

# ***CHILD ABUSE AND THE INTERNET: SAFEGUARDING CHILDREN AND YOUNG PEOPLE***

**Safeguarding Children and Young People  
North East England  
Regional Inter-agency Procedures**

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## **ACKNOWLEDGEMENTS**

This inter-agency document is one of a number of documents commissioned by the regional Association of Directors of Social Services Children's Group in the North East and supported by the Commission for Social Care Inspection (CSCI), the North East Area Child Protection Committees (ACPCs), the Local Safeguarding Children Boards (LSCBs) and their constituent agencies.

In order to produce the documents, a regional project was initiated and sustained by a multi-agency partnership working across the twelve local authority areas in the North East of England. Extensive inter-agency consultation took place on the draft documents, with the final versions being amended on the basis of the responses.

Thanks are due to everyone involved, either in the project or reading the drafts and responding to them. Particular thanks for producing this document go to Sunderland Area Child Protection Committee.

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## PREFACE

### NORTH EAST INTER-AGENCY SAFEGUARDING CHILDREN PROCEDURES

#### Status of the Document

The procedures in this document apply to all staff of agencies represented on the ACPCs and LSCBs in the North East of England. Staff of these agencies should:

- Comply with the procedures, unless there are exceptional reasons, which should be recorded.
- Take account of the rest of the contents.

ACPCs and LSCBs and their constituent agencies should ensure that any other inter-agency or internal procedures/guidance/protocols are consistent with this document.

#### Principles

- All children and young people should be safe and able to develop to their full potential.
- The needs of the child or young person are paramount and should underpin all work to safeguard children.
- All children and young people deserve the opportunity to achieve their full potential.
- All children and young people have the right to be safeguarded from harm and exploitation whatever their:
  - Race, religion, nationality, first language or ethnicity
  - Gender or sexuality
  - Age
  - Health, physical or learning disability
  - Location or placement
  - Criminal behaviour, where this applies
  - Political or immigration status.
- Responsibility for the protection of children and young people must be shared because they are safeguarded only when all relevant agencies and individuals accept responsibility and co-operate with one another.
- Statements or allegations about abuse or neglect, made by children and young people, must always be taken seriously.
- The wishes and feelings of children and young people, which are vital elements in assessing risk and formulating protection plans, must always be sought and given weight, according to the level of understanding of the child or young person.
- No child or young person should be allowed to feel responsible for actions taken by professionals, nor for the outcomes.
- During enquiries, the involvement and support of those who have parental responsibility for, or regular care of a child or young person, should be encouraged and facilitated, unless doing so compromises that enquiry or the immediate or long term welfare of the child or young person.

“The basic requirement that children are kept safe is universal and cuts across cultural boundaries. Every child living in this country is entitled to be given the protection of the law, regardless of his or her background. Cultural heritage is important to many people, but it cannot take precedence over standards of childcare embodied in law. Every organisation concerned with the welfare and protection of children should have mechanisms in place to ensure equal access to services of the same quality, and that each child, irrespective of colour or background, should be treated as an individual requiring appropriate care.”  
**‘Victoria Climbié Inquiry Report’ 2003**

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## **1. LEGISLATION - MAIN ACTS**

Children Act 1989 Section 17

Children Act 1989 Section 47

Obscene Publications Act 1959

Protection of Children Act 1978

Criminal Justice Act 1988 Section 160

Criminal Justice and Court Services Act 2000

Sexual Offences Act 2003 Section 15: Meeting a child following sexual grooming

Sexual Offences Act 2003 Section 48: Causing or inciting child prostitution or pornography

Sexual Offences Act 2003 Section 49: Controlling a child prostitute or a child involved in pornography

