p> <p>5 A. So in point of fact, these things happen concurrently.</p> <p>6 We'll hash the content for an image or for a video to</p> <p>7 ensure that, as we go forward, we can continue to detect</p> <p>8 that known CSAM. Also it could be used in the case of</p> <p>9 an image to train our new classifier to identify new</p> <p>10 images.</p> <p>11 Q. I think in fact you set out in your statement -- and</p> <p>12 I would like to call up on screen, please, GOO000001 and</p> <p>13 the chart that is on that page.</p> <p>14 I think this is information -- I'll just wait for it</p> <p>15 to...</p> <p>16 A. Excuse me, I should also say that we also terminate</p> <p>17 accounts that we find to be violating our policies or</p> <p>18 (inaudible) system.</p> <p>19 Q. GOO000001_29, it's the statement itself.</p> <p>20 Can we expand, please, the screen, the chart? Thank</p> <p>21 you very much. These are figures obtained from NCMEC,</p> <p>22 as I understand it. Does Google routinely obtain from</p> <p>23 NCMEC data about the number of Cybertips and which</p> <p>24 countries that they relate to?</p> <p>25 A. I can't say with what regularity we do.</p> <p style="text-align: center;">Page 116</p>

1 Q. Certainly the figures show that, as far as 2018 was
 2 concerned -- and the figures only went up to July that
 3 year -- we can see, if you go along the screen from 2006
 4 all the way through to 2018, I think it amounts to
 5 nearly 2,500 Cybertips resolving to the UK in 2018
 6 alone. I know your statement refers to 7,000, but
 7 I think that's across the entire range of years covered
 8 there.

9 **A. I have the final 2018 number, so I think what -- just to
 10 clarify -- I think that had been an extrapolation or
 11 a projection off of the July number which was 1,373.
 12 The final 2018 number, as we understand from NCMEC, is
 13 2,357 Cybertips that would've resolved to the UK.**

14 Q. To the UK.
 15 Do you look at the data to try and work out if there
 16 is a particular problem in a particular country, to see
 17 if that can help you with any of the proactive steps
 18 that Google is taking?

19 **A. We will take any and all signals we can in terms of
 20 trying to identify where the threats might manifest
 21 itself on our platforms. So as a general matter, yes,
 22 but I'm not sure with what frequency we do get this data
 23 from NCMEC.**

24 Q. Where there is a child who is in imminent danger what
 25 steps do Google take in that scenario?

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1 perhaps we're seeing a particular volume of CSAM
 2 material, so say with a user, or perhaps we're seeing
 3 particular recency associated with that CSAM, or we
 4 believe that the offender might be in a position of
 5 authority vis-a-vis the child and so we would issue
 6 a supplemental report which would provide additional
 7 information to NCMEC or Interpol. And we would also
 8 flag for NCMEC the fact that we have this additional
 9 information forthcoming.

10 **So I believe that that could be what that last
 11 paragraph that there is, the last sentence is referring
 12 to there.**

13 Q. Thank you very much.
 14 That's you referring matters to law enforcement.
 15 I'd like to look at responding to requests from law
 16 enforcement, and your paragraphs 78 onwards, please.
 17 In 2017 -- is this the position? -- Google received
 18 97,818 requests from law enforcement. Is that
 19 worldwide?

20 **A. Yes, it is, it's a global number.**

21 Q. And that 97,000-odd request implicated over 170,000
 22 accounts. You say that Google has a team of over 100
 23 people that sorts and prioritises legal requests on
 24 a daily basis, further supported by legal counsel.
 25 Where are those teams based?

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1 **A. So when a child is in imminent danger we will contact
 2 law enforcement. In the case of Europe, the UK will
 3 contact Europol, most frequently.**

4 Q. I think you said:
 5 "In the past five years, Google has made 20 UK-based
 6 reports to NCMEC..."
 7 And in fact it says there "Interpol", but it may be
 8 there's an error in your statement.
 9 "There were 137 global (non-US) supplements made to
 10 NCMEC."
 11 And I'm not quite sure what it is that Google was
 12 trying to convey in that sentence. What were you trying
 13 to say there?

14 **A. Sure, let me just, if you don't mind, I'll just re-read
 15 paragraph 77.
 16 (Pause)
 17 Happy to come back to the inquiry because I'm not
 18 quite sure here of what we're speaking of.**

19 Q. In essence, though, there are, where a child is in
 20 immediate danger, whether that relates to child sexual
 21 abuse or not, Google has the mechanism by which it can
 22 escalate that concern to UK law enforcement?

