

TELFORD & WREKIN SAFEGUARDING CHILDREN BOARD

Child Abuse and Information Technology

GUIDANCE FOR PROFESSIONALS

1.0 INTRODUCTION

1.1 The growth of different electronic media in everyday life has led to global concern about child abuse images on the Internet. Abuse of children occurs using a range of media, such as digital cameras, computer web-cams, telephone and photographic images of children.

1.2 Child abuse images on the Internet are a major concern to parents and all those working with children. This guidance places particular emphasis on the role of investigating agencies.

1.3 It is important to be mindful that any such images are instances of actual child abuse. They are not a passive act and the children portrayed are victims of crime and abuse.

1.4 There is evidence that persons found in possession of indecent images of children are likely to be involved directly in child abuse. Thus consideration should be given to the potential likelihood that the individual is involved into the actual abuse of children.

1.5 The individual's access to children should be established, within the family, employment contexts and in other settings (eg work with children as a volunteer or in other positions of trust).

1.6 This guidance should be followed in undertaking Investigations of allegations or disclosures of abuse under Section 47 of the Children Act 1989.

1.7 Information on the Sexual Offences Act 2003 and guidance on the role of the investigating agencies (ie police and social workers) is also provided.

2. BACKGROUND

2.1 The rapid growth of and widespread use of the Internet has brought a new and often hidden problem, consisting of people who could feel this is a safe way for them to exercise their sexual interest in children. These people, when detected, are often found to have no criminal record relating to sexual offending and to be unknown to any of the safeguarding agencies.

Given that the evidence only indicates the viewing of images of children, without any direct contact with children, this poses dilemmas for safeguarding professionals working with the families. These dilemmas are even greater when, as often happens, the offender's own children are well cared for and do not report any abuse.

2.2 It is difficult to estimate the numbers of people involved in viewing abusive child images. Operation Ore identified 7,000 users in Britain of one American website dealing in abusive child images. Those arrested included professionals working with children and in the field of criminal justice. Many of these people had no previous convictions for sexual offending and had not manifested any sexual interest in their own children.

2.3 Research into this offending behaviour has led to a classification of types of Internet offender.

2.3.1 **Recreational Users** who access on-line sexual material out of curiosity or for entertainment purposes. These are very similar to those described as the **Discovery Group** with no previous history of problematic sexual behaviour, who has probably discovered abusive images of children via viewing adult pornography.

2.3.2 **At-risk users** or **Pre-disposed users**. This group of users will typically have had some sexual interest in children but will not previously have been able to access abusive images. The Internet will have given them a seemingly "safe" environment, where they feel they can be anonymous in pursuing their sexual interest in children. It is estimated that these "at-risk" users can spend up to 10 hours per week on-line, viewing abusive images.

2.3.3 **Sexually Compulsive Users** who use the Internet to act out their sexual interest in children – the Internet is part of their ongoing sexual problem. This group may spend up to 25 hours on-line per week pursuing sexual material.

2.4 Grading systems for the abusive photographs are used as an indication of the severity of abuse (See Appendix 1). Whilst this can be helpful as an indication of the offender's sexual interest, it should not be relied on wholly. The 'milder', less sexualised photographs may be used as an aid to fantasy using the 'normal' pictures as part of a fantasy scenario that ends in the most extreme abuse.

2.5 Many offenders will have extremely large collections of abusive material, sometimes as many as tens of thousand of images. These excessively large numbers of images are often indicative of an offender who is trading these images to gain access to groups of like-minded offenders using the Internet.

2.6 A greater understanding of Internet offenders has been developed in recent years as a result of ongoing research.

This research has not only improved understanding of the types of people accessing these abusive images, it has also helped professionals to have some understanding of the possibilities of progression to contact sexual offences. This research underpins the guidance on assessing risk. The possession of abusive child images is an indication of a possible serious risk to children. Current research indicates that there is a strong likelihood that those who view these images may go on to abuse children. The material viewed not only de-sensitises the viewer it also gives courage. Those watching many hours of children being sexually abused will often begin to think this type of behaviour is "acceptable". Research in the West Midlands area (Middleton 2003) found that 86% of child abusers viewed child abusive material as a precursor to offending.

3.0 SEXUAL OFFENCES ACT 2003

3.1 The Sexual Offences Act 2003 created a legal framework to protect children from sexual abuse. It made it clear that children aged under 13 years can never legally give their consent to sexual activity, and that all penetrative sex with a child this age carries a maximum penalty of life imprisonment.

