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# **International and Internet Child Sexual Abuse and Exploitation**

Research Report

By

**Bernard Gallagher**

**Claire Fraser**

**Kris Christmann**

**Beth Hodgson**

*Centre for Applied Childhood Studies*

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**Beth Hodgson**

*Centre for Applied Childhood Studies  
University of Huddersfield*

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## **The Nuffield Foundation**

'The Nuffield Foundation is a charitable trust established by Lord Nuffield. Its widest charitable object is the *advancement of social well-being*. The Foundation has a special programme of grant-making in Child Protection, and Family Law and Justice, and has supported this project to stimulate public discussion and policy development. The views expressed are, however, those of the authors and not necessarily those of the Foundation.'

**“In the land of the blind, the one-eyed man is king”**

Desiderius Erasmus (1466 - 1536)

<b>Contents</b>		<b>page</b>
<b>Acknowledgements</b>		(iv)
<b>Executive Summary</b>		(vii)
<b>Background</b>		
Chapter 1	<b>Introduction</b>	1
Chapter 2	<b>Research aims</b>	5
Chapter 3	<b>Methodology</b>	7
<b>Findings</b>		
Chapter 4	<b>Typology of international and Internet child sexual abuse</b>	13
Chapter 5	<b>International child sex abuse victims</b>	15
Chapter 6	<b>International child sex abusers</b>	23
Chapter 7	<b>International movement of child abuse images</b>	29
Chapter 8	<b>Internet-initiated grooming of children for sexual abuse</b>	37
Chapter 9	<b>Internet-initiated incitement or conspiracy to commit CSA</b>	45
Chapter 10	<b>Internet-based child abuse images</b>	55

## Recommendations

Chapter 11	<b>Key policy and practice recommendations</b>	65
Chapter 12	<b>Further policy and practice recommendations</b>	77
	<ul style="list-style-type: none"> <li>- International policy and practice</li> <li>- National (UK) policy and practice</li> <li>- Police</li> <li>- Her Majesty’s Revenue and Customs (HMRC)</li> <li>- Police and HMRC</li> <li>- Industry</li> <li>- Other agencies</li> </ul>	

## Additional findings

Chapter 13	<b>Broad policy and practice findings</b>	105
Chapter 14	<b>Other international and new technology-related sexual offences</b>	127
Chapter 15	<b>Future research</b>	135

---

<b>References</b>		141
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<b>Bibliography</b>		147
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### Appendices

Appendix A	<b>Abbreviations and terminology</b>	149
Appendix B	<b>Further information on the background to the research</b>	153
Appendix C	<b>Further information on research methodology</b>	157
Appendix D	<b>Internet CAIs - additional case study</b>	165
Appendix E	<b>Policy and practice issues - CSA in general</b>	169

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Dorset Police  
Durham Constabulary  
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Gloucestershire Constabulary  
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Hampshire Constabulary  
Hertfordshire Constabulary  
Humberside Police  
Kent Police  
Lancashire Constabulary  
Leicestershire Constabulary  
Lincolnshire Police  
Merseyside Police  
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Norfolk Constabulary  
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### **The Police Service of Northern Ireland**

Association of British Travel Agents (ABTA)  
AOL (UK) (America Online)  
Childnet  
CEOP (Child Exploitation and Online Protection Centre)  
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Her Majesty's Revenue and Customs (formerly Her Majesty's Customs and Excise)  
Home Office  
Internet Watch Foundation  
Interpol  
National Crime Squad  
National Criminal Intelligence Service

National High Tech Crime Unit  
NSPCC (National Society for the Prevention of Cruelty to Children)  
UNICEF (UK) (United Nations Children's Fund)  
World Vision

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**Having made these all of acknowledgements, we would like to stress that all the views expressed in this report are, ultimately, those of the authors and are not necessarily shared by *any* of the above individuals or organisations.**

# **Executive Summary**

## **Background**

- There has, in recent years, been growing awareness and concern over cases of child sexual abuse (CSA) which have an international dimension or which involve the Internet. However, relatively little is known about these cases, as a result of which the policy and practice response may not be as appropriate or effective as it should be. This research project, directed by Bernard Gallagher, and funded by The Nuffield Foundation, was designed to further knowledge of international and Internet CSA, and in doing so contribute to the development of policy and practice.
- While this research was focused upon cases known to law enforcement agencies (police and HM Revenue and Customs - HMRC), it has implications for the wider criminal justice system, a range of other statutory agencies, NGOs and industry, and governance at a national and international level.

## **Aims**

The research had three main aims, these being to establish:

1. The extent of cases of international and Internet child sexual abuse, which had a link to the UK, and which were known to law enforcement agencies (i.e. police and HMRC)
2. The nature of these cases (victim and offender characteristics, and offender modus operandi)
3. The implications of international and Internet CSA for policy and practice

## **Methodology**

The research consisted, in the main, of the following seven stages:

1. A national postal questionnaire (NPQS) carried out among all local police services in the UK, and covering the period January 1999-December 2002
2. A NPQS with HMRC, covering the same survey period as that above
3. Interviews with police officers concerning investigations into specific cases of international and Internet CSA
4. A search of police files in relation to the above cases
5. Practice-focused interviews with HMRC staff
6. Policy-focused interviews with individuals drawn from local, national and international police organisations, NGOs, academia, HMRC, Government' departments and industry
7. Searches of police crime recording and reporting systems

The above fieldwork was carried between February 2002 and March 2004.

## Key Findings

### Typology

The research identified six major *categories* of international and Internet CSA. These comprised:

1. International CSA victim<sup>1</sup>
  2. International child sex abuser<sup>2</sup>
  3. International movement of child abuse images (CAIs)<sup>3</sup>
  4. Internet-initiated grooming for the purposes of sexually abusing a child
  5. Internet-initiated incitement or conspiracy (IIC) to commit CSA<sup>4</sup>
  6. Internet-based child abuse images (CAIs)
- The categories international CSA victim and international child sex abuser were composed of a large number of different *types* of case. The former consisted not only of the stereotypical cases of children trafficked for sexual exploitation but also, for example, children who had been sexually abused on school exchange trips, after having been ‘fostered’ and those who were victims of Internet-initiated child sex abuser networks. Moreover, these cases involved not only children *coming into* the UK but also children *going out* of the UK
  - Similarly, international child sex abusers consisted not only of the stereotypical child sex tourists<sup>5</sup> but also offenders who sexually abused children after having moved internationally in the context of, for example paid, voluntary or religious work. Again, these cases involved not only offenders *going out* of the UK but also offenders *coming into* the UK

### Extent

- The number of known cases, in most categories of international and Internet CSA was relatively small. Most police services investigated only a few (less than five) of these cases per annum. These cases comprised less than 1% of *all* known CSA cases
- The one exception to this was cases involving the use of Internet-based CAIs. Police services, throughout the UK, investigated scores, and sometimes hundreds, of these cases each year. These cases made up approximately one-tenth of *all* CSA cases known to the police

### Nature

- International and Internet CSA cases were, in terms of victim and offender characteristics, similar to, and as diverse as, known CSA cases in general. Where they were distinct was in respect of the offenders’ *modi operandi*, with the international and Internet elements of these cases often being central to how the sexual abuse of a child was brought about

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<sup>1</sup> This report is believed to be the first published research which has sought to investigate all the different types of cases which are incorporated within this category

<sup>2</sup> As above

<sup>3</sup> This report is believed to be the first published research on this category of CSA

<sup>4</sup> As above

<sup>5</sup> It was suggested to the authors that they dispense with the term ‘child sex tourists’ (CST) - as this can be seen to trivialise the reality of this phenomenon - and replace it with, for example, the term ‘travelling child sex offender’. Whilst readily accepting the principle of this argument, the authors have decided to retain the term CST, on account of the fact that a) it is still the most recognised term, and b) there is not yet any wholly suitable alternative.

- CAIs varied considerably in terms of their content. They ranged from photographs of children taking covertly to scenes depicting rape, bestiality, physical abuse and torture.
- The proportion of offenders who used CAIs and who were also *known* to have sexually abused children was relatively small. (One piece of work carried out within this study found that 6.5% of suspected CAI users had convictions for sexual offences.)

## **Policy and practice**

### *International and Internet CSA*

- Governments, statutory agencies, NGOs and industry have done a considerable amount to combat international and Internet CSA. However, there is much more that all of these organisations can, and should, be doing in response to these cases. This includes prevention, detection, reporting, investigation, the care of victims and the management of offenders.
- Knowledge of international and Internet CSA, including that among policy makers and practitioners, was limited. This contributed, in part, to the emergence of many assumptions and misconceptions surrounding these cases

### *International CSA*

- Policy makers and practitioners tended to have a rather narrow conceptualisation of international and Internet CSA, especially in relation to international CSA victims and international child sex abusers
- There was little recognition, especially outside of HMRC, of the continued existence of the international movement of CAIs
- The Internet had not - as some authorities suggested - led to a cessation in the international movement of CAIs but had instead resulted in new instances of this offence

### *Internet CSA*

- The police had inadequate resources for the investigation of Internet CSA cases. This was manifest in a number of ways, which included:
  - long delays in examining computers and other new technology for CAIs
  - little effort being invested in the identification of children featuring in CAIs
  - little effort being invested in proactive police operations - even though these cases were especially suited to this
- There was, among policy makers and practitioners, very little awareness of, or response to, cases of Internet-initiated incitement or conspiracy (IIIC) to commit CSA
- IIIC cases included incidents where offenders sent communications to one another online, and sometimes offline also, which glorified or promoted CSA. These offenders appeared to be subject to little response on the part of the police or any other criminal justice agency

## **Key Recommendations**

### **1. International police/law enforcement child protection agency**

An international police/law enforcement child protection agency should be established in order to provide a more concerted and coordinated response to international and Internet CSA (see 11.1 for detailed discussion).

### **2. National (UK) police/law enforcement child protection agency (NPCPA)**

The Government should extend the remit of the Child Exploitation and Online Protection (CEOP) Centre such that it becomes a NPCPA, and takes a national lead for all international and national CSA cases. This national lead would include prime responsibility for the proactive detection and investigation of cases. The cases would include those that cross police service boundaries, especially those involving child sex abuser networks or the Internet. In addition, the NPCPA would act as a single point of contact in the response to international CSA cases with a link to the UK, and would take prime responsibility for the UK side of such investigations (see 11.2).

### **3. Prioritisation of child protection**

The (UK) Government, and more specifically the Home Office, should make child protection a policing priority, and following this, require local police services to do the same (see 11.3).

### **4. Resourcing police child protection work**

The Government should provide additional resources to the police to enable them to embark upon a more effective response to Internet CSA cases, including those that involve the use of CAIs (see 11.4).

### **5. CAI victim identification**

There needs to be a much more concerted and well resourced effort, led by the police, to identify the children who feature in CAIs. Incorporated within this, the police must be able to co-ordinate this work at international, national and local levels (see 11.5).

### **6. Internet-initiated incitement or conspiracy to commit CSA**

Government, statutory agencies, NGOs and the new technology industries, should ensure that they are aware of the existence of IIC cases, have a proper knowledge of them and understand the policy and practice challenges to which they give rise. All of these organisations must respond to these cases in a much more robust manner (see 11.6).

### **7. Prohibition of CSA-promoting communications**

The Government should give serious consideration to introducing legislation to make it a criminal offence to possess, create or distribute CSA communications - whether online or offline - which glorify or promote CSA. All of the organisations listed above must respond to these cases in a much more robust manner (see 11.7).

## *Chapter 1*

# **Introduction**

**1.1** Reports of cases of child sexual abuse (CSA\*)<sup>6</sup> having an international or Internet dimension have come to the fore of child protection concerns in the last 5-10 years. These reports relate, for example, to the trafficking of children for CSA (UNICEF, 2003a), child sex tourism (Seabrook, 2000), the grooming of children over the Internet for sexual abuse (Finkelhor et al, 2000; Cyberspace Research Unit, 2002) and the downloading of child abuse images (CAIs) from the Internet (Taylor and Quayle, 2003).

**1.2** These concerns have been met with a plethora of policy and practice measures. These include the setting up of computer examination units within local police services, and the Internet Watch Foundation (IWF) - the national 'hotline' for receiving reports of illegal Internet content. This period has also seen the creation of the Home Secretary's (also referred to as the Home Office) Task Force on Child Protection on the Internet, which has brought together all the major organisations in this field, including police, industry and NGOs. Discussions within the 'Task Force' have led to the grooming offence (see below), awareness-raising campaigns and the production of good practice models. Advice has been produced for parents on keeping their children safe whilst online (for example, NCH, 2005), and legislation has been enacted to combat child sex tourism (for instance, the Sex Offenders Act 1997), and the trafficking, and grooming (both online and offline), of children for sexual abuse (Sexual Offences Act 2003).

**1.3** There is also a growing body of research in this area, such as that by UNICEF on the extent of child trafficking (UNICEF, 2003a), David Finkelhor and colleagues on grooming (Wolak et al, 2003) and the sending of CAIs to children (Mitchell et al, 2003), and COPINE's work on offenders who access CAIs over the Internet (Taylor and Quayle, 2003).

**1.4** Despite this concern, policy and practice response, and research on international and Internet CSA, there is still relatively little reliable knowledge of these phenomena. Indeed, for some categories of international and Internet CSA identified in this research - in particular, the international movement of CAIs, and Internet-initiated incitement or conspiracy to commit CSA - this report is believed to be the first published research anywhere in the world. Thus, not only is the understanding of these phenomena inadequate, attempts to respond to them, through policy and practice, may, as a result, be ineffective, if not counter-productive. With the seemingly inexorable growth and development in the international movement of people and goods, and use of the Internet, this situation is becoming ever more acute.

**1.5** It is against this background that the director of this research project (Bernard Gallagher) approached The Nuffield Foundation for a grant to conduct the first comprehensive study in the UK into international and Internet CSA. (The Nuffield Foundation is an independent charity which funds research in a number of different areas, one of which is 'Child Protection, Family Law and Justice' - the programme under which the grant for this study was awarded.) The formal aims of the research are set out in detail in the following chapter but they were, in essence, two-fold: firstly, to further knowledge and understanding of international and Internet CSA; and secondly, to identify ways in which the policy and practice response to these cases - primarily within the criminal justice sphere, but also, to some extent, the wider child protection system - could be improved.

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<sup>6</sup> A full list of the abbreviations and explanation of the terms used in this report is contained in Appendix A.

**1.6** The original research proposal was submitted to The Nuffield Foundation in May 2001. Once the proposal had been sent out for review, and then amended in accordance with the advice of the reviewers, the official start date of the research was set as 1st February 2002. Data collection began in August 2002, and the research officially concluded on 31<sup>st</sup> March 2004, with the final report being sent to The Nuffield Foundation on 30<sup>th</sup> July 2004. As can be seen, then, the research was carried out over a quite extensive period and one which incorporated many of the key developments in terms of awareness of, and policy and practice response towards, international and Internet CSA.

**1.7** Further information concerning the background to this research and its remit, can be found in Appendix B

### **The content and structure of this report**

**1.8** The focus of this research was upon cases of international and Internet CSA known to law enforcement agencies, chiefly the police and HMRC. However, it was recognised that this subject area is of considerable relevance and interest to a wide variety of policy makers, practitioners and academics in the statutory, voluntary and private sectors. With this in mind, the authors have attempted to include as much, and as wide an array of information, in this report, as was considered reasonable. It is hoped that, in this way, the benefit and value of the research, and this subsequent report, will be maximised.

**1.9** At the same time, the authors appreciate that this strategy has led to the report being quite lengthy. Moreover, they realise that people have different concerns and responsibilities, and some may wish to focus upon some parts of the report more than others. Consequently, the authors have made the report highly structured in order that the reader might find their way through it quite easily. This structure is as follows:

**1.10** Chapters 1, 2 and 3, describe the background to the research, providing the Introduction, Aims and Methodology, respectively.

**1.11** The report then moves on to the findings from the research. This begins, in Chapters 4, with an outline of the six main categories of international and Internet CSA identified in the course of the fieldwork - and around which this report is largely based.

**1.12** Each of the chapters 5-10 take one category of international and Internet CSA and presents findings in a standardised format, comprising typology, vignettes, extent and nature of cases (i.e. victims, offenders and their modus operandi).

**1.13** Chapters 11-13 deal with the findings from the research in respect of policy and practice. Chapter 11 contains the *key policy and practice recommendations* from the research. These are judged as being 'key' in that they are believed to be the most pressing or fundamental recommendations, or those having the most extensive ramifications.

**1.14** Chapter 12 incorporates *further recommendations* from the research, dividing these up according to different political levels (international and national), sectors (statutory, private and NGO) and agencies to which they relate.

**1.15** Chapter 13 is also concerned with 'recommendations' but at a much more general level. The points raised in this chapter are intended to serve one of two functions. The first of these is to set out the broad *context* in which policy and practice should be developed and/or implemented. The second is to *raise awareness* of particular policy and practice issues.

**1.16** While chapters 5-10 deal with individual categories of international or Internet CSA, the 'policy and practice chapters', 11-13, tend to cover these categories as a whole. The reasoning behind this is that the authors wanted, in chapters 5-10, to provide readers with a clear knowledge and understanding

of the characteristics of each category of international and Internet CSA. By contrast, it was felt that there was so much overlap between the policy and practice implications of the different types of international and Internet CSA, that these should be discussed together.