23 **A. That's correct. And we may also submit supplemental
 24 reports, which may be what this last sentence is
 25 referring to. This would be in the case where, again,**

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1 **A. Those would be, to the best of my knowledge, global
 2 teams.**

3 Q. Of that 97,000-odd requests for data from law
 4 enforcement, is it known how many of those requests
 5 relate to child sexual abuse material?

6 **A. For the 2017 requests, approximately 12.6 per cent of
 7 those requests are related to child exploitation.**

8 Q. The 12.6 per cent of the 97,000-odd?

9 **A. Correct.**

10 Q. It says there "implicating over 170,000 accounts". Is
 11 that Gmail accounts, YouTube accounts?

12 **A. Those would be Google accounts.**

13 Q. Google accounts.

14 **A. And so, if an individual had a Gmail account and a
 15 YouTube account, we would consider that one Google
 16 account.**

17 Q. Thank you.
 18 Is there any indication of what the 2018 figures
 19 hold? Firstly then, in 2018, how many requests for data
 20 from law enforcement were received?

21 **A. So we'll be publishing our 2018 numbers next week, but
 22 I can tell you roughly and these might be subject to
 23 change. 121,000 requests from law enforcement, that
 24 again is a global number for 2018.**

25 Q. Implicating how many accounts?

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<p>1 A. I don't have that number.</p> <p>2 Q. Of that 121,000-odd do you know yet the percentage of</p> <p>3 that that related to sexual exploitation or child sexual</p> <p>4 abuse material?</p> <p>5 A. Approximately 13 per cent related to sexual</p> <p>6 exploitation, and my understanding of that definition,</p> <p>7 "child sexual exploitation" could include CSAM, it could</p> <p>8 include other child sexual exploitation not sexual in</p> <p>9 nature.</p> <p>10 Q. Law enforcement in the UK, I think can submit requests</p> <p>11 through Google's law enforcement requests system called</p> <p>12 LERS.</p> <p>13 In terms of requests from the UK, is it right that</p> <p>14 law enforcement uses a grading system to try and</p> <p>15 prioritise urgent, imminent danger requests?</p> <p>16 Grade 2 requests are described as being</p> <p>17 "exceptionally urgent operational requirement". Do you</p> <p>18 know what that means in practice?</p> <p>19 A. In practice, my understanding would be that that would</p> <p>20 be an ongoing operation of which the information would</p> <p>21 be particularly useful to law enforcement. I'm not</p> <p>22 a lawyer, but that would be how I would --</p> <p>23 Q. No, we'll be hearing from law enforcement next week and</p> <p>24 so it may well be that we deal with that matter with</p> <p>25 them.</p> <p style="text-align: center;">Page 121</p>	<p>1 Then a grade 3 described for what is known as</p> <p>2 "routine requests".</p> <p>3 Grade 1 request of the most imminent danger, how</p> <p>4 quickly does Google respond to those requests?</p> <p>5 A. We seek to respond to those requests within days.</p> <p>6 Q. What about a grade 2 request?</p> <p>7 A. The same.</p> <p>8 Q. And the grade 3, so-called "routine request"?</p> <p>9 A. That time would vary; however, if any request is</p> <p>10 indicated as a request related to child safety we would</p> <p>11 prioritise that and seek to expedite that within days.</p> <p>12 Q. Have you ever had any feedback from law enforcement in</p> <p>13 terms of a grade 1 imminent danger request that</p> <p>14 a response within days is perhaps too slow a response?</p> <p>15 A. I'm not aware of any specific feedback. It may be that</p> <p>16 feedback has been provided, but not to my knowledge.</p> <p>17 Q. Looking at the requests that the UK have made, I think</p> <p>18 you have been able to provide us with some information,</p> <p>19 I'm looking at your paragraph 81, Ms Canegallo.</p> <p>20 Google discloses the number of data requests from</p> <p>21 government authorities worldwide. Why does it break it</p> <p>22 down into the different authorities worldwide?</p> <p>23 A. To improve -- for transparency purpose, to improve</p> <p>24 understanding on behalf of our users as well as broader</p> <p>25 population what requests we're getting in from various</p> <p style="text-align: center;">Page 122</p>
<p>1 governments.</p> <p>2 Q. In 2017 there were 7,474 criminal requests, the</p> <p>3 preponderance of which came from criminal policing</p> <p>4 agencies, 8 per cent of which came from the National</p> <p>5 Crime Agency.</p> <p>6 Now, you go on to say at paragraph 82 that Google</p> <p>7 could not comply with 647 of those requests. Why is it</p> <p>8 there are circumstances where Google can't respond to</p> <p>9 the UK law enforcement request?</p> <p>10 A. There may be instances where we are asked for</p> <p>11 information about a Google account that did not exist.</p> <p>12 Perhaps users have provided a fake email address, a fake</p> <p>13 Gmail address that did not -- that we were not able to</p> <p>14 find in our systems.</p> <p>15 In other instances law enforcement might not have</p> <p>16 provided enough information, for example an identifier,</p> <p>17 that would allow us to search for a user.</p> <p>18 Q. Can I just pause you there, because in the example you</p> <p>19 just gave that law enforcement didn't provide enough</p> <p>20 information, what does Google do? Do you just reject</p> <p>21 the request or do you go back to law enforcement and</p> <p>22 say, "You need to help us with more information"?</p> <p>23 A. So, as you mentioned, in August of 2018 we have</p> <p>24 introduced a new system, the LERS system, which is a</p> <p>25 website that allows a registered law enforcement</p> <p style="text-align: center;">Page 123</p>	<p>1 official to request information. We would then provide</p> <p>2 a response through that website where law enforcement</p> <p>3 could see why we were not able to return information,</p> <p>4 and that could open a dialogue to the extent that we</p> <p>5 said we needed more information, that would be</p> <p>6 an opportunity for law enforcement and us to engage in</p> <p>7 a dialogue.</p> <p>8 Q. Do you give law enforcement a steer of what information</p> <p>9 it is that you need? Or is it just simply, "We can't</p> <p>10 act on this, you need to provide us with more</p> <p>11 assistance"?</p> <p>12 A. So we provide regular trainings to law enforcement in</p> <p>13 terms of the type of information that we do need in</p> <p>14 order to process a request. We've done those trainings</p> <p>15 here in the UK to include with NCA. So through those</p> <p>16 trainings we would be providing general information</p> <p>17 about the type of information that would be helpful for</p> <p>18 us to be responsive.</p> <p>19 Q. I think I might have interrupted you just to look at the</p> <p>20 liaison between law enforcement, but are there any other</p> <p>21 commonly encountered reasons why Google can't respond to</p> <p>22 law enforcement requests?</p> <p>23 A. No. I believe that, as reflected in this statement,</p> <p>24 those are two of the primary reasons.</p> <p>25 Q. Do you have now the 2018 figures for the number of law</p> <p style="text-align: center;">Page 124</p>