3.2 The Act describes other offences such as inciting a child to engage in sexual activity and applies even if the intended sexual activity does not take place. It is also an offence to engage in sexual activity when it is known that the child can see that activity take place or the abuser believes or intends that the child can see it.

3.3 It is an offence to intentionally cause a child to watch images such as videos, photos or webcams for the purpose of the gratification of the abuser.

3.4 Under the Act, anyone aged 18 or over, who has communicated with a child under 16 at least twice, (including communication by phone or Internet), will commit an offence if they meet them, or travel to meet them, anywhere in the world with the intention of committing an offence against them.

3.5 The Act also makes it an offence to take, make, permit to take, distribute, show, possess with intent to distribute, or to advertise indecent photographs of children.

3.6 The Act also provides protection to young people under 18 from abuse by people in positions of trust towards them.

3.7 These offences may be very difficult to prove as a single offence. When conducting investigations of sexual abuse under Section 47 of the Children Act 1989, the possibility of these offences taking place must be considered and inquiries made of the victim and the alleged abuser as part of the investigation procedure.

4.0 ROLE OF SOCIAL CARE AND POLICE

4.1 Investigations following disclosure or allegation of abuse will follow the Child Protection procedures and the framework of Government Guidance, published in *'Working Together to Safeguard Children'* (DfES 2006).

4.2 All Police Public Protection Team officers and social workers should be aware of the above offences and when conducting investigations ask questions about the use of the internet, photography, web-cams, mobile phones or other media. They must also be mindful that this aspect of the abuse is very painful and probably of great concern to the victims, as images shared cannot be retracted. Timing of the questioning will require the utmost sensitivity.

Victims may not always be willing to disclose this form of abuse during an Achieving Best Evidence (ABE) interview.

The use of visual recording equipment in interview is also something that should be reviewed. If a child had been subjected to abuse in front of recording equipment there are issues to consider about the use of such equipment for interviewing.

4.3 When conducting sexual abuse investigations, enquiries should be made as to the existence of computers and other devices in the home of the victim and of the alleged abuser. The alleged abuser's place of work should also be considered.

Computers may be seized and examined in an investigation for child abuse images. It has been found useful for police officers who conducted the search to also view the seized material as they may recognise the background of the images as being in the offender's house.

4.4 When investigating internet related offences such as possession and distribution of abusive images, the police should be mindful that the individual may be producing abusive images or in contact with individuals who are producing such material.

Therefore, Children & Family workers should be notified of such cases because of potential victims and/or the offender's accessibility to children in their family and/or through their employment.

4.5 Social workers should be fully informed on the nature of the abuse consistent with the Copine scale and of what is depicted in the images. This is particularly important if the victims are identified and therapeutic work is to be undertaken.

4.6 The purpose of such actions and enquiries will be to establish what support can be offered to the child, and whether any criminal offence has been committed.

The paramount concern at all times during and after the investigation will be the child's welfare. Support should also be offered to the victim's family and the offender's family (if they are different). The family/ies will be in need of support themselves, but will also have a key role in providing support for the victim.

4.7 If a Section 47 investigation reveals that Internet, photography, webcams and other media have been involved then social workers should inform the Police Public Protection Team immediately, if they are not already involved.

4.8 Equipment suspected as being used for these purposes must not be examined or interfered with in any way.

They may be required as forensic evidence in court later, and this must not be compromised.

4.9 The Police will contact the relevant specialist department who will examine the seized items consistent with criminal forensic requirements.

4.10 The investigation should continue in accordance with the Telford & Wrekin Safeguarding Children Board Child Protection Procedures.

