



## PREVENTING CHILD SEXUAL ABUSE

Focus on intervention programmes

Online Seminar, 14-15 June 2021

14 June 2021 - 09:00-15:00 CEST

15 June 2021 - 09:15-13:15 CEST

**UP  
GRADE**  
YOUR LEGAL  
EXPERTISE

**Criminal  
Law**



### Speakers & Chairs

**Mariëlle Bruning**, Professor, Child Law, University of Leiden

**Laviero Buono**, Head of Section for European Criminal Law, ERA, Trier

**Selma Fernández Vergana**, Programme for the Prevention of Child Sexual Exploitation, Spanish Federation for the Prevention of Child Maltreatment, Madrid

**Jaroslav Konczyk**, Criminal Investigator, Human Trafficking Department, Criminal Bureau, National Police Headquarters, Warsaw

**Antonio Labrador Jimenez**, Team Leader, Fight Against Child Sexual Abuse, Unit D.4: Cybercrime, DG for Migration and Home Affairs, European Commission, Brussels

**Maria Perquilhas**, Judge, Court of Appeal, Lisbon

**Ethel Quayle**, Professor, Forensic Clinical Psychology, School of Health in Social Science, University of Edinburgh

**Christoffer Rahm**, Researcher, Karolinska Institute, Stockholm

**Branko Stamenkovic**, Prosecutor, High-Tech Crime, Belgrade; Member of the European Judicial Cybercrime Network (EJCN), The Hague

**Samantha Woolfe**, Global Partnerships and Development Manager, INHOPE, Amsterdam

### Key topics

- European and international legal instruments to fight child sexual abuse and child sex abuse materials
- Measures against advertising abuse opportunities and sexual exploitation of children in travel and tourism
- Preventive intervention programmes or measures

Language  
English

Event number  
321DT03e

Organisers  
ERA (Laviero Buono) in cooperation  
with the Portuguese Centre of Judicial  
Studies

**C E N T R O  
DE ESTUDOS  
JUDICIÁRIOS**



With the support of the Internal Security Fund – Police  
Programme 2014-2020 of the European Union

# PREVENTING CHILD SEXUAL ABUSE

## Monday, 14 June 2021

09:00 Connecting to the videoconference platform and getting familiar with it

09:30 Welcome and introduction to the programme  
*Laviero Buono*

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### I. INTRODUCTORY SESSION

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*Chair: Laviero Buono*

09:35 Preventing child sex abuse: from measures against child sex tourism to (preventive) intervention programmes and measures – an overview of Articles 21-24 of the 2011 EU Directive  
*Antonio Labrador Jimenez*

10:00 Discussion

10:15 International children's rights and child sexual abuse: state obligations to prevent and eradicate violence against children  
*Mariëlle Bruning*

10:45 Discussion

11:00 Break

11:30 Detecting and dismantling networks of child-abuse perpetrators: case-building and victim identification – a view from the coalface  
*Jaroslav Konczyk*

12:15 Discussion

12:30 Lunch break

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### II. MEASURES AGAINST ADVERTISING ABUSE OPPORTUNITIES, SEXUAL EXPLOITATION OF CHILDREN IN TRAVEL AND TOURISM AND PREVENTIVE INTERVENTION PROGRAMMES

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13:30 Prevent or prohibit the dissemination of advertising material and the organisation of travel arrangements with the purpose of committing offences concerning child abuse: sharing best experiences  
*Selma Fernández Vergana*

14:00 Discussion

14:15 Taking the necessary measures to ensure that persons who fear that they might commit offences against children may have access to intervention programmes  
*Christoffer Rahm*

14:45 Discussion

15:00 End of the first day

## Objective

Child sexual abuse material refers to the production, possession and/or distribution of photographs or videos that depict child nudity or children engaged in sexual activity – be this with peers or adults. This seminar aims to assess and debate the legal measure enacted to prevent and combat this phenomenon and to promote the effective investigation and prosecution of these offences. This seminar will focus on intervention programmes.

## Who should attend?

Judges, prosecutors, lawyers in private practice, law enforcers, ministry officials, academia, victims' support units and representative of children rights mainly from Portugal, Italy, Spain and Malta ("Regional approach"). Small quotas of participants from other Member States will also be accepted.

## About the project

This seminar is part of a large-scale project sponsored by the European Commission under the "Internal Security Fund – Police" Programme. It consists of six events to take place in Lyon, Tallinn, Cracow, Zagreb, Trier and Lisbon.

## Interactive online seminar

The online seminar will be hosted on ERA's own online platform. You will be able to interact immediately and directly with our top-level speakers and other participants. We will make the most of the technical tools available to deliver an intensive, interactive experience. As the platform is hosted on our own server, the highest security settings will be applied to ensure that you can participate safely in this high-quality online conference.

## CPD

ERA programmes meet the standard requirements for recognition as Continuing Professional Development (CPD). This event corresponds to **8 CPD hours**.

## Tuesday, 15 June 2021

09:15 Connecting to the videoconference platform

### III. PREVENTING CHILD SEXUAL ABUSE MATERIAL THROUGH AWARENESS-RAISING CAMPAIGNS, RESEARCH AND EDUCATION PROGRAMMES

09:30 Raising awareness and reducing the risk of children becoming victims of sexual abuse or exploitation: work carried out by NGOs  
*Samantha Woolfe*

10:00 Discussion

10:15 Preventing and minimising the risks of repeated offences of a sexual nature against children: experiences to share  
*Ethel Quayle*

11:00 Discussion

11:15 Break

### IV. ADJUDICATING CASES OF CHILD SEXUAL ABUSE MATERIAL

*Chair: Laviero Buono*

11:45 Child sexual abuse material and child exploitation online before the court: the experience of the prosecutor  
*Branko Stamenkovic*

12:15 Discussion

12:30 Child sexual abuse: case studies in Portugal  
*Maria Perquilhas*

13:00 Discussion

13:15 End of seminar

For programme updates: [www.era.int](http://www.era.int)  
Programme may be subject to amendment.

Apply online for  
“Preventing Child Sexual Abuse”:  
[www.era.int/?130485&en](http://www.era.int/?130485&en)

### Your contacts



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Head of Section  
E-Mail: [LBuono@era.int](mailto:LBuono@era.int)



Liz Greenwood  
Assistant  
E-Mail: [Egreenwood@era.int](mailto:Egreenwood@era.int)

### Save the date

Data Protection and the Law Enforcement Directive  
Online, 19-21 May 2021

Anti-Money Laundering for the Judiciary and Law Enforcement  
Online, 31 May - 2 June 2021

Annual Conference on EU Border Management 2021  
Online, 9 - 11 June 2021

Artificial Intelligence in Criminal Law and Law Enforcement  
Online, 16-18 June 2021

Summer Course on European Criminal Justice  
Online, 21-25 June 2021

Annual Conference on EU Criminal Justice 2021  
Dublin, 11-12 November 2021



This programme has been produced with the financial support of the Internal Security Fund – Police Programme 2014-2020 of the European Union.

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# International Children's Rights and Child Sexual Abuse

Online seminar Preventing Child Sexual Violence, ERA

Prof. Mariëlle Bruning

Leiden, 14 June 2021



Universiteit Leiden  
The Netherlands

Leiden University. The university to discover.

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## Agenda

1. Child Sexual Abuse; intro
2. Legal framework (CRC, GC no. 8, 13, ECHR)
3. State obligations to prevent and eradicate child sexual abuse



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# Violence against children

- Global issue
- Many forms of violence
  - By the State
  - In society
  - In the family
- Human Rights issue



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# International agenda

- Increased attention for violence; important obstacle to implementation of children's rights
  - NGO Council on VAC; The Global Partnership to End Violence Against Children
  - Various regional and thematic studies + regional initiatives: e.g. by the Council of Europe
  - Active role of CRC Committee on the Rights of the Child
  - Scientific research
  - Children's voices
- Sustainable Development Goals



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# Violence against children

## Home

- Three quarters of children aged 2 to 4 worldwide – 300 million – are regularly subjected to violent discipline
- 1 in 4 children (176 million) under the age of 5 live with a mother who has been a recent victim of intimate partner violence

## Sexual violence

- 9 million girls aged 15 to 19 were forced into sexual intercourse or other sexual acts within the past year



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# Keeping the promise 2019

- Three in every four children under the age of 5 experience violent discipline at the hands of caregivers.
- Every year, at least 1 billion children – half of the world's children – experience violence
- 75% of reported cases of child sexual abuse are committed by family members or other individuals who are considered part of the victim's "circle of trust."
- Governance gap: political will and adequate resourcing needed
- Challenges: resource and capacity gap; more and better data needed



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# Protection against violence

International legal documents:

- CRC Articles 9, 19, 34 and 39;
- General Comment CRC No. 25, 13 & 8
- ICCPR Articles 7 and 24



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## European standards

- **European Convention on Human Rights** (Article 3 ECHR (prohibition of torture/ inhuman or degrading treatment or punishment; case law ECtHR)
- **Lanzarote convention**, Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (2007)
- **Istanbul Convention**, Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (2014)
- **European Social Charter** (Revised), 03.V.1996: art. 7(10); art. 17
- **Charter of Fundamental Rights of the EU** (2000/C 364/01): art. 24
- **EU Directive 2011/93/EU** on combating sexual abuse, sexual exploitation of children and child pornography

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## State responsibilities CRC

- Prevention of violence – ‘root causes of violence’
  - Challenging attitudes
  - Awareness raising, also among children
  - Parental and family support, such as pre- & post-natal services, social services
  - Prevention of institutionalisation
- GC No. 13, para. 48-57:
  - Identification
  - Reporting, referral and investigation
  - Redress/treatment of victims – art. 39 CRC
  - Follow up – arts. 39, 25, 6 and 29 CRC
  - Judicial involvement



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## European Court of Human Rights, Art. 3 ECHR

### Freedom from torture and inhuman or degrading treatment

- State can be held responsible for breaches of ECHR that occur in private sphere
  - EHRC: State responsibility will be incurred where it is shown that the domestic legal system fails to provide practical and effective protection of Art. 3 ECHR
- Adopting special measures to protect children (O’Keeffe v. Ireland)
- State obligation to provide practical and effective protection of Article 3 ECHR:
  - Delegation is no justification (O’Keeffe v. Ireland)



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## European Court of Human Rights

### Art. 3 – Positive obligations

- official investigation of cases of ill-treatment, in particular domestic abuse committed by private individuals, when arguable claim is made (D.M.D. v. Romania)
- Obligation to take reasonable steps to prevent ill-treatment of which the authorities knew or ought to have known (Z. and others v. UK; including intervening in concrete situations and effective investigations, co-operation and information-sharing)

➤ *X. a.o. v. Bulgaria, ECtHR 2 February 2021 (appl.no. 22457/16)*

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## Preventing Child Sexual Abuse

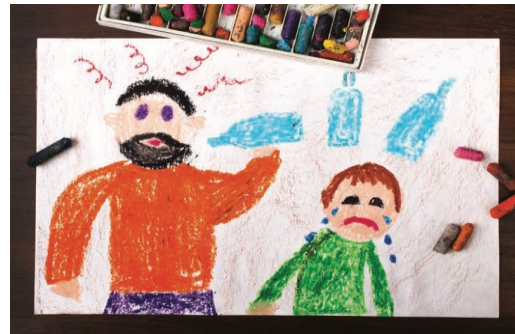
- EU Directive 2011/92/EU:
  - Prohibiting Child Sexual Abuse (including effective criminal investigation system)
  - Awareness-raising and information
  - Intervention programmes for sex offenders
  - Prevent sex offenders (temporarily or permanently) from exercising professional activities involving direct and regular contacts with children
  - Vetting of professionals and volunteers (e.g. foster parents) (via criminal records)
  - Registration in sex offender registries of persons convicted of child sexual abuse offenses

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# Responding to child sexual abuse

- Effective reporting mechanisms
- Reporting centers/ Focal points/ hotlines for reporting
- Duty to report for professionals
- Special attention for vulnerable groups
- Inter-agency cooperation
- Draft Recommendation Council of Europe



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## Concluding observations

### Children's right to protection from child sexual abuse

- Online and offline
- During the COVID-19 pandemic risks have increased
- State actions needed to fulfil positive obligations
- Prevention (awareness-raising, responding to child sex offenders)
- AND effective identification, reporting and follow up (criminal investigations, effective reporting mechanism)
- Position of children as victims and as participants; better hear children



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# Thank you!

**Prof. dr. M.R. (Mariëlle) Bruning**

**Professor of Child Law  
Leiden Law School Child Law Department  
Program Director of Child Law master**

*See also our Advanced Master's Programme International Children's Rights  
([unileidenmasters.nl](http://unileidenmasters.nl)) and Summer School Children's Rights  
([summerschool.universiteitleiden.nl](http://summerschool.universiteitleiden.nl))*



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Website: <https://www.universiteitleiden.nl/en/staffmembers/marielle-bruning#tab-1>

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# Questions?



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## Preventing child sexual abuse

# PREVENT OR PROHIBIT THE DISSEMINATION OF ADVERTISING MATERIAL AND THE ORGANISATION OF TRAVEL ARRANGEMENTS WITH THE PURPOSE OF COMMITTING OFFENCES CONCERNING CHILD ABUSE: SHARING BEST EXPERIENCES

Selma Fernández Vergara.

Program for the Prevention of Child Sexual Exploitation, Spanish Federation for the Prevention of Child Maltreatment FAPMI ECPAT Spain

[selma.fernandez@fapmi.es](mailto:selma.fernandez@fapmi.es)



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**“TOGETHER AGAINST  
SEXUAL EXPLOITATION OF  
CHILDREN”**



**CHILDREN'S RIGHT TO A LIFE FREE  
FROM SEC**



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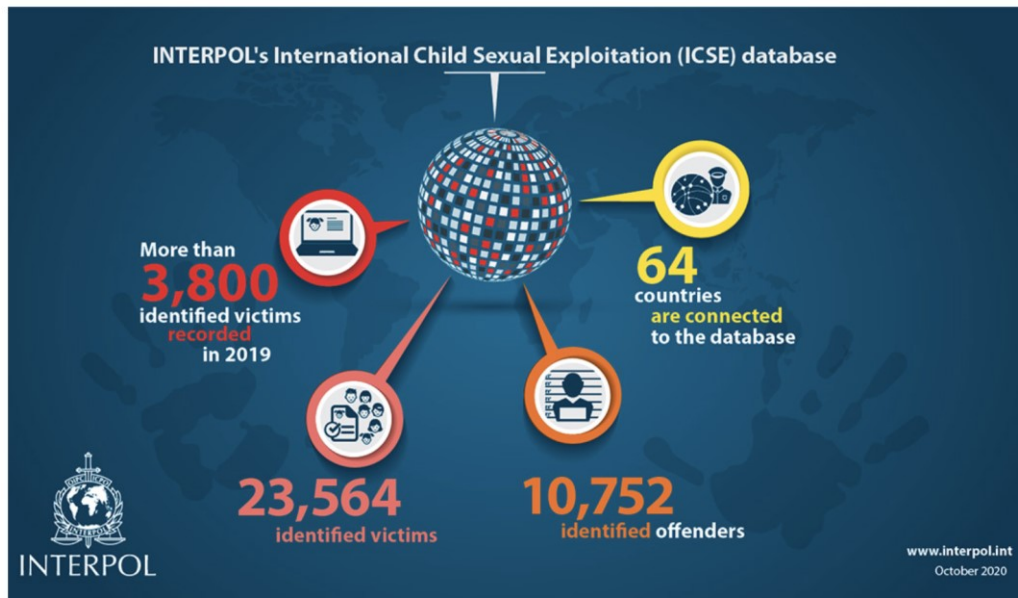
***"Some 250,000 people are reported to travel abroad every year to engage in sex with children and adolescents"***