1 enforcement requests?
 2 **A. We do, these will be part of the report that is issued**
 3 **next week.**
 4 Q. Are you able to give us an indication now of what the
 5 figures currently stand?
 6 **A. Yes, for 2018, approximately 8,700 criminal requests**
 7 **from the UK, of which, similar to the first half of**
 8 **2018, 7 per cent were from NCA, with the balance from**
 9 **other agencies.**
 10 Q. Do you have any indication of that 8,700-odd, roughly
 11 how many of those were not able to be complied with
 12 either because of lack of information?
 13 **A. I do not.**
 14 Q. No.
 15 Is that something that will be in the report that is
 16 due out to be published?
 17 **A. Yes, I believe so.**
 18 Q. In your statement, Ms Canegallo, you set out what you
 19 describe are challenges encountered by Google, and I was
 20 wondering if you could help the chair and panel with
 21 what you say firstly at your paragraph 6 about the
 22 information that is notified to Google and why that
 23 poses a challenge for your company.
 24 **A. Sure. As we indicate here, it's particularly helpful**
 25 **for us, when we receive a request from law enforcement,**

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1 "Google has made more than 7,000 Cybertips resolving
 2 to the UK, but seldom receives any communication back
 3 from UK law enforcement indicating whether the Cybertip
 4 was effective in resulting in the rescue of a child or
 5 the identification of an offender."
 6 Why would Google be interested in knowing what the
 7 outcome of the Cybertip was?
 8 **A. For two primary reasons. One would be that feedback**
 9 **would be -- feedback in terms of what elements of the**
 10 **Cybertip were particularly useful to law enforcement, or**
 11 **less useful, would help us better improve the**
 12 **information that we're providing through future**
 13 **Cybertips.**
 14 **The second element is, for the 400-plus individuals**
 15 **at Google, many of whom are on my team, who proudly do**
 16 **this work, this is difficult work, as any individual who**
 17 **does this work knows. And it is such a bolstering**
 18 **effort to receive positive feedback that we have been**
 19 **able to take an offender and take -- and create more**
 20 **safety for more children. So it really does have a very**
 21 **significant moral weight every time we hear that there**
 22 **was an arrest made.**
 23 Q. Have you ever told the NCA or representative of the UK
 24 or at any collaborative meeting, "Actually, give us the
 25 results"?"