**1.17** While some of the chief concerns of this study were the Internet and children, the researchers also encountered issues in respect of other ‘new technologies’, and the sexual abuse of women. While the amount of information obtained on these cases was very modest, it was felt to be relevant and important to include them in this report, and these are presented in Chapter 14.

**1.18** Finally, the report concludes, in Chapter 15, with a discussion of the needs and challenges which exist in relation to research on international and Internet CSA, and puts forward some suggestions as to how these should be addressed.

**1.19** As lengthy as this report is, though, there is much information which has not been included. This report, however, is intended to be only the first publication from the research. A series of papers will be written, for submission to academic journals, each focusing upon a specific category of international or Internet CSA. These papers will contain further data from the research and will also place the individual categories in a wider context, including that of relevant literature.

**1.20** **There are, within this report, a small number of graphic descriptions of child sexual abuse. The authors felt it was important to include these to convey an accurate sense of what cases could comprise. That said, they would like readers to be aware that they may find these descriptions disturbing.**



## Chapter 2

# Research aims

The aims of this research project were as follows:

### 2.1 Main study

#### **To determine the extent of known cases of international and Internet CSA**

**2.1.1** This measurement was to be based upon cases known to law enforcement agencies i.e. the 52 UK police services and HM Revenue and Customs, over a four year period from January 1999-December 2002.

#### **To establish the nature of known cases of international and Internet CSA**

**2.1.2** This phase of the research was based upon cases known to the above law enforcement agencies. However, it also drew upon cases known to other agencies, principally national and international policing organisations; namely, the National Crime Squad (NCS), National High Tech Crime Unit (NHTCU), National Criminal Intelligence Service (NCIS) and Interpol. (NCS, NCIS and the NHTCU have now been amalgamated within the Serious and Organised Crime Agency - SOCA.)

**2.1.3** The key areas the research sought to describe were the characteristics and background of victims and offenders, and the modus operandi of offenders, including the nature of their offences.

#### **To identify the ways in which the policy and practice response to international and Internet CSA could be improved**

**2.1.4** While this aspect of the research was concerned primarily with policy and practice as it related to law enforcement and criminal justice, it did seek to highlight, where possible, the implications of these cases in other relevant spheres, such as children's rights, education, health and welfare.

### 2.2 Supplementary study

**2.2.1** The Nuffield Foundation granted a small extension to this project to enable a study to be carried out into the experience of international and Internet CSA among a wider set of agencies; namely, social services departments, probation departments, Trading Standards and the military. The aims of this supplementary study were the same as those of the main one; namely, to establish the extent and nature of known cases, and the issues they raised for practice and policy.

**2.2.2** This component of the research proved more demanding, and consequently less successful, than had been anticipated, and is not discussed in detail in this report. (These problems were chiefly caused by the authors underestimating the scale of the work they planned to undertake, and then not having

sufficient resources with which to set it up and execute it.) Despite this, it did provide some insights into the implications of these cases beyond law enforcement and criminal justice - insights that have been incorporated within this report.

## Chapter 3

# Methodology

### 3.1 Main study

The main study consisted of the following seven stages:

#### **Police National Postal Questionnaire Survey (NPQS)**

**3.1.1** A NPQS was carried out with the 52 (local) police services in the UK. The survey utilised two questionnaires:

##### Case Specific Questionnaire

**3.1.2** The police were asked to complete questionnaires for (suspected) cases of international and Internet CSA which had been reported to them between January 1999 and the time the questionnaire was administered in August 2002. (This latter date became, in effect, December 2002, owing to delays in questionnaire completion and return.) The survey was intended to measure the extent of cases known to the police, and provide outline information concerning the nature and investigation of these cases. (Appendix C provides a full breakdown of the areas covered by this questionnaire.)

**3.1.3** 24 (46.2%) of the 52 police services in the UK responded to the survey, reporting a total of 113 cases (see Table 1<sup>7</sup>). (The reasons for this relatively low response rate, its implications and the way in which it was responded to, are discussed Appendix C.)

##### General Policing Questionnaire (GPQ)

**3.1.4** Each police service was asked to nominate one officer, in an appropriately senior position, to complete a single questionnaire, commenting upon the managerial and strategic issues raised by international and Internet CSA in general.

**3.1.5** 16 (30.8%) of the 52 police services in the UK returned a completed questionnaire for this part of the survey. While this was not a very good response, this exercise did provide some useful additional information at relatively little extra cost in terms of resources expended. One further GPQ was returned by an officer employed in a national policing unit.

#### **HMRC NPQS**

**3.1.6** A copy of the Case Specific Questionnaire used in the police NPQS was sent to HMRC. While the purpose of this NPQS was essentially the same as it had been for police, there was - given the role of HMRC (in relation to child protection) - an almost exclusive focus upon cases involving the international movement of CAIs.

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<sup>7</sup> Further details concerning the research methodology, plus all the tables referred to in this section of the report, are contained in Appendix C.

**3.1.7** Questionnaires were completed for a random sample of 35 of the approximately 150 cases which were on the HMRC database.

### **Police case studies**

#### Interviews

**3.1.8** Police officers were interviewed in respect of specific international and Internet CSA cases which they had investigated. The primary purpose of the interviews was to identify the investigative and management issues which these cases raised, and practice surrounding international and Internet CSA more generally. A secondary purpose of the interviews was to obtain information concerning the nature of cases, especially the modus operandi of the offenders. Interviews were carried out with 51 police officers in respect of 56 separate investigations. Table 2 (Appendix C) shows that these officers were drawn from a quite wide range of departments. Appendix C also lists the main topics covered in these interviews.

#### File searches

**3.1.9** Searches were made of police files in relation to investigations into 40 separate cases of international and Internet CSA. The primary purpose of the file searches was to obtain more detailed information concerning the nature of cases. The file searches were, though, also useful sometimes in highlighting policy and practice issues raised by these cases. Information was recorded on a data extraction form. The areas covered by this form are shown in Appendix C.

**3.1.10** The intention of the researchers had been to interview the investigating officer *and* search the file for every case identified in this stage of the research. In some instances, though, this was not possible owing either to the police officer or the file not being available. Overall, (some) information was obtained on a total of 72 *different* cases. A breakdown of the sources of information for these 72 cases, and the categories of international and Internet CSA they featured, are given in Table 3 and 4 respectively (Appendix C).

### **HMRC interviews**

**3.1.11** Interviews were carried out with 17 HMRC officers. These were drawn from all HMRC' sections (policy, intelligence, detection and investigation) and settings (airports, docks and postal depots).

**3.1.12** The main purpose of these interviews was to identify the policy and practice issues raised by international CSA and in particular the international movement of CAIs. Given the researcher's unfamiliarity with the work of HMRC, an exploratory approach was taken to these interviews, utilising an unstructured interview schedule. This schedule covered three main areas: the interviewee's general role within HMRC, his or her knowledge and experience of international CSA, and the policy and practice issues raised by these cases.

### **Policy-focused interviews**

#### Police interviews

**3.1.13** Policy-focused interviews were carried out with 39 police officers, ranging in rank from Constable to Superintendent, and one civilian member of staff. The police units and organisations from which they were drawn are shown in Table 5 (Appendix C).

## Specialist organisations

**3.1.14** A total of 16 interviews were carried out with individuals from organisations which were responsible for, or concerned with, policy (broadly defined) in respect of international and Internet CSA. As Table 6 (Appendix C) shows, these comprised individuals from NGOs (7), academia (4), Government' departments (3) and industry (2).

## Searches of police crime *recording* and *reporting* systems

### Recorded CSA offences

**3.1.15** Searches were carried out within the crime *recording* systems of two police services - one metropolitan<sup>8</sup> and one shire county. The aim of these searches was to obtain a measure of the number of CSA cases, involving *international CSA victims* or *international child sex abusers*, which had been recorded by each of these police services in the period covered by the NPQS (January 1999-December 2002). 4,709 CSA records were searched in the metropolitan police area and 984 in the shire county police service.

### Reported Internet-related offences

**3.1.16** Searches were made of crime *reports* to Computer Examination Units in three police services - one metropolitan<sup>9</sup> and two shire counties. The aim of these searches was to measure the number of *Internet CSA* cases that had been reported to each of these police services for the period covered by the NPQS (January 1999-December 2002). 311 reports (CSA-related offences only) were searched in the metropolitan police service, 253 (all crimes) in shire county 1 and 294 (all crimes) in shire county 2.

## 3.2 Supplementary study

**3.2.1** Details of the methodology used in the supplementary study (with social services departments, probation and Trading Standards) are contained in Appendix C.

## 3.3 Ethical approval

**3.3.1** The proposed research was submitted to the School Research Ethics Panel (School of Human and Health Sciences, University of Huddersfield) and was then referred up to the University Ethics Committee. The research was formally granted ethical approval in March 2002. Further details concerning the ethical procedures adopted in this research are provided in Appendix C.

**3.3.2** In addition to this approval process, the conduct of this research project was overseen by an advisory committee (whose membership is detailed above) which provided advice on issues such as aims, methodology, access, analysis and writing up.

<sup>8</sup> It should be noted that the term 'metropolitan' refers to the type of area covered by the police service, and not the Metropolitan (i.e. London) Police Service.

<sup>9</sup> As in no. 8

### 3.4 Limitations

**3.4.1** There were a number of limitations in the research which the reader should bear in mind when reading this report. These are as follows:

#### **The scale and scope of this research**

**3.4.2** When the idea for this research was first conceived, around about the year 2000, international and Internet CSA, had a fairly modest profile. As a result, the research director (Gallagher) felt that the proposed research project should, perhaps, be equally modest in scale, and a grant was applied for which was commensurate with this assessment. However, over the subsequent five years or so, awareness of, and concern over, international and Internet CSA rose dramatically.

**3.4.3** Of more immediate relevance to these authors, was that as the research progressed, it became increasingly evident that international and Internet CSA was more extensive and serious than they had anticipated. In particular, it was found that there were more *categories* of international and Internet CSA than were indicated in the existing literature, with most of these capable of being sub-divided into a number of different *types* of case. Thus, while the resources for this research project were quite modest, the scope of the subject matter proved to be quite considerable.

**3.4.4** Notwithstanding this, the researchers endeavoured to obtain as much information, and on as many different types of case, as was practicable. In the event, though, for each specific *type* of international or Internet CSA case, it was usually possible to carry out only a very small number of case studies (i.e. of the order of one, two or three) or to gather only rather general information. This is especially true of cases within the *categories* international CSA victim and international child sex abuser.

#### **Specific limitations of this research**

**3.4.5** The limitations in the scale of this research were manifest in a number of more specific ways. These were as follows:

- The research was based in the UK, and in the main studied only cases that had a link to this country. Had fieldwork been carried out in other countries, and/or on cases other than those with a link to the UK, then the findings *may* have been different. In particular, it is possible that, in certain developing countries, international CSA cases would have been more extensive (perhaps much more so - as suggested by the literature (UNICEF, 2003b) - with Internet CSA cases being less extensive
- The research was based only upon *known* cases i.e. cases of CSA that had been reported to agencies. As numerous prevalence surveys - such as Cawson et al, 2000 - have shown, a large majority of CSA cases are never reported to any agency<sup>10</sup>
- The research was largely based only upon cases that were known to law enforcement agencies (police and HMRC) in the UK. It may be that some cases, 'which had a link to the UK', were not known to (UK) police and/or HMRC but were known only to agencies *outside* the UK *or non-law enforcement* agencies within the UK<sup>11</sup>

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<sup>10</sup> It may be that the police and HMRC, in the UK, are even less likely to know of CSA cases that involve international or Internet dimensions. In respect of international cases, for example, it may be that victims are less able and/or willing to disclose their abuse. Similarly, agencies in one country may be less able and/or willing to inform their counterparts in another country of CSA cases in which they have (or should have) a mutual responsibility.

<sup>11</sup> As in no.10

- The figures given in subsequent chapters of this report, on the extent of known cases of international and Internet CSA, were based upon a search of records in only a small number of police services - two and three respectively.

**3.4.6** Taking into account all of the above, it should be recognised that the findings from this research are not as reliable nor generalizable as they would have been, had they been based upon a large, representative, quantitative study. Indeed, it may be more appropriate to think of the research, not as having produced *findings*, but rather as having identified *themes* - themes that would be important to validate in future research focused upon specific categories and types, of international and Internet CSA.

### **Changes in the extent, nature and response, to international and Internet CSA**

**3.4.7** Change appears to be a conspicuous feature of international, and even more so Internet, CSA. This applies both to cases themselves (including offender behaviour), and subsequent policy and practice responses. This research found, for example, that offenders have, in the last few years, changed the way in which they smuggle CAIs into the country, and the protocols they used to perpetrate Internet CSA. In addition, there are a series of factors that could be leading to an increase in the incidence of international and Internet CSA. These include, greater foreign travel by children and would-be offenders, a strengthening of penalties for child sex offenders in the UK - which encourages would-be offenders to go abroad in the hope of encountering children who have fewer protections in law - increased access to computers and the Internet, on-going developments in new technology (for example, Internet-enabled mobile phones) and an increased awareness (among offenders) of the opportunities to commit CSA on an international or Internet basis. In terms of the official response, the Government, for instance, has introduced new legislation, such as the Sexual Offences Act 2003. This incorporates, among much else, a new grooming offence (section 15), broadens the definition of sexual exploitation-related trafficking (section 57) and brings in new powers to prevent convicted sex offenders from travelling abroad (section 114).

**3.4.8** As to the precise impact which these, and other, developments are having, and will have, this is not known. However, it is likely that the agency *experience* of these cases is at least somewhat different now to what it was when the fieldwork for this research was carried out. Agency workers should, for example, be generally more aware of, and prepared to respond to, international and Internet CSA. This, in turn, *may* have led to an increase in the number of reports they have received.

**3.4.9** In summary, then, this research does have a number of limitations and the authors have sought to take these into account in writing this report. The reader is asked to take into consideration the points made above when reading this report.



## Chapter 4

# A typology of international and Internet child sexual abuse

**4.1** The research identified, and subsequently studied, six major *categories* of international and Internet CSA. These comprised three categories of *international CSA*: international CSA victim, international child sex abuser and the international movement (physically rather than electronically) of CAIs; and three categories of *Internet CSA*: Internet-initiated grooming of a child for the purposes of sexually abusing him or her, Internet-initiated incitement or conspiracy to commit CSA and the use of Internet-based CAIs. The resultant typology is shown in Figure 1. Figure 1 also provides the working definitions of each of these categories, which were developed, and utilised, in the course of the research.

**4.2** As Figure 1 shows, there existed at least one other major category of international/Internet CSA, this being the unsolicited receipt by children of CAIs over the Internet. While this category of case has been subject of study elsewhere (see Mitchell, Finkelhor and Wolak, 2003), it did not feature in the current research, primarily because it was beyond the resources of the project. In addition, though, it was the researchers' experience that the police received very few reports concerning this category of case.

**Figure 1 A typology international and Internet CSA**

<b>Category</b>	<b>Definition</b>
1. International CSA victim	<ul style="list-style-type: none"> <li>A child who has travelled from one country to another - <i>for whatever purpose</i> - and has then been sexually abused</li> </ul>
2. International child sex abuser	<ul style="list-style-type: none"> <li>An individual who has travelled from one country to another - <i>for whatever purpose</i> - and has then sexually abused a child</li> </ul>
3. International movement of CAIs <sup>12</sup>	<ul style="list-style-type: none"> <li>The movement through ports and airports, either 'on the person' or via the international post, of CAIs - <i>in whatever form</i> - (for example photographs, films, magazines, floppy disks and CDs, and laptops) from one country to another</li> </ul>
4. Internet-initiated grooming of a child for purposes of sexually abusing him or her	<ul style="list-style-type: none"> <li>Where an individual has used the Internet to <i>initiate</i> contact with a child for the purposes of grooming and then sexually abusing that child</li> </ul>
5. Internet-initiated incitement or conspiracy to commit CSA	<ul style="list-style-type: none"> <li>Where an individual has used or has tried to use the Internet to <i>initiate</i> contact with another person to incite, or conspire with them, to commit CSA</li> </ul>
6. Internet-based CAIs	<ul style="list-style-type: none"> <li>Where an individual has taken, made, distributed, showed or possessed CAIs via the Internet</li> </ul>
Internet-based receipt by children of CAIs	<ul style="list-style-type: none"> <li>Where a child has received <i>unsolicited</i> CAIs over the Internet</li> </ul>

<sup>12</sup> This category does not refer to cases where CAIs were sent between countries electronically i.e. over the Internet. These are incorporated in category 6.

**4.3** Although at least some of what is incorporated within Figure 1 may be familiar to those involved in child protection, it is felt that this schema (and the research which underpins it) encapsulates a number of substantial and innovative features. These are as follows:

- The bringing together of categories of CSA which, while distinct, overlap with one another in important ways
- The identification of a category of case - Internet-initiated incitement or conspiracy to commit CSA - which has received little or no policy, practice or research attention
- The highlighting of a category of case - international movement of CAIs - which has been relatively neglected in terms of policy, practice and research, and which might as a result of the Internet - and contrary to expectation - be increasing
- The definition and conceptualisation of certain categories of case - in particular, international CSA victim and international child sex abuser - in much broader terms than have been implied previously

**4.4** Moreover, and as will be shown in the following discussion, all of these categories comprise a number of separate types of case. Overall, then, and as Figure 1 suggests, international and Internet CSA is a much more extensive, complex and challenging problem than has been thought hitherto, and one in need of a much wider-ranging, co-ordinated, and concerted policy and practice response.