*Assembly: we must end 'sex tourism' impunity", Human Rights Europe*

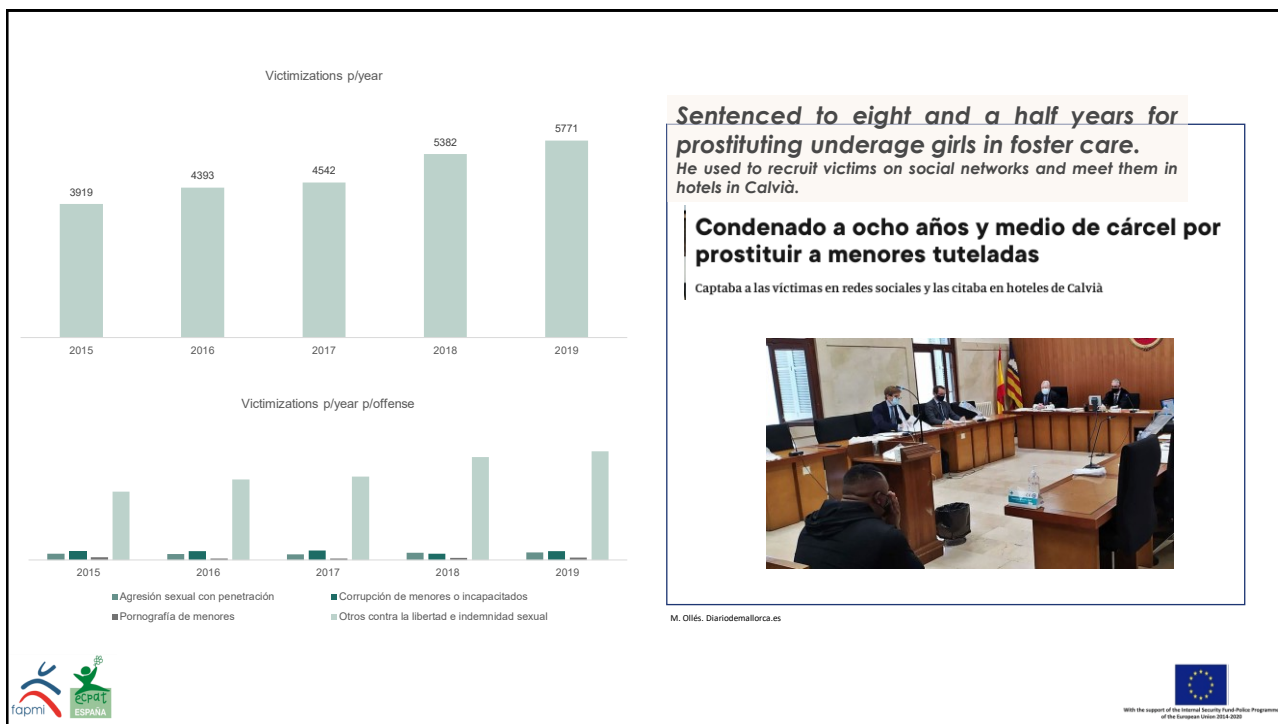


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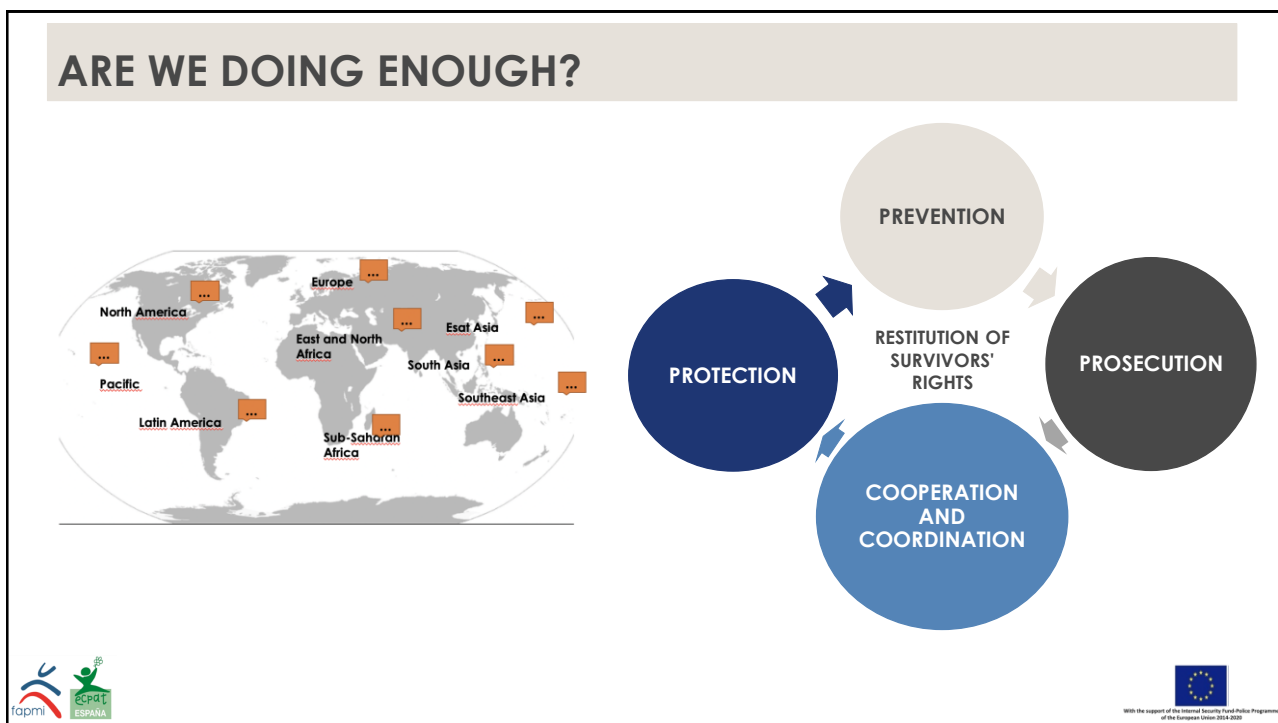
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## ADVERTISING MATERIALS AND TRAVEL ARRENGMENTS

### RECOMENDATIONS AND LEGALS STANDARDS

- ➡ Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography: Art. 9. 5.
- ➡ Framework Convention on Tourism Ethics. Art. 5.3., art. 9.6.
- ➡ Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse . Art. 8.2 and art. 9.2.
- ➡ Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography: Article 21.



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## ADVERTISING MATERIALS AND TRAVEL ARRENGMENTS

### BEST EXPERIENCES



#### AUSTRALIAN CC Division 272.20 Preparing for or planning offence against this Division

*Offences involving sexual intercourse or other sexual activity with child, and benefiting offence*

- (1) A person commits an offence if:
- (a) the person does an act; and
  - (b) the person does so with the intention of preparing for, or planning, an offence against section 272.8, 272.9, 272.10, 272.11 or 272.18.

*Offences involving sexual intercourse or other sexual activity with young person*

- (2) A person commits an offence if:
- (a) the person does an act; and
  - (b) the person does so with the intention of preparing for, or planning, an offence against section 272.12 or 272.13.



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## ADVERTISING MATERIALS AND TRAVEL ARRENGMENTS

### BEST EXPERIENCES



#### NEW ZEALAND CC. 144C Organising or promoting child sex tours

Every one is liable to imprisonment for a term not exceeding 7 years who—

(a) **makes or organises any travel arrangements** for or on behalf of any other person with the intention of facilitating the commission by that other person of an offence against section 144A, whether or not such an offence is actually committed by that other person; or

(c) **prints or publishes any information that is intended to promote conduct** that would constitute an offence against section 144A, or to assist any other person to engage in such conduct.

(2) For the purposes of this section,—

(a) **the making or organising of travel arrangements includes, but is not limited to,—**

(i) **the purchase or reservation of tickets for travel to a country outside New Zealand;**

(ii) **the purchase or reservation of accommodation in a country outside New Zealand;**

(b) the publication of information means publication of information by any means, whether by written, electronic, or other form of communication; and includes the distribution of information.

Section 144C: inserted, on 1 September 1995, by section 2 of the Crimes Amendment Act 1995 (1995 No 49).

## ADVERTISING MATERIALS AND TRAVEL ARRENGMENTS

### BEST EXPERIENCES



#### COSTA RICA

**JAILB&B Campaign.** Rahab Foundation launched an excellent campaign that took advantage of the Airbnb platform to place the "La Reforma" prison, one of the most famous prisons in that country, among the destinations, to offer it as a getaway and highlight that those who travel to Costa Rica with these intentions could spend several years in that place.

**CC art. 162 bis.** That who promotes or makes programs, campaigns, or advertising ads —by any means— in order to domestically or internationally depict the country as a tourist destination accessible to the commercial sexual exploitation or prostitution of persons of any sex or age shall be punished by imprisonment of four to eight years".

## ADVERTISING MATERIALS AND TRAVEL ARRANGMENTS

### BEST EXPERIENCES



CHILE.

**No excuses campaign.** The campaign challenges traditional excuses – such as ‘She’s old enough to know what she’s doing’ or ‘I’m not doing anything wrong, I pay what they ask for’ or ‘If she doesn’t do it with me she’ll do it with someone else’ – and informs tourists that there are: ‘No excuses. Commercial sex with children under 18 is a crime’



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## ADVERTISING MATERIALS AND TRAVEL ARRANGMENTS

### BEST EXPERIENCES



MEXICO.

Campaign “No + Trata” (“No + Human Trafficking”). with a focus on national and international tourists visiting Veracruz, Cancún, Quintana Roo, Oaxaca, Acapulco and Guerrero. Tourists received an information kit with images of children and the message ‘Mexico, a country where my rights are protected’



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## ADVERTISING MATERIALS AND TRAVEL ARRENGMENTS

### BEST EXPERIENCES



#### PERÚ.

"Cárcel" ("Prison") campaign launched in Peru in July 2015 by Movimiento Vuela Libre de Perú in conjunction with the Ministry of Commerce, Foreign Affairs and Tourism (MINCETUR) and the Office of the Ombudsman. This campaign has targeted specific tourist destinations such as Iquitos and Miraflores, has involved workshops aimed at journalists, providers of tourist services, officials from the Port Captaincy, and the community to secure their commitment to promote the campaign and develop strategies to protect children.

**Penal Code – Chapter X Procurement – Articles 181A and 181B (added by Act No. 28251 of 2004 and amended by Act No. 29408 of 2009)537 Article 181A. Commercial sexual exploitation of children and adolescents in the field of tourism.**

*That who in the field of tourism promotes, publicises, favours or facilitates commercial sexual exploitation by any written means, brochure, printed, visual, audible electronic, magnetic material or through the Internet, with the purpose of offering sexual relations of commercial nature*

## ADVERTISING MATERIALS AND TRAVEL ARRENGMENTS

### BEST EXPERIENCES



#### DOMINICAN REPUBLIC.

##### **CC. Art. 194 Classification of commercial sexual exploitation of children**

. Sexual exploitation of children and adolescents shall be classified by any of the following punishable acts:

1. If, in any manner, the utilisation of children and adolescents is promoted, facilitated, incited, recruited, or organised in pornographic publications or activities, sexual shows, sexual tourism, or in the practice of remunerated sexual relations.

"Children are not sexual toys" and "Their innocence is not for sale", a group of organisations has launched two campaigns aimed at preventing the abuse and commercial sexual exploitation of children and adolescents.



## ADVERTISING MATERIALS AND TRAVEL ARRANGMENTS

### BEST EXPERIENCES

#### U.S.

**SEX TOURISM PROHIBITION IMPROVEMENT ACT** OF 2002 y el **TITLE 18 - CRIMES AND CRIMINAL PROCEDURE. PART I – CRIMES CHAPTER 117 - TRANSPORTATION FOR ILLEGAL SEXUAL ACTIVITY AND RELATED CRIMES. (b) Travel With Intent To Engage in Illicit Sexual Conduct.** – A person who travels in interstate commerce or travels into the United States, or a United States citizen or an alien admitted for permanent residence in the United States who travels in foreign commerce, for the purpose of engaging in any illicit sexual conduct with another person shall be fined under this title or imprisoned not more than 30 years, or both

#### CANADA

**Internet facilitated crime – or “luring of children”** prohibits anyone from communicating directly with a child under the age of 18 via the Internet or a social networking site for the purpose of sexual exploitation.<sup>181</sup> This provision can be used against offenders who communicate with their victims online or by mobile phone prior to traveling for the purpose of abusing them.



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## ADVERTISING MATERIALS AND TRAVEL ARRANGMENTS

### BEST EXPERIENCES



■ Prostitución en la calle Montera | JAVIER BARBACHO

· La falta de legislación, la gran oferta de prostitutas, prostíbulos y webs que ofrecen chicas sitúan a España en el tercer lugar preferido para buscar sexo

#### SPAIN

**Organic Law on Integral Protection of Children and Adolescents from violence (LO 8/2021):**

- protection,
- early detection,
- assistance,
- reintegration of violated rights
- recovery

Art. 189 bis is amended to include "the distribution or public dissemination through the Internet, telephone or any other information or communication technology of specified contents intended to promote, encourage or incite the commission of crimes provided for in this chapter and in Chapters II bis and IV of this title, shall be punished with a fine of six to twelve months or imprisonment of one to three years".



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INTERNATIONAL  
**Child  
Protection**  
CONFERENCE

## Cumbre Internacional para la Protección de Niños, Niñas y Adolescentes en el Contexto de Viajes y Turismo

Ágora Bogotá Centro de Convenciones:  
Bogotá DC, Colombia | 6-7 de Junio 2018

Strong, sustainable  
and evidence-based  
awareness-raising;

Proactive,  
comprehensive,  
context-specific and  
sustainable  
prevention;

Access to a gender-  
sensitive and child-  
sensitive justice  
system, as well as  
protection,  
comprehensive care  
and full recovery.

Strong and effective  
legal frameworks;



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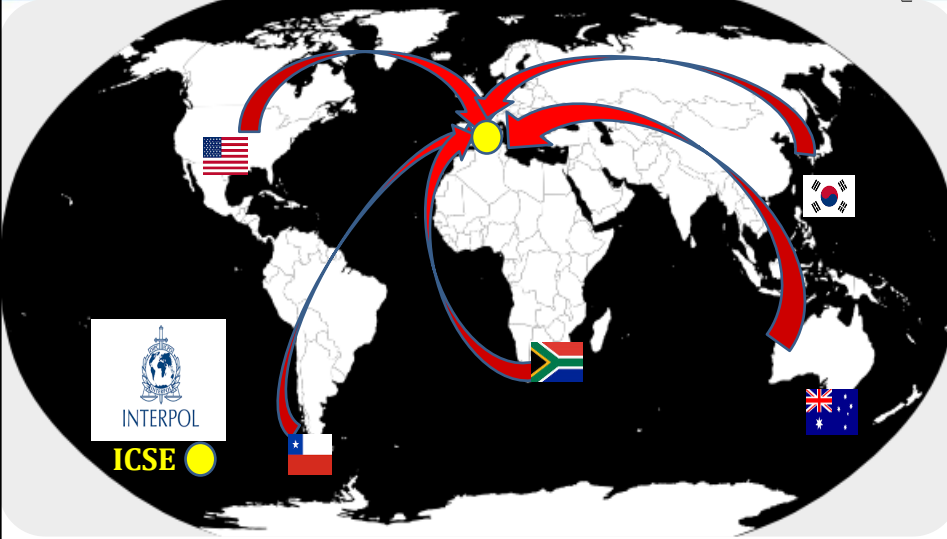
**Detecting and dismantling networks of  
child-abuse perpetrators: case-building  
and victim identification – a view from  
the coalface**



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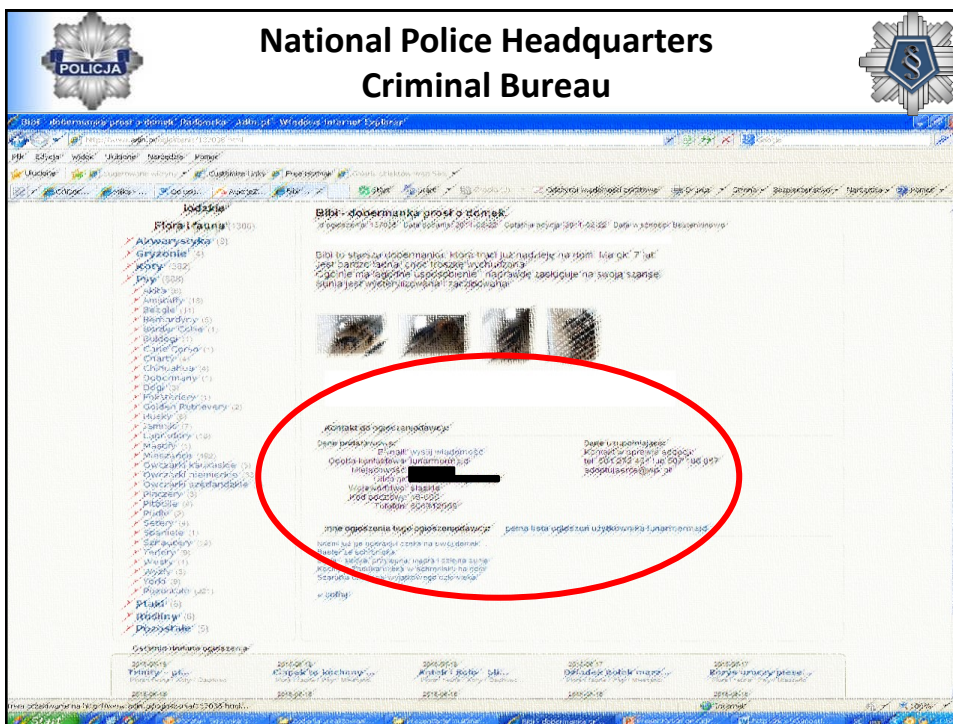
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**National Police Headquarters  
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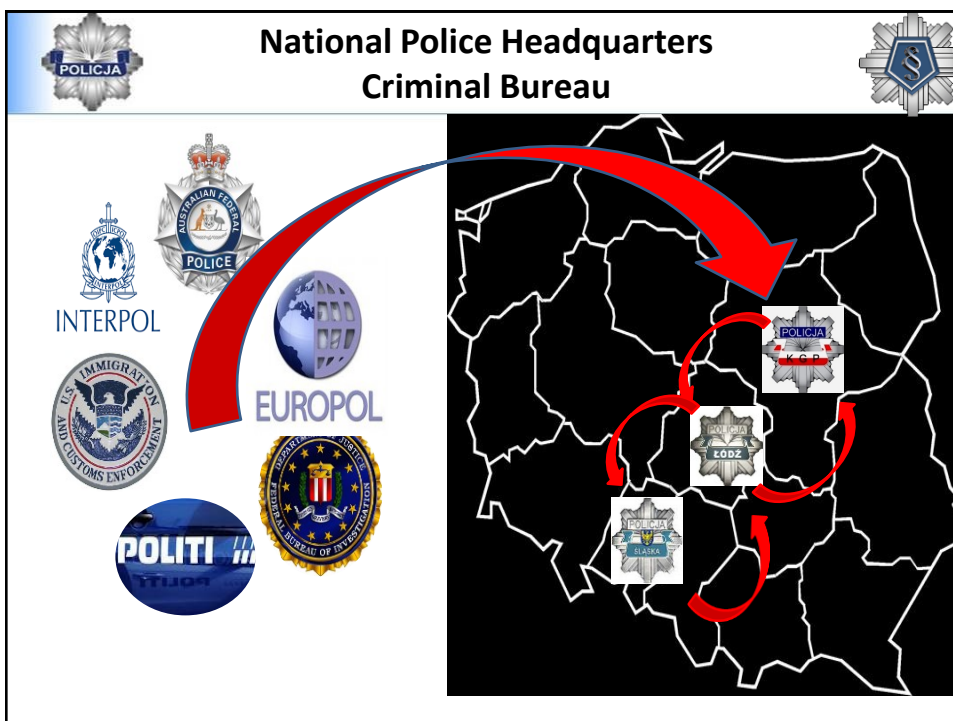


**Flow of the CAM to Interpol ICSE Data Base – International  
Child Sexual Exploitation Data Base**

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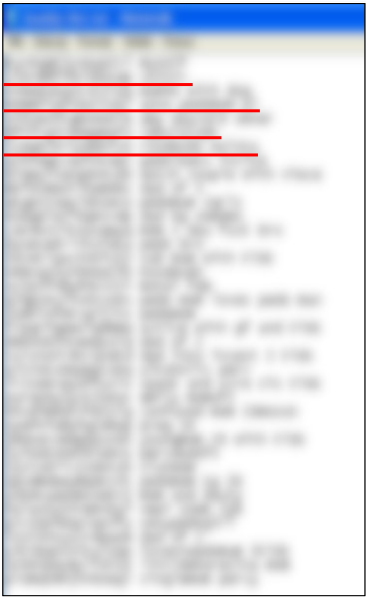
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**National Police Headquarters  
Criminal Bureau**







## Seizure of the Torchat buddy-list – list of suspect's contacts. At least four next perpetrators from Poland.

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**National Police Headquarters  
Criminal Bureau**






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**National Police Headquarters**  
**Criminal Bureau**




**Next steps in the investigation:**


Organization of the proceedings experiment in the frame of on-going investigation - under Police control the live chat of the suspect on TorChat (as "gravi") and other services he used in his criminal activity such as pedo-bulletin boards in TOR network.