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1 **to understand the nature of the investigation or the**
 2 **priority of the investigation. It's one of the**
 3 **reasons -- it's one of the benefits, having introduced**
 4 **the law enforcement request system, we have seen**
 5 **an increase in the number of UK law enforcement**
 6 **officials designating what type of investigations are**
 7 **occurring. My understanding is that UK law enforcement**
 8 **is not required to provide that information. But for us**
 9 **it helps us prioritise and, as I mentioned, any case**
 10 **that has to do with child safety we would prioritise and**
 11 **seek to respond to in an expeditious manner.**
 12 **So we did see an increase in the specification of**
 13 **type of investigation in 2018 compared to 2017, which is**
 14 **very useful from our perspective, again so that we can**
 15 **respond with the appropriate urgency.**
 16 Q. So I assume that the law enforcement officer who is
 17 submitting the request can say this relates to child
 18 sexual abuse, fraud, whatever the other kind of
 19 criminality that --
 20 **A. Correct.**
 21 Q. -- drugs?
 22 **A. Correct. Child sexual exploitation would be the**
 23 **category of investigation that would be most relevant to**
 24 **the inquiry.**
 25 Q. Now, at paragraph 87 you say this:

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1 **A. We have provided -- we have indicated that we would**
 2 **welcome any feedback through a number of meetings, some**
 3 **of which I have been in and through other conversations.**
 4 Q. A final few topics, please, if I may.
 5 The chair and panel have heard about some of the
 6 difficulties caused by the MLAT, the mutual legal
 7 assistance treaty process. I think in fact you say in
 8 your statement that the requests are increasingly common
 9 and can take on average ten months before they reach
 10 Google.
 11 The chair and panel are also aware that the CLOUD
 12 Act has come into force and it may well be able to speed
 13 up that process.
 14 From Google's perspective are you able to give an
 15 indication of how quickly you envisage the process being
 16 once the CLOUD Act comes into force and there is any
 17 agreement between the UK and US Government, for example?
 18 **A. Again, once the request -- once we receive the request,**
 19 **again to the extent that there is an understanding of**
 20 **the nature of the investigation that relates to child**
 21 **safety or that it is a high priority, we would seek to**
 22 **respond to that request expeditiously, again in a matter**
 23 **of days. But my understanding is that the main delay**
 24 **here is when -- the time it takes for the request to get**
 25 **to us.**