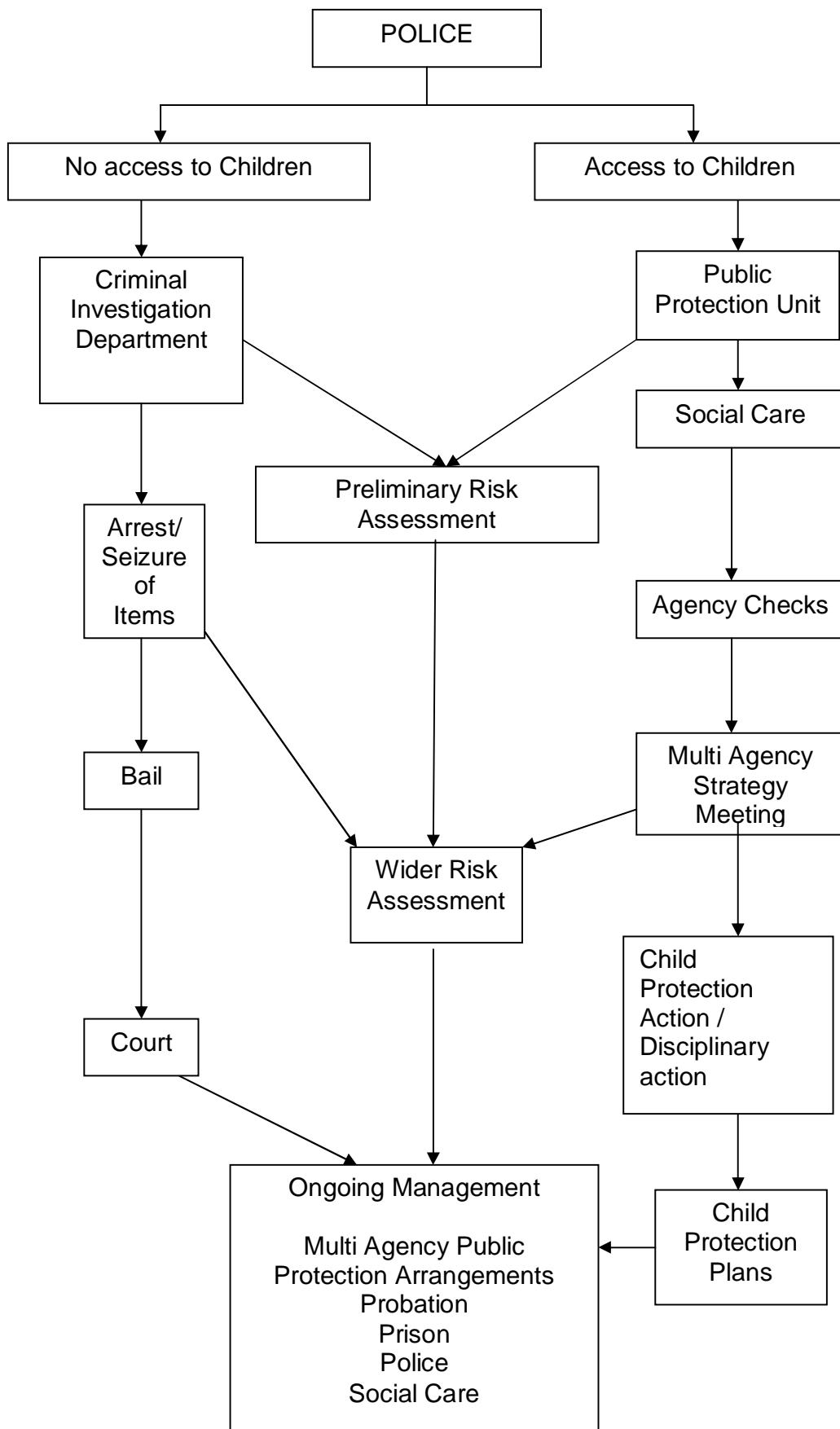
4.11 When conducting assessments using the "*Framework for the Assessment of Children in Need*", social workers should be aware of the significance of the harm done to the child/young person from this form of abuse.

The long term effects should be considered because issues may arise with the child's greater understanding of the images and their distribution on their future as they grow older. The short and long term effects must be incorporated into the assessment. Child and Adolescent Mental Health Services (CAMHS) will advise and support as appropriate.

4.12 Support and counselling should be available to both Police Officers and Social Workers involved in the investigation that would acknowledge the impact upon them of viewing abusive images.

See the attached Flowchart for details on handling investigations.

The two strands of investigation go hand in hand and even if there are no child care concerns at the beginning of an investigation, Police Officers must involve the Public Protection Unit if these become evident during an investigation.



5.0 YOUNG PEOPLE AND THE INTERNET

5.1 Whilst the Internet provides a very valuable and exciting opportunity for young people to learn and communicate with others, it also has its dangers. This is perhaps no different from many other activities which young people enjoy. If the risks are known we will know how to put in place some safety measures.

5.2 Many young people may access pornography on the Internet and some may then access abusive images of children. This may be as a result of curiosity or it may have stemmed from an already existing problematic sexual interest in younger children. The latter group will clearly be in need of some therapeutic help once identified and they may also be subject to criminal proceedings.

5.3 A young person who is viewing abusive images of younger children via the Internet may pose the same threat to children as an adult would. In this situation the same procedures will be followed to safeguard children with whom the young person may have contact.

5.4 The use of Internet chat rooms can pose a risk for young people who are not made aware of the potential dangers. Some adults who have a sexual interest in children may represent themselves as young people in an attempt to make contact with children. It is important that children are made aware of the dangers and the "rules" of using chat rooms safely.