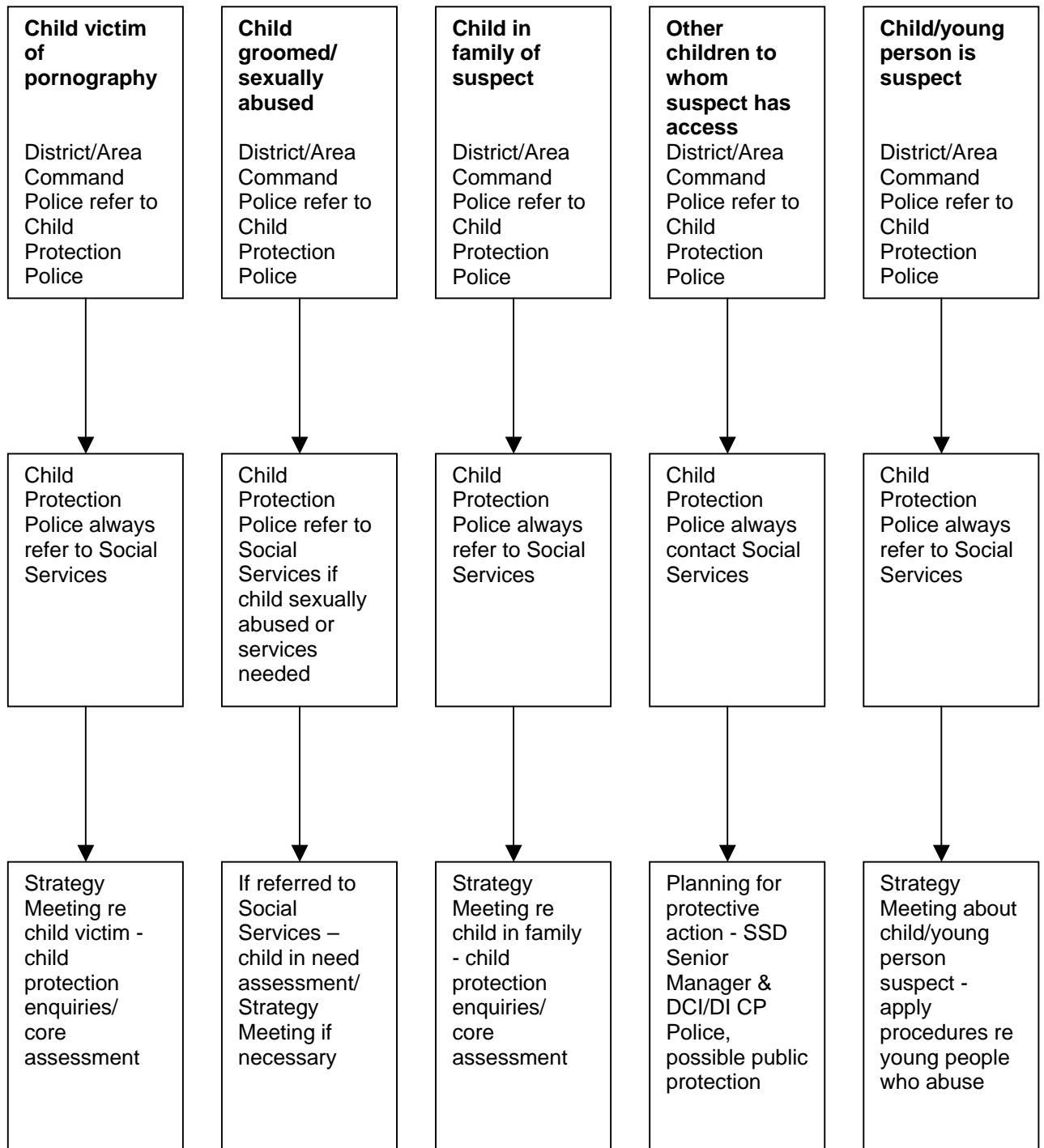
Sexual Offences Act 2003 Section 50: Arranging or facilitating child prostitution or pornography

See Appendix 1 for further information.

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## 2. INTER-AGENCY PROCEDURES

### 2.1 Flowchart Internet Abuse



## **2. INTER-AGENCY PROCEDURES**

### **2.1 Flowchart Internet Abuse**

See Flowchart on previous page.

### **2.2 Information Sharing**

Matters of information sharing, confidentiality and data protection are covered in the Government guidance 'What to do if you're worried a child is being abused' (and in the summary version of the same document).

### **2.3 Meaning of Internet Abuse**

'Internet Abuse' relates to three main areas of sexual abuse to children:

- Child pornography.
- A child or young person being groomed for the purpose of sexual abuse.
- Exposure to pornographic or other offensive material on the Internet.

The procedures in this section deal with the first two above.

#### ***Sexual Abuse***

"Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. They may include non-contact activities, such as involving children in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways." 'Working Together to Safeguard Children' 1999

#### ***Child Pornography***

"Any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of the child for primarily sexual purposes." 'Optional Protocol to the United Nations Convention on the Rights of the Child' 2002.

To obtain or produce indecent images of a child or young person necessitates the sexual abuse of that child or young person.

Child pornography is not solely tied to the Internet.

#### ***Grooming of a Child/Young Person***

This refers to where a person establishes contact with the child or young person and gains their trust and confidence in order to meet and sexually abuse them.

Grooming is not solely tied to the Internet.

### **2.4 Procedures for District/Area Command/Child Protection Police Officers**

**District/Area Command Police Officers** involved in a case of suspected child pornography (including making or taking images, or distribution or possession) or a case of grooming/sexual abuse of a child, must without delay:

- Ascertain whether there are children or young people in the family/household of the suspect.
- Ascertain whether the suspect has access to other children or young people, such as through work or voluntary activities.

In the following circumstances, District/Area Command Police Officers are to refer to Child Protection Police Officers immediately, in order that protection and welfare issues can be addressed for the children or young people involved.

- There is an identified child or young person who has been the subject of pornography.
- There is an identified child or young person who has been groomed/sexually abused.
- There is a child or young person in the family/household of the suspect.
- There are children or young people, outside the family/household, to whom the suspect has access.
- The suspect is a child or young person under the age of 18.

**Child Protection Police Officers** are to follow the inter-agency procedures below.

## **2.5 Where a Child/Young Person is subject of Pornographic Material**

In all cases, wherever a child or young person is identified as having been the subject of one or more pornographic images (whether or not this relates to the Internet):

- The child or young person is to be referred to Social Services.
- The referral is to be classed as requiring a child protection response.
- A Strategy Meeting is to be held in line with local Inter-agency Child Protection Procedures.
- Child protection (Section 47) enquiries and core assessment are to be undertaken by Social Services.
- A Police investigation should be considered, to take place jointly with enquiries by Social Services.
- The child or young person is to be offered counselling/therapeutic services.
- If counselling/therapeutic services are to proceed, they must adhere to the guidance in 'Provision of Therapy for Child Witnesses Prior to a Criminal Trial' (Home Office 2001).

