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| Event History

Policy owned by Investigations**Child Sexual Abuse - Online****1. Policy Purpose and key drivers****Aim**

The aim of the policy is to identify, protect and safeguard children who have been the subject of or are at risk of Child Sexual Abuse (CSA) or Child Sexual Exploitation (CSE) which has been or is being enabled or exposed by way of an online capability.

In addition it will develop additional capacity and capability to pursue offenders who utilise the internet to commit sexual offences against children.

Business Drivers**Sexual Offences against Children – Increased Reporting**

Child Sexual Abuse is still very much under-reported to the Police so it is expected reports will continue to increase. Within Staffordshire numbers of sexual offence crimes against children have been rising since 2012.

There are a number of factors that have been identified in part for the increase.

- Increase in the number of 'Delayed Reports' associated with the arrest and trials of high profile people as victims feel more empowered to report past abuse
- Less of a 'culture of silence' around reporting sexual crimes.
- Increase in confidence and belief from victims that sexual offence crimes will be taken seriously by the Police.
- Robust Crime Recording Process. Staffordshire Police has been praised by Her Majesty's Inspectorate of Constabulary (HMIC) following the inspection of the force's crime recording procedures, especially in relation to recording Sexual Offence Crime.

Any child or young person who has been exposed to sexual abuse of any kind suffer significant harm and face huge risks to their physical, emotional and psychological health and well-being. Staffordshire Police is committed to protecting children from harm and prosecuting those who commit sexual crimes against them.

Digital Revolution

Society has become increasingly digitised and the internet is now deeply embedded in our culture. In Great Britain alone 21 million households (83%) had internet access in 2013 and 36 million adults (73%) accessed the internet every day, 20 million more than in 2006. In addition access to the internet using a mobile phone

more than doubled between 2010 and 2013, from 24% to 53%.

Young people are being classed as digital natives meaning the internet is a natural space for them and is fully integrated into their lives. The rapid rise in access to the internet, digital gaming and mobile technology is occurring at a younger age than ever before with use of some key media, including television, games consoles and the internet being well established by the age of 5 and while the volume and range of media use increases with age, it is largely driven by increases in mobile phone and internet use.

The internet within Staffordshire is a location and it is one where we need to ensure that children are safe by proactively policing this environment.

There are some people who believe due to an assumed anonymity that risks are lessened when committing online crime and others feel the internet is a location where normal rules, regulations and laws do not apply, these people need to be tackled and prevented from harming others.

Online CSA & CSE

The changing nature of online usage and the advancement in digital technology has unfortunately a more sinister side as it opens up new avenues for abusers to gain access to children and illegal material of children on a global scale.

The online and offline worlds of children and young people are inextricably linked and movement between the two occurs on a regular basis. Children and young people have a right to be protected and kept safe from harm; therefore the Forces responsibility to create a safer on-line environment has never been so apparent.

New technologies and social networking tools and platforms, chat rooms, dating sites or online gaming all present opportunities for social interaction and this unfortunately increases the opportunities for offenders to target young people. Recent research has identified that 99% of 8-17 years olds have access to the internet and over a quarter of children aged between 11 and 16 are using over five social networks at any one time, showing just how large children's online footprints are.

Technology can also facilitate the sexual exploitation and abuse of children with abusive images being posted and shared online. CEOP identified that the investigation of indecent images of children can be one of the only ways to find and protect children at risk and it is an important opportunity to identify and prevent further abuse.

Online CSA & CSE threats

There are a number of key threats in relation to CSA/CSE online as listed below;

- Possession, distribution and production of indecent images of children and the potential link to contact offending.
- Threats posed by webmail, social networking, file hosting and File Sharing technology.

- Live video streaming of abuse.
- The use of the hidden internet (Dark Web) to hide abusive activity.
- Online grooming either by the offender trying to gain the trust of the victim or quickly gaining leverage over a victim.
- Self-generated indecent imagery that could lead to threats of 'revenge pornography', as well as blackmail and harassment linked to previously consenting sharing of images within relationships or perceived relationships
- Engaging in sexual chat or activity over webcam.
- Threat posed by online CSE leading to offline contact offending.
- Increase in activities of online child activist groups (OCAGs) and individuals who seek to identify offenders through online chat and the use of false avatars and profiles. Risk is posed to the success of convictions and criminal justice processes through the unregulated and at times unscrupulous methods in which evidence is gathered.