➔


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**National Police Headquarters**  
**Criminal Bureau**




**The most promising results of the experiment:**

- establishment of the contact with "voinic" again;
- obtaining and seizure of CAM sent to our suspect by „voinic”;
- obtaining information about two additional Polish hands-on abusers;
- obtaining data leading to „voinic” identification;
- uploading of seized CAM into ICSE DB: part of the material completely new.




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## National Police Headquarters

### Criminal Bureau



**(21:38:27) voinic: I'll be in KRK (*Cracow*) in December, we may meet if you want**

**(21:39:02) myself: what time, cause I want to go to my parents for Christmas**

**(21:39:17) voinic: before Christmas, second week**

**(21:39:50) myself: well, I'll be not far away**

**(21:40:33) myself: you planning to bring some girl? so we don't get bored**

**(21:40:54) voinic: mmm, that would be cool :)**

**(21:41:18) voinic: we may go to aqua park to have a look**

**(21:41:44) voinic: or simply we gonna watch movies in the hotel**

**(21:42:21) myself: such a girl would be a nice present for Santa clause day or for Christmas, just tie in a bow and put under the Christmas tree**


**(21:43:59) myself: and in the aqua park you can have a great view ;)**

**(21:44:21) voinic: so, for example on Sunday the 6<sup>th</sup> before afternoon when the kids are**

**(21:54:03) myself: about this meeting we shall arrange in one day or you staying longer?**


**(21:54:23) voinic: I'll be there for whole week**

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## National Police Headquarters

### Criminal Bureau



**(22:06:20) voinic: on Sunday the 6th from 11 a.m. I'll be at the aqua park which is at Good Sheppard Street.**

**(22:07:43) voinic: I'll have deep blue towel and black shower cap with yellow oval emblem**

**(22:08:14) myself: ok I'll try to be there, but first I must collect the money**

**(22:08:41) voinic: I'll pay you back for the train ticket and aqua park ticket if you want**

**(22:09:35) myself: shit man, thanks, in such situation I'll be there for sure**

**(22:10:03) voinic: relax**

**(22:10:54) voinic: take swimming trunks and towel with you :)**



**(22:11:13) voinic: I see that caps are not mandatory**

**(22:12:02) myself: ok, I'll take orange towel and I'll wait for you about 11 at..?**



**(22:12:30) voinic: inside**

**(22:13:18) voinic: every 15 minutes I will check the place opposite to the dragon**

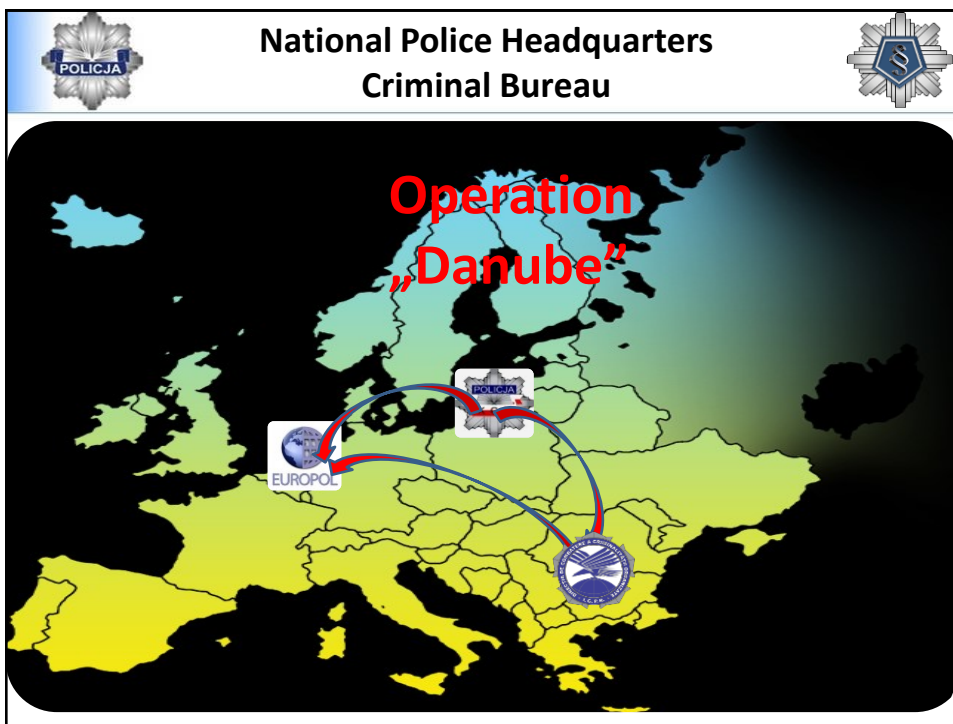
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	<b>National Police Headquarters</b> <b>Criminal Bureau</b>	
<p>(22:13:53) myself: this dragon, it's some kind of a fountain?          (22:14:02) voinic: yes          (22:14:26) voinic: opposite there is also fitness room at the first floor          (22:14:52) voinic: it's under the middle window          22:18:37) voinic: <b>when you already recognize me or I recognize you, I will ask if you know what the way to pay for the sauna is</b>          (22:19:07) voinic: <b>and you will say that you don't know but you heard it is not worthy to go there</b></p> <p><b>Conducting Police surveillance at the aqua park and positive identification of „voinic” – 27yo project coordinator and PR manager in Polish Institute in Bucharest (part of Polish Embassy) in Romania.</b></p>		

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	<b>National Police Headquarters</b> <b>Criminal Bureau</b>	
<ul style="list-style-type: none"> <li>• establishment of operational and procedural cooperation with Romanian colleagues (Police and Prosecutor Office);</li> <li>• „voinic” case linked to operation „Downfall 2”</li> <li>• ongoing investigation;</li> <li>• identification efforts focused on new ICSE series (DLA HANI BOY, etc.);</li> <li>• new links and cases – operation „Danube”</li> </ul>		


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**National Police Headquarters  
Criminal Bureau**

**16.02.17: Detention and arrest of „voinic” in Bucharest**



**Obtaining crucial information about „DLA HANI BOY” series: name of the home village of the victim, additional pics (*obtained later*) and the cell phone number of the offender (*obtained later*).**

28

28



## National Police Headquarters Criminal Bureau



### Follow – up of the both operations

**So far (5 May 2021) in the frame of the investigation**


**90 individuals have been detained from whom**

- **42 have been temporarily arrested,**
- **34 are under the surveillance of Police,**
- **29 are banned to leave the country,**


**84 000 PLN (approx. 18750 euro) has been seized.**



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## National Police Headquarters Criminal Bureau



**EUROPOL**

**EUROPOL SUPPORTS POLAND AND ROMANIA IN OPERATION AGAINST ONLINE CHILD SEXUAL EXPLOITATION**

**22Feb2017**  
[Press Release](#)

Europol have joined forces with Romanian Police and law enforcement authorities in Poland in a joint operation that has led to the arrest of a man suspected of online child sexual exploitation.

The investigation uncovered that, between July 2012, a child sexual abuse material. The victim was a boy of 11.

On 16 February, Romanian police conducted a house search. As a result four laptops, three hard drives, five memory cards were seized.

At the request of the Romanian Prosecutor's Office, the proceedings are ongoing.

The importance of international coordination in such a case was highlighted by the European Cybercrime Centre (EC3). **Steven Wilson**, EC3's head of operations, has been identified through the combined efforts of its specialists. This activity, identifying children, is at the heart of the investigation.

Throughout the entire investigation, Europol provided EC3 specialists on victim identification worked with in identifying and location of the victims.

The investigation in Romania was carried out by the D.O. coordinated by prosecutors from the Directorate for a with specialised support from the Directorate of Special Operations.

The operation in Poland was conducted by the Criminal Police Bureau in close collaboration with the Criminal Police Bureau.

**EUROPOL**

**THREE SUSPECTS ARRESTED BY ROMANIAN POLICE FOR THE SEXUAL ABUSE AND EXPLOITATION OF 3-YEAR-OLD CHILD**

**02May2017**  
[Press Release](#)

Europol supported the Romanian law enforcement authorities in a case of child sexual abuse, safeguarding a 3-year-old minor. During two house searches on 27 and 28 April, Romanian police arrested three suspects. One man (aged 29) is suspected of sexually abusing and producing and distributing images of this sexual abuse online. The parents of the child who are suspected of facilitating the sexual abuse in exchange for various amounts of money. During the house searches, mobile phones were seized.

Romanian Prosecutor's Office, the three suspects are currently detained and the proceedings are ongoing.

To provide relevant intelligence about the suspects' criminal activities to the Romanian authorities, the investigation in Romania was carried out by the Directorate for Investigating Organised Crime, coordinated by prosecutors from the Directorate for Investigating Organised Crime, specialised support from the Directorate of Special Operations, Romanian Police.

Developed following a joint Romanian-Polish case against this year, which was reported.

**EUROPOL**

**VICTIM OF CHILD SEXUAL EXPLOITATION RESCUED IN INTERNATIONAL OPERATION SUPPORTED BY EUROPOL**


**28Mar2017**  
[Press Release](#)

A 40-year-old man has been arrested on suspicion of sexually exploiting his own child in an international investigation between the Polish and Romanian Police with the support of Europol. The suspect is also being accused of producing and distributing online child sexual abuse material, including sexual abuse material with his child.



This operation has links to the detention and arrest of a Polish citizen in Bucharest around mid-February 2017. Since then, law enforcement authorities have uncovered several other suspects currently being investigated for similar crimes, including the arrested.

The suspect's apartment was searched and numerous data storage devices containing child sexual abuse material were seized. In light of all the evidence presented against him, the suspect confessed to all charges.


**Steven Wilson**, head of the European Cybercrime Centre (EC3) at Europol praised the efforts of the investigators in both countries. "Europol is very happy to see that our support to this ongoing operation is having excellent results. Finding that a child is being abused is a tragic discovery but we invest our time and resources to ensure that such victims are safe and that their abusers will be brought to justice. We commend the cooperation between the Polish and Romanian Police through Europol to achieve that in this case."




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**National Police Headquarters  
Criminal Bureau**

***THANK YOU FOR YOUR  
ATTENTION***



*Mjr. Jarosław „Jerry” Kończyk  
Human Trafficking Department  
Criminal Bureau  
National Police Headquarters*

  
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With the support of the Internal Security Fund-Police Programme  
of the European Union 2014-2020



# **Preventing child sexual abuse: from measures against travelling child sex offenders to (preventive) intervention programmes- an overview of articles 21-24 of the 2011 EU Directive**

**ERA TRAINING: PREVENTING CHILD SEXUAL ABUSE**

**Antonio Labrador Jimenez**

**Team Leader, Cybercrime Unit**

**Directorate-General for Migration and Home Affairs**

**European Commission**

## **Agenda**

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1. Introduction
2. Directive 2011/93/EU
3. Strategy on a more effective fight against child sexual abuse

# Agenda

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## **1. Introduction**

2. Directive 2011/93/EU

3. Strategy on a more effective fight against child sexual abuse



## **1. Introduction**

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- Why the EU?
- Commission, Parliament, Council
- The team at the Commission





# 1. Introduction

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- 3 main tools at EU level to fight child sexual abuse:
  - **Co-ordination**
  - **Funding**
  - **Legislation**

# 1. Introduction

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- Co-ordination:
  - **Europol (EC3, EMPACT)**
  - **WPGA**
  - ...

# 1. Introduction

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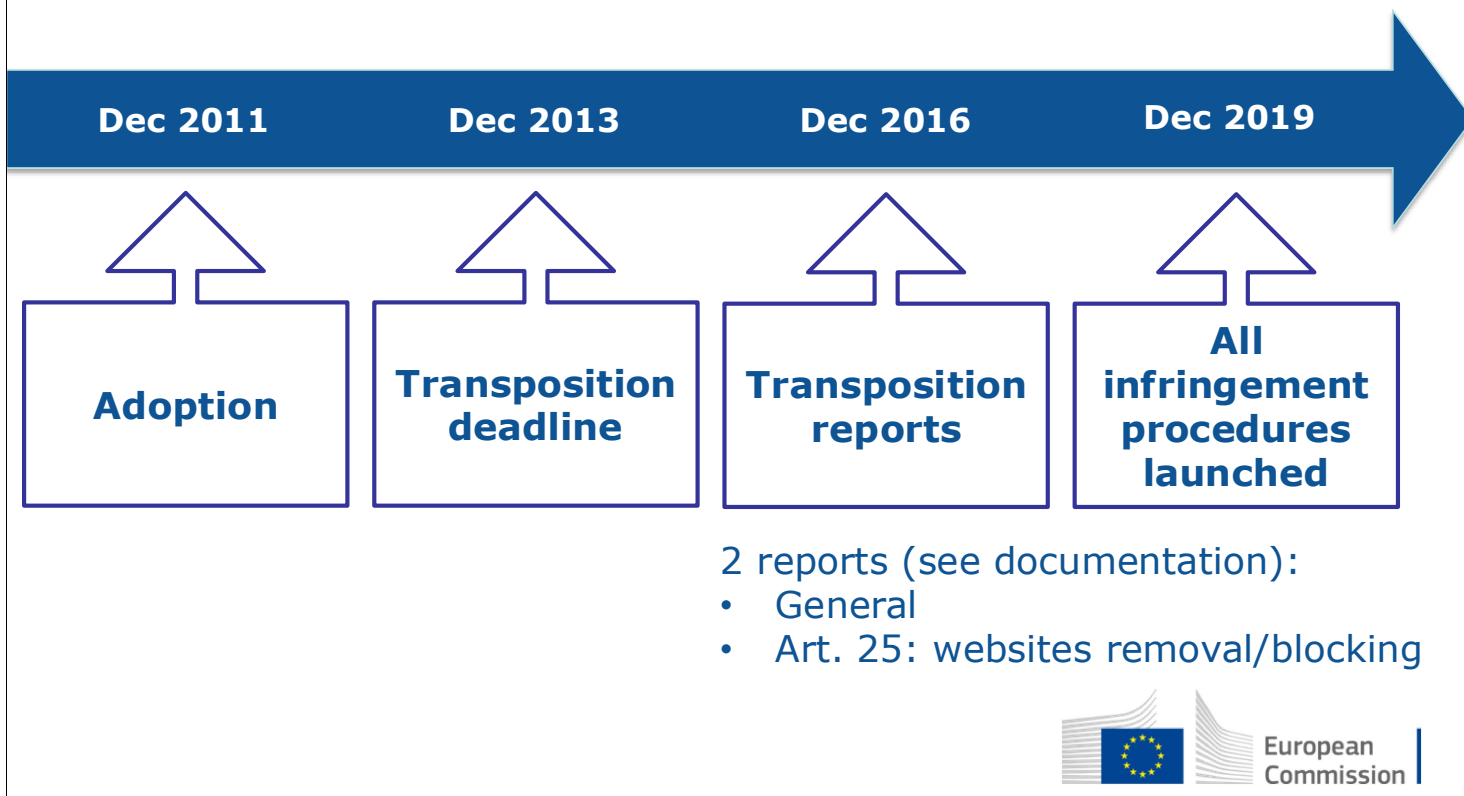
- Funding:
  - **Research projects; INHOPE (51 hotlines in 42 countries), ICSE database (at Interpol), ...**
  - **Horizon 2020 (Horizon Europe); Internal Security Fund-Police (Internal Security Fund)**

# 1. Introduction

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- Legislation: Directive 2011/93/EU
  - **Content in a moment** (printed in the documentation)
  - **Directive v regulation**
  - **Infringements against 23 MSs**
  - **3 MSs involved in other exchanges of conformity**

# Monitoring of implementation: timeline



## Agenda

1. Introduction

**2. Directive 2011/93/EU**

3. After this training course

4. Strategy on a more effective fight against child sexual abuse

## Directive 2011/93/EU

- **Replaces** Framework Decision 2004/68/JHA
- Incorporates into EU law the **CoE Lanzarote Convention**
- Most **comprehensive and ambitious** piece of EU law ever in the area of fighting child sexual exploitation



## Directive 2011/93/EU covers multiple areas...

- **Prosecute** offenders
- **Protect** child victims
- **Prevent** child sexual abuse and exploitation



## ... through 5 main parts (plus legal-technical articles)

### Definitions (Art. 1-2)

Subject matter (Art. 1), Definitions (Art. 2)