## Chapter 5

# International child sexual abuse victims

## 5.1 Typology

**5.1.1** Figure 2 shows the typology (in alphabetical order) of international CSA victim cases that was developed from information gathered during the course of the research. The typology is based upon the specific context in which victims moved from one country to another.<sup>13</sup> As the figure makes clear, there were many different *types* of international CSA victim case. Two particular points are worth highlighting: firstly, while cases comprising the trafficking<sup>14</sup> of children for the purposes of sexual abuse or exploitation were identified, this was only one of many types of international CSA victim case that were uncovered during the course of the research (which, itself, is unlikely to have been exhaustive); secondly, these cases involved not only children who came *into* the country, but also children who went *out* of the country (again, in a variety of contexts).

**Figure 2 A typology of international CSA victim cases**

Types	Sub-types
1. Club (e.g. sports) trip 2. Exchange trip 3. Forced marriage 4. Fostering <sup>15</sup> 5. Holiday 6. Internet-initiated child sex abuser network 7. Internet-initiated grooming 8. Medical treatment 9. Migration 10. School trip 11. Trafficking	<ul style="list-style-type: none"> <li>• Child enters the country and is subsequently sexually abused</li> <li>• Child goes abroad and is subsequently sexually abused</li> </ul>

<sup>13</sup> This research is restricted to victims who recently entered the country - where the offences took place - and/or had come in on what was, or was initially, a *temporary* basis i.e. it excludes victims who were long-term residents or naturalised citizens of the country where the offences took place.

<sup>14</sup> The definition of the term trafficking - in relation to both sexual offences and offending more generally - has, in recent years, and including the period covered by this study, changed, and become much broader. However, and in the interests of consistency, this report retains the study's original, more narrow, conception of trafficking, as being concerned with individuals - in this instance, children - who are moved - in this instance, internationally - for the purposes of exploiting their prostitution. It should be stressed that the authors do support the broadening out of the definition of trafficking, and will endeavour to reflect this in their future work.

<sup>15</sup> The term 'fostering' is used here in a loose sense to refer to those situations where an offender became the parent/carer of the child in question (excluding adoption). The legal basis of these arrangements were not always clear - whether this was to the agencies involved in the investigation and/or the researchers. It appeared, though, that these arrangements were quite diverse, ranging from those where some formal (i.e. legal) agreement had been entered into, through situations where the offender had entered into informal arrangements with whosoever was the appropriate 'authority', onto circumstances where children *may*, in effect, have been abducted. A few of these cases involved legal foster parents in the UK who took their foster child abroad, but most comprised UK citizens who went abroad and brought a child back to this country, acting as their putative parent/carer.

## 5.2 Vignettes

**5.2.1** The following vignettes are based upon cases identified during the course of the research. They are intended to provide the reader with a more tangible sense of the nature of international CSA victim cases, and the policy and practice issues to which they gave rise. The details of these cases have been changed or generalised in the interests of anonymity.

Case 1: child brought into the UK having been ‘fostered’ by a British missionary

**5.2.2** The following is the description, quoted verbatim, of a case submitted on the police NPQS:

**5.2.3** ‘Saeed is an Ethiopian refugee currently living in this country. He provided police with his background. He was ten years old when he met the suspect John Smith. Smith was a British missionary living in Mogadishu who ran a house for street boys. He housed approximately 40 boys.

**5.2.4** ‘Saeed alleged that from the age of 10, he was forced to have anal intercourse with Smith. In 1996, when Saeed was 13 years old, Smith brought him to England for three weeks. The abuse continued during this period, Saeed was forced to masturbate the subject. The abuse continued on their return back to Mogadishu. In October 1997, Smith brought Saeed back to this country to live and applied for permanent asylum for him. The abuse continued until, in 1999, Saeed requested a[n] [official] foster place and was given one. Smith was arrested in March 2001 .....Smith was suspected of abusing another boy in Mogadishu and also of bringing him to this country for a holiday. Interpol were instructed to trace this boy but were unsuccessful.’

Case 2: children taken abroad, from the UK, on work-related trips by a family friend

**5.2.5** Initially, this case involved a 11 year old boy who was occasionally taken around the UK and abroad by an uncle who was a long-distance lorry driver from south-west England. In the run-up to one of these trips, he informed his mother that he no longer wanted to accompany his uncle. When asked why, he replied that *‘he does naughty things to me’*. His mother reported the matter to the police who then interviewed the boy. The boy disclosed that he had been sexually abused in the sleeper cab of his uncle’s lorry but only whilst abroad. However, it transpired that all of these offences had taken place before the enactment of the Sex Offenders Act 1997, with its provision for extra-territorial jurisdiction. As the investigating police officer explained, the case could well have been closed there but for the fact that he felt bound to try and do something for this young victim:

**5.2.6** *‘I felt an obligation to the 11 year old boy who disclosed and was disappointed that there was nothing I could do. I could have filed it and left it but I dug and did more investigations and saw family members in Bristol. We shouldn’t really be doing ‘fishing expeditions’ but I wanted to see who else had been abroad with him [as children].’*

**5.2.7** What the officer was looking for was other victims whose abuse might have been perpetrated in the UK. It appeared that none of the numerous other male members of the extended family, who had been abroad with the uncle, and who were approached by this police officer, wished to make a disclosure. Two of the last family members to be seen were 16 and 20

year old brothers. The police officer went to see their mother about the investigation and she asked her sons whether anything had happened to them. They denied this, and as the police officer remarked in his interview, *'So, my enquiry was coming to a juddering halt.'*

**5.2.8** However, shortly after this, the boys' mother came to visit the police officer and, in tears, told him that both her sons had come to her, also in tears, and said that they had been sexually abused by the uncle. This development appears to have encouraged other males within the family to disclose their abuse. As the police officer stated, *'then one, then another came forward.'* In total, five adults reported being sexually abused (when they were children) both in the UK and abroad. One additional adult disclosed abuse but did not wish to make an official statement and two more were strongly suspected, by the police, of having been abused. The police decided against pursuing this last element of the case owing to the psychological difficulties these two, possible victims, were experiencing.

**5.2.9** The offender's pattern was that as a victim got older, and moved out of his preferred age range, he would target and groom another (younger) boy. Trips in his lorry, within the UK and abroad, were one of the main inducements upon which his grooming of the boys was based. His abuse of boys extended over a 15-year period.

**5.2.10** Although the suspect was tried only for offences committed in the UK, the police investigation revealed that all of the children had first been abused when they were abroad and that this was also where the large majority of the abuse had taken place. The police investigation led to the offender's computer being searched and it was found to contain CAIs that he had downloaded from the Internet. The offender eventually received a nine-year prison sentence for his sexual abuse of the children and possession of indecent photographs of children.

**5.2.11** Some years after the case had been closed, the mother of the original 11 year old victim approached the police to inform them that her son had recently disclosed that he too had been abused in the UK, and not just abroad as he first indicated.

**5.2.12** Like the trafficking case below, this was another instance in which the very considerable support the police provided to victims and their families seemed to prove invaluable in their ability to take part in the criminal justice process - with its eventual successful outcome. Even this, though, was not sufficient to offset all the adverse consequences of the disclosures. The police officer interviewed about this case described one such situation where one of the men's partners did not seem able to understand or sympathise with her husband over the abuse he had experienced as a child:

**5.2.13** *'There was a really good family that was badly affected by it. One guy split up with his wife. She couldn't handle it. She said why did you let him do it. She told him "You can't see the kids. You might do it to our kids".'*

### Case 3: child trafficking into the UK

**5.2.14** Maria was from Moldova where she lived with her father - her mother having died some years before. Her father was abusive towards her, so when a relative offered her a *'way out'* she ran away from home with him, aged 12. However, the relative's intention was to sell her to a gang of pimps from Romania, which he did, for \$500. Following this, she was trafficked through Serbia, Kosovo and Albania, being sold on to, and raped by, a series of pimps, who forced her to work as a prostitute and perform in strip clubs. Finally, she was taken to Germany, being forced, by yet another pimp, to work as a prostitute.

**5.2.15** However, this pimp was in control of a girl who had been ‘loaned’ to him by a second pimp, but he had *‘never returned her’*. Consequently, the second pimp ‘stole’ Maria and made arrangements for her to travel to England, via France, using forged documents, meeting up with him there.

**5.2.16** Once in England, Maria, now 15 years of age, was forced to resume work as a prostitute in different brothels in north-west England. Her new pimp would take her to, and from, the brothels each day, and then, when she returned home, he would force her to have sex with him, beating her and threatening her with knives and guns if she tried to resist.

**5.2.17** Eventually Maria ran away and sought the help of a ‘maid’ at one of the brothels where she worked, showing her the injuries she had incurred at the hands of the pimp. This maid then contacted a specialist police vice unit that she knew of and which appears to be very highly regarded in this area of work.

**5.2.18** What happened next seems to have been a text book example of how the police, and other agencies, should respond to cases involving the trafficking of children (into the UK) for sexual exploitation. The police invested huge resources into investigating the case (at an estimated cost of £100,000) which included surveillance, search teams, close liaison with the local social services department (SSD), the Immigration and Nationality Directorate (IND) and the Crown Prosecution Service (CPS), and travel to, and work in, Eastern Europe. What appears to have been crucial in all of this was the very considerable expertise and commitment with which the police handled the case, and the level of support they provided to Maria who had suffered appalling abuse and was, as a result of all of her experiences, extremely vulnerable. This applied not only to the investigation stage, but also the pre-trial, and indeed even the post-trial, period.

**5.2.19** Also of critical importance in this case, was that the social services department (SSD) involved in the case had a specialist unit - which has since been threatened with closure - for dealing with asylum seekers, which enabled them to provide Maria with some of the specialist and dedicated on-going support she required. The police officer interviewee commented very favourably upon the work the SSD has undertaken:

**5.2.20** *‘She received excellent care from social services, especially one social worker.....Because of the sheer skill of the social services department, they got her to college et cetera. She wouldn’t have got a quarter of the way there without social services. But not all social services are like that. Now I know them, they do me favours. I’ve never known any other social services department give me that support. I couldn’t have pursued the criminal offences without them.’*

**5.2.21** Eventually, the case came to trial and the main offender was convicted of a number sexual offences, and was given a considerable prison sentence.

**5.2.22** Not surprisingly, this case raised a large number and wide range of issues. One of these was the not infrequently mentioned concern, on the part of the police, towards the abuse of the asylum system by (foreign) criminals:

**5.2.23** *‘He [the main offender] said [on requesting asylum to remain in the UK] that he was a freedom fighter from the Macedonian National Liberation Army and that his relatives were in prison as a result of his activities. So he was granted indefinite leave to remain.....What upsets me is that he was given indefinite leave to remain. What upsets me is that this was a person we let stay - this was an ‘asylum seeker’.’*

**5.2.24** The police officer also drew attention to the fact that though this, and many other cases his specialist vice unit dealt with, were extremely serious, there was a shortage of resources. When asked what aspects of practice ‘worked less well or badly at the moment’, he replied:

**5.2.25** ‘It’s all to do with resources.....We have to cherry pick cases. There is stuff which is serious which we have to put to one side.’

## 5.3 Extent

**5.3.1** Table 7 shows the results of the search, in two police services, of all CSA offences *recorded* in the four year survey period, January 1999 - December 2002. As the table makes clear, international CSA victim cases made up a small proportion of all CSA offences recorded by the police in these two services. There were 5 such cases in the metropolitan area and 2 in the shire county area, accounting for 0.1% and 0.2% of all recorded CSA offences respectively.

**5.3.2** As discussed in Chapter 3 (Methodology), some care has to be exercised in interpreting the figures from this research, based as they are upon only those cases *known* to the *police* in the *UK*. That said they do provide some important evidence regarding the extent of known international CSA victim cases ‘with a link to the UK’; namely, that the number of cases recorded by UK police services is small; these cases constitute a small proportion of known CSA cases; and the number of child trafficking cases into the UK - which have, to date, been the focus of much concern - is especially small.

**5.3.3** This research was insufficient in scale to produce figures as to the extent of different types of international CSA victim case. However, it did appear that *child sexual exploitation trafficking* cases may have been outnumbered by at least some, if not many, of the *other* types of international CSA victim case, probably individually and almost certainly collectively. All of these conclusions - both here and in the previous paragraph - were supported by data gathered in other stages of the research, and in particular the case study interviews with police officers.

**Table 7 International CSA victim cases identified through searches of CSA offences recorded by two UK police services in period January 1999 - December 2002**

Police service	CSA case					
	International CSA victim		Other		ALL	
	N	%	N	%	N	%
Metropolitan <sup>16</sup>	5 <sup>17</sup>	0.1	4704	99.9	4709	100.0
Shire county	2 <sup>18</sup>	0.2	982	99.8	984	100.0
TOTAL	7	0.1	5686	99.1	5693	100.0

<sup>16</sup> The term ‘metropolitan’ refers to an (anonymised) police service covering a large urban area - and not the Metropolitan (i.e. London) Police Service.

<sup>17</sup> The five metropolitan police service cases comprised three cases where a UK child was sexually abused whilst on holiday abroad, and two cases where a child was in the UK, as a recent migrant, and was sexually abused.

<sup>18</sup> The two shire county cases comprised one child who was ‘fostered’ by the offender, brought to the UK and then sexually abused, and one child taken abroad by a teacher and abused. Thus, four of the cases identified through the record searches took place abroad, as against three cases that took place in the UK.

### Estimated national extent

**5.3.4** The two police services in which the searches were undertaken covered areas with a total combined population of approximately three million people (Office for National Statistics, 2003). *If* these two police services were representative of the UK population of a whole, then nationally there would have been 134 international CSA victim cases, known to the police, in the UK, from 1999-2002, or 33 cases per annum. This equates to 0.6 cases per police service per annum.

**5.3.5** It should be stressed that the above figures are not necessarily a very reliable measure of the national extent of these cases. They are based upon only two of the 52 police services in the UK, it is not known how representative these services were (of all police services and the populations they covered) and no statistical weighting exercises have been undertaken. However, it is felt that these figures are useful ‘ball park’ estimates as to the national extent of known international CSA victim cases.

**5.3.6** The figures presented here should not be taken as an indicator of the extent of international CSA victim cases which may exist in other countries, especially developing ones. The rate of trafficking of children, for sexual exploitation, into certain countries in South and South East Asia, for example, is claimed to be extremely high. UNICEF (2003b), for instance, has reported that ‘300,000 Bangladeshi minors work in the red light areas of India’.

## 5.4 Nature<sup>19</sup>

### Victims

**5.4.1** Several types of international CSA victim case can be grouped together in terms of victim characteristics. These comprise children on organised trips (clubs, exchange and school) or holiday, migrant children, and those involved in Internet-initiated child sex abuser networks or receiving medical treatment. In some respects at least, the children involved in these cases appeared to be similar to those in known CSA cases in general (Creighton, 1992; Gibbons, Conroy and Bell, 1995), their being quite diverse in terms of their age, gender, family background, socio-economic classification (SEC)<sup>20</sup> and ethnicity.

**5.4.2** By contrast, trafficking and ‘fostering’ cases tended to involve a much narrower group of victims. The former were largely comprised of older girls (secondary school age i.e. 11-17 years), whereas ‘fostering’ cases consisted principally of older boys. These two particular types of case were also similar in that both groups of victim were drawn primarily from developing countries (especially Africa, Eastern Europe, South and South-East Asia) and/or family backgrounds that were acutely disadvantaged. It was this latter feature which enabled abusers, who were invariably from outside the family, to exert such control over the children’s lives whereby they could, not only sexually abuse them, but also abduct them, in effect, and then move them across international borders, and permanently so, if they wished.

**5.4.3** Virtually all the children abused through international, Internet-initiated grooming were older girls. Other than this, these victims appeared to be unremarkable in terms of family background, SEC and ethnicity. That said, these cases did appear to include a higher proportion of children from more

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<sup>19</sup> To reiterate the point made at the end of Chapter 3 (Methodology), the following *findings* were based upon a relatively small number of cases and it might, therefore, be more appropriate to think of them in terms of *themes*.

<sup>20</sup> This is the single classificatory scheme, produced by the Office for National Statistics, which has replaced socio-economic groups (SEGs) and social class based upon occupation (SC) (Abercrombie, Hill and Turner, 2000).

middle class and stable family backgrounds than might usually be seen in police and children's services child protection caseloads.

**5.4.4** The victims of forced marriages, likewise, tended to be over-represented by older girls. However, in terms of ethnicity they were distinct in terms of being of South Asian heritage.

### **Offenders**

**5.4.5** The different types of international CSA victim case shared one major feature in that virtually all the offenders were male. A very small proportion of cases involved female offenders but they always acted in concert with males. Other than this, though, there was considerable diversity, even *within* case types, in the SEC, sexual orientation and ethnicity of offenders, and their cohabiting, relationship and parenting status.

**5.4.6** Where there were differences *between* cases was in terms of the victim-offender relationship. As indicated above, one group of cases - children on organised trips and holidays, migrant children, and those involved in Internet-initiated child sex abuser networks or receiving medical treatment - were akin to known CSA cases in general (Cawson et al, 2000). Thus, offenders tended to be the children's parents/carers, other close family members or neighbours/'friends', or persons who worked with the children.