## **2.6 Where Child/Young Person subject to Grooming/Sexual Abuse**

Concerning any particular child, the grooming may come to light at a very early stage or it may have reached the point where the child or young person has met the suspect and been sexually abused.

Child Protection Police Officers must:

- Refer any child or young person who has been sexually abused, or where there appear to be protection needs, to Social Services.
- Consider the welfare needs of the child or young person and whether a referral is needed to Social Services for support services.

Social Services are to apply child protection procedures where necessary.

## **2.7 Child in the Family/Household of Suspect**

Wherever there is a child or young person in the family or household of a person suspected of involvement in child pornography or of grooming/sexually abusing a child:

- The child or young person is to be referred to Social Services.

- The referral is to be classed as requiring a child protection response.
- A Strategy Meeting is to be held in line with local Inter-agency Child Protection Procedures.
- Child protection (Section 47) enquiries and core assessment are to be undertaken by Social Services.

Where computers have been seized and extensive forensic work is to be undertaken, it will not always be possible for the Police to work within normal timescales for investigations. This may affect the timescales expected of Social Services for undertaking child protection enquiries and assessment, in which case, Social Services should record the reasons for delay.

## **2.8 Other Children to whom the Suspect has Access**

Protective action is to be taken wherever a person suspected of involvement in child pornography, or the grooming/sexual abuse of a child or young person, is found to have access to other children, for example through work or voluntary activities.

Where the person is employed by, or a volunteer or foster carer for, an ACPC/LSCB agency, the procedures and principles outlined in 'Allegations Against Staff, Carers and Volunteers' North East Regional Procedures 2005, are to be followed.

In other cases, planning should take place between a Senior Manager in Social Services and the Detective Chief Inspector/Detective Inspector for Child Protection, with the involvement of Public Protection representatives where applicable. Legal advice should be sought, where necessary, in relation to matters of disclosure.

## **2.9 Suspected Abuse, regarding Child Pornography or Grooming, by Young Person**

Where a young person under the age of 18 is suspected of involvement in perpetrating abuse through child pornography or of grooming/sexual abuse, a referral about this young person is to be made to Social Services.

In all cases Social Services are to ensure that:

- The referral about this young suspect is designated as child protection.
- A Strategy Meeting is held about this young person, separate to any Strategy Meeting in relation to the child(ren) who the young person may have abused.
- A representative from the Youth Offending Team is invited to the Strategy Meeting.
- A representative from any available specialist service, which works with young people who sexually abuse, is invited to the Strategy Meeting.
- The Strategy Meeting addresses the protection and welfare needs of the young person.

Where implemented, 'Working with Children and Young People who Sexually Abuse: Safeguarding Children and Young People' North East Regional Procedures 2005, are to be followed.

## **2.10 Liaison**

Whenever more than one of the processes outlined in 2.5, 2.6, 2.7, 2.8 and 2.9 above is taking place, there must be close liaison between those managing the different processes.

## **2.11 Possible Link to Other Procedures**

Where any of the following additional circumstances apply, the procedures named are to be accessed:

- Suspect concerned may need to be considered under public protection arrangements - see local protocol for public protection arrangements, also 'Child Protection and Public Protection: Safeguarding Children and Young People' North East Regional Inter-agency Procedures 2005.
- Issues have arisen which involve more than one Social Services Department – see 'Cross Boundary Procedures: Safeguarding Children and Young People' North East Regional Inter-agency Procedures 2005.
- Possible complex or multiple or organised abuse - see local Inter-agency Child Protection Procedures.
- Possible risk of sexual exploitation - see 'Sexual Exploitation, or Risk of Sexual Exploitation: Safeguarding Children and Young People' North East Regional Inter-agency Procedures 2005.

## **2.12 Secure Storage of Material**

The professionals involved should reach an expedited agreement as to the arrangements for the secure storage and preservation of the pornographic material.

In appropriate cases consideration should be given as to the need to seek judicial guidance on the handling of any images or other material to ensure no inadvertent commission of criminal offences.

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### 3. INFORMATION TO ASSIST GOOD PRACTICE

#### 3.1 The Internet

The Internet started in the 1960s. Initially it was a means of exchanging information between researchers, mainly employed in the US defence industries and the military. Public awareness of the Internet started to develop in the early to mid 1990s, following the development of the world wide web.

The Internet is a huge technological achievement, promising great benefits to society in general and to children and young people in particular, especially in education and entertainment. It has become a vital tool for communication, information, entertainment and shopping and is critical to children's development in today's world. Most schools are now connected to the Internet and children, when they go on to further education or work, will almost certainly be expected to be confident users of computers and the Internet.

Internet direct contact facilities include:

- **Chat rooms** - online meeting places, which are particularly popular with children and young people. Chat room conversations are typed and everyone else in the chat room can see the message. Some chat rooms allow mixed text based chatting with video and voice, using a web cam (Internet-based camera) and microphone.
- **Newsgroups** - where people leave messages for others to read.
- **Internet clubs and communities** - ways of exchanging information on topics of interest.
- **Instant messaging** - messages are sent instantly in much the same way as a text message is sent through mobile phones. Instant Messaging is usually more closely associated with a network of friends.
- **Playing interactive games** - these sites allow for communication between players.
- **Mobile phones** - Some mobile phones can be used to visit websites, including chat rooms. Some mobile phones can take photos, make mini film clips and send them via email.
- **E-mails** - Correspondence sent in electronic form via the World Wide Web. This may have an 'attachment' of written information or pictures/images.