Policy Summary

The Force is committed to protecting children from harm and prosecuting those who commit sexual crimes against them.

This policy aims to deliver and maintain comprehensive and successful police response to the problem of child sexual abuse, relating only to those cases where abuse is conducted using online methods.

This policy is supported by detailed procedures that provide clear direction for all.

The procedures will include guidance on a number of key operational areas including;

- Governance
- Initial referral Action
- Strike Phase
- Triage Phase
- Suspect Interview
- Bail Reduction Management
- Streamlined Forensic Reporting
- Streamlined Charging and use of Out of Court Disposals

Main Objectives of the Policy & Procedures

- Pro-actively use available tools to identify perpetrators and locations and safeguard children.
- To raise awareness to enable early identification of children at risk.

- To detail disruption and investigative tactical options.
- To ensure that regular liaison is made with the Digital Forensics Unit to enable review and reflection of their capacity and working practices in order to deal with the projected demand.
- To work in partnership and share information with other agencies.
- To identify relevant police powers and legislation.
- To specify the responsibilities of officers and staff.
- During the last 10 years there has been a significant increase in the number of people sentenced for possessing, making or distributing indecent images of children, however proportionally the percentage of people who are sent directly to prison has fallen. Recent data suggests that up to 72% of those convicted do not go to prison but are given suspended sentences and community orders to tackle their behaviour.
- It is expected across the country that more and more people will be arrested and charged with this crime therefore owing to the identified increase in number of this criminality, Staffordshire Police view this as a volume crime, therefore;
- •To increase number of abusers brought to justice considering all disposal options is paramount

Child Sexual Abuse Definition – England

Involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening.

The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet).

Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

There are two different types of child sexual abuse;-

- Contact abuse is where an abuser makes physical contact with a child, including penetration.
- Non-contact abuse covers other acts where the abuser doesn't touch the child, such as grooming, exploitation, persuading children to perform sexual acts over the internet and downloading and sharing indecent images of children.

Overall CSE Definition

Staffordshire Police follows the new national definition of CSE;

A form of child sexual abuse where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.

Violence, coercion and intimidation are common. Involvement in exploitative relationships is characterised by the child's or young person's limited availability of choice, as a result of their social, economic or emotional vulnerability.

A common feature of CSE is that the child or young person does not recognise the coercive nature of the relationship and does not see themselves as a victim of exploitation.

It is important to note that there is not one type of victim or offender of CSE, abuse can take many forms in many settings.

More recently it has been identified that child members of LGBT communities are at higher risk of CSE as they seek to explore their feelings and sexuality using online forums.

Also, disabled children are another emerging risk group that has seen an increase in reports of and discovery of CSA and CSE.

Related Documents

Links to related

documents:

Gatekeeper - the Author suggested the following Procedure document(s) to link to.

Relevant Dates and Review Period

Effective Date:	30/03/2019
Review Date:	30/04/2020
Review Frequency:	1st review after six months

Policy Basis and Implications

2. Legal Basis: The Protection of Children Act 1978 (as amended) – Section 1 makes it an offence to take, permit to be taken, make, possess with a view to distribute or advertise or publish any indecent photographs or

pseudo-photographs of children. (Making of indecent images of children includes viewing them on the internet otherwise known as 'downloading').

The Criminal Justice Act 1988 (as amended) – Section 160 makes it an offence for anyone to be in possession of indecent photographs or pseudo-photographs of children.

Criminal Justice and Public Order Act 1994 – amended the Protection of Children Act 1978 to include, not only indecent photographs of children but to also digital images, pseudo-photographs' and computer-generated images.

The Sex Offenders Act 1997 – First created an obligation for those persons convicted of sex offences against children, to notify the police of their name and address. The Sexual Offences Act 2003 (as amended) replaced and extended these provisions, by establishing new control measures.