**5.4.7** Offenders in 'fostering' and trafficking cases, and those in Internet grooming cases, were, initially at least, complete strangers, to the children, and had set out to secure a child for sexual abuse. That said, immediate and extended family members, and their 'acquaintances', did sometimes have a role at the start of a child being trafficked. One difference within this sub-group of cases, though, was that while in each of the last two of these cases - trafficking and grooming - offenders and victims tended to come from broadly similar ethnic and socio-economic backgrounds, the 'fostering' cases were characterised by abusers from developed countries who went to developing countries where they targeted especially disadvantaged children.

**5.4.8** As before, forced marriages were somewhat unusual - by dint of their specificity - with virtually all cases being characterised by immediate and/or extended family members engaging in quite elaborate plans to force the marriage of - invariably - their daughters to adolescent or adult men in South Asia.

### **Modus operandi**

**5.4.9** The first group of cases cited above - children on organised trips and holidays, migrant children, and those involved in Internet-initiated child sex abuser networks or receiving medical treatment - were, in terms of modus operandi, similar to known CSA cases in general. Many of these children were abused in the context of what were, or could be thought of as, domestic settings, for example, family holidays, and trips organised by persons working with children. As with known CSA in general, some of the offenders used coercion to bring about the abuse, while others used grooming.

**5.4.10** What was particularly distinct about these cases was that they tended to exist along a continuum, at one end of which the international dimension to the case was *incidental*, while at the other it was *instrumental*. Thus, for some victims, international CSA was an extension of the CSA they experienced in their own country. In other cases, though, taking the child abroad appeared to be central to the offenders' efforts both to abuse the child and prevent the abuse from being detected.

**5.4.11** Trafficking cases appeared to be rather diverse in terms of the modus operandi used by offenders. In some cases, quite specific arrangements were made to bring a child from a developing country to the UK to be abused in the context of 'sex work'. In other instances, a child ended up in the UK only after having been passed between several different pimps and abused (again in the context of

‘sex work’) in a number of different countries. In yet other cases, the UK was used as a transit point for children en route to be abused through ‘sex work’ in another European country.

**5.4.12** All these cases, though, seemed to share a number of marked features, including the degree of sexual abuse the child suffered, the perpetration of other forms, and serious levels, of abuse against the child (especially physical abuse) and the complete absence of any form of support in the child’s life. As these features should indicate, offenders in trafficking cases had great control over their victims.

**5.4.13** Whilst there are allegations of the involvement of organised crime in child trafficking (for sexual abuse), the impression gained from this research is that it is orchestrated by small groups of individuals who are linked only informally, if at all.

**5.4.14** ‘Fostering’ cases typically arose as a result of an offender travelling to a developing country (from the UK), ostensibly to carry out voluntary or religious work with disadvantaged children, but subsequently sexually abusing children in that setting and then ‘fostering’ one particular child with whom he returned to the UK and who was then the focus of further sexual abuse. The research identified one case of an offender, who officially fostered a child in the UK, whom he then took abroad to live and abused over a number of years. Like trafficking cases, fostering (whether official or unofficial) afforded offenders - who were, in essence, strangers - a great deal of control over the children concerned. This control was used to remove children from their native country, facilitate CSA and prevent detection of that abuse.

**5.4.15** The modus operandi of offenders in international Internet-initiated grooming cases was, likewise, relatively straightforward. Offenders utilised Internet-based chatrooms, or other Internet protocols, to communicate with adolescent girls, invariably, who they then proceeded to groom to the point where they were able to meet and sexually abuse them. Although international grooming cases were rare, they were by no means unique, and were indicative of the lengths to which offenders would, and could, go to sexually abuse a child. Most of these cases involved the offender travelling internationally, to meet the child, but a few featured the child travelling internationally, either with the offender or on her own, and going either to the abuser’s country of residence or on to a third country.

**5.4.16** In cases of forced marriage, the offenders’ modus operandi, again, appeared to be quite straightforward in that immediate or family members, and sometimes their friends or associates, pressured or forced a child to travel to South Asia where she was married to an adolescent or adult male. They then either remained in the country in question or returned to the UK, to be joined, eventually, by their partner. It seemed to be a characteristic of some of these cases, that extreme physical measures were used either to get the children abroad and/or keep them abroad, or to punish children who managed to thwart these plans.

## Chapter 6

# International child sex abusers

## 6.1 Typology

**6.1.1** Figure 3 shows the typology of international child sex abuser cases (in alphabetical order) developed through the course of this research. The typology is based upon the context in which the offender moved from one country to another.<sup>21</sup> Figure 3 makes clear that there were a relatively large number of different *types* of international child sex abuser case. This research alone has identified eleven types of case. In doing so, it challenges two stereotypes surrounding cases comprising international child sex abusers: firstly, it shows that these cases are not restricted to child sex tourism; and secondly, that they involve abusers who come *into* the country as well as those who go *out* of the country. Thus, the problem of international child sex abusers would appear to be far more diverse, and on this basis, much more challenging, than was thought previously.

**Figure 3 A typology of international child sex abuser cases**

Type	Sub-types
1. Children's worker 2. Child sex tourist <sup>22</sup> 3. Holidaymaker <sup>23</sup> 4. Internet-initiated 'groomer' 5. Internet-initiated child sex abuser network 6. Migrant 7. Military worker 8. Paid worker 9. Religious worker 10. Student 11. Voluntary worker	<ul style="list-style-type: none"> <li>• Abuser comes into the country and subsequently sexually abuses a child</li> <li>• Abuser goes to another country and subsequently sexually abuses a child</li> </ul>

## 6.2 Vignettes

**6.2.1** The following vignettes are based upon cases identified during the course of the research. They are intended to provide the reader with a more tangible sense as to the nature of international child sex

<sup>21</sup> This research was restricted to offenders who had recently entered the country - where the offences took place - and/or had come in on what was, or was initially, a *temporary* basis i.e. it excludes offenders who were long-term residents or naturalised citizens of the country where the offences took place.

<sup>22</sup> The distinction between a child sex tourist and a holidaymaker, in this report at least, is that the former refers to a person who has travelled internationally for the purpose of sexually abusing a child unknown to him, where the latter refers to more 'domestic' situations where an individual has travelled internationally, often with the victim and in a family situation, and has then perpetrated CSA. Having made this somewhat simplified distinction, the authors acknowledge that there are various gradations within, and between, these two types of case. There is not, though, space to discuss these gradations here.

<sup>23</sup> As in no. 22

abuser cases, and the policy and practice issues to which they gave rise. The details of these cases have been changed or generalised in the interests of anonymity.

Case 1: Migrant worker coming into the UK

**6.2.2** The following is the description, quoted verbatim, of a case submitted on the police NPQS:

**6.2.3** ‘Mother of victim (14 year old girl) had connections with Zambia through charity work. As a result of many visits, she agrees for the suspect to reside with them, in the UK, as a temporary lodger whilst he did auxiliary work in a hospital. During the few weeks he stayed, he had sexual intercourse with the victim on 3 occasions. It was reported as rape.....Victim video interviewed and suspect arrested....and charged. Suspect appeared at .....Crown Court...and found not guilty of reduced charges of USI.’

Case 2: Charity worker going out of the UK

**6.2.4** The offender in this case travelled throughout the UK visiting churches to raise funds for orphanages, for girls (only), which he had set up in two countries, one in Eastern Europe and one in South East Asia. Concerns regarding the offender arose after representatives of these churches visited Albania, to meet and work with these children, and check their donations were being used appropriately.

**6.2.5** Whilst at the orphanage, the church representatives witnessed a variety of incidents which caused them to be anxious. These included the offender sexually harassing a woman who worked in the home, along with a teenage girl who lived there, kissing younger girls on the lips and sharing a bed with an eight-year old girl. Some of the girls were also overheard complaining that they could not sleep in the same bed as the offender (overnight) when the home had visitors [i.e. the church members]. The offender was also seen to arrive home in a drunken state, at night, and become very aggressive - something which the children were said to find very frightening. He had, in addition, brought some of the girls back to his home in the UK for temporary stays.

**6.2.6** The investigation involved several police services in the UK, and national and foreign organisations, but there was never any specific allegation against the offender. That said, the police interviewee did state that the local police, in the East European country in question, did not take the concerns seriously and were, in all likelihood, being bribed by the suspect. Once the suspect became aware of the concern and the subsequent police investigation, he relinquished control of the orphanage in the East European country, and it was later closed down by welfare authorities in that country.

Case 3: Child sex tourist going out of the UK

**6.2.7** A foreign organisation, monitoring CSA-related activity on the Internet, identified CAIs which they believed might have originated in the UK. They informed a police service in the UK, which was known to have a specialist unit working in this area of offending, of these images. The officer assigned to investigate this report, then began to undertake certain Internet-based enquiries that revealed that one offender (based in the UK) had taken these images and was distributing them, to other offenders, over the Internet. In the course of these

communications, the offender would invite people to state the poses they wished the victim to adopt when being photographed. Through further investigative work, the police were able to identify the offender and passed his details to the police service covering the area of the UK in which he normally lived.

**6.2.8** Enquiries by this police service, revealed that the offender was, currently, in Cambodia. It later transpired that he had subsequently returned to the UK on two occasions, but had not been apprehended, and had then returned to Cambodia, seemingly on a permanent basis.

**6.2.9** In his interview, the officer who started the police investigation, in the UK, explained that extradition of the offender, which would generally have been difficult, was, in this case, even more problematic, owing to an insufficiency of evidence against him, and the fact that the offences were, relatively-speaking, not very serious.

**6.2.10** However, following separate police investigations, and further searches on the Internet, this officer identified additional images being posted (on the Internet), by the offender, which featured children in the UK and now also children in Cambodia. (These latter enquiries also uncovered Internet communications in which the offender encouraged people to come to Cambodia, to sexually abuse children, and where he was, in turn, given advice about avoiding being detected, by the police, on the Internet.

**6.2.11** The CAIs featuring Cambodian children were then passed to the police in that country. The police were able to trace the offender and arrest him within a matter of days. Their investigation revealed that he had sexually abused and photographed twelve children. The offender used a variety of means to obtain victims, but many were ‘street children’ who were earning money by, for example, selling flowers or cleaning cars, but who were offered, and accepted, much more money for engaging in sex with the offender.

**6.2.12** Eventually, the offender was tried, in Cambodia, for indecent assault and publishing indecent photographs of children for which he received a lengthy prison sentence.

**6.2.13** The Internet-based investigations also revealed that the offender had received a message from an individual thanking him for the ‘*experiences*’ he had had whilst in Cambodia. This individual was traced (to the UK) and the subsequent investigation showed that he had sexually abused children both in the UK and Cambodia. He was eventually jailed for his offences in the UK.

**6.2.14** The main offender is known to have sexually abused four children in the UK who were related to him. These were the four children who featured in his original CAIs. As well as abusing and photographing these children, he had made them available to his friend to abuse. Investigations across the UK, and internationally, revealed that he was a member of what was a quite extensive network of child sex abusers. Moreover, this network, primarily through him, overlapped with two other quite extensive child sex abuser networks.

## 6.3 Extent

**6.3.1** Table 8 shows the number of international child sex abuser cases that were identified through the search of CSA offences *recorded* in two police services in the four year period from January 1999

- December 2002. These figures are based upon both offenders coming into, and those going out of, the UK. As the table indicates, the number of cases known to the police in the metropolitan and shire county police services was small - at 19 and four cases respectively.

**Table 8 International child sex abuser cases identified through searches of CSA offences recorded by two UK police services period January 1999 - December 2002**

Police service	International child sex abuser		Case type		ALL	
	N	%	N	%	N	%
Metropolitan <sup>24</sup>	19 <sup>25</sup>	0.4	4690	99.6	4709	100.0
Shire county	4 <sup>26</sup>	0.4	980	99.6	984	100.0
TOTAL	23	0.4	5670	99.6	5693	100.0

**6.3.2** Moreover, these cases comprised a small proportion of all recorded CSA offences - 0.4% in each police service. Notwithstanding the methodological caveats which surround these figures - and which were outlined in Chapter 3 - these findings, which were supported by information from other stages of the research, provide important evidence that international child sex abusers cases are not - at least in terms of known UK cases - very common, and especially not when compared to all known CSA cases.

**6.3.3** While the research was not on a sufficiently large enough scale to produce reliable figures as to the extent of different types of international child sex abuser case, overall it did appear that *child sex tourist* cases may have been outnumbered by *other* types of international child sex abuser case, probably individually and almost certainly collectively.

### Estimated national extent

**6.3.4** The two police services in which the searches were undertaken covered areas with a total combined population of approximately three million people (Office for National Statistics, 2003). *If* these two police services were representative of the UK population of a whole, then nationally there would have been 442 international child sex abuser cases, known to the police, in the UK, from 1999-2002, or 110 cases per annum. This equates to 2.1 cases per police service per annum.

**6.3.5** It should be stressed that the above figures are not necessarily a very reliable measure as to the national extent of these cases. They are based upon only two of the 52 police services in the UK, it is not known how representative these services were (of all police services and the populations they covered) and no statistical weighting exercises have been undertaken. However, it is felt that these figures are useful 'ball park' estimates as to the national extent of known international child sex abuser cases.

<sup>24</sup> The term 'metropolitan' refers to an (anonymised) police service covering a large urban area - and not the Metropolitan (i.e. London) Police Service.

<sup>25</sup> The 19 metropolitan cases comprised 16 where the offender came into the UK and sexually abused a child; eight of these were migrants, one a student and one a holidaymaker, and in six cases the offender's purpose in entering the UK was not recorded. The three remaining cases all consisted of offenders who went abroad, from the UK, on holiday, and sexually abused a child.

<sup>26</sup> The four shire county cases comprised two cases where the offender came into the UK and sexually abused a child - one of these came into the country as a student and abused a child in the family he was staying with, and the other abused his relative whilst he was visiting her and her family on holiday. The two other cases consisted of offenders in the UK who went abroad and sexually abused a child - one of these was a missionary and the other a teacher who took a child abroad whom he subsequently abused.

Thus, 18 of the cases identified through the record searches involved offenders who travelled to the UK, as against five where a UK offender went abroad.

**6.3.6** These points, made in regards to the numbers of international child sex abusers, should not in any way be taken to minimise the *seriousness* of *individual* cases. Rather, they are put forward to show that these cases, at least as they impact upon the UK police, are not as common as has sometimes been suggested.

**6.3.7** What is more, these figures are not put forward as a reliable indicator as to the extent of such cases - whether known or unknown - which *may* exist in other (especially certain developing) countries. Marks (2003), for example, states that the Cambodian government has estimated that ‘a quarter of Cambodia’s annual 400,000 visitors – who include 18,000 Britons - are sex tourists’.

## 6.4 Nature

**6.4.1** Virtually all the international child sex abusers studied in the course of this research were male. There was a small number of females involved in these cases but all of these were acting in concert with males. Outside of gender, there was a quite considerable amount of diversity between offenders in terms of their SEC, sexual orientation, ethnicity and their relationship to victims, and their cohabiting, relationship and parenting status.

**6.4.2** That said, there were some differences between case types in respect of some of these characteristics. In fact, international child sex abuser cases could, in terms of their nature - or more specifically, the offender’s modus operandi - be divided into three broad groups of case. The first group comprised individuals who worked, either on a paid, religious or voluntary basis, with children *in the UK* but who had the opportunity to take them abroad, along with holidaymakers, members of Internet-initiated child sex abuser networks, migrants and military workers. What linked these offenders was one, or more, of the following: the abuse they committed abroad was often an extension of their offending in their country of origin; the abuse was more opportunistic than planned - abusers appeared to be more the situational or regressed child sex offender, as opposed to the fixated or preferential child sex abuser (Groth, 1979); and victims tended to be in the offender’s more immediate ‘circle’ i.e. family members, extended family members, ‘friends’ and neighbours. In some respects, these cases could be said to resemble known CSA cases in general. Indeed, the international dimension of the sexual abuse was, for many of these offenders, more incidental than instrumental.

**6.4.3** The second group comprised child sex tourists and individuals from the UK who had gone *abroad* to work, with children, either on a paid, religious or voluntary basis. What most marked out these cases was the fact that it appeared the offenders had a specific purpose in going abroad and that was to sexually abuse children. It is very likely that they felt that being abroad, especially in developing countries, such as those in Africa, Eastern Europe, and South and South East Asia, made it easier to commit abuse, avoid detection and thwart investigations. These offenders, almost without exception, appeared to be fixated or preferential child sex offenders, who abused mostly boys and especially those who were disadvantaged.

**6.4.4** The third group of cases consisted of international, Internet ‘groomers’. This type of case has been separated out largely on account of the special means, i.e. the Internet, offenders employed to target and groom victims prior to abusing them. In addition, though, these cases were unique in that virtually all of the victims were female and adolescent. While this research identified only a small number of international Internet grooming cases, it was notable that most comprised offenders/victims in the UK who linked up with offenders/victims in the United States of America.

**6.4.5** The research did, to some extent, confirm a stereotype in that some offenders went from developed countries, to developing countries - particularly those in Africa, Eastern Europe, and South and South East Asia - in order to sexually abuse children. However, the research also identified cases - which may be increasing in number - where offenders in developed countries went to other developed

countries and regions, particularly Western Europe and North America, and possibly to a lesser extent, the English speaking-countries of Australia, New Zealand and Canada, to sexually abuse children. (There may be some bias in this aspect of the research in that it was based in, and focused upon, agencies in the English-speaking UK.)