### Offences & Penalties (Art. 3-13)

Offences concerning sexual abuse (Art. 3), sexual exploitation (Art. 4), child pornography (Art. 5), solicitation of children for sexual purposes (Art. 6); Incitement, aiding and abetting, and attempt (Art. 7); Consensual sexual activities (Art. 8); Aggravating circumstances (Art. 9); Disqualification arising from convictions (Art. 10); Seizure and confiscation (Art. 11); Liability of legal persons (Art. 12); Sanctions on legal persons (Art. 13)

### Investigation & Prosecution (Art. 14-17)

Non-prosecution or non-application of penalties to the victim (Art. 14); Investigation and prosecution (Art. 15); Reporting suspicion of sexual abuse or sexual exploitation (Art. 16); Jurisdiction and coordination of prosecution (Art. 17)

### Assistance to victims (Art. 18-20)

General provisions on assistance, support and protection measures for child victims (Art. 18); Assistance and support to victims (Art. 19); Protection of child victims in criminal investigations and proceedings (Art. 20)

### Prevention (Art. 21-25)

Measures against advertising abuse opportunities and child sexual tourism (Art. 21); Preventive intervention programmes or measures (Art. 22); Prevention (Art. 23); Intervention programmes on a voluntary basis in the course of or after criminal proceedings (Art. 24); Measures against websites containing or disseminating child pornography (Art. 25)

## Prevention articles

- Article 21: Measures against advertising abuse opportunities and child sex tourism
- Article 22: Preventive intervention programmes or measures
- Article 23: Prevention
- Article 24: Intervention programmes or measures on a voluntary basis in the course of or after criminal proceedings
- Article 25: Measures against websites containing or disseminating child pornography

## Article 21: Measures against advertising abuse opportunities and child sex tourism

*Member States will take appropriate measures to prevent or prohibit:*

- (a) the **dissemination of material** advertising the opportunity to commit any of the offences referred to in Articles 3 to 6; and*
- (b) the **organisation for others**, whether or not for commercial purposes, of travel arrangements with the purpose of committing any of the offences referred to in Articles 3 to 5.*



## Article 22: Preventive intervention programmes or measures

- Member States shall take the necessary measures to ensure that **persons who fear that they might commit** any of the offences referred to in Articles 3 to 7 may **have access**, where appropriate, to **effective** intervention programmes or measures designed to evaluate and prevent the risk of such offences being committed.*



## Article 23: Prevention

1. Member States shall take appropriate measures, such as education and training, to **discourage and reduce the demand** that fosters all forms of sexual exploitation of children.
2. Member States shall take appropriate action, including through the Internet, such as **information and awareness-raising campaigns, research and education programmes**, where appropriate in cooperation with relevant civil society organisations and other stakeholders, aimed at raising awareness and **reducing the risk of children, becoming victims** of sexual abuse or exploitation.
3. Member States shall promote **regular training for officials** likely to come into contact with child victims of sexual abuse or exploitation, including front-line police officers, aimed at enabling them to identify and deal with child victims and potential child victims of sexual abuse or exploitation.



## Article 24: Intervention programmes or measures on a voluntary basis in the course of or after criminal proceedings

1. [...] Member States shall take the necessary measures to ensure that effective intervention programmes or measures are made available to prevent and minimise the risks of repeated offences of a sexual nature against children. Such programmes or measures shall be **accessible at any time during the criminal proceedings, inside and outside prison** [...].
2. The intervention programmes or measures, [...] shall **meet the specific developmental needs of children** who sexually offend.
3. Member States shall take the necessary measures to ensure that the following persons may have access to intervention programmes or measures [...]
  - a) persons subject to criminal proceedings for any of the offences referred to in Articles 3 to 7 [...] **under conditions which are neither detrimental nor contrary to the rights of the defence** or to the requirements of a fair and impartial trial, and, in particular, in compliance with the principle of the presumption of innocence; and
  - b) persons **convicted** of any offences referred to in Articles 3 to 7.





## Article 24: Intervention programmes or measures on a voluntary basis in the course of or after criminal proceedings

4. Member States shall take the necessary measures to ensure that the persons referred to in paragraph 3 are **subject to an assessment of the danger that they present** and the possible risks of repetition of any of the offences referred to in Articles 3 to 7, with the aim of identifying appropriate intervention programmes or measures.
5. Member States shall take measures to ensure that the persons [...] whom [...] measures have been proposed:
  - a) are **fully informed** of the reasons for the proposal;
  - b) **consent** to their participation in the programmes or measures with full knowledge of the facts;
  - c) **may refuse** and, in the case convicted persons, are made **aware of the possible consequences** of such a refusal.



## Article 25: Measures against websites containing or dissemination child pornography

1. Member States shall take the necessary measures to ensure the **prompt removal** of web pages containing or disseminating child pornography **hosted in their territory** and to **endeavour** to obtain the removal of such pages **hosted outside of their territory**.
2. Member States may take measures to **block access** to web pages containing or disseminating child pornography towards the Internet users within their territory. These measures must be set by transparent procedures and provide adequate **safeguards**, [...] and that users are informed of the reason for the restriction. Those safeguards shall also include the possibility of judicial redress.



## Work will continue to ensure full implementation

- Ongoing exchanges with Member States will continue until reaching full implementation
- Directive is a very solid and ambitious framework
- Has led to substantive progress in Member States so far and more will follow

## Agenda

1. Introduction

2. Directive 2011/93/EU

**3. Strategy on a more effective fight against  
child sexual abuse**

# Strategy on a more effective fight against child sexual abuse

On 24 July 2020, the Commission adopted the Strategy on a more effective fight against child sexual abuse. It sets out to provide:



- ✓ An effective response to this crime at EU level;
- ✓ A framework for developing an efficient and comprehensive response to these crimes.



## The Strategy

The Strategy sets out 8 initiatives that focus on:

- ✓ Implementing and developing the right legal framework;
- ✓ Strengthening law enforcement's response;
- ✓ Galvanising a coordinated multi-stakeholder response on prevention, investigation and assistance to victims.



# Key initiatives

## **I. Implement and develop the right legal framework to protect children**

- 1. Ensure complete implementation of current legislation (Directive 2011/93/EU);**
- 2. Ensure that EU legislation enables an effective response;**
- 3. Identify legislative gaps, best practices and priority action.**

# Key initiatives

## **II. Strengthen law enforcement response and enhance cooperation among all stakeholders**

- 4. Strengthen law enforcement efforts at national and EU level**
- 5. Enable Member States to better protect children through prevention**
- 6. A European Centre to prevent and counter child sexual abuse**
- 7. Galvanise industry efforts to ensure protection of children in their services**
- 8. Improve protection of children globally through multi-stakeholder cooperation**

## Your cooperation is important

- Complementary roles
- Importance of working together: same purpose
- Don't hesitate to reach out



Thank you for your attention!

If you have further questions feel free to reach out:

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**Antonio Labrador Jimenez**  
**Team Leader, Cybercrime Unit**  
**Directorate-General for Migration and Home Affairs**  
**European Commission**

# References

- *EU strategy for a more effective fight against child sexual abuse COM (2020) 607 final*  
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- *Council Conclusions on combating child sexual abuse (st12862/19)*  
<https://data.consilium.europa.eu/doc/document/ST-12862-2019-INIT/en/pdf>
- *European Parliament resolution of 26 November 2019 on children's rights on the occasion of the 30<sup>th</sup> anniversary of the UN Convention on the Rights of the Child (2019/2876(RSP)0*  
[https://www.europarl.europa.eu/doceo/document/TA-9-2019-0066\\_EN.pdf](https://www.europarl.europa.eu/doceo/document/TA-9-2019-0066_EN.pdf)



# References

- *Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography,*  
<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32011L0093>



## Portugal with record arrests for child pornography:



Judicial police arrested a suspect for having enticed 6 minors via online games

3



## Sexual adulthood/Civil Adulthood (18 y.o)

- The Portuguese penal code equates sexual maturity to civil majority. As regards to this type of crime, even though the Framework Decision recognizes different degrees of the development of the minor's personality in relation to the sexual sphere, when referring to "sexual adulthood in accordance with national law" (cf. subparagraph b) of paragraph 2 of article 3 and subparagraphs b) and c) of paragraph 2 of article 5), it defines "child" as any person with under 18 years of age (paragraph a) of article 1), as is the case with Directive 211/93/EU of the European Parliament and of the Council (articles 2, als. a) and b).

4



## Coimbra Court of Appeal, 11.11.2015, File 372/12.4TACLD.C1, Presiding Judge: Jorge França

- **Facts:** Defendant accessed internet sites on two separate occasions through his laptop, clicking and viewing images of child pornography.
- **Ruling:** Court held that there would be no detention because the defendant did not download the images.
- **Reflection:**
  - This case illustrates well the impact of the transposition of the directive C1 2011/93/EU of the European Parliament and of the Council of 13 December 2011 (which replaces the Council Framework Decision 2004/68/JHA) which punishes the very visualization of such contents (5th, no. 3).



- The Directive was only transposed into the Portuguese legal system in 2015.

5

## Coimbra Court of Appeal, 24-04-2018, File. 364/12.3JALRA.C2, Presiding Judge: Jorge França

- **Facts:** Defendant obtained images of naked children, in a swimming pool changing room, through an intermediary who he provided a camera;  
He collected images that he captured through cameras that he installed in the changing room of a sports equipment where he worked as a coach.
- **Ruling:** Court held that "simple nudity does not equate to pornography, requiring the lewd display of sexual organs or pubic parts and not only the display of body parts" Quoting the Spanish Supreme Court and the United States Supreme Court, referred to in Manual of Criminal Law, Volume II, Special Part, coordinated by Carlos Suárez-Mira Rodrigues.

6

## **Porto Court of Appeal, 07.06.2017, File 481/14.5JBRG.P1, Presiding Judge: Cravo Roxo**

- **Facts:** The defendant convinced a 14-year-old child to take and send him nude photographs of herself via whatsapp, her sexual organs (in one of the photographs) and her bare breasts were depicted.
- **Ruling:** Court found the crime of child pornography having considered that the photographs of a minor showing her sexual organs (in one of the photographs) and her bare breasts constitute minor pornography.
- **Reflection:** This decision holds a contrary understanding to that of the concept of "pornography" from the one that the Coimbra Court of Appeal took in the file. 364/12.3JALRA.C2

7

## **Law 40/2020 of August 18th**

- Law 40/2020 of 18 of August puts an end to the different understandings of the concept of "pornography", since paragraph 8 is introduced in article 176 of the Penal Code:
- "For the purposes of this article, any material that, for sexual purposes, represents minors involved in sexually explicit behavior, real or simulated, or contains any representation of their sexual organs or other part of their body, is considered pornographic."

8

## Évora Court of Appeal, 17-03-2015, File 524/13.0JDLSB.E1, Presiding Judge Carlos Jorge Berguete

- Facts: Defendant held several files containing images and videos of children and images with realistic representation of children showing their sexual organs and being used in sexual practices by adults.
- Decision: The concrete identification of victims is not a constitutive element of the type of crime of child pornography.
- The intentional detention of pornographic materials with **realistic representation of a minor** (in accordance with art. 2, c), iv) of the Directive, despite being optional) constitutes crime of minor (i.e child) pornography.

9

## Évora Court of Appeal, 17-03-2015, File 524/13.0JDLSB.E1, Presiding Judge: Carlos Jorge Berguete

- Facts: (practiced before 2015)
- Decision: Court considered that the download of the files did not substantiate the notion of import provided for in c) of paragraph 1 of article 176 ruling on the date of the commission of the facts;
- However, the facts practiced by the defendant fulfilled the provision of no. 4, of 176, no. 1, al. d) since he, in addition to downloading and holding the files, had them disclosed to third parties.

10

## **Lisboa court of Appeal, 20.12.2017, File 7347/11.9TALRS.L1-3, Presiding Judge Lee Ferreira**

- Facts: The defendant downloaded files containing images and videos showing children exhibiting their sexual organs and involved in sexual acts with adults.

The Facts were also practiced before 2015.

- Decision: The download of the pornography files of minors, existing on a server based in another country, such as Luxembourg, and subsequent transfer to a computer in Portugal constitutes an import and serves as completion of the objective element of the type of crime of pornography against minors of subparagraph c) of paragraph 1 of article 176 of the Penal Code.

11

## **In the same sense and the previous decision, about the “download” concept:**

- In the same sense, Porto Court of Appeal, 12.3.1.2014, Presiding Judge: Artur Oliveira, File 4190/11.9TAGDM.P1 (The appellant believes that, as the legal type of crime pointed out does not include the term “download” the transfer of files with the contents described is atypical);
- Porto Court of Appeal, 12.07.2018, Presiding Judge: António Luís Carvalhão, File 5461/15.0T9VNG.P1 (accompanied the decision of this Court of 12.03.2014, available at [www.dgsi.pt](http://www.dgsi.pt) process 4190/11.9TAGDM.P1, in which it was written that download literally means “down loading”, downloading, transferring, therefore, importing data from a server to your computer device, therefore concluding that downloading pornography data of minors from a server to the personal computer device, relating to image files, integrates the concept of import provided for in subparagraph c) of paragraph 1 of article 176 Penal Code despite referring to the wording of article 176 prior to Law 103/2015 of 24th August, remains current and relevant, so much so that this part remained)

12

## **Évora Court of Appeal, 02.02.2016, File 72/15.3JASTB.E1, Presiding Judge Ana Barata Brito**

- Coercive measures applied to defendants who download or view pornographic content involving children:
- Portuguese jurisprudence is uniform in the sense that the coercive measures “detention in housing with electronic surveillance” and “ban on the use of computer equipment and internet access”, the latter without the possibility of inspection and control, are insufficient to guard against the danger of continuation of criminal activity in relation to a defendant accused of authorship of 977 crimes of pornography against minors committed at home, justifying the application of preventive detention.
- In the same sense: Ac. Rel. Évora of 02.21.2017, Proc. 161/15.4T9RMZ-A.E1, Rapporteur Sérgio Corvacho

13

## **Évora Court of Appeal, 16.03.2017, file 72/15.3JASTB.E1, Presiding Judge António Condesso**

- Given the difficulty of locating in time and space and therefore identifying and counting the number of crimes committed by a given agent, without verifying the assumptions of a continued crime, a thesis emerged in doctrine and jurisprudence according to which the practice of the same crime repeatedly, successively, would configure the practice of a single crime - of continuous character - of sexual abuse of minors.
- This thesis has been upheld in many decisions of the lower courts and courts of appeal regarding child pornography.
- Facts: The defendant held on several computers and on an external disk about two thousand photographs and videos of children engaging in sexual practices with adults or showing their sexual organs, which were downloaded on different days;

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**Évora Court of Appeal, 16.03.2017, file 72/15.3JASTB.E1, Presiding Judge António Condesso (cont.)**

- Ruling: Court punished him only for detaining pornographic material, considering that the download could not be included in the term “import” as stated in the law (the crime had been committed before 2015). It decided, in terms of filling in the number of crimes, that the defendant had only committed one crime of detaining child pornography, considering it *the practice of a continuous crime configuring the existence of a single intent covering all successively practiced conducts and that unity of resolution, together with the homogeneity of behaviors and their temporal proximity.*

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**Art. 30.º of the Penal Code**  
**Concurrence of crimes and continuous crime**

1. The number of crimes is determined by the number of types of crime really committed, or by the number of times that the some type of crime is fulfilled by the agent’s conduct.
2. The multiple accomplishment of the same type of crime or of several types of crime that fundamentally protect the same juridical asset constitutes only one continuous crime, when performed in an essentially homogeneous way and under the solicitation of a same external situation that considerably diminishes the agent’s culpability.
- 3 - **The provisions of the previous number do not cover crimes committed against intrinsically personal legal assets.**

16

## Supreme Court of Appeal, 13-03-2019, file 3910/16.0T9PRT.P1.S1

- This decision analyzes the thesis of the continuous offense, indicating the decisions in favor and against it, concluding that considering a single crime the practice by an agent of several unlawful facts of this type is not admissible, considering it an interpretation outside the law.
- As one can read in one of the decisions cited in the aforementioned Judgment *If the practical result intended by the legislator was the suppression of the benefit of the continued crime in case of conduct **intrinsically personal legal assets**, it is also inadmissible to punish crimes against eminently personal property as a single «continuous» crime, making an initial intent encompass all actions. Such a fiction would constitute a fraud to the legislator's purpose.*
- It is evident that the appeal for a crime of continuous character makes it possible to overcome another issue, which is the concrete determination of the number of unlawful acts that must be imputed. However, this is a theme that calls for the way in which the criminal investigation and the accusatory process are carried out and not a matter of penal dogmatics.

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# Obrigada!

18





# Preventing and minimising the risks of repeated offences of a sexual nature against children: experiences to share.

Ethel Quayle

With the support of the Internal Security Fund-Police Programme of the European Union 2014-2020



THE UNIVERSITY of EDINBURGH

1



**Back in 1998 a suggested solution was...**

2

## Context: Affordances...

... the concept of affordances does not imply that online practices are determined by technology, but rather by how people use it. Therefore, affordances are not static features of technology, but have a number of potential actions associated with them. An affordance exists once a user has perceived it and perceived the potential actions associated with it. For example, VOIPs (such as Skype) have not only been used in the pandemic by many people to keep in touch/manage work but also to facilitate the live streaming of sexual abuse of children.