#### 3.2 Risk to Children and Young People from the Internet

As with many new or emerging technologies, the Internet has brought unfamiliar problems, some of which create actual or potential dangers for children and young people.

The main dangers in relation to sexual abuse are:

- In relation to child pornography.
- Through being groomed for the purpose of sexual abuse.
- Through being exposed to unacceptable material on the Internet.

#### 3.3 Child Pornography

Abuse through child pornography can take the form of photographing, videoing or taking images of children and young people for a sexual purpose. The Metropolitan Police website states that child pornography "...is intrinsically related to the sexual abuse of children..." The materials produced are a permanent record of the child or young person's exploitation and their circulation exacerbates the harm.

### **3.4 Scale of Child Pornography**

There is general agreement that a huge increase has taken place in child pornography, due to the Internet. 'Child Abuse, Child Pornography and the Internet' (NCH 2004) states that the arrival of the Internet opened up new means of distributing images of the sexual abuse of children. In pre-Internet days Police seizures generally yielded only a handful of pictures. Today it is not uncommon for a single suspect to be arrested with tens of thousands of images on his computer.

Many paedophiles acknowledge that exposure to child abuse images fuels their sexual fantasies and plays an important part in leading them to commit hands-on sexual offences against children and young people. Because the Internet is facilitating larger numbers of individuals becoming involved in collecting and possessing child abuse images, it follows that it is highly likely that more children and young people are being abused than would otherwise have been the case. Moreover, whereas in the past child abuse images were mainly simply exchanged between collectors, organised crime is now involved, producing large numbers of pictures for sale.

Ray Wyre in 'No Excuse for Child Porn' (2003) notes that Police investigations have seen the arrests of hundreds of people on charges related to Internet child pornography, covering all sections of public and professional life - from priests, politicians and pop stars to police officers and social workers.

From interviews with suspects, Wyre gives the view that there is a situation where easy access to such material will lead many more people to break the law. Further, that the present legislation is unlikely to deal with child pornography on the Internet, a lucrative business, which in 2001 saw a 345% increase in child pornography sites and which puts most Internet users only three clicks away from obtaining illegal material.

### **3.5 Risk from Users of Pornography**

The COPINE Project, based at the University of Cork, is one of the leading European centres engaged in the study of Internet pornography. The COPINE typology identifies five levels of material according to the degree of harm to the victims. This typology is widely used in criminal proceedings in the UK to assist in determining the seriousness of individual cases.

The COPINE Project categorises five classes of Internet child pornography related offending behaviours namely:

- Downloading child pornography
- Trading child pornography
- Distribution and production of child pornography
- Engagement with Internet seduction of children
- Contact offences

This model does not imply that the person who engages in the downloading of child pornography will automatically go on to commit a contact offence against a child or young person. However, there is evidence to support the view that there are facilitating factors (environmental, such as access to children and young people, as well as those pertaining to the individual, in terms of past history, etc.), which increase the likelihood of it being the case.

The Home Office guidance to Probation Officers (2003) 'Assessment of Individuals Convicted of Child Pornography Offences' says that pornography has been found to be used as an aid in generating inappropriate sexual fantasy; it normalises the fantasy and disinhibits the user. As the viewer becomes familiar and bored with the pornography, they

seek out more 'intense' content. The combination of disinhibition, increased risk taking, entrenched cognitive distortions and the need to seek more intense experiences suggests the possibility of escalating behaviour into seeking opportunities for 'real-life experiences' and hands-on abuse. (Recognising that many images of child pornography are already images of hands-on abuse).

Other research cited in the Home Office guidance points to more than one third of child molesters having, at least occasionally, been incited to commit an offence by exposure to pornographic material. A small scale study in the West Midlands Probation Area found that 86% of sex offenders admitted using pornography as a precursor to offending (second only to use of alcohol). It concludes that given the relatively low rate of conviction for child abuse offences (estimated at 5% of reported incidences) it is reasonable to assume that regular viewers of child pornography will contain substantial numbers of hitherto unconvicted abusers.

### **3.6 Assessment of Risk posed by Users of Pornography**

The following extracts are from the Home Office guidance (2003) 'Assessment of Individuals Convicted of Child Pornography Offences'.

Assessment needs to focus on the context and meaning of pornography for each individual along with an assessment of other dynamic factors associated with sexual offence behaviours.

Guidance to Probation officers in assessing risk includes the following:

- Indecent images of children are records of coercive and abusive acts against children and those downloading such images are contributing to the perpetuation of child abuse (which individual offenders will often deny).
- Sex offenders, including those convicted of child pornography offences, are not a homogeneous group.
- Greater attention should be paid to dynamic risk factors in these assessments.
- Research has been unable to provide clear evidence for a causal link between viewing pornography and committing 'hands on' offences.
- There is evidence that those assessed with a predisposition to commit other sexual offences will also view pornography.
- The extent to which predisposing factors for sexual offenders are present provides an opportunity to assess the likelihood of re-offending.
- To gain an insight into how entrenched the behaviour has become and the escalation of use, there should be an exploration of:
  - the context in which material was accessed
  - the amount of time spent online
  - frequency of downloading material
  - the variety of sites, bulletin boards and chat rooms visited and the frequency
  - information on participation in live sex talk or video link sessions
  - the efforts made by the offender to conceal his identity online
  - the efforts made to conceal his activity from others
  - any deterioration in social relationships.