## Chapter 7

# International movement of child abuse images

## 7.1 Typology

**7.1.1** Figure 4 shows the typology of cases involving the international movement of child abuse images (CAIs) that was developed in the course of the research.<sup>27</sup> The typology is primarily based upon the means by which CAIs were moved. Although this particular typology is relatively straightforward, it does serve to highlight what are probably two less familiar, but important, aspects of the international movement of CAIs. The first of these is that CAIs were not moved through international ports and airports only ‘*on the person*’ but were also sent through the *post*. Indeed, interviews with HMRC officers indicated that this was the main method by which *known* CAIs were moved internationally. The second is that these cases consist not only of CAIs sent *into* the country but also ones *sent out* of the country.<sup>28</sup>

**Figure 4 A typology of cases comprising the international movement of child abuse images (CAIs)**

Types	Sub-types
1. CAIs carried on the person through ports and airports 2. CAIs sent through the post	<ul style="list-style-type: none"> <li>• CAIs moved into the country</li> <li>• CAIs moved out of the country</li> </ul>

<sup>27</sup> The primary responsibility for responding to the international movement of CAIs, including their detection, rests with HMRC. However, the police did sometimes detect CAIs, independently of HMRC. Unless specified otherwise, this chapter is based upon a consideration of these two sets of CAIs as a whole.

<sup>28</sup> The prohibition on the import of indecent and obscene material, including CAIs, is contained within the Customs Consolidation Act 1876 (section 42). (Section 170 of the Customs and Excise Management Act 1979 sets a maximum sentence of 7 years for this offence.) Interestingly, there is no specific offence of *exporting* CAIs, or indeed any offensive or obscene material. That said, individuals engaged in this behaviour could be acted against on the basis that they were distributing CAIs (contrary to the Protection of Children Act 1978) or were in possession of CAIs (contrary to the Criminal Justice Act 1988). Also, if such material is found at export, it may be seized, under section 19 of the Police and Criminal Evidence Act 1984, as evidence of a domestic offence. Moreover, if CAIs are detected at export then they are immediately referred to the police by HMRC.

This issue is raised here, though, not to argue that there should necessarily be a specific export offence but rather to suggest that this distinction, between importation and exportation, underlines the sense that the international movement of CAIs has been something of a neglected area in terms of policy and practice. Interestingly, there is specific legislation in regards to the exportation of drugs and cash.

## 7.2 Vignettes

**7.2.1** The vignettes below are based upon cases identified during the course of the research. They are intended to provide the reader with a more tangible sense of the nature of cases involving the international movement of CAIs, and the policy and practice issues to which they gave rise. The details of these cases have been changed or generalised in the interests of anonymity.

**7.2.2** The following are a series of summaries, quoted verbatim, where possible, concerning a sample of CAI importation cases (n=12) detected, and reported (though the NPQS), by HMRC:

### Case 1

**7.2.3** ‘Postal detection of material indicating a sexual interest in children - “infantilist” text material describing sexual activity involving children - led to search of premises revealing indecent photographs and evidence of indecent assaults on children, committed in concert with three other men. Suspect and two accomplices convicted, sentenced to 3 years imprisonment and required to register under the Sex Offenders Act for life. One other suspect acquitted.....Abuse was facilitated through persuading children in 5-6 year age group to dress as babies - wearing nappies etc - after which they would be photographed. The children were subject to indecent assault whilst this activity occurred, sometimes with other adult males involved.’

### Case 2

**7.2.4** ‘Postal detection of CD-ROM containing child pornography. House search revealed further indecent material on CD and computer. Suspect sentenced to 9 months imprisonment .....Required to register under the Sex Offenders Act for 10 years....Material found at import, sourced in Taiwan.’

### Case 3

**7.2.5** ‘Postal detection of a CD-ROM indicating a possible sexual interest in children led to a search of premises. Evidence of a sexual assault against a girl of 13 [years] uncovered as well as indecent images on computer. Suspected convicted ..... on 2 counts of underage intercourse, 2 counts of indecent assault and possession of indecent photographs. Sentenced to 2 years and 6 months, and required to register under the Sex Offenders Act for 10 years.’

### Case 4

**7.2.6** ‘Postal detection of sado-masochistic material led to search of premises uncovering indecent material featuring children on computer. Suspect convicted of making indecent photographs of children. Committed suicide prior to sentencing.’

### Case 5

**7.2.7** ‘Postal detection of videos featuring sado-masochistic activity led to a search of premises uncovering indecent photographs of children stored on CD. Suspect convicted of making and possessing indecent photographs ..... sentenced to 2 years conditional discharge and required to register under the Sex Offenders Act for 5 years.’

Case 6

**7.2.8** 'Postal detection of CD-ROMs featuring rape led to a search of premises - indecent material featuring children found on computer. Suspect convicted of making and possessing photographs....sentenced to 8 months imprisonment and required to register under the Sex Offenders Act for 7 years....Suspect found to have been covertly filming schoolgirls. Also found in possession of sado-masochistic paraphernalia.'

Case 7

**7.2.9** 'Detection of material indicating possible sexual interest in children ..... passed to police for investigation - uncovered evidence of sexual offences against boys. Suspect convicted and sentenced to 5 years imprisonment.....Required to register under the Sex Offenders Act for life.....Suspect had abused 9 boys between the ages of 8 and 14.'

Case 8

**7.2.10** 'Intelligence report received from German customs - an interception of child pornography had uncovered evidence of consignments of similar goods being sent to the UK. Search of premises in UK revealed imported indecent material and further images on PC and CD-ROM. Convicted of importing and possessing indecent photographs.....Material sourced from Russia. Russian supplier later imprisoned by Russian authorities.'

Case 9

**7.2.11** 'Detection of indecent material in the post from the USA led to a search of premises which uncovered further indecent material in magazines and videos. Importer convicted of importation offence.....Sentenced to £400 fine and required to register under the Sex Offenders Act for 5 years.'

Case 10

**7.2.12** 'Postal detection of indecent books led to search of premises - nothing prohibited found. Individual convicted of importing indecent material featuring children...Sentenced to 9 months probation and required to register under the Sex Offenders Act for 5 years..... Suspect had leaflets [on premises] from NSPCC relating to their 'Stop' campaign against child abuse. Also had a catalogue from a known supplier of paedophile material.'

Case 11

**7.2.13** 'Postal detection of a video indicating a sexual interest in children. Search of premises revealed indecent photographs of children including depictions of children engaged in sexual activity. Later convicted of possessing indecent photographs of children and sentenced to 6 months imprisonment plus 21 month Supervision Order. Required to register under the Sex Offenders Act for 7 years.....Importer [male] had written to various embassies in the guise of a mother seeking pen pals for 'her' children [he had none] and requesting details of the schools in their countries.....Photographs found on premises showing young female relative tied up and gagged. Insufficient evidence to pursue abuse offences.'

Case 12

**7.2.14** ‘Suspect detected [i.e. detained] at Coquelles Channel Tunnel terminal on return to the UK from Holland carrying obscene videos depicting girls in 16-17 age group. Background check revealed previous for indecent assault and possession of indecent photographs. Case referred to New Scotland Yard police Paedophile Unit. House search revealed covertly taken photographs of girls in local area. Suspect convicted of making and possessing indecent photographs. Sentenced to 12 months imprisonment and lifetime registration under the Sex Offenders Act.’

Case 13: export of CAIs reported to police

**7.2.15** This case was detected quite inadvertently when the offender accidentally left his bag on a bus (in the UK). When the bag was subsequently opened, by the bus driver, it was found to contain an envelope which was addressed (and stamped) to a company in Denmark which published pornographic magazines. Inside the envelope were photographs of a young girl, aged about 5 years, being indecently assaulted. The bus company reported the matter to the police.

**7.2.16** The owner of the envelope was traced, by the police, and he admitted that he had taken the images of the girl - to whom he was related. On being interviewed, he explained that the address on the envelope was of a company from which he had obtained adult pornographic magazines previously.

**7.2.17** This case had only just been detected at the time the fieldwork was being carried out and its eventual outcome was not known. However, the UK police officer did point out that further enquiries were being carried out by Danish police. He added that he would not be approaching Interpol ‘because that would take ages’.

**7.2.18** The police officer suggested that the offender may have been using the postal system, either because he did not have Internet access or because he was worried about being detected transmitting such material over the Internet.

## 7.3 Extent

**7.3.1** The primary responsibility for responding to the international movement of CAIs rests with HMRC which keeps a central record of cases which are known to the organisation. Table 9 shows the number of cases where HMRC’ detection’s of CAIs resulted, ultimately, in a suspect’s name being placed on the Sex Offender Register.<sup>29</sup> As this table shows, the number of such cases was small. In 2003, the most recent complete year for which figures were, there were 31 such cases.

**7.3.2** These figures indicate that the incidence of the international movement of CAIs - at least where it relates to *known*, UK, importation cases - is low. However, the following caveats have to be attached to these figures:

- HMRC detected other cases but, for some reason, had not proceeded with these. A prime example of this would be where the suspect was alleged to have sexually abused a child, in which case the

<sup>29</sup> Following detection, the police would have assumed responsibility for some of these cases. In these cases, it would have been police action which led, finally, to a suspect’s name being placed on the Sex Offender’s Register.

police would take the main responsibility for the investigation. Alternatively, it might have been that material, but no suspect, was detected

- The police detected cases involving the international movement of CAIs but often did not inform HMRC of these
- Most importantly - and as discussed more fully in 12.4.4 - 12.4.8 - HMRC search only a tiny proportion of people (and their luggage), and the parcels and letters, coming into or going out of the UK

**Table 9 'Prosecution' of suspects, detected by HMRC, for the importation of indicative, indecent or indecent and obscene images featuring children<sup>30</sup>**

Year*	Nature of material - HMRC categorisation							
	Indicative <sup>31</sup>		Indecent <sup>32</sup>		Indecent & obscene <sup>33</sup>		All	
	N	%	N	%	N	%	N	%
2001	2	20	8	80	-	-	10	100
2002	19	76	2	8	4	16	25	100
2003	25	80.6	4	12.9	2	6.4	31	99.9**
2004***	4	66.7	2	33.3	-	-	6	100

\* These are not calendar years but the previous 12 months up to 31<sup>st</sup> March of the year in question

\*\* Percentages do not equal 100 because of rounding

\*\*\* Part of year only

**7.3.3** In short, it is argued that the incidence of all known cases involving the international movement of CAIs may be higher, and the incidence of unknown cases possibly much higher, than these official figures suggest and many agencies appreciate. That said, it is likely that these cases, like all the other international and Internet CSA cases featuring in this research - with the exception of Internet CAIs - will only ever constitute a very small proportion of all CSA cases.

**7.3.4** While HMRC made only a small number of CAI detection's, it did achieve a relatively large number of adult pornography seizures. For example, in the period 1<sup>st</sup> April 2003 - 31<sup>st</sup> March 2004, it recorded 2,306 seizures of 'adult pornographic material', as against 14 detections of 'paedophile material' (HMRC, 2004). This suggests that the modest number of CAI seizures was more a function of the relatively low incidence of this type of offence, rather than any inability or unwillingness of HMRC to detect it. (These figures for seizures of adult pornography also serve to underline some of the of the points set out in 14.4.)

## Trends

**7.3.5** It became clear during the course of this research that some, if not many, people were labouring under, and sometimes fuelling, the misconception that, with the rise of both digital photography and particularly the Internet - leading to the electronic downloading and distribution of CAIs - the problem of the international movement of CAIs had virtually, if not totally, disappeared. On the contrary,

<sup>30</sup> The manner in which HMRC presents some of its statistics in relation to CAIs is somewhat complex and restrictive. Thus, HMRC defines the term 'prosecutions' in the following way: '[I]ndividuals identified through Customs detection's who are charged, summoned or accept a formal Police Caution for offences where, if convicted, they would be required to register as sex offenders'. Moreover, these statistics relate only to suspects who were 'previously unknown'.

<sup>31</sup> 'Indicative' is a term used, by HMRC, to refer to material that is 'borderline' but which suggests a sexual interest in children.

<sup>32</sup> 'Indecent' refers to images of naked children.

<sup>33</sup> 'Obscene' refers to images of children being sexually abused.

though, this research found evidence to suggest that digital photography and the Internet may have led to an increase in the international movement of CAIs. There are at least four reasons for believing this:

- The Internet has greatly enhanced the ability of individuals with a sexual interest in children to, firstly, identify, and secondly, to communicate, with one another, not only nationally but also *internationally*. Some of this communication has, as this research discovered, subsequently involved the distribution of CAIs *internationally*
- While much of this subsequent (international) contact may have been restricted to the Internet, some offenders, on occasions at least, preferred to send or receive, or otherwise move, CAIs internationally, often using the postal system. They chose this method either for reasons of security or because of technical limitations of the Internet. There may, though, have been other factors, behind these choices, which, as yet, remain unclear
- Following the rise in digital photography in particular, and other technologies before this, for example, video cameras, *international* child sex abusers now have more opportunity to record the abuse they commit, and then bring, or post, these recordings home. Also, and as stated in the previous chapter, the number of international child sex abusers may itself be increasing
- Digital photography and the Internet has led to what is generally accepted as being a massive rise in both the numbers of CAIs in existence and people who possess them, which means an increased *potential* for these images to be moved internationally. All things being equal, it would seem inevitable that some of these new CAIs would be moved internationally

**7.3.6** As limited as it was, in terms of its scale, the research came across a number of instances where the movement of CAIs, *internationally*, would almost certainly not have taken place had it not been for the influence of the *Internet*.

## 7.4 Nature<sup>34</sup>

### Victims

**7.4.1** These authors were not able to study, in any systematic manner, the children who featured in internationally moved CAIs. However, from the information they were able to obtain, it appeared that these children were quite diverse in terms of their age, family background, SEC, ethnicity, and relationship to the abuser. That said, it seemed that the majority of victims were female. With the rise of digital photography (making it easier to produce CAIs) and the Internet (enabling more offenders to contact one another and exchange CAIs), it is possible that the background of victims will become more diverse.

### Offenders

**7.4.2** Virtually all offenders were male but they were, otherwise, quite diverse in terms of their age, SEC, sexual orientation and ethnicity, and their cohabiting, relationship and parenting status. Many CAIs appeared to be produced by those who had close care of, or control over, the children, especially parents/carers and other family members or relatives, neighbours and acquaintances and those who worked with children (in a paid or voluntary capacity). Some offenders, though, were strangers, as in the case of child sex tourists who met children abroad, sexually abused them and then recorded this abuse.

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<sup>34</sup> This discussion, on the nature of cases, is based upon those that were known to both HMRC and the police, plus those that were known only to the police.

## **Modus operandi**

**7.4.3** In terms of modus operandi, these cases were quite straightforward, with abusers moving CAIs either in a letter or package, through the international post, or transporting them on their person or in their luggage, as they journeyed through ports and airports.

**7.4.4** The CAIs images existed in a wide variety of formats. These included what could be thought of as the more traditional 'hard copy' formats i.e. photographs and magazines, but increasingly, it appeared, they were in the form of videotapes and even more so electronic media such as floppy discs, CDs and DVDs, and on occasions even laptop computers (carried on the person though ports). With these latter technological developments, CAIs were both much easier to conceal and more difficult to detect.

**7.4.5** It was possible to distinguish two broad categories of case in respect of the basis upon which these CAIs were provided or obtained. The first of these was a commercial one, where individuals or small companies sold their CAIs. Within the limits of this study, much of this trade appeared to consist of producers in the United States or Western Europe, and sometimes Russia, selling material to customers in the UK. The second category consisted of individuals or groups who were interested in supplying CAIs either free of charge or on an exchange basis. Again, within the confines of this study, many of these offenders appeared to come from English-speaking and developed countries. These latter findings may be artefacts of the research being based in an English-speaking country, and the relative affluence required for Internet access - as opposed to people in these countries being inherently more likely to commit these offences.

**7.4.6** With the inexorable spread of the Internet, growing commercialisation of CAI production (Taylor and Quayle, 2003) and increasing international travel, it is likely that patterns in the international movement of CAIs will become more diverse. So, for example, it might be that more images arise as the result of child sex tourists going to countries in South East Asia - and indeed countries in other developing regions - and abusing and photographing children there, and then returning with, or sending back, these images to their country of origin.

## **Images**

**7.4.7** A second misconception that has tended to surround internationally moved CAIs is that they are 'less serious' (if not 'borderline') in terms of their content. Although there does not appear to be a great deal of evidence on the matter, this view *may* have had some legitimacy prior to the advent of the Internet. However, the CAIs which are now being moved internationally - often having been initiated through the Internet - cover the full range of categories of abuse as set out, for example, in the guidelines of the Sentencing Advisory Panel (2002) i.e. they range from images of naked children, through to children being indecently assaulted, onto scenes of rape and buggery, culminating in bestiality and torture.