5

## Context: OCSEA

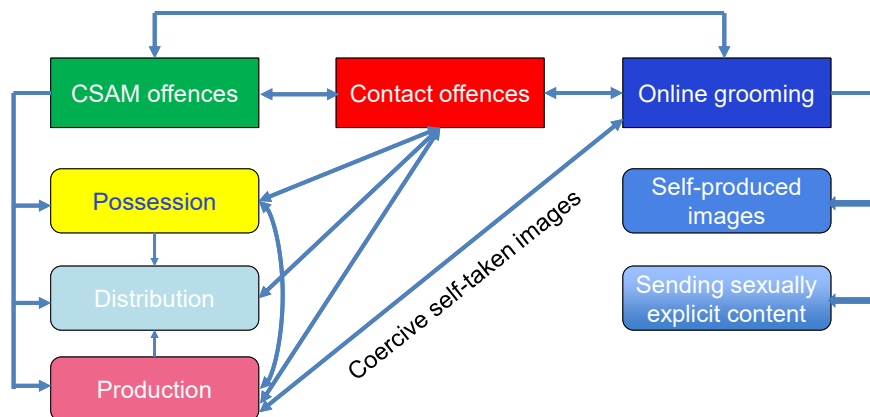
Crimes involving force or enticement to take part in sexual activities where the online environment is involved at any stage of the offence.

Can include non-consensual 'sexting'; sexual extortion of children ('sextortion'); revenge pornography; sexual exploitation of children involving economic gain; exploitation of children through online prostitution and live online sexual abuse.

OCSEA: diverse and changing in response to technological advances which afford opportunities to offend, including the ability to create and distribute still and moving sexual images of children.

6

## OCSEA Offences:



7

Quayle, Jonsson, Cooper, Traynor & Svedin (2017).

### ICSE-DB analysis of identified children

- 687 identified cases; 2/3 female; 93% white.
- 44% were self-taken images - the majority coercive. Family members (26%) were the next largest category of image producers.



8

## Age and image production

Children under 7 in the images were more likely to have images taken by family members (68.6%).

In the age group 7-11 the majority of the images were taken by family members (40.3%) or adults/family friends/peers (41.0%).

Children between 12-17 years were more likely to have self-taken images in a coercive relationship (48.1%).

Of all children that had engaged in non-coercive self-taken images 71.2% were in the oldest age group (12-17 years) and of all children engaged in coercive self-taken images 93.4% were also in the oldest group.

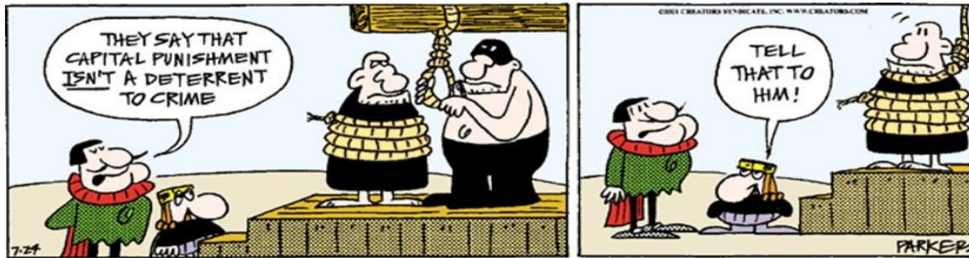
9

## Deterrence

Paternoster and Simpson (1993) argued that crimes can be deterred but not prevented, although prevention can flow from deterrence. Paternoster (2010) defines deterrence as **the omission of a criminal act because of the fear of sanctions or punishment which involves a rational calculation that weighs costs and risks against rewards**. Within this theoretical framework specific deterrence is targeting those who have personally experienced the consequences of punishment and chosen to refrain from crime in the future. General deterrence is directed towards those who see others prosecuted and therefore refrain from criminal acts because they regard the risk of punishment as too great.

10

## Specific v. General Deterrence



11

## Effectiveness of deterrence?

- 3 factors determine whether deterrence is effective: risk of discovery, severity of punishment and that punishment is implemented swiftly (Wickström, Tseloni & Karlis, 2011).
- BUT perceived probability of being punished has a greater deterrent effect than the severity of the punishment (Nagin, 2013).
- Weisbad, Farrington and Gill (2016) concluded, from a review of systematic reviews of what works in crime prevention and rehabilitation, that deterrence-based interventions showing no evidence of any effect included those related to the severity of the sentence as a deterrence.

12

## Practical limitations of deterrence?

- Penalties often learned after arrest (in some areas up to 2 years or more)
- People underestimate risk of being caught (and in the case of online sex offending the risk may already be low)
- Clearance rates are generally low
- Crime displacement may occur
- Rational abilities may be impaired, especially where **sexual arousal** is involved and in the case of online sex offending high rates of behaviour and fairly immediate gratification.
- Some people have little to lose (but is this the case for this group of offenders?).

13

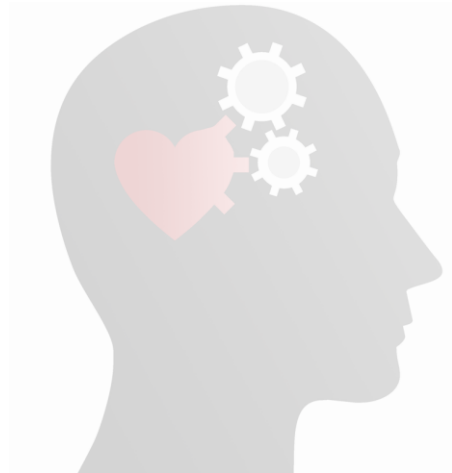
## Sexual arousal?

- Heightened states of sexual arousal may desensitize individuals to what otherwise would be deterrent effects of various formal and informal sanctions.
- Bouffard (2011) concluded that heightened emotional states (such as sexual arousal) may increase the perceived benefits of behaviours that are consistent with that particular state.
- Sexual arousal may increase attention to the potential for sexual pleasure and the factors that may lead to quick resolution of that state.
- Therefore, “deterrence may be more effective if potential costs and risks are made more salient to the would-be offender through specific crime prevention approaches”.

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## Rational choice theory

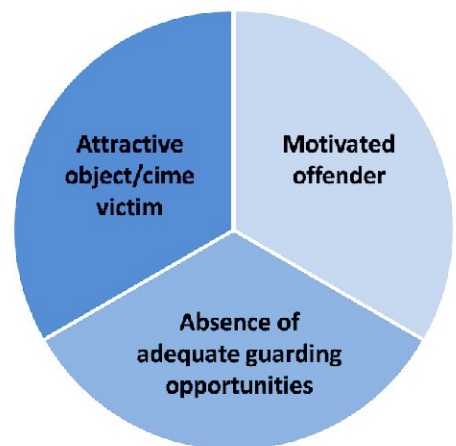
- Clarke and Cornish's (1985) adaptation of rational choice theory (which is closely linked to deterrence) came about through an acknowledgement that many decisions made by potential offenders involve information available at the crime scene.
- The decision whether or not to carry out the crime is made alongside three cost-benefit dimensions: **the perceived risk, effort and rewards associated with carrying out the crime.**
- This decision is made in a way that is specific to that situation.



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## Situational crime prevention

- Wortley (2012) - most common model of situation prevention is opportunity reduction, which involves manipulating the immediate environmental contingencies so as to increase the perceived costs of offending.
- He applies this to the problem of CSAI through an examination of the three opportunity-reduction strategies outlined by Clarke and Cornish (1985):
  - **reducing perceived rewards,**
  - **increasing the perceived effort and**
  - **increasing the perceived risks.**



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## Person-situation approaches and public health models.

- Rather than responding to crimes once they have happened, person situation approaches and public health models argue for a proactive initiative in shaping the environment in such a way as to reduce the likelihood of offending, or re-offending.
- We can look at offending across three levels: primary, secondary and tertiary.
- Situational prevention of online abuse and exploitation requires strategies that reduce for example opportunities for accessing children, as well as illegal images, by making making the activity less rewarding, more difficult and riskier (LeClerc et al., 2015).

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## Public health matrix of online abuse and exploitation (adapted from Clarke et al., 2013).

**NSPCC**

	Host (children)	Vector (offenders)	Physical environment (Internet)	Social environment (norms/policies)
<b>Pre-event (preventing image distribution)</b>	Awareness raising & education; Parental supervision	Counselling for adults at risk of offending; Self-help programmes.	Internet monitoring Report mechanisms; Chat moderation	Media campaigns; Pressure on advertising and media industry.
<b>Event (reducing negative impact)</b>	Helplines for reporting; Treatment referrals.	Financial restrictions on image purchase; Increasing difficulty of access.	Pop-up warnings and ads. linked to known search terms; Increasing difficulty of access.	ISP codes of practice. Co-ordination of laws and penalties.
<b>Post-event (reducing negative outcomes)</b>	Assistance and recovery programmes	Prosecution of offenders; Treatment.	Identification and removal of images; Hotlines.	Enforcement of laws. Adequate child protection policies.

18

## Pre-event examples: self-help; reporting; media campaigns.

19

The screenshot displays the Stop It Now! website. At the top, the logo "stop it now!" is visible with the tagline "UK & Ireland together we can prevent child sexual abuse". To the right, it says "Illegal images of children – it's never too early to stop!". A language selection bar shows flags for UK, Spain, and Italy.

The main content area features several interactive elements:

- A blue speech bubble titled "Seeking help with illegal online image use?" containing the text: "Stop it now provides information and support for users of illegal online images and those around them, helping to cope with difficult emotions and to change problematic behaviours."
- A red speech bubble titled "Welcome message to self-help section" featuring a video thumbnail and the text: "Our vision is of a society where children are free from sexual abuse and exploitation".
- Three main navigation buttons at the bottom, each with a mannequin icon:
  - Anonymous user**: "100% anonymous self help resources". Buttons: "Start a new session", "Resume previous session".
  - Family and Friends**: "Get anonymous information and support". Button: "Continue".
  - Professionals**: "Content for professionals". Button: "Continue".

At the bottom, a footer states: "together we can prevent child sexual abuse" and provides legal information: "Stop It Now! UK and Ireland is a project of The Lucy Faithfull Foundation. The Foundation is a registered Charity, No. 2553025, and is a company limited by guarantee, Registered in England No. 2729957."

20



# IWF

## Internet Watch Foundation

21

### IIOC CAMPAIGN 2018

## ASSETS – POSTERS & LEAFLETS

We have created an A3 poster and double-sided A5 leaflet.  
We can post out hard copies upon request.

Please download these assets here:

<https://we.tl/UeGugPPI4L>

Poster

Leaflet



Media  
Campaigns

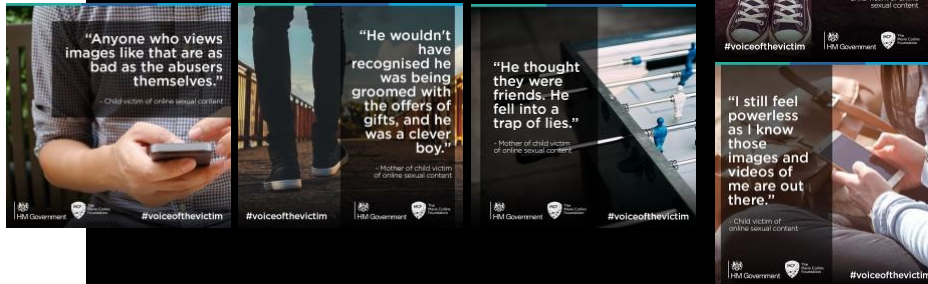
13

22

## IIOC CAMPAIGN 2018

### ASSETS — MARIE COLLINS FOUNDATION

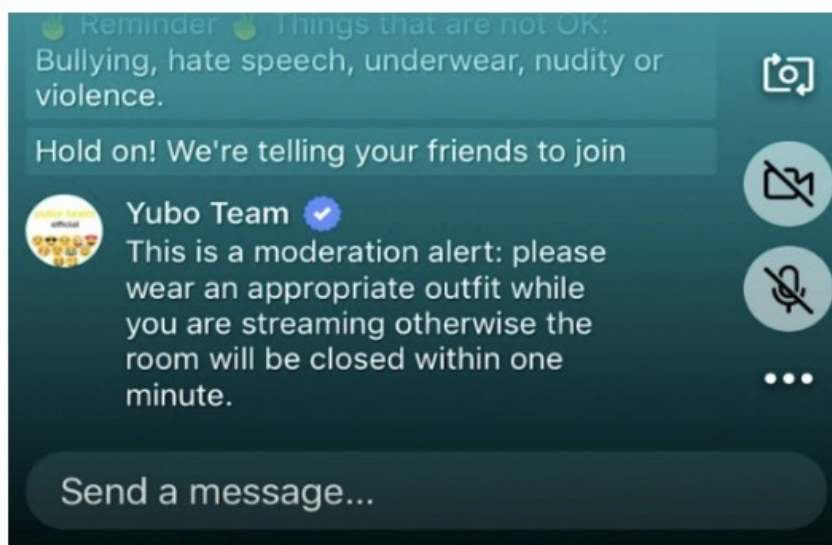
The Marie Collins Foundation have created 5 social visuals using quotes from victims and family members



14

23

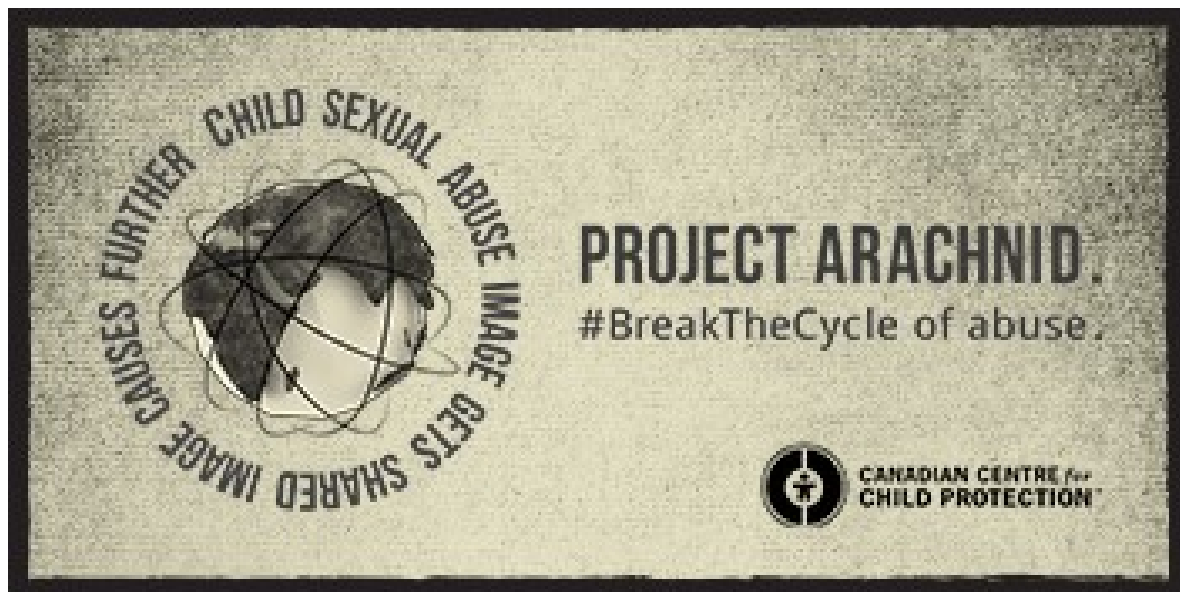
## Education and messaging of children...



24

**Event strategies: hardening access through removal of content; pop-up warnings.**

25



26

## Unique Police2Peer initiative combats child sexual exploitation and abuse online



27



### Helplinks.eu

*is a no-strings attached information resource for those that realize that their sexual interest in children is problematic and wish to do something about it. The links are collected by the police in the countries in which the services reside, but the services have no connection to law enforcement, nor do they report to or share information with the police.*

28

## Post event: prosecution of offenders and management programmes.

29

### Examples of Treatment Programs (Babchishin et al., 2018)

- CSEM offenders present risk profiles and treatment needs that are different from contact sexual offenders. BUT there is relatively little literature on treatment programs tailored to CSEM offenders... and focuses almost exclusively on preventing contact sexual recidivism rather than CSEM recidivism...
- Sex Offender Treatment Programme (i-SOTP) (Middleton & Hayes, 2006)
- Prevention Project Dunkelfeld (PPD)
- One UK study found higher recidivism rates for CSEM offenders that participated in a treatment program typically offered to contact sexual offenders compared to CSEM offenders who did not participate in this program (Mews et al., 2017).

30

## Inform Plus



### Structure

- Pre-group individual 'face to face' meeting
- Ten x 2.5 hour sessions
- Approx. 8-10 group members – all male
- Two group leaders
- Personal work set between sessions
- Post programme follow-up review group meeting
- Available on a 1:1 basis

**Working to Protect Children**

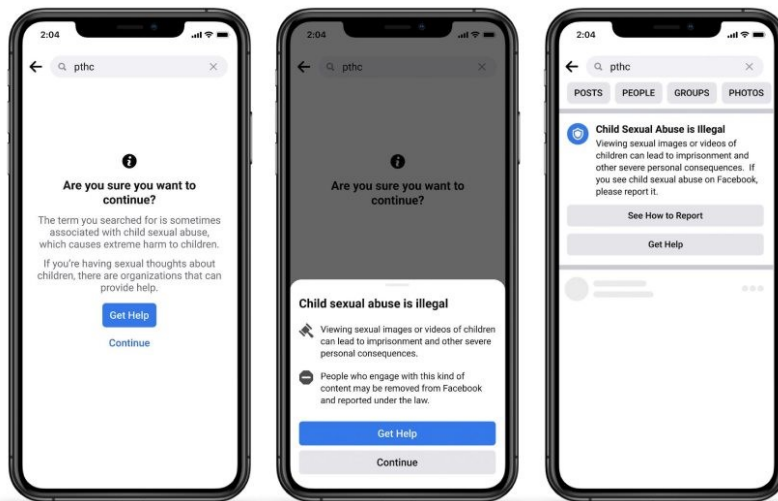


31

# And back to affordances....

32



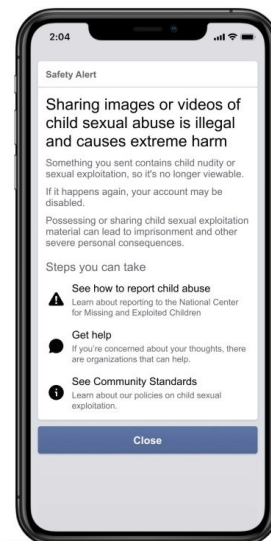


And  
engagement  
with  
industry?