### **3.7 Assessment of Young People in possession of Child Pornography**

Professor Max Taylor of the COPINE Project notes that increasing numbers of young people are caught in possession of child pornography and that understanding this is difficult. However, he argues that equating these young people with adult paedophiles is not helpful, for the following reasons.

If a young person is in possession of pictures of children within their own age range, it may be thought undesirable, but understandable, as age appropriate exploration. If, as has happened, pictures of very much younger children are included in seized collections, this might be viewed as far more worrying.

Professor Taylor puts the case that risk taking and exploring limits may be particular factors for young people collecting this material. Further that these young people are themselves being brought into the framework of sexual exploitation, they should be seen primarily as victims rather than offenders and that they are at considerable risk.

Children who are already involved in a sexually abusive relationship may well be shown child pornography to normalise and facilitate their continued involvement in such an abusive relationship. Evidence of enticement - using child pornography - of children not already involved in an abusive relationship is less clear, but does occur. Child pornography is used in chat rooms as a medium for engagement in cybersex with children and adults, which can lead to offline meetings.

Professor Taylor says that we have no knowledge of the effect of early exposure to this kind of material on subsequent development of sexuality, but have to assume that it is a negative influence.

### **3.8 Grooming**

'Child Abuse, Child Pornography and the Internet' NCH 2004, shows that the arrival of the Internet opened up new ways for paedophiles to reach and abuse children and young people. There is an increasing number of offences being committed, where chat rooms etc. can be used as a tool to groom unsuspecting children or young people for the sexual purposes of paedophiles.

Sex abusers, usually posing as children or teenagers, try to strike up a friendship and can ask a child or young person to move to a one-to-one chat (known as 'whispering'). Alternative one-to-ones are by email, Instant Messaging or text messaging on a mobile phone.

The progression then is for the person to persuade the child or young person to eventually meet. In recent years there have been a number of reported cases where older men have built up relationships with children or young people by grooming them before trying to meet them.

Surfing the Internet from the comfort or safety of home, or through a mobile phone, can give a false sense of security. Children and young people can unwittingly give away personal details such as where they live or go to school, or begin to trust someone they don't know and willingly give them personal contact details

Even if an adult is honest about their age, that is no guarantee of their good intentions. They could try to strike up a friendship over a shared interest, say football, and use it to meet a child or young person.

Although efforts are being made to combat the problem, Internet Service Providers (ISP) which host the chat rooms, have limited effectiveness in monitoring the activity on these sites.

### **3.9 Risk of Children/Young People being exposed to Pornographic Material**

Children and young people can be very curious and may use the Internet (by computer or mobile phone) to view material they would otherwise never normally be able to see, which might be dangerous, pornographic, offensive or unacceptable in some other way. It is

possible also via unsolicited web advertisements, or making a mistake on a web address, for children and young people to be exposed to this kind of material.

### **3.10 World Wide Measures to Combat Internet Abuse**

**The Virtual Global Taskforce** (VGT) [www.virtualglobaltaskforce.com](http://www.virtualglobaltaskforce.com) was created in 2003 as a direct response to lessons learned from investigations into online child abuse around the world. It is an international alliance of law enforcement agencies working together to make the Internet a safer place.

The Virtual Global Taskforce comprises the Australian High Tech Crime Centre, the National Crime Squad for England and Wales, the Royal Canadian Mounted Police, the US Department of Homeland Security and Interpol.

The Virtual Global Taskforce delivers innovative crime prevention and crime reduction initiatives to prevent and deter individuals from committing online child abuse. Details of current and future initiatives are published on its website.

The website acts as a gateway to a wide range of information on how to use the Internet safely and links to a range of support agencies that can advise and support victims of abuse. It also sends out a clear message to those who use the Internet to search for and share images of child abuse, or approach children to groom them for sexual abuse, that law enforcement is active online and that the Internet is not an anonymous place. The aim, over time, is for the website to become a gateway to all relevant information about child protection online.

The Virtual Global Taskforce plans to work with companies around the world in order to seek solutions to online child abuse. It also plans to widen its membership to key law enforcement agencies in many more countries.

**The United Nations** 'Optional Protocol to the United Nations Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography' (2002) addresses child pornography in the context of computer systems. State parties are required to prohibit the sale of child pornography and the production, distribution, disseminating, import, export, offering, selling or possessing of it. The protocol can be viewed at [www.unhchr.ch/map.htm](http://www.unhchr.ch/map.htm)

**Childnet International** [www.childnet-int.org](http://www.childnet-int.org) This is an organisation which works with partners around the world to try and ensure that children and young people are protected from the dangers of the Internet.