**7.4.8** In at least two of the cases studies featuring in this research - one of which is described in 9.2.2 - 9.2.9 - interviewees reported that some of the worst images they had ever seen had been recorded and distributed via posted videotapes - as opposed to the Internet. While it might previously have been difficult to obtain more extreme images, the rise of the Internet, along with digital photography, has meant that it is much easier for these images to be made, for people with an interest in them to identify and communicate with one another, and for this material to be distributed - if need be, physically and internationally.<sup>35</sup>

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<sup>35</sup> The researchers did not have the opportunity to compare CAIs detected by HMRC with those known only to the police. HMRC did indicate, though, that the CAIs it detected, tended to: feature teenagers, were 'less serious' in content, were likely to be produced on a commercial basis and sent through the letter post in the form of DVDs, and were possessed by individuals who were not known to have sexually abused children. Given the

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nature of internationally moved CAIs in general, some of these distinctions raise the question as to whether the police - compared to HMRC - were tending to detect 'more serious' CAIs.

## Chapter 8

# Internet-initiated grooming of children for sexual abuse

## 8.1 Typology

**8.1** One of the aims of this research project has been to produce typologies of the specific *types* of case within each *category* of international and Internet CSA, largely based upon the offenders' modus operandi. In the case of Internet-initiated grooming cases<sup>36</sup>, though, offenders tended to use a highly standardised modus operandi. In fact, it appeared that - in terms of the remit of this research project - the only major way in which cases varied was in respect of the countries in which victims and offenders lived in relation to one another. As Figure 5 reveals, this dimension produced a quite straightforward typology, comprising four types of case (with no sub-types): victim and offender live in the same country, offender travels to the victim's country, victim travels to the offender's country, and victim and offender travel to a third country. While the large majority of grooming cases did involve a victim and offender who lived in the same country, a small, but notable, minority, involved an international component.

**Figure 5** A typology of cases involving Internet-initiated grooming of children for sexual abuse

Types
1. Victim and offender live in the same country
2. Offender travels to victim's country
3. Victim travels to offender's country
4. Victim and offender travel to a third country

## 8.2 Vignettes

**8.2.1** The following vignettes are based upon cases identified during the course of the research. They are intended to provide the reader with a more tangible sense of the nature of grooming cases, and the policy and practice issues to which they gave rise. The details of these cases have been changed or generalised in the interests of anonymity.

Case 1: lone, 'national' offender

**8.2.2** A 31 year old single male, from north-east England, who lived alone, made contact with a 13 year old girl, from south-west England, in an Internet chat room. He pretended to be 15 years of age. Shortly after making this contact, the offender managed to get the girl to exchange landline telephone numbers with him. A large part of the subsequent contact then took place by this means. The offender's calls to the girl soon became quite excessive, being increasingly

<sup>36</sup> Hereinafter, and in the interest of brevity, these cases will usually be referred to as 'grooming cases'.

frequent and longer in duration, and lasting up until 3am. In response, the girl's carers banned her from using the telephone. The offender responded by sending the girl a mobile phone that he paid for, along with her bills.

**8.2.3** In the course of this contact, the offender appeared to be pursuing two strategies. On the one hand he manipulated the girl emotionally and psychologically - and did so very effectively. This involved several techniques, including making the girl feel sorry for him, wearing her down with his persistence and making her feel guilty over her reluctance at the 'relationship' becoming more 'serious'. At the same time, the offender was steadily but surely making his contact with the girl increasingly sexual. Initially, this involved sexualised talk between the two but then progressed to the exchange of sexually explicit images. (The offender had sent the girl a web-cam so she could photograph herself and send these images to him.)

**8.2.4** Following the receipt of another item, from the offender to the girl, via the post, her carers became so concerned that they examined her computer. This revealed indecent images of the girl. They then reported the matter to their local police service.

**8.2.5** The girl's computer was examined by the police, who found evidence of the above activity. These officers then informed the police service, covering the area in which the offender lived, of their investigation. His accommodation was then searched, by this police service, and his computer seized and examined. This examination revealed that the perpetrator's offending behaviour had been far more extensive than was at first realised. He had been in contact with at least 14 other girls, from all over the world, including Malaysia, North America, Pakistan and Venezuela. He had not, though, met up with any of these girls.

**8.2.6** One of these girls, who was 15 years of age, and from Canada, did, though, appear especially vulnerable. She had received a mobile phone, web-cam and sex aid from the offender, and appeared to be very willing to send sexually explicit images of herself, not only to this offender but also to other offenders throughout the world. The UK offender had made approximately 2000 telephone calls to this young person in a three-month period and appeared to be considering visiting her. Fearing that, through her 'soliciting' behaviour, she 'would be dead in six months', the local authorities in Canada placed her in a secure unit for young people.

**8.2.7** Examination of the original offender's computer also revealed that he had been having conversations, over the Internet, with other offenders, about the Internet-initiated grooming of children for sexual abuse.

**8.2.8** Just one of the striking features of this case, was the obsessive nature of the offender. His grooming of the girl in the UK could be likened, in its intensity and persistence, and ultimately its effectiveness, to brainwashing. Indeed, even after being arrested and bailed, and warned not to approach the victim or her family, he still wrote, separately, both to the victim and her carers. This resulted in his being charged with harassment, under the Protection from Harassment Act 1997.

**8.2.9** He was subsequently charged with, and convicted for, publishing an obscene article, and the possession, making and distribution of indecent photographs of children, for which he was sentenced to 5 years imprisonment, and ordered to be placed on the Sex Offenders Register for life.

Case 2: lone, national offender

**8.2.10** A 29 year old male, from the south of England, who was married but separated from his partner, and two children, contacted a 14 year old girl, from Scotland, via Internet chatrooms, claiming to be 24 years of age. This offender also communicated with the victim via emails and the MSN hotmail service, and even set her up with her own AOL account. (This contact also enabled him, ultimately, to obtain details of her friend's email accounts and mobile phone numbers.) Eventually, he obtained her mobile number and began to talk to her by phone, paying her bills. The offender would sometimes engage the girl in conversation for a few hours at a time. Soon after, the offender began to talk to the girl about sexual matters. He then started to send her sexually explicit stills and videos of himself. The conversation became increasingly sexualised and he persuaded her to take sexually explicit photographs of herself, via a digital camera, and send them to him.

**8.2.11** Whilst much of the grooming process was based upon his subtle 'courting' of the girl, as if they were engaged in a boyfriend-girlfriend relationship, the offender was not adverse, when he thought it was required, to use threats or coercion against the girl to 'facilitate' the relationship. Further evidence of his manipulative ability emerged, during the police investigation, when it was learnt that he had phoned the girl's mother and accused her [the girl] of phoning and pestering him '*a married man*'. (This appeared to be a ploy, on the part of the offender, whereby, if detected, he would be in a position to claim that the girl was responsible for the 'relationship'.)

**8.2.12** After grooming the girl for four months, he was able to arrange to meet her, near where she lived, in Scotland. She told her parents that she was staying with friends for a few days but then proceeded to spend the next three nights in a hotel with the offender. There they had protected and unprotected sex, and took numerous indecent photographs of one another. The offender also gave the girl alcohol to drink.

**8.2.13** Following her abuse, the girl tried to end the offender's contact with her. The offender became angry at this and began a series of threatening and disturbing text messages, and phone calls, to his victim. This included a threat to send indecent photographs of the girl to her parents, school and church. By now extremely worried, the girl confided in a friend who said she should call ChildLine. This she did, and they advised her to inform her parents. She then told her parents and they reported the matter to the police.

**8.2.14** This police service then contacted their colleagues in the town in which the offender lived. The offender was alerted to the police investigation, though, went on the run and made a mock suicide attempt. He was, though, soon traced and arrested by the police, and charged with a variety of offences including child abduction, indecent assault, taking and possessing indecent photographs of children, and harassment. After he had been arrested, and then released on bail, and in an act of revenge, he distributed indecent photographs of the girl on the Internet - images which were subsequently uncovered in another, entirely separate Internet-based CAI investigation. The suspect was subsequently tried and convicted but had not yet been sentenced at the time the fieldwork was carried out.

**8.2.15** The police officer who was interviewed as part of this research, said the victim needed help. Her family, however, felt very ashamed and embarrassed, and wanted to '*sweep it under the carpet*'. There was, therefore, no contact with any welfare service. This police officer was also struck by the girl's apparent '*ordinariness*'. When asked whether there was anything particularly unusual about the case, she replied:

**8.2.16** *'The fact, that she [the girl] wouldn't be typical. She was an educated child, at a good school, she had a nice family and plenty of money. You wouldn't call her in any way vulnerable. She had a good relationship with her mother and a good network of friends.'*

**8.2.17** During the course of the investigation, the offender returned to live with his wife who was not only very supportive of him but saw the girl as being the culprit, referring to her as a '14 year old tart'. This was further evidence of the manipulative ability of the offender - as well as the lack of understanding on the part of some people regarding CSA and, contained within this, their readiness to blame the victim.

Case 3: two international co-offenders

**8.2.18** Police in a specialist child protection unit in the UK, received a report from authorities in Canada that one of its citizens, a 48 year old male, was travelling, with his female partner (wife), to Wales to meet an 8 year old girl he had met over the Internet. This male had been convicted and imprisoned for the sexual abuse of his present partner's children approximately 15 years previously.

**8.2.19** The current concern appears to have come to light as a result of an allegation concerning the sexual abuse, by this man, of a 10 year old girl in Canada. Investigation of this case, and in particular the suspect's computer revealed, not only CAIs, but also the fact that he was en route to Wales, via northern Europe and London, to meet the 8 year old girl in question.

**8.2.20** The family of this girl did not know of the suspect's criminal history. They were aware that their daughter had met this self-styled 'grandad' figure on the Internet, but thought the contact, and imminent visit, were entirely benign. Agency workers believed the suspect had groomed not only the child but also her family.

**8.2.21** Following liaison between the police and immigration authorities in the UK, the suspect and his partner were apprehended at an airport, prevented from travelling on to meet the girl and were returned to Canada. Once back in Canada, the suspect was arrested and eventually tried for the sexual abuse of the above 10 year old girl, and the possession of CAIs, and was sentenced to 7 years imprisonment.

## 8.3 Extent

**8.3.1** Table 10 shows the Internet grooming cases identified through the search of CSA-related reports to Computer Examination Units (CEUs) in three police services. As the table makes clear, both the absolute and the relative numbers of known grooming cases was small. The metropolitan police service<sup>37</sup>, for example, had seven such cases - the largest number of the three services - over the four-year survey period (1999-2002). These seven cases accounted for only 2.3% of all the CSA-related reports to the CEU. In one of these police services, shire county 1, a search had also been carried out of all CSA offences recorded in that area in the four-year survey period. There were 984 such offences - of which the five grooming cases made up 0.5%.

<sup>37</sup> The term 'metropolitan' refers to an (anonymised) police service covering a large urban area - and not the Metropolitan (i.e. London) Police Service.

**Table 10 Cases of Internet-initiated grooming of children for sexual abuse, identified through searches of CSA-related reports to Computer Examination Units in three police services from 1999-2002<sup>38</sup>**

Police Service	Type of CSA Case					
	Grooming		Other		ALL	
	N	%	N	%	N	%
Metropolitan	7	2.3	304	7.7	311	100.0
Shire county 1	5	3.8	125	96.2	130	100.0
Shire county 2	0	0	130	100.0	130	100.0

### Estimated national extent

**8.3.2** The three police services in which the searches were undertaken covered areas with a total combined population of approximately four million people (Office for National Statistics, 2003). *If* these three police services were representative of the UK population of a whole, then nationally there would have been - rounding up to the nearest whole number - 165 Internet-initiated grooming cases, known to the police, in the UK, from 1999-2002, or 41 cases per annum.<sup>39</sup> This equates to 0.8 cases per police service per annum.

## 8.4 Nature

**8.4.1** Of all the categories of CSA studied in this research, grooming cases were, by far, the most uniform in terms of their nature. This was especially true in relation to victim' characteristics and offender' modus operandi.

### Victims

**8.4.2** Only one grooming case identified in the course of this research involved a male victim. All the other cases - including, for example, the 10 case studies that were carried out - involved female victims, and in several of these cases there were multiple (female) victims. There was also much similarity between victims in terms of their ages with the large majority being adolescent (specifically 12-16 years).<sup>40</sup> This finding is very likely be a product of lifestyles i.e. it seems that, compared to children, young people were more likely not only to use the Internet but also to enter into 'relationships' as part of this activity. As far as the research could establish, there also appeared to be some homogeneity among victims in terms of their socio-economic background. This was, perhaps, predictable, given that they had to come from homes that could afford computers and Internet access. Most, if not all, victims accessed the Internet from their home-based computers.

**8.4.3** There did not, in general, appear to be anything particularly distinctive about the victims in terms of their family background (or ethnicity). Indeed, several police officers who had been involved in investigating cases, commented that they were struck by the fact that the young people were not

<sup>38</sup> This analysis is based upon figures for CSA-related reports only. Figures were obtained for non-CSA, computer/Internet-related reports, for example fraud, physical assault and hate crimes, but these are not used here.

<sup>39</sup> These estimates must be treated with a degree of caution, based as they are upon figures from only three of the 52 police services in the UK. Moreover, it is not known how representative these services, and areas, were of all police services and the UK population, respectively, and no statistical weighting exercises have been undertaken. However, it is felt that these are useful 'ball park' figures as to the national extent of known Internet-initiated grooming cases.

<sup>40</sup> In view of this finding, these victims are, for the remainder of this section of the report, referred to by the more specific and age-appropriate term of 'young people'.

vulnerable - or not at least in any very obvious way - which might have helped explain why they succumbed to grooming or placed themselves so much at risk by meeting people who were, in essence, strangers. Put another way, what seemed to be *conspicuous* about this group was the *absence* of risk factors.

**8.4.4** In all but one case, the offender was a stranger to the young person. The one exception comprised an offender who was the non-cohabiting boyfriend of the victim's mother. He purchased a computer and arranged Internet access for his intended victim (at her home) but then proceeded to contact her from his own home-based computer. Whilst he presented himself as a stranger, he was able to use his knowledge of this girl, and her background, to ensure his grooming was even more effective.

### **Offenders**

**8.4.5** All but one of the grooming cases studied in the course of this research involved a male offender who acted alone. The one exception involved a male and female from Canada who groomed a *child* in the UK - see case 3 above. The research also uncovered evidence - see case 1 (8.2.7) above, for example - of offenders who incited or conspired with one another, online, in the grooming of children. There was a suggestion, in at least one case, that two males may have conspired together, offline, in the grooming and abuse of a child, but this feature of the case could not be established with any certainty.

**8.4.6** While there was quite a wide range of ages among the offenders studied in this research, there did appear to be a concentration of offenders between young adulthood (20s) and early middle-age (40s). In terms of their sexual orientation, some offenders appeared to be especially, if not exclusively, attracted to children, whereas others had had relationships with women. Other than this, offenders appeared to be quite diverse in terms of their other characteristics; namely, their SEC and ethnicity, and their cohabiting, relationship and parenting status.

**8.4.7** The one other area which appeared to mark out these offenders - although this was difficult to establish with any reliability - concerned their personality or psychological make-up. Many of these individuals not only sought, but also proved, to be very manipulative - as their grooming of young people evidenced. Some offenders strove to take matters even further and exerted considerable control over their victims. Indeed, some were quite obsessive or compulsive in this behaviour. It *could* be that this behaviour points to a deep-seated character trait in these offenders that renders them a high and on-going risk to children - but further research is needed to test the validity of this hypothesis.

### **Modus operandi**

**8.4.8** In general, offenders used a quite standardised and straightforward procedure to groom young people. They began this process by 'visiting' public, Internet-based 'chat rooms', or other Internet protocols, being used by young people. They would initiate 'conversations' with young people, pretending to be considerably younger than their real age, and invariably as being reasonably close in age to the young person concerned. Initially, the offender would engage the young person in casual conversation on quite 'routine' topics, such as pop groups and television programmes. Following this, though, the offender would, in a very incremental, but also very purposeful manner, steer the interaction such that it became increasingly personal and emotional, and eventually, sexual. Indeed, prior to meeting and sexually abusing his victim, the offender may have manipulated the young person into sending sexually explicit images of herself via a web cam - digital cameras which can transmit images, between computers, over the Internet. By this point, the offender may have established considerable control over his victim. Ultimately, the offender would arrange to meet the young person - invariably without her parents/carers knowledge - and then abuse her.

**8.4.9** What was clearly key for the offender in this process was the existence of technology, such as private chat rooms, mobile phones and web cams, which enabled him to ensure that his interaction with the young person became increasingly private, intimate and controlled. Thus, an offender would

typically 'move', with his intended victim, from a public to a private chat room and then onto the young person's mobile phone (which he may have provided), and finally onto web cams (again, which he may have provided). Offenders either posted these to the young persons themselves, or they purchased them by mail order, and then had them posted directly to the young person's address. Another factor that appeared important in this process was the offender's preparedness, and ability, to use a variety of strategies to manipulate the young person. This included blackmailing or otherwise threatening the young person, wearing her down psychologically (if need be, to the point where he was effectively stalking her), playing on the her sympathy and making her feel guilty over, or responsible for, the 'relationship'.

**8.4.10** Offenders could go to inordinate lengths and employ extremely devious methods in order to sexually abuse a young person. Not only did most of the offenders in the national cases travel considerable distances in the UK to meet young people, but some were even prepared to travel to different countries in order to perpetrate CSA - as case 3, above, showed. It may have been that some offenders preferred to travel abroad in the belief that, in such circumstances, the chances of being able to sexually abusing a child would increase and the chances of being detected would decrease. In another case (see 8.4.4), the offender purchased a computer and arranged Internet access to facilitate his abuse of the young person.