<https://about.fb.com/news/2021/02/preventing-child-exploitation-on-our-apps/>

33

“We share this safety alert in addition to removing the content, banking it and reporting it to NCMEC. Accounts that promote this content will be removed. We are using insights from this safety alert to help us identify behavioral signals of those who might be at risk of sharing this material, so we can also educate them on why it is harmful and encourage them not to share it on any surface — public or private.”



34



THE UNIVERSITY *of* EDINBURGH



With the support of the Internal Security Fund-Police Programme  
of the European Union 2014-2020

# Towards Evidence Based Perpetrator Prevention

## *An Emerging Complementary Strategy in Combatting Child Sexual Abuse and Exploitation Online and Offline*

**Christoffer Rahm**

*Principal Investigator, PRIOTAB and Prevent It programs, Karolinska Institutet  
Chief Psychiatrist, Psychiatry South Stockholm*



1

## Many Strategies Needed for CSAE Prevention

- Child sexual abuse and exploitation (CSAE) is a multifaceted problem
- Needs to be addressed on many levels
  - Political
  - Technical
  - Law enforcement
  - ...
- Also, by perpetrator prevention from health care
  - Targets the critical link in the chain: the demand side
  - Has the potential for primary intervention, i.e. before damage is done
  - Rationale: significant proportion of perpetrators have psychological ailments
  - Toolbox: scientific, medical, and psychosocial methods

2

## CSAE Perpetrator Profile

- Pedophilia is a major risk factor
  - Around 50% of convicted CSA perpetrators fulfills diagnostic criteria
- Other offenders:
  - Young perpetrators
  - Men w/ other psychiatric problems, female perpetrators
  - Proportion of pedophiles who never offend is unknown, "pedophilia"  $\neq$  CSA
- Other risk factors than pedophilia:
  - Static risks: male gender, previous offences, psychosocially stressed
  - Dynamic risks (i.e. target for treatment): hypersexuality, low empathy, impulsiveness
- Relation between adult perpetrator and victim:
  - 18% caregiver
  - 25% neighbour, friend of family, close relative
  - 18% online contact

3

## Swedish Helpline Preventell

- Started in 2012, linked to Karolinska University Hospital
  - 1573 individuals called 2012-2019
  - 92% men
  - Mean age 38
  - 37% have children at home
- Pedophilia 24% (watches CSEM 62%; rape fantasies 30%; hypersex 50%)
- Exhibitionism 16% (admit acting out 60%)
- Voyeurism 34% (admit acting out 46%)
- Frotteurism 15% (admit acting out 42%)
- Coercive sex 15% (admit acting out 20%)
- Hypersexuality 62% (23% pedophilia; 26 bought sex; 20% coercion fantasies)
- Number of prevented acts of sexual violence, and public health gain, not measured



4

## Standard Care / Sweden

**PREVENTELL**  
HELPLINE FOR UNWANTED SEXUALITY

**020-66 77 88**

- Biopsychosocial approach
- **Diagnostics:** interview, objective facts, psychiatric & somatic assessment
- **Treatment:** individually tailored
- Agreement w/ short- and long term goals
  - Reducing risk for sexual offence
  - Finding legal sexuality to feel proud of
  - Treat co-morbidity
- Psychological treatment: Supportive, crisis intervention, cognitive behavioral therapy
- Pharmaceutical treatment: Antidepressants +/- chemical castration
- Social interventions: Children at risk, notice of concern, work related issues



June 14, 2021

5

## Need for more research!

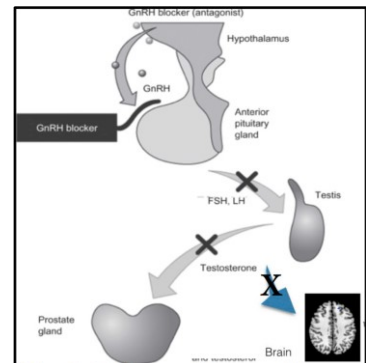
- We know a substantial proportion of at risk individuals will seek help before committing CSAE
  - What interventions are truly effective?
  - How do we reach out where helplines don't exist?
  - Public health economy aspects.
- Research program at Karolinska Institutet
  1. Trial on pharmacological intervention vs. placebo (Priotab project)
    - Also neurobiological basis for pedophilia
  2. Trial on psychotherapeutical intervention vs. placebo (Prevent It project)
    - Also studies on effects of COVID-19 lockdown on online CSAE
  3. Trial in pipeline comparing medicine vs. therapy (Parachutes project)

6

JAMA Psychiatry | Original Investigation

## Effect of Gonadotropin-Releasing Hormone Antagonist on Risk of Committing Child Sexual Abuse in Men With Pedophilic Disorder A Randomized Clinical Trial

Valdemar Landgren, MD; Kinda Malki, MD; Matteo Bottai, ScD; Stefan Arver, MD; Christoffer Rahm, MD



7

## High risk PD patient #1 in Priotab-RCT

Fredrik

29 yo, lives w parents. No partner. Non-exclusive pedophilia, girls.

Victim of CSA. Previous conviction of child pornography possession.

Contact w psychiatry bc of dysphoria, suicidal ideation, alcohol, marijuana. Normal IQ, testing indicates Aspergers syndrome.

Hypersexual, loss of control. Urges to look at child porn and contact children. Desperate &amp; ashamed. Preventell because of suicidal thoughts.

Static risk: low. Dynamic risk: high.

Day 10: "More confident. More mature behaviour - plays less on the computer, spends more time with parents." Day 70: "no difference"

Negative effects: "More lethargic".

Risk scores: 10-12-11. Turned out to be PLACEBO

No special change in any risk domain.



14/10/2015

Name Surname

8

# High risk PD patient #2 in Priotab-RCT

Andreas

40 yo, unemployed, lives w girlfriend. Non-exclusive pedophilia. Girls.

Dysphoric, anxious. High IQ. Testing indicates Aspergers syndrome.

Stuck in porn surfing. Hypersexual. Grooms children. Helps him handle anxiety. Has raped a child & would do it again, he says.

Static risk: high. Dynamic risk: high.

Day 10: "Less fixated by sex." Day 70: "Calmer. Sexuality has stepped back. Been able to focus on other things. Established adult relationship and wants to live peacefully in family life. Been having a life crisis around this." Also: "Sweating and erectile dysfunction, but of secondary interest."

Risk scores: 10-8-2. Turned out to be MEDICINE

↓ : Pedophilic interest, sexual preoccupation, self-rated risk.

0: Empathy, self-control



14/10/2015

Name Surname

9

## Effects on sexuality

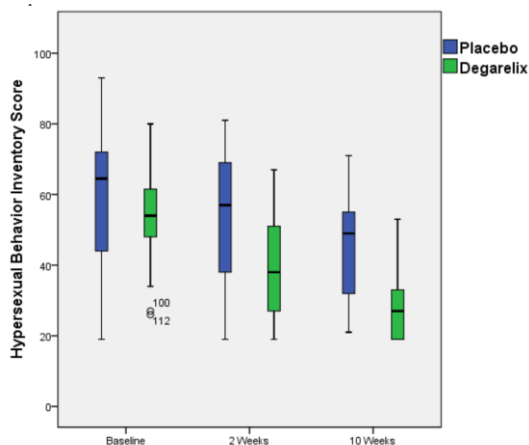
### *Effect on sexual interest in children*

58% in the degarelix group and 12% in the placebo group denied sexual attraction to minors at 10 weeks.

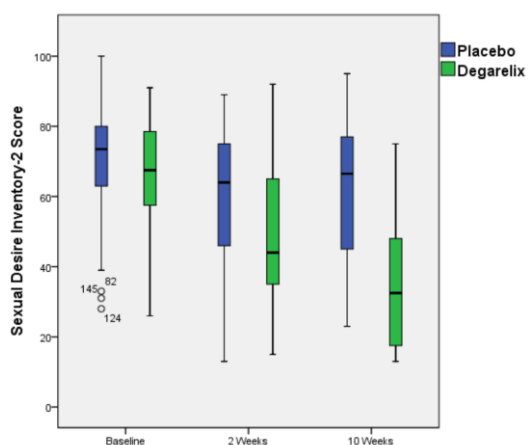
### *Subjective appreciation of the medicine*

77% in the degarelix group reported mostly positive effects of medicine. ~70% in the degarelix group wanted new injection.

### Hypersexual Behavior Inventory

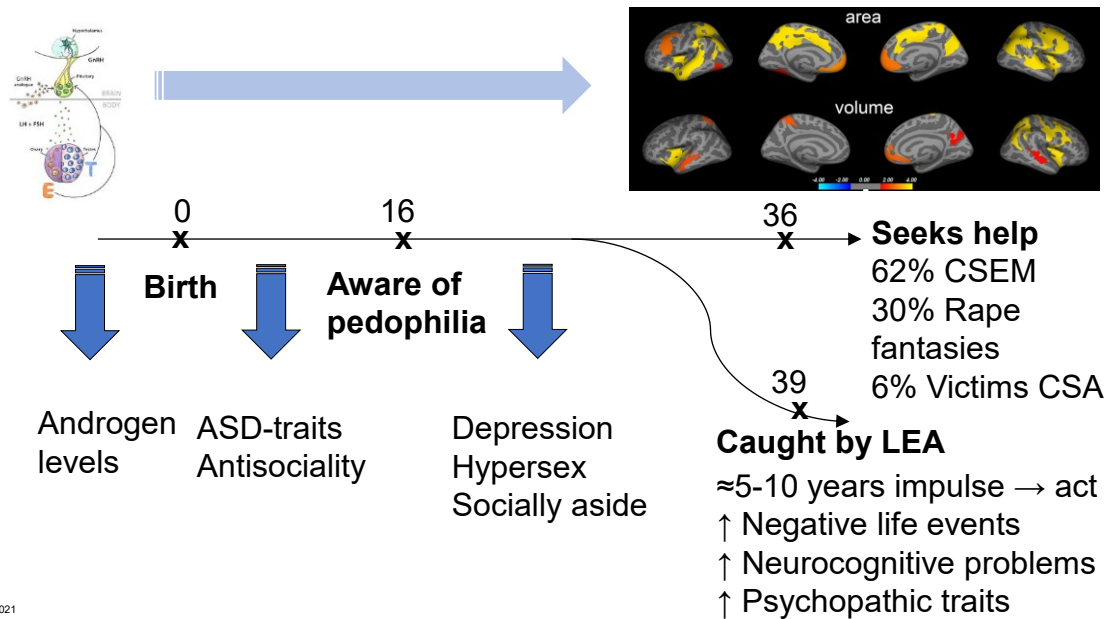


### Sexual Desire Inventory-2 Score



10

# Life Trajectory of Pedophilia



11

## Study Design

1. Introduction to Prevent it
2. Study Design
3. Darknet links
4. Recruitment
5. Treatment

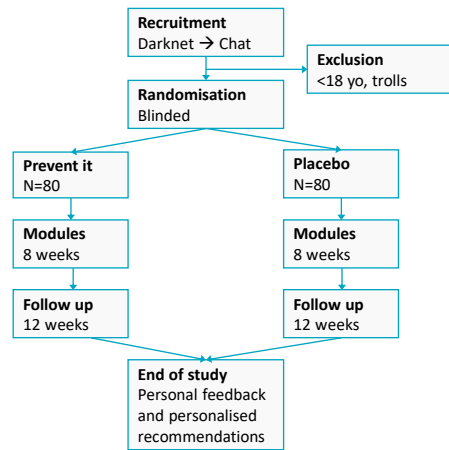
### Research Question

Is internet based, therapist assisted, cognitive behavioral psychotherapy effective in reducing online consumption of child sexual abuse material?

### Method

Global outreach on Darknet forums  
Low threshold  
Anonymous  
Free of charge  
Pre-reg analyses @ ISRCTN.com  
Randomised controlled study

### Flow chart



prevent it

12



- Social difficulties; rigid thinking
- Anxiety and moderate depression
- High hypersexuality traits
- Spends several hours a week watching adult porn
- No relationship; no job due to covid
- Binge drinking on weekends
- Watches CSAM to fulfill a sexual need as well as to escape uncomfortable feelings
  - 20-60 min a day, mainly consisting of penetrative abuse of 0-4 year old babies and children
- Treatment: addressing depressive states; support in engaging new behaviors
- End of treatment: 0 CSAM use in the final month, 50% reduction in depressive symptoms, job seeking, social initiatives

I have completed both module 8 and the post treatment study, and i dont know how to express my gratitude properly to you and your team for giving me this opportunity and helping me turn a section of my life around. My urges and CP consumption habit has been a weight on my neck for so long now that freedom feels strange. I never thought i would ever stop using CP, but thanks in part to your intervention, no matter how experimental, i managed to overcome it.

14

1. Introduction to Prevent it
2. Study Design
3. Darknet links
4. Treatment
5. Case

## Darknet recruitment, ex #2

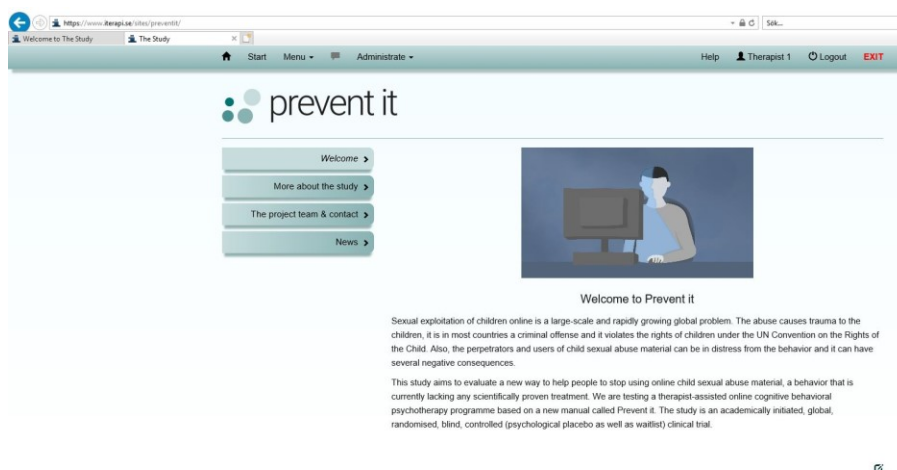
1. Introduction to Prevent it
2. Study design
3. Darknet links
4. Recruitment
5. Treatment



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## Public Information


1. Introduction to Prevent it
2. Study Design
3. Darknet links
4. Recruitment
5. Treatment




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## Behavioral Intervention


1. Introduktion till Prevent it
2. Tidigare studier på Anova – KAFKA & Priotab
3. Prevent it - Sammanfattning av studien
4. Prevent it - Studiens flöde
5. Prevent it - Fallbeskrivning




1. Module 1 - Welcome




2. Module 2 - Your balance in life




3. Module 3 - Controlling your sexuality




4. Module 4 - Thoughts and feelings about changing your behavior



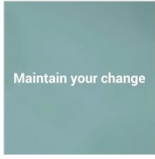
5. Module 5 - part A and B



6. Module 6 - part A and B



7. Module 7 - part A and B

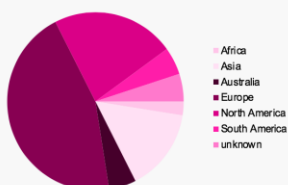


8. Module 8- Maintain your change

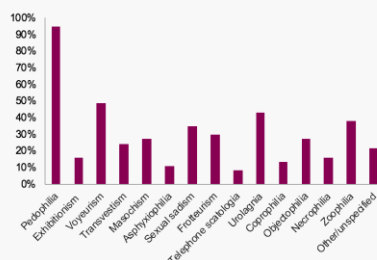
18

## Profile of Help Seeking Anonymous Darknet CSAM Users

Residence distribution



Self-reported paraphilias



Baseline characteristics	Participants (n=40)*
Age range 19-57, M (SD)	33.7 (9.7)
MADRS-S, n (%)	
Mild depression	14 (37.8)
Moderate depression	7 (18.9)
Severe depression	1 (2.7)
ASRS, ADHD traits, n (%)	10 (27)
RAADS-14, autism traits, n (%)	17 (45.9)
HB1-19: The Hypersexual Behavior Inventory (range 19-95), Mdn (IQR), hypersexuality	45 (30)
AUDIT, riskful alcohol use, n (%)	2 (5.4)
DUDIT, riskful drug use, n (%)	4 (10.8)
*Missing data from three	

Use of child sexual abuse material (CSAM), last 7 days	M	SD
Hours spent in total	7.19	6.97
Age of youngest child	6.19	3.40
COPINE* level,	7.85	1.75

\*Measures CSAM severity. From 1=indicative to 10=sadism/bestiality

prevent it

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LETTER TO THE EDITOR



# Illegal Online Sexual Behavior During the COVID-19 Pandemic: A Call for Action Based on Experiences From the Ongoing Prevent It Research Study

Allison Parks<sup>1</sup> · Charlotte Sparre<sup>1</sup> · Elin Söderquist<sup>1</sup> · Stefan Arver<sup>2</sup> · Gerhard Andersson<sup>1,3</sup> · Viktor Kaldo<sup>1,4</sup> · Katarina Görts-Öberg<sup>2</sup> · Christoffer Rahm<sup>1</sup>

Received: 6 May 2020 / Revised: 17 May 2020 / Accepted: 18 May 2020  
 © The Author(s) 2020

Also: [www.isrctn.com](http://www.isrctn.com)

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Priotab and Prevent It are implemented in accordance with The Swedish Ethical Review Act, the Declaration of Helsinki and the principles of Good Clinical Practice. The studies are approved by the Swedish Central Ethical Review Board (ref. no. Ö 26-2014; 1-2019) and the Swedish Medical Products Agency (EudraCT no. 2014-0005467-32).