5.5 Professionals working with families may become aware of young people who are allowed to spend lengthy periods of time on the computer unsupervised. Parents may not know the possible dangers and professionals may need to advise them of safe Internet use, as part of their safeguarding duties. There are a number of publications and web-sites which will provide this advice and some of these are listed in Appendix 2.

5.6 Children may create their own web site and inadvertently disclose information such as their address and contact details which may place them at risk. It is important that the focus of work with children should be on educating them to maximise the potential of the computer while keeping themselves safe by considering the purpose of other users.

5.7 This education needs to be extended to Parents and other Carers for children. A Policy has been developed for Foster carers and Residential Staff and this should be used in association with this policy guidance.

APPENDIX 1

ASSESSMENT

Assessment of the risks to children posed by Internet offenders proves difficult and worrying. The offender may not have abused a child directly and may have children of his own, who display no evidence of having experienced any abuse. It is therefore important that professionals undertaking any assessment work are experienced and well informed about abuse involving the Internet and other information technologies.

In assessing the risk that offenders pose to children it is clear that those who have used information technology to attempt to make contact with children must pose a high risk. It will not usually be appropriate for offenders from this group to have any unsupervised contact with children.

It becomes more difficult to assess the risk posed when the alleged abuser has only relatively non-sexual images of children. In carrying out these assessments there are some features of this type of abuse that need to be considered.

The type of image being viewed is a helpful starting point in assessing the risk but it must be borne in mind that there are many other factors that need to be considered. A useful scale of the level of seriousness of these images has been developed by Taylor and Quayle; 2003. This scale is helpful in multi-agency decision-making, when the images will not have been seen by professionals from agencies other than the police. This scale will assist in achieving a shared understanding of the types of images being considered. It will also help in the assessment of those who have images that do not reach the threshold for prosecution.

Level	Name	Description of Picture Qualities
1	Indicative	Non-erotic and non-sexualised pictures showing children in their underwear, swimming costumes, etc from either commercial sources or family albums; pictures of children playing in normal settings, in which the context or organisation of pictures by the collector indicates inappropriateness
2	Nudist	Pictures of semi-naked children in appropriate nudist settings and from legitimate sources.

3	Erotica	Surreptitiously taken photographs of children in play areas or other safe environments showing either underwear or varying degrees of nakedness.
4	Posing	Deliberately posed pictures of children fully, partially clothed or naked (where the amount, context and organisation suggests sexual interest).
5	Erotic Posing	Deliberately posed pictures of fully, partially clothed or naked children in sexualised or provocative poses
6	Explicit Erotic Posing	Emphasising genital areas where the child is either naked, partially or fully clothed.
7	Explicit Sexual activity	Involves touching, mutual and self-masturbation, oral sex and intercourse by child, not involving an adult.
8	Assault	Picture of children being subject to a sexual assault, involving digital touching, involving an adult
9	Gross Assault	Grossly obscene pictures of sexual assault, involving penetrative sex, masturbation or oral sex involving an adult
10	Sadistic/Bestiality	a) Picture showing a child being tied, bound, beaten, whipped or otherwise subject to something that implies pain. b) Pictures where an animal is involved in some form of sexual behaviour with a child.

From Taylor & Quayle 2003

The above categories are adapted for use in the Courts by the five point "Copine Scale" which is as follows:

1. Images depicting erotic posing with no sexual activity
2. Sexual activity between children or solo masturbation
3. Non-penetrative sexual activity involving an adult
4. Penetrative activity with an adult
5. Sadism or bestiality

APPENDIX 2

Useful References

Child Abuse on the Internet; Ed. Arnaldo, Carlos A. 2001 UNESCO

Child Sexual Abuse and the Internet: Tackling the New Frontier; Ed. Calder, Martin C. 2004 Russell House

Child Pornography, an Internet Crime; Taylor, M and Quayle, E. 2003, Brunner Routledge.

Child Abuse, Child Pornography and the Internet; Carr, J. 2005 NCH

Framework for the Assessment of Children in Need and their Families: Department of Health

Internet Safety

Net Smart

www.nch.org.uk

www.parentscentre.gov.uk

www.childnet-int.org

www.kidsmart.org.uk

www.chatdanger.com

Keep your child safe on the Internet Leaflet from Home Office

Child Exploitation Online Protection www.ceop.gov.uk

DCSF advice service www.parentsonline.gov.uk/safety

Childline Tel. No. 0800 1111

Children's advice www.thinkuknow.co.uk

Adult Advice www.internetsafetyzone.com

General guidance www.wiseuptothenet.co.uk

To Report illegal content www.iwfi.org.uk