**8.4.11** In a small number of cases reported to the study, offenders first targeted and groomed single mothers, over the Internet, as a means of getting access to (their) children. This ploy has been identified previously, in studies of (non-Internet-based) organised CSA - see Gallagher, 1998a.



## Chapter 9

# Internet-initiated incitement or conspiracy to commit CSA

## 9.1 Typology

**9.1.1** Figure 6 shows the typology of cases of Internet-initiated incitement or conspiracy (IIIC)<sup>41</sup> to commit CSA, which was developed during the course of this research.<sup>42</sup> The typology is based upon the broad nature of the offenders' behaviour<sup>43</sup>, the form of contact between them and their country of residence in relation to one another.

**9.1.2** As Figure 6 indicates, there were four major types of case. These comprised the following (all initially online): an individual offering a specific child for sexual abuse, an individual seeking a child for sexual abuse, one individual inciting another to sexually abuse a third party child, and individuals conspiring with one another to sexually abuse a child.

**9.1.3** Each of these major types of case could be sub-divided according to whether the incitement or conspiracy existed online only or whether it included an additional offline element, and whether the incitement or conspiracy involved victims and offenders in only one country, or whether it was international.<sup>44</sup> Although this category of Internet CSA was not very common, it was, as shown in Figure 6, relatively diverse in terms of specific types and sub-types of case.

**Figure 6 A typology of cases of Internet-initiated incitement or conspiracy to commit CSA**

Types	Sub-types
1. An individual offering a specific child for sexual abuse	• Online (only)
2. An individual seeking a child for sexual abuse	• Offline (additionally)
3. One individual inciting another to sexually abuse a child	• National
4. Two (or more) individuals conspiring to sexually abuse child	• International

<sup>41</sup> These cases are, in the interests of brevity, referred to by the abbreviation IIIC in most of the remainder of this report.

<sup>42</sup> It should be noted that the offences referred to in this section are distinct from those involving incitement to *distribute* Internet-based CAIs - although these two forms of behaviour can exist within the one case. The discussion here is concerned primarily with the perpetration of 'contact' CSA offences.

<sup>43</sup> It should be pointed out that the authors have not, as yet, explored the official definition of the terms 'incitement' and 'conspiracy', so they do not claim to be using them in any strict legal sense. Rather, the terms are being used, somewhat loosely, as a pragmatic and convenient means of describing the offenders' behaviour. That said, the authors are reasonably confident that all of the behaviours discussed in this chapter would constitute 'incitement' or 'conspiracy' if they were subject to a formal legal test.

<sup>44</sup> Following on from the previous chapter of this report - see 8.2.7 and 8.4.5 - what could have been included within this category is one further type of case: where offenders initiated contact over the Internet, and subsequently incited or conspired - or possibly, aided and abetted - one another, in the Internet-initiated grooming of a child for sexual abuse. This has not been done here, though, as the authors did not a) have very much information on this type of behaviour, and b) wanted to avoid the discussion in this section from becoming overly-complicated and confused with that in the previous section.

## **CSA communications**

**9.1.4** The typology shown in Figure 6 incorporates only those cases which, under what appeared the prevailing interpretation and implementation of the law, were considered, by agency workers, to be relatively clear instances of incitement or conspiracy to commit CSA.

**9.1.5** The researchers did, though, identify another set of cases in which offenders communicated their sexual interest in children, to other individuals.<sup>45</sup> Much of this communication took the form of discussions between offenders about their shared sexual interest in children or, more specifically, their desire to sexually abuse children. These authors believe that this behaviour could have constituted a criminal offence. However, there appeared to be some uncertainty among the police as to how these behaviours could, or should, be responded to - if at all. This in turn, may reflect a lack of clarity in the law - especially as this form of behaviour is a relatively new phenomenon. For these reasons, these behaviours are discussed separately in this chapter, and chapter 11, of this report.

**9.1.6** Although it was not possible, within the confines of this research, to carry out any systematic study of these communications (into, for instance, their extent, nature or effects), it was clear that they were quite diverse and varied according to at least four main criteria:

- The general nature or subject matter of the communications
- The recipients of the communications
- The forms of communication used
- The degree to which the communication might - in terms of potentially relevant legislation - be thought to be obscene or to constitute incitement

**9.1.7** Much of this communication consisted of ‘conversations’ between offenders using, for example, email or instant messaging, in which they shared their interest in, and desire to, sexually abuse children. These conversations could be lengthy and graphic. It was not unusual for them to discuss extremely serious sexual, and sometimes physical, abuse of children. (It had been the authors’ intention to include an example of such a communication in this report. However, the research advisory committee advised that to do so, could result in a number of negative consequences. On reflection, the authors fully concurred with this advice and decided not to incorporate such material in this report.)

**9.1.8** Other offenders produced extremely elaborate accounts of the CSA they wished to perpetrate, including, for example, how they would gain access to a child and the specific acts they would perpetrate. Indeed, some of these took the form of a narrative or story, which could assume a currency among those with a sexual interest in children, in the same way as CAIs.

**9.1.9** Some offenders went on to communicate with one another by telephone or had face-to-face meetings, in order to continue and develop their discussions on CSA. Often, if not invariably, the communications constituted a shared interest, and behaviour, between two or more offenders. However, in a few instances these communications were sent to innocent parties i.e. individuals who did not either request, or want, them.

**9.1.10** It was the view of at least some law enforcement officers (and one shared by these researchers), that these communications did not only glorify CSA, but also could very much promote, and indeed incite it.

**9.1.11** Some interviewees felt that individuals who possessed these texts were more of a risk to children than those who possessed CAIs - although there does not, as yet, appear to be any evidence in support of this view.

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<sup>45</sup> Offenders used a variety of methods for this contact, including the Internet, telephone and face-to-face meetings. For this reason, this phenomenon is referred to by somewhat general term of ‘CSA communications’.

**9.1.12** While these communications tended to be a central feature of IIC cases, they were not always present. Moreover, they could occur in the course of other Internet CSA-related activity. Offenders could, for example, and as with CAIs, obtain such material from newsgroups or websites, or via peer-to-peer protocols with, effectively, no interaction with another individual.

**9.1.13** As these CSA communications constituted only a part of the wider phenomenon of IIC, and an uncertain one at that, most of the remainder of this chapter, including the Vignettes and Extent, is restricted to a discussion of the cases outlined in Figure 6.

## 9.2 Vignettes

**9.2.1** The following vignettes are based upon cases identified during the course of the research. They are intended to provide the reader with a more tangible sense of the nature of IIC cases, and the policy and practice issues to which they gave rise. The details of these cases have been changed or generalised in the interests of anonymity.

Case 1: Internet-initiated, child sex offender network, inciting and conspiring to commit CSA

**9.2.2** A police unit with particular experience of investigating Internet CSA offences, were monitoring newsgroups used by individuals with a sexual interest in children. In the course of this work, they detected video images of a child being abused by an adult male. The police felt that the images could have been taken in the UK. The police carried out certain analyses of the images, alongside other enquiries, and eventually determined that the offender might be one of two particular men in the UK. The unit then reported the case to the police in the area where the more likely of the two suspects lived.

**9.2.3** This police service executed a search warrant, seized computer and other recording material (for example, digital cameras, videos, photographs and CDs) and arrested the suspect. An examination of this material showed that this was the offender in question, and revealed that he had taken still and video images of himself committing sexual offences, which included the rape of a young child. He had also recorded himself physically abusing the child - acts which were carried out for his sexual gratification and that of other offenders who viewed these images online.

**9.2.4** It subsequently transpired that the offender had been abusing this child for the last 7 years - since the child was three years of age. He had also sexually abused this child's friend, and filmed this abuse, having got the first child to operate the recording equipment.

**9.2.5** Further investigation revealed that the offender had been exchanging CAIs with numerous individuals, throughout Europe and North America, whom he had met over the Internet. In the course of recording the abuse, the UK would take requests, over the Internet, from these other offenders, as to what clothes the child should be wearing and the manner in which she should be abused. These other offenders were, then, not only watching the abuse of this child online, but also directing it.

**9.2.6** As well as sending CAIs over the Internet, the UK offender had been swapping CAI videos with an offender in Eastern Europe. These were imported and exported through the post.

**9.2.7** Some of these offenders had also travelled internationally in order to abuse the children to which each of them had access. The UK offender had travelled to a Scandinavian country and was believed to have sexually abused the child of one of his co-conspirators. On returning home, he emailed the Scandinavian perpetrator and stated that: *'You can come here and teach my child some lessons.'* During the course of an internationally co-ordinated police operation against these offenders, a French national was arrested on his way to visit an offender in Austria whose child he was planning to abuse.

**9.2.8** Among the UK offender's CAIs, were ones showing a 3-4 year old child being injected with a drug, presumably to sedate her, and then being raped. This child was eventually traced to New Zealand.

**9.2.9** The UK offender was tried in respect of a variety of sexual offences against children and received several life sentences.

Case 2: lone offender attempting to conspire with another person to sexually abuse a child

**9.2.10** An adult male entered an Internet chatroom in an attempt to identify another male for the purposes of a three-way sexual relationship with his female partner. He identified an individual who appeared to be interested in his proposition and a over a period of time a number of Internet-based conversations take place concerning this. Eventually, however, the second male initiated a conversation surrounding his wishes to *'abduct, abuse, torture and murder a 15 year old girl'*.

**9.2.11** In subsequent exchanges, this man suggested a quite detailed plan by which this could be brought about. This included a method by which a girl could be tricked into entering one of their cars, after which she would be taken to the isolated home of the second male where she would be abused, tortured and finally murdered. In the end, the first man reported the matter to his local police service, explaining to them that, initially, he *'went along'* with this discussion but when he began to feel that the second man was serious he thought some action should be taken.

**9.2.12** The second male was arrested by the police in the area in which he lived, and his computer equipment was seized and examined. Police found CAIs on this computer along with search terms that indicated his interest in images of children being subject to abduction, bondage, torture and murder. The police charged him with *'incitement to commit murder, rape and torture'* but the CPS decided not to prosecute him on these charges. He was convicted of making indecent photographs of a child under 16 years of age, and fined.

## 9.3 Extent

**9.3.1** Table 11 shows the number of IIC cases identified through the search of CSA-related cases reported to Computer Examination Units (CEUs) in three police services from 1999-2002. As the table makes clear, these cases were relatively rare, both in absolute terms and as a proportion of CSA allegations in general. This is illustrated by shire county 2, for example, which had the largest number of cases (n=5) but where even these cases accounted for only 3.8% of all the CSA-related cases reported to the CEU.

**9.3.2** Shire county 1 was one of the police services in which a search had been carried out of all CSA offences that had been *recorded* by the police. The cases searched were those recorded between January 1999 and December 2002 - the same period as that which had been used for the CEU searches. In this time period, shire county 1 police service recorded 984 CSA offences. Thus, the one Internet-initiated incitement or conspiracy case reported to this police service accounted for only 0.1% of all recorded CSA offences. As can be seen, then, and notwithstanding the *seriousness* of individual cases, known IIC cases were rare.

**Table 11 Cases of Internet-initiated incitement or conspiracy to commit CSA identified through searches of CSA-related reports to Computer Examination Units (1999-2002) in three police services<sup>46</sup>**

Police Service	Type of CSA Case					
	Incitement/ Conspiracy		Other		ALL	
	N	%	N	%	N	%
Metropolitan <sup>47</sup>	3	1.0	308	99.0	311	100.0
Shire county 1	1	0.8	129	99.2	130	100.0
Shire county 2	5	3.8	125	96.2	130	100.0

### Estimated national extent

**9.3.3** The three police services in which the searches were undertaken covered areas with a total combined population of approximately four million people (Office for National Statistics, 2003). *If* these three police services were representative of the UK population of a whole, then nationally there would have been - rounding up to the nearest whole figure - 124 IIC cases, known to the police, in the UK, from 1999-2002, or 31 cases per annum.<sup>48</sup> This equates to 0.6 cases per police service per annum.

## 9.4 Nature

### Victims

**9.4.1** There was - as much as one could tell from the small number of cases it was possible to study in this research - some diversity among the victims of these cases in terms of their age, family and socio-economic background, and ethnicity. The one exception to this was the gender of victims, a majority of whom were female.

<sup>46</sup> This analysis is based upon figures for CSA-related reports only. Figures were obtained for non-CSA, computer/Internet-related reports, for example fraud, physical assault and hate crimes, but these are not used here.

<sup>47</sup> The term 'metropolitan' refers to an (anonymised) police service covering a large urban area - and not the Metropolitan (i.e. London) Police Service.

<sup>48</sup> Again, these estimates must be treated with a degree of caution, based as they are upon figures from only three of the 52 police services in the UK. Moreover, it is not known how representative these services, and areas, were of all police services and the UK population, respectively, and no statistical weighting exercises have been undertaken. However, it is felt that these are useful 'ball park' figures as to the national extent of known IIC cases.

**9.4.2** For many of these children the sexual abuse they suffered, as a result of the IIIC, was seldom the first time that they had been maltreated in this way. Most of these children had already been sexually abused by the person (or persons) who was responsible for their involvement in the IIIC case.

### **Offenders**

**9.4.3** Notwithstanding the caution which has to be exercised owing to the small number of cases studied, it appeared that there was a fair amount of diversity among offenders in terms of their age, SEC, sexual orientation and ethnicity, and their cohabiting, relationship and parenting status.

**9.4.4** What did make these cases notable and distinct, though, was the fact that they involved a small, but appreciable proportion of female offenders. This is in stark contrast to the other categories of international and Internet CSA, and indeed CSA cases in general, virtually all of which are perpetrated by male offenders (Cawson et al, 2000). In some respects, this finding could, perhaps, have been anticipated, as to secure the degree of control over a child whereby they could be ‘traded’ over the Internet, might generally be thought to require the assent of the child’s mother or female carer. An over-representation of female offenders has been noted previously, in comparable (though non-Internet based) studies, of multiple perpetrator CSA (Gallagher et al, 1996).

**9.4.5** Many of the offenders who were providing children were well known to their victims, and included parents/carers, other relatives and acquaintances. By contrast, those offenders who were seeking children to sexually abuse were, without exception, strangers to their victims.

### **Modus operandi**

#### Offence scenarios

**9.4.6** The Internet provides a means of contacting, and communicating with, people who share similar interests - even illegal ones - in a fast, effective and - above all - relatively private and secure manner. Various ‘protocols’ exist for facilitating this, including newsgroups, websites, peer-to-peer software and email. As this research found, some individuals used this technology to incite, or conspire with, others to sexually abuse children.

**9.4.7** As Figure 6, and the discussion of CSA communications in 9.1.4 - 9.1.13 suggested, IIIC could be manifest in numerous types and sub-types of case. However, and within the albeit narrow confines of this research project, there appeared to be - with the inclusion of cases comprising CSA communications - nine main offence scenarios. These are set out in Figure 7.

**9.4.8** In the first set of cases - which were not known to involve CSA - individuals met online and discussed their mutual sexual interest in children (offence scenario 1). In some instances, this then progressed to individuals meeting offline where they would continue and develop this exchange (2).

**9.4.9** In the second set of cases, specific attempts were made to bring about CSA and involve a third party in this, either by inciting a person to sexually abuse children in general (3), offering a child for sexual abuse (4), asking a person to provide a child for sexual abuse (5), or one person conspiring with another to acquire a child for sexual abuse (6). These cases represented something of an interim group, whereby offenders ranged from those who *may* have been engaged in mock attempts to incite/conspire, to those who were seriously intent upon sexually (and sometimes physically) abusing a child. For one, or more, reasons, none of these cases progressed to offline meetings or the sexual abuse of children. However, what appeared to be clear in many of these cases was that the offenders were serious in their interest in CSA, and their attempts to incite, or conspire with, other persons to bring this about.

**Figure 7 Nine major offence scenarios in cases of Internet-initiated incitement or conspiracy to commit CSA**

Degree of CSA			
Set 1: Not known to involve CSA	Set 2: Attempted CSA	Set 3: CSA committed	
(1) CSA communications (online offender contact only)	(3) Incitement to sexually abuse children in general (online offender contact only)	(7) CAIs produced in order to obtain other CAIs (online offender contact only)	generally increasing contact between offenders, intent to commit CSA, and/or degrees of CSA
(2) CSA communications (offline offender contact additionally)	(4) Offering a child for CSA (online offender contact only)	(8) Children being shown naked or being sexually abused (via online web-cam contact only)	↓
-	(5) Seeking a child for CSA (online offender contact only)	(9) Children sexually abused (offline offender contact additionally)	
-	(6) Conspiring to commit CSA (online offender contact only)		
generally increasing contact between offenders, intent to commit CSA, and/or degrees of CSA			→

**9.4.10** The third set of cases were those where a child was sexually abused as a result of the initial Internet contact between offenders. Some individuals became involved in this set of incitement or conspiracy cases as a result of their attempts to obtain CAIs online (7). On seeking out such images, they were told that they would first have to produce and provide their own, personal CAIs. This then led the individuals to take CAIs (either of a child naked or being abused), using a child to whom they had access but had not abused previously.