June 14, 2021

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Republic Public Prosecution Office  
of the Republic of the Serbia

## Child sexual abuse material and child exploitation online before the court: the experience of the prosecutor

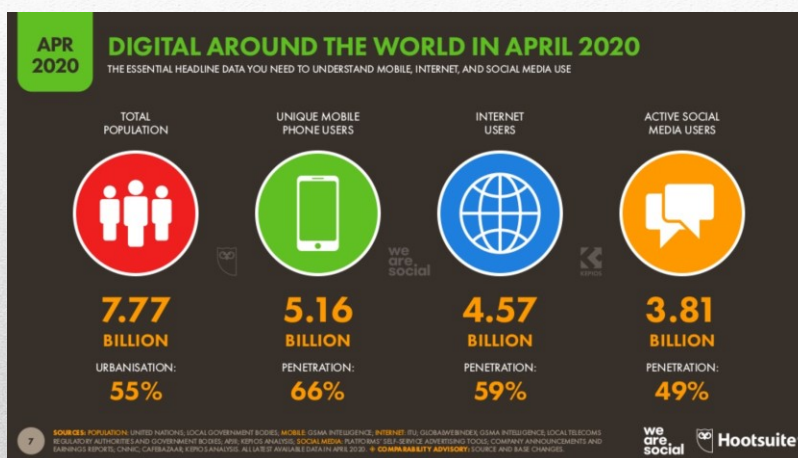


With the support of the Internal Security Fund-Police Programme  
of the European Union 2014-2020

1



Republic Public Prosecution Office



<https://wearesocial.com/uk/blog/2020/04/digital-around-the-world-in-april-2020>

2





<https://wearesocial.com/uk/blog/2020/04/digital-around-the-world-in-april-2020>

3



- ✓ **Online Child Sexual Exploitation & Abuse (OCSEA)**
  - **Making & distributing of video & images**
    - *Child Sexual Exploitation Material (CSEM)*
    - *Child Sexual Abuse Material (CSAM)*
  - **Online solicitation**
  - **Self Generated Explicit Material (SGEM)**



4



### ✓ Online distribution

- **Amounts of CSEM continue to increase**
  - Continued victimisation
  - Referrals from industry reach record highs
    - **Strain on law enforcement to cope**
  - Majority detected on image host websites
  - Also on peer to peer sharing platforms
  - Dedicated bulletin boards on Darknet increasing
  - Social media
  - Encryption usage
  - VPN & TOR



### ✓ Online solicitation for sexual purposes

- **Remains a serious threat**
  - Minors active on social media means high number of potential victims
  - Growing public awareness helps
  - Generally in open web, social media & gaming
  - Contact using fake profiles
  - Can include live video
  - Once contacted –
    - move to encrypted online messaging







GERMANY

### German child porn network 'Elysium' founders sentenced to lengthy jail terms

Four men have been convicted of running a German platform where more than 111,000 users traded in child pornography. But experts are divided on how to tackle child abuse on the so-called darknet.



Not quite two years after the 'Elysium' platform was shut down, its founders — four men from the German states of Bavaria, Hesse and Baden-Württemberg — were convicted on Thursday. The regional court in Limburg ruled that they had constructed, operated and used one of the largest sites of child pornography worldwide. One of the men, a 43-year-old man, was also found guilty of sexually abusing two young children.

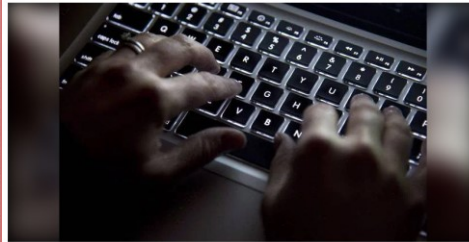
The court handed down sentences ranging from just under four years to nearly 10 years in prison. The prosecution had called for jail sentences of up to nine years. The defense had pleaded for dismissal of some charges and for milder sentences on other charges. All four had pleaded guilty prior to the verdict.

CRIME

### Swedish man found guilty of 'online' rape has convictions upgraded

By Michelle McGuigge - The Canadian Press

Posted April 18, 2018 4:27 pm Updated April 18, 2018 5:23 pm



Swedish courts found a man guilty of sex crimes against young girls in Canada and around the world based solely on the nature of his online interactions with them. Jonathan Hayward / The Canadian Press



### ✓ Self generated explicit material

- Growing problem with more young people sharing
- Smartphones provide the means
- Low awareness of risk
  - Voluntarily – to peers
    - But can spread to others leading to coercion or extortion for new
  - Under coercion or extortion – with sex offenders





- ✓ **Sexual coercion & Live distant abuse**
- **Sexual coercion & extortion for new CSEM**
  - Generally, for collections – not for money
  - Threats with existing materials to get new
  - Or from online conversations to extort
  - Significant trauma for victim
- **Live Distant Child Abuse**
  - Offenders seek financial gain
  - Growing internet speed – live stream
  - Offenders pay to watch
  - Porn site > encrypted message



## Five years in jail and worldwide travel ban for British teacher who wanted to abuse young Filipino children

Child sexual exploitation CSAE

A music teacher has been jailed for five years.



A music teacher has been jailed for five years for plotting to sexually abuse young girls in the Philippines.

James Alexander, 42, was caught by the National Crime Agency after he sent money to known facilitators who had live-streamed child sexual abuse from Illigan City.

He was arrested on 30 June 2018 at Manchester Airport as he flew into the UK from Thailand where he lived since 2017.

NCA investigators seized his electronic devices.

Forensic analysis showed Alexander, of Beeston, Leeds, sent at least 15 money transfers to abuse facilitators between August 2017 and Jun 2018.

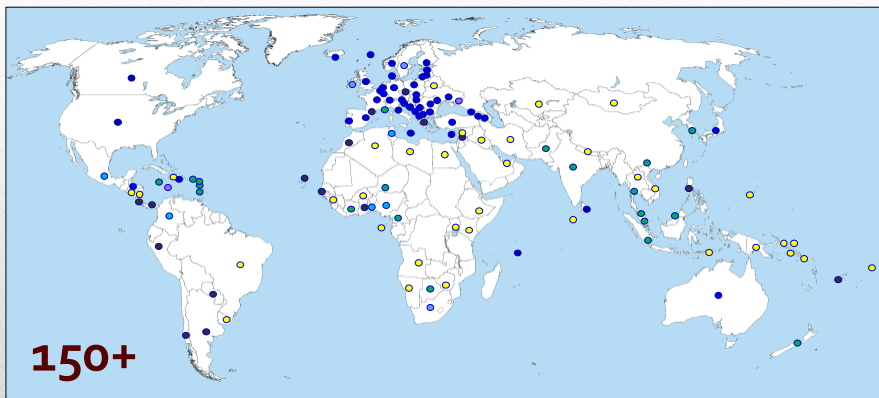
It also showed that Alexander - who served as a reservist in the Parachute Regiment from 1999 to 2003 - tried to arrange with abuse facilitators over Skype and WhatsApp to travel to the Philippines to abuse little girls himself.

Alexander had a discussion with one female facilitator about a 13 year-old girl, in which he said: "If I meet anyone else I would like younger".



### ✓ Child sex exploitation– the future

- Main threats are quite established & stable
- Deepfakes – ‘Deep learning’ & ‘fake’
  - ‘AI’ technology to place images & video over another
  - Possibility of new, personalized CSEM
  - Implication for proving authenticity for law enforcement



Budapest Convention

Ratified/acceded: **65**

Signed: 3

Invited to accede: 9



Other States with laws/draft laws largely in line with Budapest Convention = 20

Further States drawing on Budapest Convention for legislation = 50+







## ✓ Offences Related to Child Pornography (Article 9 – Budapest Convention)

- Great innovation
- Criminalisation of child pornography acts, committed by means of a computer system
- Important aspects:
  - Criminalisation of “pseudo images”;
  - Punishment of the mere possession of child pornography materials
    - Not covered by many of the legislations
    - Very common approach from all the international fora (eg. UN)
    - European Union
      - Enforces the mere possession of child pornography materials
      - Directive 2011/92/EU, from the European Parliament and the Council

13



1 Each Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences under its domestic law, when committed intentionally and **without right**, the following conduct:

- a **producing child pornography** for the purpose of its distribution through a computer system;
- b **offering or making available** child pornography through a computer system;
- c **distributing or transmitting** child pornography through a computer system;
- d **procuring** child pornography through a computer system for oneself or for another person;
- e **possessing** child pornography in a computer system or on a computer-data storage medium.



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- ✓ 2 For the purpose of paragraph 1 above, the term "child pornography" shall include **pornographic material** that **visually depicts**:
  - ✓ a minor engaged in sexually explicit conduct;
  - ✓ a person appearing to be a minor engaged in sexually explicit conduct;
  - ✓ realistic images representing a minor engaged in sexually explicit conduct.
- ✓ 3 For the purpose of paragraph 2 above, **the term "minor" shall include all persons under 18 years** of age. A Party may, however, require a lower age-limit, which shall be not less than 16 years.
- ✓ 4 Each Party may reserve the right not to apply, in whole or in part, paragraphs 1, sub-paragraphs d and e, and 2, sub-paragraphs b and c.



## Offences Concerning Child Pornography (Article 20 – Lanzarote Convention)

1. Each Party shall take the necessary legislative or other measures to ensure that the following intentional conduct, when committed without right, is criminalized:
  - a. producing child pornography;
  - b. offering or making available child pornography;
  - c. distributing or transmitting child pornography;
  - d. procuring child pornography for oneself or for another person;
  - e. possessing child pornography;
  - f. **knowingly obtaining access, through information and communication technologies, to child pornography.**



## Offences Concerning Child Pornography (Article 20 – Lanzarote Convention)

2. For the purpose of the present article, **the term “child pornography”** shall mean any material that visually depicts a child engaged in real or simulated sexually explicit conduct or any depiction of a child’s sexual organs for primarily sexual purposes.



### ✓ Organization:

- *The Public Prosecution of the Republic of Serbia* consists of the Republic Public Prosecutor's Office, four appellate public prosecutors, 25 higher public prosecutors and 58 basic public prosecutors, and two prosecutors with special jurisdiction.
- *The Public Prosecutor's Offices with special jurisdiction* are the Prosecutor's Office for Organized Crime and the War Crimes Prosecutor's Office.
- *The Special Prosecution for Combating High-Tech Crimes*, is established at the Higher Public Prosecutor's Office in Belgrade and deals with cases within its jurisdiction for the territory of the Republic of Serbia.





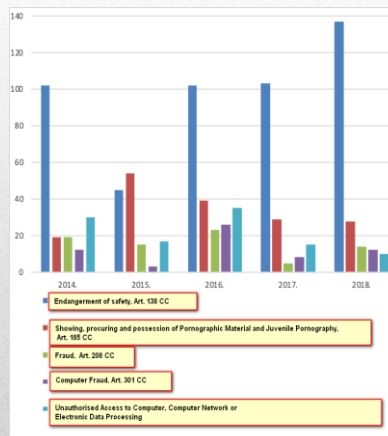


	Known Perpetrators	Unknown Perpetrators	Events	Total number of cases	Percentage change
2006	19	0	0	19	
2007	75	11	68	154	+710,53%
2008	110	14	60	184	+19,48%
2009	91	42	114	247	+34,24%
2010	116	13	443	572	+131,58%
2011	130	28	502	660	+15,38%
2012	114	65	609	788	+19,39%
2013	160	243	558	961	+21,95%
2014	294	352	770	1416	+48,07%
2015	198	570	1306	2074	+45,74%
2016	240	580	1237	2057	-0,82%
2017	213	945	1213	2371	+15,26%
2018	322	1306	1394	3022	+27,46%
2019	320	1409	2079	3808	+23,42%
Total	2402	5578	10353	18303	+ 1111,68%



### ✓ Cyber-crime data in the spotlight

- According to the number of reported known perpetrators in the period from 2014 to 2018, the most frequent high-tech crimes were:
- Endangerment of safety under Art. 138 CC;
- Showing, procuring and possession of Pornographic Material and Juvenile Pornography under Art. 185 CC;
- Fraud under Art. 208 CC.



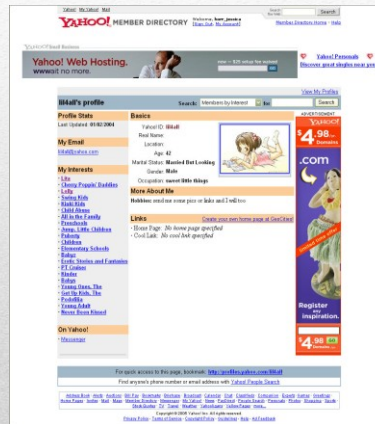
### ✓ Cyber-crime data in the spotlight

- Indication of a trend of increased reporting of criminal offenses Endangering Safety, Fraud, and Computer Fraud;
- For the criminal offenses **Showing, Procuring and Possession of Pornographic Material and Juvenile Pornography**, Unauthorised Access to Computer, Computer Network or Electronic Data Processing trend is stagnant or declining;
- The reasons for their rise are to be find primarily in the increase of number of users of social networks in Serbia;
- Typical for such crimes is that in most cases there is a lack of a deeper understanding with the perpetrators that they are committing an offense, and their belief that they are protected by information technologies in terms of the impossibility of discovering their identity;
- Poor or unrealistic understanding of the civil rights and freedoms they enjoy, in particular those relating to the public expression of their views.





- **“Lone Wolf” – child abuse case**
- **FBI – NCB Interpol Belgrade:** information about contact with possible perpetrator from Serbia;
- **NCB Interpol Belgrade –** Prosecutor: report and delivery of data for competence and urgent analysis;
- **After ISP evidence acquisition,** Court Order for search and seizure was obtained;
- **Location search and seizure procedures;**
- **Special attention towards:**
  - *computer and connected devices*
  - *data storages*
- **Main Trial: 12 years of imprisonment**





Republic Public Prosecution Office

***Thank you***

[branko.stamenkovic@rjt.gov.rs](mailto:branko.stamenkovic@rjt.gov.rs)

With the support of the  
Internal Security Fund-  
Police Programme of the  
European Union 2014-2020



# Fighting CSAM.

Don't ignore it,  
Report it!

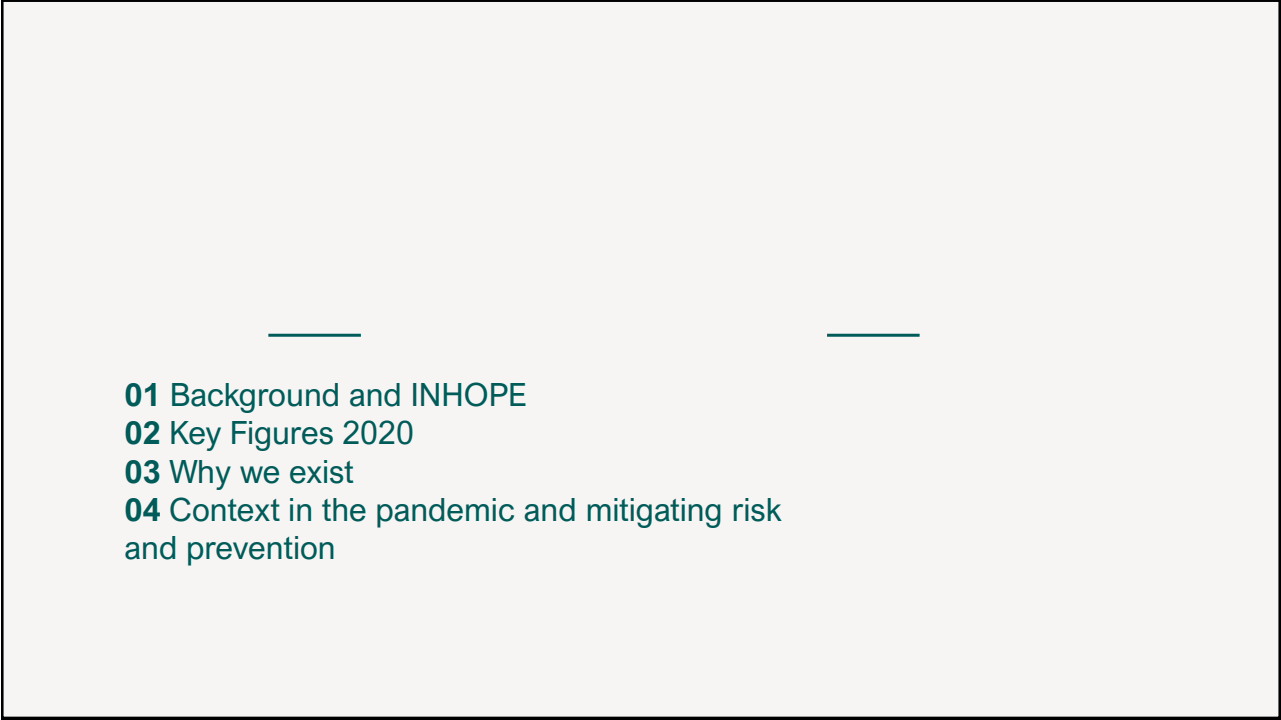
**INHOPE**

1

Raising awareness and  
reducing the risk of children  
becoming victims of sexual  
abuse or exploitation: work  
carried out by INHOPE and its  
partners

15.06.2021  
Samantha Woolfe

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- 
- 01** Background and INHOPE
  - 02** Key Figures 2020
  - 03** Why we exist
  - 04** Context in the pandemic and mitigating risk and prevention

3



# 01

Background and the  
role of INHOPE

4

World map showing global distribution of network abuse. Orange highlights indicate regions with significant abuse, including North America, Europe, and Australia. The text 'Network Abuse' is visible in the bottom left corner.