### **3.11 European Measures**

**The European Union** 'Framework decision on combating the sexual exploitation of children and child pornography' aims to harmonise the legislative and regulatory provisions of the member states concerning Police and judicial cooperation. Can be viewed at [www.europa.eu.int](http://www.europa.eu.int)

**The Council of Europe** 'Convention on Cyber-crime' (2001), Article 9 aims to pursue a "common criminal policy aimed at the protection of society against cyber-crime, inter alia, by adoption of appropriate legislation and fostering international co-operation". It calls upon each signed state (the UK signed Dec 2001) to adopt such legislative and other measures as may be necessary to establish as criminal offences, under its domestic laws, when committed intentionally and without right a number of conducts. Can be viewed at [www.conventions.coe.int](http://www.conventions.coe.int)

### **3.12 UK/England and Wales Measures**

#### **Legal changes**

In England and Wales the Sexual Offences Act 2003 brought in new legislation, including measures to try and deal with grooming (which may or may not be via the Internet).

#### **National Centre for Child Protection on the Internet**

A Home Office press release April 2005 announced that the Government is to set up a new 'Centre for Child Protection on the Internet' to support the Police and child protection agencies. The Centre will target those using the internet to distribute illegal images and 'groom' children.

The Centre's aim will be to reduce the harm caused to children, families and societies by child abuse facilitated through the internet.

The Centre is supported by the members of the Home Secretary's Internet Task Force, including the Association of Chief Police Officers (ACPO), the Internet Watch Foundation, children's charities and the internet industry. The Centre will be attached to the Serious Organised Crime Agency (SOCA) and will be operational by April 2006. It will be staffed by specialist Police Officers as well as child protection and internet industry experts and will be a focal point for the online element of child protection work.

The new Centre will:

- Provide a single 24/7 point of contact for the public, law enforcers, industry, and other organisations for reporting targeting of children online
- Offer information and advice to victims and potential victims of abuse and parents.
- Assess and disseminate international and domestic intelligence on online and offline offenders, including paedophiles and other serious sex offenders.
- Crime prevention and crime reduction strategies to reduce the harm caused by online child abuse.
- Undertake proactive investigations to identify high priority targets.
- Manage the national database of child abuse images ("childbase") and implement links to other systems.
- Provide specialist guidance and good practice to local agencies.

#### **Area Child Protection Committees**

Government expectations of Area Child Protection Committees are:

"Area Child Protection Committees will consider activities to raise awareness about the safe use of the Internet.

If someone is discovered to have placed child pornography on the Internet or accessed child pornography, the Police should normally consider whether they are also involved in active abuse of children and the access they have to children in all settings of their life." 'Working Together to Safeguard Children' DOH 1999.

#### **Police Powers**

The Police have the power to close down any website or chat room which breaks the law. In most cases this relates to sites that contain obscene material or incite racism. Unfortunately, with more than a billion web pages in existence there are simply not enough officers to search out the owners of every illegal site. The Police work with the Internet Watch Foundation (see below). However, many sites are based abroad and therefore fall

outside the jurisdiction of the British Police. Also, many sites are difficult to trace as Internet Service Providers do not demand proof of identification when someone sets up a site.

### **Internet Watch Foundation** [www.iwf.org.uk](http://www.iwf.org.uk)

This is an organisation which works with the Police and Internet Service Providers to trace those responsible for putting harmful or illegal material on the web. It also encourages web surfers who find harmful or illegal material to report it.

### **Mobile Phone Firms**

A number of major mobile phone firms, including Vodafone, Virgin and Orange, have brought in regulations to ensure a person is over 18 years old before selling them a mobile phone with unlimited access to the Internet.

### **Internet Task Force** [www.homeoffice.gov.uk/crime/Internetcrime/taskforce](http://www.homeoffice.gov.uk/crime/Internetcrime/taskforce)

This is a partnership set up in 2001, between:

- Representatives of the Internet industry
- Child welfare organisations
- The Police
- Government

The Internet Task Force aims to:

- Make the UK the best and safest place in the world for children to use the Internet
- Help protect children the world over from abuse fuelled by criminal misuse of new technologies

It has produced 'Good practice models and guidance for the industry' 2003 which gives guidance on chat rooms, instant messaging and web-based services that encourages clear safety messages and advice, and user-friendly ways of reporting abuse.

### **Stop it Now Campaign** [www.stopitnow.org.uk](http://www.stopitnow.org.uk)

Major children's charities, including Barnardo's, Childline, the Children's Society, NCH and NSPCC are working together through the 'Stop it Now' campaign, aimed at ending child abuse via the Internet, and have produced 'Child Safety Online: Digital Manifesto Summary – Children's Charities Coalition for Internet Safety'.

### **NSPCC** [www.nspcc.org.uk](http://www.nspcc.org.uk)

The NSPCC, as part of its FULL STOP campaign to end cruelty to children, continues to urge particular action to be taken in respect of online abuse. It has pointed to shortcomings in the current system, saying that anyone who reports suspicious online activity, such as an unusual conversation in a chat room is referred to local Police. However, most local forces struggle to investigate as they do not have enough resources, the relevant expertise or technology. Moreover, the global nature of the Internet means that enquiries often cross several Police Authority boundaries and so it is often unclear which Police Force ought to take up the case

The NSPCC has been calling for a dedicated resource to investigate online child abuse. In this plan, a specialist team of Police and Child Protection Officers would act as a national referral point for online child abuse, with a national alert line direct to the team.

## **The Association of Chief Police Officers (ACPO)**

ACPO agrees that there is a need to invest much more effort and resources and that creating a national facility would represent a major contribution to making the Internet a much safer place for children.