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<p>1 Q. A slightly new topic as far as the inquiry is concerned 2 is what you set out at your paragraph 91 and potential 3 ePrivacy regulation. There is a new set of rules being 4 proposed, as I understand it, which may affect the 5 ability of Google and people like Google to use 6 technology to proactively detect. Is that it in 7 a nutshell, without getting into the nuts and bolts of 8 the regulations? 9 A. The regulation, as my understanding, relates to the 10 manner in which technology providers like Google would 11 need to treat certain data for privacy purposes. 12 Q. What is the concern if this ePrivacy regulation comes 13 into force? 14 A. So our concern, as it relates to CSAM specifically, is 15 that the regulation, as currently drafted, would 16 prohibit the storage on and analysing of CSAM material. 17 There is a carve out for detection and deletion of CSAM 18 material but, as I hope has been clear through our 19 discussion today, the storage and analysis of CSAM data 20 is a critical part of our ability to actually action 21 additional CSAM. Retention is also required by US law, 22 and so that's to another element of our concern. 23 Q. You may be aware, Ms Canegallo, that very recently the 24 UK Government published a White Paper, the Online Harms 25 White Paper, and there is a proposal in that that there</p> <p style="text-align: center;">Page 129</p>	<p>1 should be a regulatory framework covering not just this 2 but a number of online harms. 3 Insofar as you are able, can you help with what 4 Google's views are on that paper? 5 A. We're still in the process of reviewing that paper, and 6 so I don't have anything that I can share at this time. 7 Q. Can I take it from that, though, that it will be the 8 position that Google will respond to the Online Harms 9 White Paper once the consultation period has expired? 10 A. Yes. 11 MS CAREY: I think that's all the questions that I wanted to 12 ask, but let me turn to you, chair, and see if there's 13 anything from you or the panel. 14 Questions by THE PANEL 15 THE CHAIR: Mr Frank. 16 MR FRANK: Yes, please. 17 I'm going to go back, if I may, to the question of 18 the transparency reports, do you remember you referred 19 to. You referred to the 2017 transparency report, which 20 I think we have in hard copy behind our tab 9, but it's 21 page GOO000002_001, for the purposes of our file. Do 22 I have that right? 23 MS CAREY: You have, yes. 24 MR FRANK: Thank you. Do you have that behind tab 9? 25 A. I do, yes.</p> <p style="text-align: center;">Page 130</p>
<p>1 MR FRANK: Just if you could just help us with this. As 2 I understand it, if we look, that's headed "Transparency 3 Report", and we've seen one of these as an example 4 already. But if we look at the 2017 figures we see that 5 a number of requests that -- the percentage of requests 6 that resulted in some data being produced, 2017 was 7 about 73 per cent. 8 A. Mm-hm. 9 MR FRANK: If we look at the other quarters for that year 10 and other years, we see that there is very often 11 a figure of about the same, somewhere between 70, 12 sometimes 80 per cent. 13 A. Mm-hm. 14 MR FRANK: Which rather indicates that about 30 per cent-odd 15 of these requests resulted in no data being produced at 16 all, which might indicate either that Google doesn't 17 want to provide the data or, more likely, that the 18 request didn't come in a form that enabled the request 19 to be complied with. That would possibly indicate that 20 there is a degree of inefficiency in the requests that 21 are being made. 22 I'm just wondering if you could help us with this. 23 Do you know whether the other industry providers 24 provides -- receive requests in the same form? Could 25 this be an issue of the law enforcement requests coming</p> <p style="text-align: center;">Page 131</p>	<p>1 to different providers and providing information in 2 a way that doesn't enable you to comply with the 3 request? Is there a degree of inefficiency in that? 4 A. I can't speak to the manner in which other industry 5 partners might receive requests, and I'm not sure of 6 what their corresponding numbers are, I'm not sure if 7 they release transparency reports in the same manner 8 that we do. But what you describe, which is ensuring 9 that there is a high degree of efficiency and clarity 10 around what information is necessary for us to process 11 a request, is one of the reasons why we introduced the 12 law enforcement request system, which was rolled out in 13 the UK in August 2018. 14 By creating that website our hope or our desire was 15 to improve the clarity with which law enforcement can 16 submit information so that there is -- so that the 17 inefficiencies that you describe, perhaps it goes to, 18 you know, an email alias and doesn't include all the 19 correct information that necessitates it back and forth. 20 That's the reason why the website was created, to 21 facilitate that more comprehensive exchange of 22 information. 23 MR FRANK: Just following up on one of the points you've 24 made. Is the position that you and your other industry 25 providers do not confer with each other about how you're</p> <p style="text-align: center;">Page 132</p>

1 responding to these requests? Is there not any
 2 commonality of approach between you and other industry
 3 providers?
 4 **A. I would have to defer to my legal colleagues in the**
 5 **specific and would be happy to come back to you. As**
 6 **a general matter we are engaged with our industry**
 7 **partners, for example through the Tech Coalition talking**
 8 **about the whole compendium of work that we are doing in**
 9 **the CSAM space. One element of that certainly is our**
 10 **interaction with law enforcement. So I think as**
 11 **a general matter we would have conversations, whether**
 12 **we're engaged with more specificity or on an individual**
 13 **case, I would think that would be less likely. But**
 14 **happy to come back to you.**
 15 MR FRANK: I think you can understand how it might be
 16 important that resources are not wasted on a request
 17 that could never be complied with because they're just
 18 in the wrong form?
 19 **A. Absolutely, and part of that feedback loop that we were**
 20 **discussing earlier is one of the ways that we think that**
 21 **we can collectively get better at prioritising where**
 22 **limited resources can be directed.**
 23 MR FRANK: Thank you very much.
 24 **A. Thank you.**
 25 THE CHAIR: I have no further questions. Thank you very

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1 much, Ms Canegallo.
 2 MS CAREY: Chair, before we rise this evening may I just say
 3 this. Those who are following the timetable will note
 4 that there is due to be a closed session in which you
 5 will hear evidence from this witness this afternoon, but
 6 for practical reasons that has not been possible. So
 7 that session has been rearranged for Ms Canegallo to
 8 give evidence via live link from the States for next
 9 Tuesday when we're having a closed session in any event.
 10 THE CHAIR: Yes.
 11 MS CAREY: It is not the position there won't be that
 12 evidence, we're just moving the session from this
 13 afternoon until next Tuesday.
 14 THE CHAIR: Yes, thank you very much.
 15 MS CAREY: Thank you.
 16 (4.08 pm)
 17 (The hearing adjourned until
 18 Friday, 17 May 2019 at 10.30 am)
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