## Background

- Today the scale is phenomenal
- Collaborative effort is needed
- First Hotlines / Tiplines saw trends in the 90s in Europe & USA, trends change, methods mutate
- Informal groupings to share knowledge became a necessity and continues to be essential
- 1999 Association formed by 6 = INHOPE
- Network formed to exchange reports and get funding to fight online CSAM and learn - EC
- More prolific than ever
- Victims are younger, abuse is more severe

## Why

- Remove online CSAM
- Contribute to the rescue of victims
- Prevent revictimisation- the consequences of CSAM devastating for victims
- Less pressure on the police – 30/70 triage
- Work toward the objective of making the Internet a safer space
- VISION = An internet free of CSAM
- Takes a network to defeat a network
- Collaboration essential

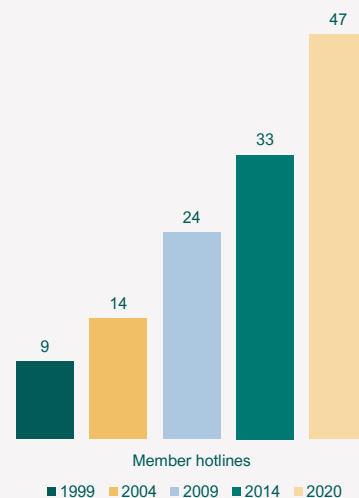
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## Who we are

INHOPE is the global network combatting online Child Sexual Abuse Material (CSAM).

The network consists of 47 hotlines in 43 countries (as of December 2020) that provide the public with a way to anonymously report illegal content online with a focus on CSAM.

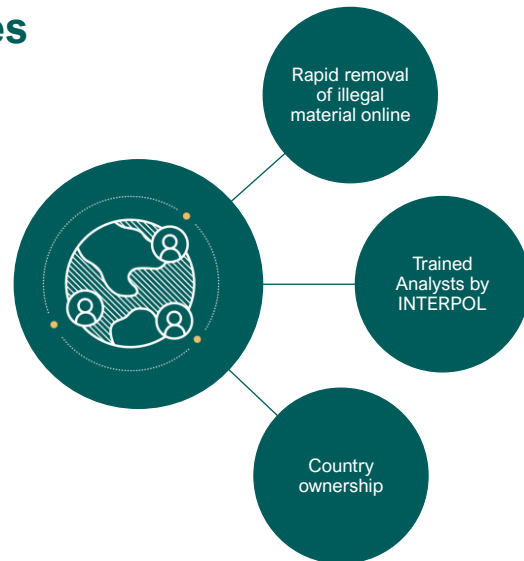
Reports are reviewed by content analysts who classify the illegality of the material, which is then shared with the national law enforcement agency and a Notice and Takedown order is sent to the relevant hosting provider.



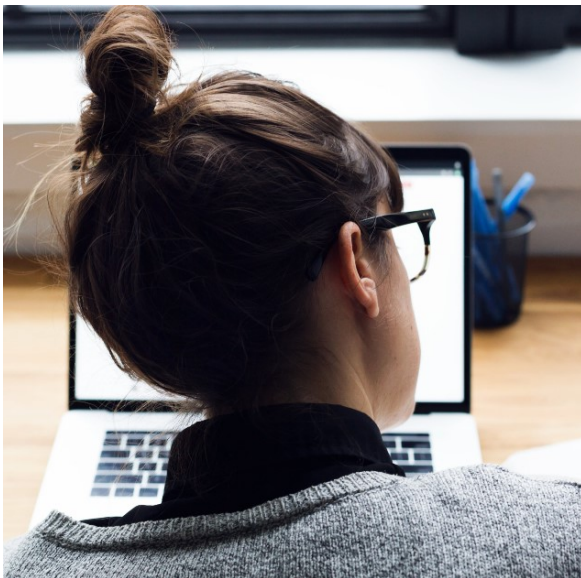
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## The role of our hotlines

A hotline enables the public to anonymously report online material they suspect may be illegal. A hotline analyst will investigate the report and, if confirmed illegal, they act to have the content removed from the internet as rapidly as possible.



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## Objectives



- Raise awareness
- Grow Partnerships
- Expand our global network
- Exchange expertise
- Quality assurance

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## The value of the international INHOPE network

- CSAM is **transnational**, crosses borders, jurisdictions – thus policies and actions aimed at mitigating risks relating to CSAM demand international collaboration
- Network that provides possibility to **exchange reports legally**
- BPPs, training, support and hotlines support each other, buddy systems, change legislation
- **ICCAM system** – allows for instant exchange of reports when hosted in other countries (often multiple)
- **Faster action / response**
- **Speed:** Get the content removed fast (NTD)
- **Speed:** Get evidence preserved so police can investigate
- **Speed** is everything!

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## Isn't this police work?

### Structure & Purpose

- Isn't this is police work?
- Triage – 70 / 30 rule – add value for police - MoU
- Hotline objectives = add value, speed up actions and get content removed + free up law enforcement resources which are scarce

## Stakeholder Support

Hotlines can only exist with the support of stakeholders

including :

- LEA
- Government
- Industry
- Child Welfare



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## 02

## INHOPE Projects

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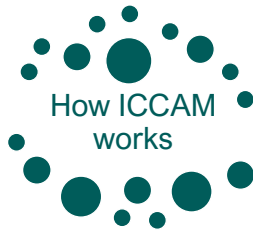


## Better Internet for Kids

- Building on a succession of Safer Internet programmes, Better Internet for Kids (BIK) is a European Commission funded initiative aiming to create a better internet for Europe's children and youth
- The coordination of the Insafe network of awareness centres, helplines and youth panels is managed by EUN, in partnership with INHOPE, which coordinates the network of hotlines.

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## What is ICCAM & Why is it important?



- oConcept
- oEcosystem
- oFunctionalities
- oRequirements

### ICCAM aims to

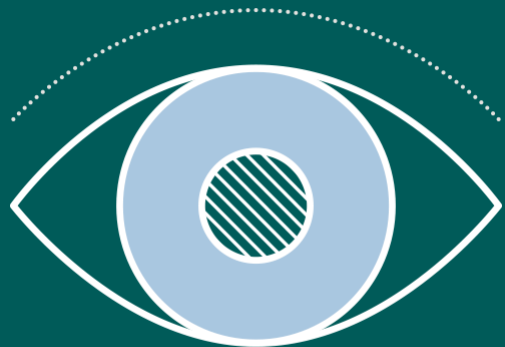
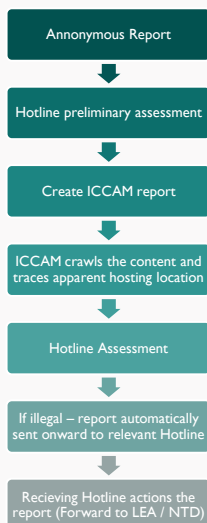
- oBe accessible
- oProvide a secure exchange of CSAM
- oEnhance hotlines' capacity
- oFacilitate image/video hashing/fingerprinting and crawling technologies
- oStreamline hotlines' workflow and content assessment
- oEscalate "new" CSAM
- oReduce number of duplicates

### Who created ICCAM

The INHOPE ICCAM platform was developed by INHOPE and ZiuZ Forensics with funding from the European Commission

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## The Process



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## The AviaTor Project

- Efficiency prioritize all aspects of NCMEC reports
- Automation and intelligence to support your law enforcement's processing
- Configurable to the needs of LEA
- Automatically crawl online sources for additional information for investigations (in accordance with the national legal requirements.)

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## Project ESCAPE

- Donor: End Violence Against Children Fund
- Partners: INHOPE and ZiuZ
- Timeline: Oct 2020- Sept 2022
- Main components
- Expected results



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# 03

## Why we exist

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### Exchanging Expertise

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- INHOPE organises the INHOPE summit for tech, industry, a variety of global brands, as well as international LEAs and other stakeholders including tech specialists, policy experts and decision-maker
- Organise seasonal webinars in spring and an annual focus group
- Hold bi-annual training meetings for hotline managers and analysts
- INHOPE runs a monthly members newsletter, quarterly partner newsletter, and updates/insights mailing lists



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## Training



- CORE Training
- Content Assessment/ICCAM Training
- Online learning management system
- Workshop for advanced analysts
- INHOPE Slack platform and Buddy hotlines

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## Network Expansion

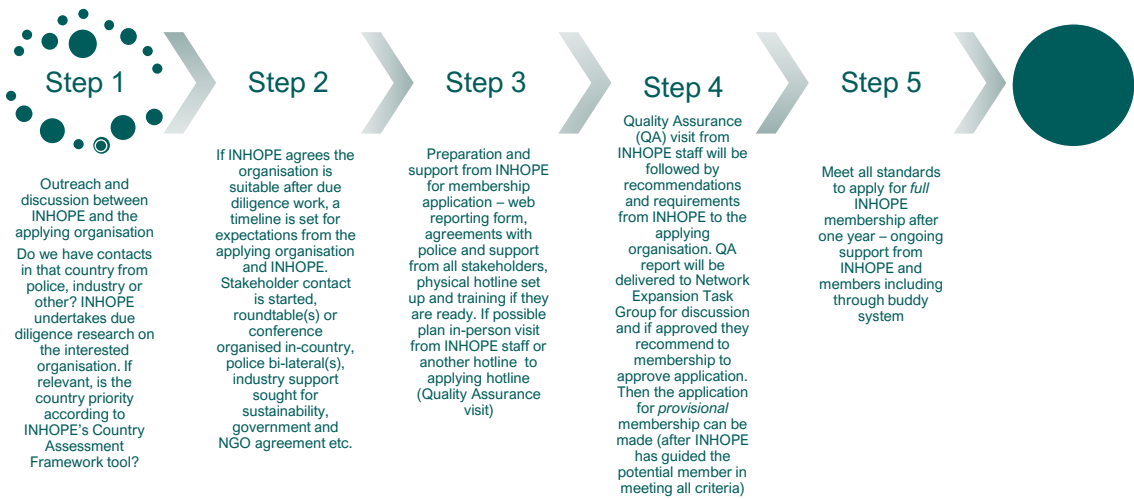
Initiatives that expand our reach are essential. In some instances local organisations approach INHOPE to establish a national hotline.

In other instances, INHOPE uses its Country Assessment Framework Tool to understand which should be priority countries for the establishment of a hotline.



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## Establishing a hotline

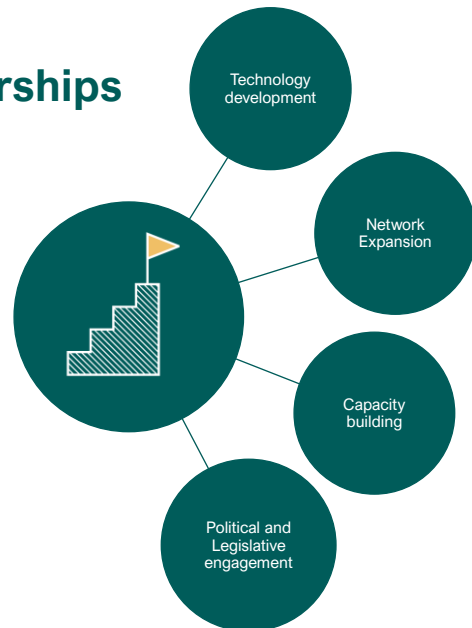


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## Key to Success - Partnerships

INHOPE works with partners who also believe in our mission to combat Child Sexual Abuse Material online by growing and supporting our global network of hotlines using a multi stakeholder approach.

Our partnerships enable and strengthen the hotline-corporate relationship to protect the public, as well as victims of online abuse by issuing notices for rapid removal of confirmed CSAM.



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## Partnerships



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## Why you should care what we do

- Because the INHOPE network reduces the risk of children becoming victims of CSAM – it can happen to anyone
- We reduce demand by removing supply
- The sooner it is removed from the internet the more we prevent re-sharing / copying and minimising continual revictimisation – STOP SHOCK AND SHARE
- Law enforcement (nationally) are advised rapidly
- Interpol victim ID team directly advised of new material directly through ICCAM
- ICCAM means less duplication -less trauma for analysts
- ICCAM feeds ICSE database
- ICCAM makes us more efficient and delivers real time data

## What you can do

- Make sure that you know about your national hotline – see [www.inhope.org](http://www.inhope.org)
- Do everything you can to make sure that the Hotline is allowed to operate effectively in your country
- View Hotlines as a resource and partner both nationally and internationally.

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# 04

## Context in the pandemic and mitigating risk and prevention

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### Europol report key findings heightening the risks

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- Significant increases in activity relating to child sexual abuse and exploitation on:
  - **surface web and dark web** during the COVID-19 lockdown period.
- Travel restrictions and other measures during the pandemic have prevented offenders from travelling so they have shifted their focus to the exchange of CSAM online.
- An increase in the number of offenders exchanging CSAM online during lockdown may have an impact on and stimulate demand for this type of material online beyond the lockdown.

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## Europol report key findings continued

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- Revictimisation - increases in detection and reporting of CSAM during lockdown indicate the higher level of re-victimisation through the distribution of images and videos depicting them.
- SGC - Society, including law enforcement, needs to focus on the self-generation of CSAM to ensure that children are protected from this type of exposure to harm. The increased circulation of CSAM during the COVID-19 pandemic will also increase the need for law enforcement to identify the victims depicted in it.
- **Raising awareness and resilience** - We need to continue promoting preventive and educational initiatives in a coordinated and structural manner across Europe and globally.

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## CONTEXT IN THE PANDEMIC

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### Victim

Confinement measures increase the amount of time children spend online for educational, entertainment and social purposes

- alternative ways of socialising unaware of associated risks
- victims of domestic CSEA may be in lockdown with the offender – in the family
- boredom may lead to increased risk-taking, including an increase in the taking and sharing of self-generated material
- the circulation of viral content leads to continuous revictimisation.

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## CONTEXT IN THE PANDEMIC

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### Offender

- Offenders who usually operate online are likely to increase the amount of time they spend online.
- Offenders continue to adapt and change their online environments to avoid police detection and to target platforms based on popularity with children.
- Transnational child sex offenders are facing significant travel restrictions and may transition their offending to an online environment.
- Economic hardship from COVID19 might lead to an increase in CSEA material traded and produced for payment in the future – commercial CSAM.

### Location

- The online environment in itself has not changed and CSEA offences continue to take place across multiple channels and platforms.
- The emergence of virtual learning environments has led to a new types of livestreaming offences which might increase anyway due to lockdown and the offender's inability to travel.

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## INHOPE & Insafe, NACs & Youth

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### Raising awareness and resilience means increasing preventive communications to:

- Parents, teachers, children
- All national stakeholders

### Using resources..

- Kiko and the hand – Council of Europe
- Bodhini, NGO, Kerala, India
- Many organisations around the globe, nationally and internationally, many languages covered...

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## LET US KEEP OUR CHILDREN SAFE

A BODHINI INITIATIVE



### Does any child you know

- Show sudden behavioural changes
- Show signs of fear, mood changes, panic attacks, withdrawal or clinginess
- Have Fear or Anger to be around certain people or places
- Have pain in their private parts
- Have frequent unexplained stomach aches, headaches and fatigue

...this could be symptoms of Abuse

### Teach children

- That nobody is to touch their private body parts
- To say No, to run away, and to tell trusted people, if someone touches them in their private parts
- That being abused is not their fault.
- To never feel ashamed, guilty or sad if someone has touched them inappropriately
- To not touch anyone else's private parts
- To not watch obscene videos or photographs
- To not give in to threats

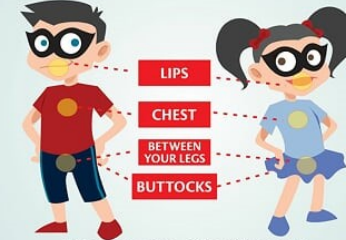


Childline: 1098 Bodhini: 8891320005 bodhini2014@gmail.com bodhini.in

## Body Safety For Kids

Dear kids, just like traffic rules to keep you safe while on the road there are a few Body Safety Rules that help you keep your body safe from harm.

**DO NOT LET ANYONE TOUCH YOU ON YOUR**



If someone does, follow these steps



Always remember that it is never your fault

Note: Parents to clean you or, doctors when with parents may touch you to treat you when sick.  
Your five trusted adults could be

1. Parents
2. Teachers
3. Elder brothers or sisters
4. Relatives
5. Childline (call 1098)



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## COMMUNICATE

## WHY DON'T KIDS TELL?

© The Mama Bear Effect, inc

She said it was a game. He told me it was "our little secret".  
I was afraid my parents would be mad at me.  
I was too ashamed. I did, and my mom told me to stop lying.  
I didn't think anyone would ever believe me.  
She said I was afraid my dad would kill him.  
"teaching" me. My parents thought he was the "nicest guy."  
He told me it was my fault.  
She said she'd kill herself. She told me she loved me.  
He said he'd do it to my little sister if I didn't.  
It happened so many times, it felt like it was too late.  
We never talked about this kind of stuff. He said no one would ever want to tell.  
It was too embarrassing to tell - anyone. My parents said they needed the money.  
I didn't want to lose my dad, I just wanted him to stop.  
He said he'd make my dad lose his job. He said he'd kill my dad.

**1:4 girls and 1:6 boys affected by sexual abuse.  
It's time we talk about it.**

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**There is no silver bullet. We must keep moving forward. We must collaborate, we must continue to raise awareness and standards to protect children. We must communicate with our children and each other removing the taboo from this subject, as well as remove the supply of CSAM while also tackling prevention with offenders. There is a lot to do!**

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**Thanks for  
listening,  
get in  
touch.**

[samantha.woolfe@inhope.org](mailto:samantha.woolfe@inhope.org)

**INHOPE**

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