### **3.13 Advice for Children, Young People and Parents**

**The Internet Task Force** has created:

- thinkuknow.co.uk – a website for young people full of information about staying safe online.
- Keep Your Child Safe on the Internet – An online leaflet of practical guidance for parents and carers.

NCH, the Children's Charity, has produced advice for parents and children about Internet abuse 'Net Smart Rules' [www.nch.org.uk/itok](http://www.nch.org.uk/itok)

Both of the above give advice to parents and children in terms of considering the dangers and managing the risks, as well as information about computer software and supervised chat rooms etc.

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## **APPENDIX 1: LEGISLATION – FURTHER INFORMATION**

### **1. Children Act 1989 Section 17**

A child is defined as 'in need' by Section 17 of the Children Act (1989) if:

- he or she is unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for him/her of services **or**
- his/her health or development is likely to be significantly impaired, or further impaired, without the provision for him/her of such services **or**
- S/he is disabled.

### **2. Children Act 1989 Section 47**

Where a local authority has reasonable cause to suspect that a child who lives, or is found, in their area is suffering, or is likely to suffer, significant harm, the authority shall make, or cause to be made, such enquiries as they consider necessary to enable them to decide whether they should take any action to safeguard or promote the child's welfare.

'Harm' is defined as ill treatment, which includes sexual abuse, physical abuse and forms of ill-treatment which are not physical, for example:

- emotional abuse or
- impairment of health (physical or mental) or
- impairment of development (physical, intellectual, emotional, social or behavioural).

This may include seeing or hearing the ill treatment of another (s120 Adoption and Children Act 2002).

### **3. Obscene Publications Act 1959**

It is an offence to possess obscene material for gain.

### **4. Protection of Children Act 1978**

It is an offence to take or make indecent photographs or pseudo photographs of children.

### **5. Criminal Justice Act 1988 Section 160**

It is an offence to possess an indecent photograph of a child under age 18.

### **6. Criminal Justice and Court Services Act 2000**

This Act gives the legal framework for Multi Agency Public Protection Arrangements (MAPPA) in relation to those who are considered a potential danger to the public.

Protocols for local MAPPA arrangements are in place and are to be followed as necessary.

### **7. Sexual Offences Act 2003 Section 15: Meeting a child following sexual grooming**

Section 15 makes it an offence for a person (A) aged 18 or over to meet intentionally, or to travel with the intention of meeting, a child aged under 16 in any part of the world, if he has met or communicated with that child on at least two earlier occasions, and intends to commit a "relevant offence" against that child either at the time of the meeting or on a

subsequent occasion. An offence is not committed if A reasonably believes the child to be 16 or over.

The section is intended to cover situations where an adult (A) establishes contact with a child through, for example, meetings, telephone conversations or communications on the Internet, and gains the child's trust and confidence so that he can arrange to meet the child for the purpose of committing a "relevant offence" against the child. The course of conduct prior to the meeting that triggers the offence may have an explicitly sexual content, such as A entering into conversations with the child about the sexual acts he wants to engage her in when they meet, or sending images of adult pornography. However, the prior meetings or communication need not have an explicitly sexual content and could for example simply be A giving the child swimming lessons or meeting her incidentally through a friend.

The offence will be complete either when, following the earlier communications, A meets the child or travels to meet the child with the intent to commit a relevant offence against the child. The intended offence does not have to take place. The evidence of A's intent to commit an offence may be drawn from the communications between A and the child before the meeting or may be drawn from other circumstances, for example if A travels to the meeting with ropes, condoms and lubricants.

Subsection (2) (a) provides that A's previous meetings or communications with the child can have taken place in or across any part of the world. This would cover for example A emailing the child from abroad, A and the child speaking on the telephone abroad, or A meeting the child abroad. The travel to the meeting itself must at least partly take place in England or Wales or Northern Ireland.

#### **8. Sexual Offences Act 2003 Section 48: Causing or inciting child prostitution or pornography**

Additionally the Sexual Offences Act 2003 Section 48 makes it an offence for a person (A) intentionally to cause or incite a child into prostitution or involvement in pornography in any part of the world. The pornography / prostitution do not have to have taken place for the offence to be committed.

The causing or inciting in this instance must take place in the UK. However the prostitution or pornography can take place, or be intended to take place in any part of the world.

There is no requirement that the prostitution or pornography be done for the gain of A in order for an offence to have been committed.

#### **9. Sexual Offences Act 2003 Section 49: Controlling a child prostitute or a child involved in pornography**

This section makes it an offence for a person (A) to intentionally control any of the activities of a child (B) that relate to B's prostitution or involvement in pornography in any part of the world. 'Any of the activities' is specified to ensure that it captures situations in which only part of the child's time is controlled. An example of the type of behaviour which the offence targets is where A directs B to charge a certain price for a particular sexual service and B complies with this request or direction. Alternatively, it could be directing a child to pose for an indecent photograph or film.

Again the controlling must take place in the UK but the prostitution or pornography can take place in any part of the world. There is no requirement that the prostitution or pornography be done for the gain of A.

**10. Sexual Offences Act 2003 Section 50: Arranging or facilitating child prostitution or pornography**

It is an offence for a person (A) to arrange or facilitate the involvement of a child (B) in prostitution or pornography in any part of the world. This would cover for example, A delivering B to a place where he will be used to make pornography, A making practical arrangements for the shooting of indecent photographs of B, or a landlord (A) knowingly allowing his property to be used as a location for child prostitution.