Protection of Children Act 1999 – Set a requirement for organisations providing services to children to vet potential employees and allowed the prohibition of employment of convicted offenders in positions involving substantial contact with children.

Criminal Justice and Court Services Act 2000 – Increased the maximum sentence from six months to five years imprisonment for possession of indecent photographs or pseudo-photographs of children, and from three years to ten years for offences committed under the Protection of Children Act 1978 (as amended)

Criminal Justice Act 2003 – makes provisions to impose extended sentences for dangerous offenders who pose a significant risk to members of the public in relation to specified sexual offences.

Criminal Justice and Immigration Act 2008 – Section 69 – Extends the remit of the indecent photographs legislation (Section 1 of the PCA 1978 and section 160 of the CJA 1988) by amending the meaning of photograph within section 7 of the PCA 1978 to include derivatives of photographs, such as tracings or other forms of data.

Sexual offences Act 2003 (as amended) – Extended existing prohibitions on the making, taking, distributing and possession of any indecent photograph or pseudo-photograph of a child under sixteen to include images of sixteen and seventeen year olds. This also established a range of new offences relating to unlawful sexual activity with children, including 'meeting a child following sexual grooming'.

3. Management of Police Information (MoPI):

MoPI Policing Purpose:

Protecting Life and Property, Preventing the commission of offences, Bringing offenders to justice, Any duty or responsibility arising from common or statute law

MoPI Review, Retention and Disposal addressed as follows:

All reports of the sexual abuse of children are MoPI category 1 & 2 and records will be reviewed, retained and disposed of in line with the relevant MoPI Guidance or force policy where the force has decided to deviate from the MoPI Guidance.

4. Associated Benefits:

The policy will benefit all children, young people and their families and the wider community by setting out the strategic direction of the force to ensure that children who have been the subject of or are at risk of being caused physical, sexual, emotional or psychological harm by an on-line capability are identified, protected and safeguarded.

In addition the policy sets out how the force will pursue offenders who utilise the internet to commit sexual offences against children.

The policy will also enable the force to work effectively with partners to safeguard children and to ensure that information is shared, accurate risk assessments are made and appropriate action is taken.

Specific activity involved in measurement of performance outcomes will be included in a separate performance framework document and include measures around bail management, digital forensics, disposal measures

and offender management.

In addition Staffordshire will be part of a three force pilot run by the NCA (National Crime Agency) looking at diversionary activity for this type of offending.

5. Consultation:	Investigative Services Senior Management Public Protection Senior Management Transformation Unit Corporate Services National Crime Agency (NCA) Home Office CEOP - Child Exploitation and On-line Protection Research with the following Police Forces in relation to policies, procedures and team structures Cheshire, Norfolk, Leicestershire, Derbyshire, Devon & Cornwall, Hertfordshire, Kent, Cleveland, Nottinghamshire, Hampshire, Cambridgeshire, Avon & Somerset
6. Financial Implications:	Policy implementation will be met through existing funding at this stage. Funding will be provided by the NCA for the diversionary pilot. There may be additional funding required for departments associated with this Policy (i.e. Digital Forensics), however this will be dealt with by the relevant department and associated policies.
7. Human Resources / Training:	No further specific training is required for the introduction of this policy. Any training requirements of new and existing officers and staff will be included within accepted training delivery.
8. Associated Policy:	This policy should be used in conjunction with any other safeguarding procedures that exist for Child Protection and Sexual Offences

FOI, Human Rights and Equality Impact Assessment Indicators

FOIA:	Release to Public	
ECHR:	Compliant with proportionality test	Articles engaged: Article 2 Right To Life; Article 3 Prohibition of Torture; Article 5 Right to Liberty and Security; Article 6 Fair Trial; Article 7 No Punishment without Law; Article 8 Right to respect for Private and Family life; Article 14 Prohibition of Discrimination
EIA:	Compliant	Compliant with Code of Ethics: Yes

Indexing

Categories: Protecting Vulnerable People

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