The arranging or facilitating must take place in the UK. However the prostitution or pornography can take place in any part of the world. There is no requirement that the prostitution or pornography must be carried out for the gain of A.

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## **APPENDIX 2: GLOSSARY/INTERNET TERMINOLOGY**

**Child pornography** - any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primary sexual purposes. 'United Nations Convention on the Rights of the Child' 2002.

The following are reproduced from 'Keep your Child Safe'

### **Address (URL)**

An address, or website address, which is typed in to find a place on the Internet. They begin www (world wide web) followed by the name or the organisation or company. For example, the education section of the Houses of Parliament is at [www.explore.parliament.uk](http://www.explore.parliament.uk).

### **Email Address**

An email address is used to contact an individual. Email addresses always include the symbol @ (pronounced 'at').

### **Attachment**

This is a file of information that can be sent as part of (attached to) an email. It may contain text, photos, graphics, sound or video.

### **Broadband**

An 'always-on' connection to the Internet using specially installed equipment that works with the phone line to deliver online information and images rapidly to a computer.

### **Browser or web browser**

This is a piece of software (computer instructions or a computer programme) which allows the Internet to be explored, also known as 'browsed'. Two of the best known browsers are Internet Explorer and Netscape Navigator.

### **Chat room**

A place on the Internet, accessed through a computer or mobile device, where people communicate by typing messages. People all over the world can communicate in a chat room, where everyone can see what is being typed by everyone else, either on their computer screen or mobile device.

### **Download**

This means to transfer information from the web to a person's computer. Often it is free. It may be words or images or software or music.

### **Email (electronic mail)**

Messages sent electronically (over the Internet) from one computer to another.

### **Favourites**

A place on the Internet browser to store web addresses that are often used.

### **Filter**

Computer software that allows certain material to be blocked, for example, websites with violent, sexual or racist content.

### **Firewalls**

Firewalls are used to prevent unauthorised Internet users from accessing private networks or individual computers connected to the Internet. All messages entering or leaving the computer pass through the firewall which examines each message and blocks those that do not meet the specified security criteria.

**Icon**

A small picture or image, often self-explanatory, which makes something happen when it is clicked. For example, clicking on a printer icon will print the page on the computer screen.

**Internet messaging**

A way of exchanging typed messages with a friend or group of friends over the Internet, similar to sending text messages from mobile phones.

**Internet**

A worldwide network of computers that connects people and information. Also known as 'the net' or 'the web' or the 'world wide web'.

**ISP (Internet Service Provider)**

ISPs are commercial companies that have different ways of charging for their services. Well known ISPs include AOL, BT, Demon and Freeserve.

**MMS**

Stands for multi-media messaging service. This means sending messages between mobile phones or between mobile phones and computer email. These can be text messages, still images, short films or audio clips.

**Modem**

A modem is part of a computer that lets it communicate with others through telephone lines. Some modems are built into computers and some are added on as external devices.

**Moderated chat room**

Chat rooms that have a person or a piece of technology to supervise the chat and make sure it is suitable.

**Newsgroups**

Newsgroups, communities and clubs are discussion groups on the Internet. Unlike chat rooms, users do not communicate 'live' but post messages to each other on a particular topic. They are potentially open to abuse, for example, through people posting illegal material.

**Online/Offline**

Being online means being connected to the Internet. Offline is sometimes used as another term for the real world (i.e. outside the Internet).

**Picture messaging**

Pictures taken on mobile phones, which have picture messaging facilities, can be sent via the mobile networks to other mobile devices with the same technology or can be sent to email addresses via the Internet.

**Profile**

Some chat rooms let users complete a personal profile which others can see.

**SMS**

Stands for Short Messaging Service and means sending text messages by mobile phone.

**Spam**

Spam is email that hasn't been asked for and isn't wanted. It may be sexually explicit.

**URL**

Another term for an Internet or website address. (It stands for Uniform Resource Locator).

**WAP**

WAP stands for Wireless Application Protocol and is the technology used by most mobile phones to browse Internet sites that are written in a compatible format.

**Web**

The vast collection of websites that has been put into the Internet by companies, organisations and individuals

**Webcams**

This term is short for web cameras, special video cameras that can be linked to the Internet. Just like ordinary cameras, they are pointed at something and the image appears more or less straightaway on the computer screen.

**Whispering**

Whispering is a way of sending a private message to an individual in a chat room. This is like having a private conversation with a stranger.

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## **APPENDIX 3: USEFUL CONTACTS AND WEBSITES**

### **Childnet**

[www.childnet-int.org](http://www.childnet-int.org)

### **Children's Charities Coalition for Internet Safety**

[www.nch.org.uk/chis](http://www.nch.org.uk/chis)

### **Internet Task Force**

[www.homeoffice.gov.uk/crime/Internetcrime/taskforce](http://www.homeoffice.gov.uk/crime/Internetcrime/taskforce)

### **Internet Watch Foundation**

[www.iwf.org.uk](http://www.iwf.org.uk)

### **NCH**

[www.nch.org.uk](http://www.nch.org.uk)

**Police Child Pornography Information Line** freephone 0808 100 0040

### **NSPCC**

[www.nspcc.org.uk](http://www.nspcc.org.uk)

### **Stop it Now Campaign**

[www.stopitnow.org.uk](http://www.stopitnow.org.uk)

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