**9.4.11** Other cases were much more ‘interactive’, where the person with care of, or control over, the child used a camera, connected to an Internet-enabled computer, to send live, moving images of that child being abused to another offender (8). There was considerable variation in the nature of these images, ranging from pictures of naked children, to scenes of children being subject to serious sexual, and sometimes physical, abuse. This offending could be quite organised and elaborate, with the ‘viewing’ perpetrator making requests as to how the child should be abused, and in some instances even sending clothes or other items he wished to have incorporated in the abuse scenes.

**9.4.12** Some of the cases in this set, involved offenders - who could be from different countries - meeting up with one another to sexually abuse children in what often amounted to child sex abuser networks (9). Sometimes, at least, this would be a progression from abuse that had initially been depicted online.

**9.4.13** Although only this last set of cases involved the sexual abuse of children, it is the authors’ belief that all the behaviours incorporated within these offence scenarios represented a serious risk to children.

**9.4.14** The primary purpose of the schema set out in Figure 7 is to show the eight main offence scenarios identified in the course of this research. Implicit within this schema is the notion that these scenarios are, broadly speaking, quite discrete from one another. The research did find, though, that perpetrators could progress through these scenarios, becoming involved in increasingly serious offending. Indeed, what this schema could be seen as highlighting is the existence of a continuum (or more precisely continua) within IIC cases.<sup>49</sup>

**9.4.15** As Figure 7 shows, there were at least three major continua along which IIC cases could be located and offenders could move. These were as follows:

- The degree of intent on the part of the offender(s)
- The degree of offender-offender and/or offender-child contact
- The degree of CSA perpetrated

**9.4.16** There were two further dimensions by which cases could be distinguished from one another. The first of these was the nature of the communication between offenders. This was especially relevant in CSA communication cases. Some offenders, for example, engaged in general conversations about their sexual attraction to children, others spoke more specifically about the way in which they would like to sexually abuse children (in the future) and others again appeared to want to more actively engage others in their sexual ‘fantasies’ around children.

**9.4.17** The second dimension related to the form of contact between offenders. These comprised the Internet, telephones and face-to-face meetings. In principle, the postal system could have been used as a form of contact between offenders but it was not encountered very frequently in this research.

#### **Other key features of IIC cases**

**9.4.18** As mentioned earlier, this report, and the research upon which it is based, along with an earlier publication (Gallagher et al, 2003), are believed to be the first systematic attempts to study and discuss the phenomenon of Internet-initiated incitement or conspiracy to commit CSA. The authors intend to return to this phenomenon, at greater length, in future publications. However, in view of the dearth of literature, they consider it appropriate and worthwhile, to describe here, a number of other key features of these cases.

#### Physical abuse

**9.4.19** The first of these features concerns child physical abuse. It was clear that a sub-group of offenders was motivated by a desire to perpetrate and/or witness the physical abuse of children. Sometimes this was in a form which could be likened to corporal punishment and seemed, invariably, to be have been carried out for the offenders’ sexual gratification. There was considerable variation in the severity of the physical abuse perpetrated. At the extreme end of this scale, children were left with permanent physical damage.

#### Sadism

**9.4.20** Although it was not a feature of all IIC cases, it was striking that in some, offenders appeared to be driven, not only by a sexual interest in children, but also by sadistic motives i.e. they derived pleasure from harming children, usually through sexual abuse but sometimes by physically abusing them. A prime example of this sadistic motivation is to be found in case 2, above, where the police

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<sup>49</sup> The authors recognise that there has been some influential work, such as that by Finkelhor (1984) and Wolf (1988), on the notion of offenders moving through certain stages prior to their sexually abusing a child. Indeed, and as acknowledged here, some offenders had moved between the stages shown in Figure 7 in advance of committing abuse. However, it should be stressed that the chief purpose of the schema shown in Figure 7 is to illustrate the existence of *discrete* offence scenarios, as encountered by the police during their investigations.

were sure that the offender had had a genuine intention to abduct, abuse, *torture* and murder a teenage girl.

#### Fantasy

**9.4.21** The research found that fantasy was an important factor in some IIC cases, and took at least two main forms. The first of these concerned CSA communications which, like CAIs (Quayle, Erooga, Wright, Taylor and Harbinson, 2006) appeared to be very important to some offenders, and to which they might masturbate. Again, like CAIs, these communications - where offenders shared their mutual sexual interest in children - may not only have fuelled offenders' fantasies surrounding CSA, but also intensified their desire and drive to commit CSA.

**9.4.22** The second manifestation of fantasy was among a sub-group of offenders who *appeared* to be engaged in mock attempts to incite, or conspire with, other people to commit CSA. Some suspects claimed this on being interviewed by the police. Others were found not to have the access to the child that they claimed. It does not seem unreasonable to assume, though, that these individuals who *professed* an interest in CSA were, in fact, *genuinely* interested in CSA - and should, along with their Internet-based behaviour, be considered a risk to children.

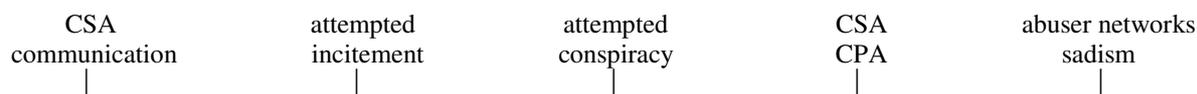
#### Child sex abuser networks

**9.4.23** Some instances of IIC comprised only two or a small number of offenders at the most. It was clearly a risk in these cases, though - and one that was sometimes realised - that this contact could lead to the formation of child sex abuser networks. As this research found, some of these networks were not only large but were highly organised, secretive and - in the propagation of CSA - very effective. It seems likely that the number, and also possibly the extent, of child sex abusers networks is increasing as a result of the contact which can, and is, taking place, between offenders, over the Internet. Given that child sex abuser networks have not, in the pre-Internet era, always received the amount of policy and practice attention they merited (Gallagher, 1998a), this development is even more worrying.<sup>50</sup>

#### The continuum of offending - extended

**9.4.24** As indicated above IIC cases could be thought of as existing along a continuum (or continuua), with at least some offenders moving progressively further along it terms of their behaviour. Following on from the discussion above - concerning other key features of IIC cases - it is felt that the idea of the continuum could be extended. This continuum, now - in the interests of clarity - in a more simplified form, is shown in Figure 8. As the figure shows, then, contact between offenders, initiated over the Internet, may lead, in some of its most serious manifestations, to child physical abuse, the setting up of child sex abuser networks and sadistic acts against children.

**Figure 8 A continuum of behaviour and offences in cases of Internet-initiated incitement and conspiracy to commit CSA**



<sup>50</sup> There does at times, in current professional discussions of CSA, appear to be some confusion over the degree to which the existence of child sex abuser networks has been substantiated in the past. It is, then, worth emphasising that such cases are, in fact, well documented - in, for example, both community and familial settings - as earlier work by one of these authors, among others, has shown (see Gallagher et al, 1996, and Gallagher, 1998a).



## Chapter 10

# Internet-based child abuse images

### 10.1 Typology

**10.1.1** Based upon their experiences in this study, the authors feel that a relevant and useful typology for Internet-based CAIs, is one which draws upon the relevant legislation; namely, the Protection of Children Act (PoCA) 1978 and the Criminal Justice Act (CJA) 1988. (This is a typology that has been used previously - see, for example, Sommer, 2002.) While this legislation is applicable to both online and offline offences, the following discussion is concerned only with the former. The PoCA 1978 defines four groups of offence: 'taking' and 'making', 'distribution' or 'showing', 'possession with a view to distribution' and 'publishing an advertisement' (for CAIs). Under the CJA 1988, simple 'possession' became an offence. This produces the typology as shown in Figure 9.

**10.1.2** In light of the fact that the Internet is one of the defining feature of these cases, and given the intrinsically international nature of the Internet, an appropriate sub-division of these cases seems to be into those which were wholly national and those which had some international component - dependent upon whether the offenders in a case were in the same or different countries.

**10.1.3** Notwithstanding the diversity which can exist among these cases, in practice much of the organisational response to the use of Internet-based CAIs, was concerned with three main forms of behaviour: the downloading and subsequent possession of CAIs, and the distribution and the taking of CAIs. A good deal of this behaviour took place on an international basis.

**Figure 9 A typology of Internet-based CAI cases**

Type	Sub-type
1. Taking and making	• National
2. Distributing or showing	
3. Possessing with a view to distribution	• International
4. Publishing an advertisement	
5. Possession	

### 10.2 Vignettes

**10.2.1** The following vignettes are based upon cases identified during the course of the research. They are intended to provide the reader with a more tangible sense of the nature of Internet-based CAI cases, and the policy and practice issues to which they gave rise. The details of these cases have been changed or generalised in the interests of anonymity.

Case 1: lone offender downloading CAIs from the Internet

**10.2.2** UK police were informed of this case by a foreign police organisation which had been investigating a company in their own country in relation to the sale of CAIs over the Internet. One of the individuals, who had been using his credit card to purchase images, had been traced to an address in East Anglia. The local police service visited the offender's accommodation, seized his computer and recording media, and were in the midst of carrying out a more extensive search, when the offender admitted downloading CAIs and making hard copies of these.

**10.2.3** He then led police to the place where this material - along with his adult pornography - was stored. This material was subsequently examined and the offender arrested. When interviewed by the police, the offender stated that he had been purchasing material over the Internet for a few years but had felt guilty about this and had destroyed much of what he had downloaded. Eventually, the case went to court where the offender received a Community Rehabilitation Order and was sent on a sex offender treatment programme.

Case 2: lone offender downloading CAIs from the Internet

**10.2.4** This offender was identified through a major international investigation of two individuals, based in the USA, who were selling CAIs on a worldwide basis. Law enforcement agencies in the US had seized the credit card details of the persons who had purchased CAIs and passed these on to their counterparts around the world, including the UK. Despite this background, and the fact that there were several thousand such suspects in the UK, this case was - like many involving only the downloading of CAIs - relatively straightforward to investigate.

**10.2.5** Once the suspect's details had been passed to the relevant local police service, various 'background' checks were carried out. Then, having obtained a search warrant, officers from a specialist abusive images unit, along with those from the Family Support Unit and Tactical Aid Group, visited the suspect, arrested him and seized his computing equipment, which consisted of a PC and a laptop.

**10.2.6** The PC, which was believed to contain the CAIs in question, was broken and the images could not be accessed. However, a variety of CAIs, all of girls, were found on the newer laptop. Initially, the suspect intended to plead not guilty but later changed his mind.

**10.2.7** As the police interviewee suggested, this may have been because: *'Solicitors are encouraging suspects to plead guilty - which is unusual compared to crime generally.'* In fact, and as this same officer pointed out, in relation to many of the suspects her specialist CAI unit had dealt with, *'guilty pleas are very common'* and *'many of ours have been cautioned'*. Of the remainder, virtually all of these had been dealt with in Magistrates Courts, where they tended to receive terms of imprisonment of under 12 months. This police officer did not appear especially perturbed by these sentences, explaining that suspects would, in addition, be on the police computer and the Sex Offender Register.

**10.2.8** The suspect in this case lived with his partner and two teenage step-daughters. The social services department was involved in the case, and carried out an assessment on the family, but judged that the offender was not a risk to these children.

Case 3: an individual belonging to several networks (of offenders) each of which was distributing CAIs between its members

**10.2.9** This offender was detected as a result of an international police investigation into the distribution of CAIs between more than one hundred *networks* of offenders in almost 30 countries. This particular offender was known to have distributed CAIs, over the Internet, to two of these groups. It appeared that he was especially interested in very young children and more extreme images. He was found in possession of over 3000 CAIs and 100 movie files. The police file recorded that the images upon which the specimen charges were based included the following:

- ‘Photo (close-up): 5 year old girl’s genitals pierced by needle’
- ‘4 year old girl vaginal rape’
- ‘12 month old child with [adult’s] penis close to [her] mouth’
- ‘4 year old female and adult male - penis in vagina - child looking very distressed’

**10.2.10** The investigation revealed that the offender had constructed a swimming pool in his garden, the purpose of which was to attract girls from the neighbourhood to his home. Once they were in his garden, he would invite the girls to his computer room, where he would photograph them in their swimwear. Although one of the photographs showed a girl with her swimming top raised above her chest, the police concluded that they could not prove it was necessarily indecent. However, they did believe that all the photographs were ‘indicative’ and had a malign purpose. As one of the investigating police officers wrote in the file:

*‘The photographs concerned are consistent with the initial stages of grooming.’*

**10.2.11** Another significant feature of this case, was that the offender had used the Internet to obtain advice and information on how to avoid detection whilst downloading and distributing CAIs, and on the deletion of CAIs. The offender had also visited the websites of a variety of UK and foreign police services, and other official bodies concerned with child protection or offenders. His purpose in doing this was not clear but it may have been an attempt to glean more information in order to better avoid being detected but also, possibly, to meet up with other offenders.

**10.2.12** During the course of the investigation, the offender announced that he had taken a ‘load of pills’ which resulted in his being hospitalised. It subsequently transpired that while he had taken more than the recommended dose of the pills in question, it was a relatively modest number. It appeared that this was a mock suicide attempt, which may have been designed to emotionally manipulate those around him. Interestingly, the offenders in case 4 (below), and case 2 (chapter 8) also made mock suicide attempts. This appears to underline, still further, the propensity of some (Internet) child sex abusers to manipulate people - be they children, adults known to them, or agency workers.

**10.2.13** In the end, this offender was tried and convicted, for distributing and making indecent photographs of children. He was given a short term of imprisonment, placed on the Sex Offenders Register, made subject to a extended Supervision Order, banned from working with children and a forfeiture order was made against his computing equipment.

Case 4: highly organised, international network of CAI users

**10.2.14** This case, which was subject to an international police investigation, and considerable media attention, was depicted as one primarily involving the use of CAIs. However, the authors' interviews with the police, and search of police files, revealed that it incorporated several other international and Internet components.

**10.2.15** The case was first detected as a result of an argument child 1 (a girl aged 10 years) was having with her mother over the amount of time she was wanting to spend with the offender (her friend's father). In the midst of this argument, the girl disclosed that '*she had been having sex with him*'. Her mother reported the disclosure to the police. The following day the girl took part in a video interview in which she disclosed that she, and her friend - child 2 - also a ten-year old female - had been sexually abused by the offender at his home. At this point, she made no reference to featuring in CAIs.

**10.2.16** Later that day, and following this disclosure, the police visited and arrested the offender. In the course of this arrest, the offender asked to be allowed to get something from his bedroom but this proved to be a pretext for his going to another room, containing a computer, which was on, and then operating the keyboard. This aroused the police's suspicion, and the computer and recording media were seized.

**10.2.17** Child 2 was subsequently interviewed but denied, quite categorically, that anything had happened to her, or her friend (child 1). However, days later, child 2 informed her mother that she had, in fact, been sexually abused by the offender. In her video interview, she disclosed offences of buggery, indecent assault and gross indecency, and also the 'taking and storing of photographs on the computer'. She added that the offender had been visited by a number of men, whom he had met on the Internet, but stated that they had not abused her.

**10.2.18** In the meantime, the police Computer Examination Unit (CEU) reported that they had found CAIs on the offender's computer which featured the offender, and child 2 and her brother (child 3). The CEU also reported that another specialist unit, within this same police service, had in its possession CAIs that showed these same three individuals. (These latter images had been received via an organisation, part of whose brief was to monitor the Internet. This specialist unit had had these images for some time but had been unable to identify or trace the children who featured in them.) By putting these sets of images (and evidence) together, it was clear, that the offender had not only taken CAIs but had also distributed them.

**10.2.19** The offender was then re-arrested, a more thorough search of his home conducted and all possibly relevant material was seized. This search led to the discovery of some CAIs in the form of Polaroid photographs.

**10.2.20** Initially, the offender refused to speak to the police but was in any case charged with rape, buggery, indecent assault and gross indecency. The offender's refusal to speak to the police appeared to be part of a quite pronounced manipulative trait in his nature - a trait that has been noted, by these authors, among offenders in a number of other Internet CSA cases.

**10.2.21** Child 3 was interviewed and disclosed being sexually abused by the offender. Following this, the offender agreed to co-operate with the police and made what appeared to be a fairly full admission - including the sexual assault of child 4 (a relative of child 2 and 3). Child 4 was spoken to by the police and was '*asked if he wanted to speak to anyone*', but declined, and is not known to have ever spoken to anyone about his abuse.

**10.2.22** In the course of his interviews with the police, the offender explained how he had started making CAIs (for his own use) with a Polaroid camera but then, with the advent of the Internet, had progressed to joining an online group of offenders who were sexually interested in children, and started sharing images with them. This included his taking and distributing images of the four above children. This activity led on to the offender being visited by some of the people he had met over the Internet. The police interviewee explained that the offender did, somewhat perversely, have rules about these visits: *'He [the offender] says they [the visitors] would never - it was an understanding - that no one else was allowed to touch [sexually abuse] the kids other than him, he was very strong about that.'*

**10.2.23** It transpired, ultimately, that the offender was part of a highly organised international network of offenders whose chief activity comprised the exchange of CAIs. He himself had tens of thousands of CAIs. The network had at least one hundred members, spread over a dozen countries. For this reason, the investigation was eventually transferred to a national policing organisation. Eventually, this offender was tried, convicted and received a sentence of more than ten years for the abuse he had perpetrated.

**10.2.24** As suggested at the start, though, this case was, in the context of this research project, very complex, and incorporated a number of the other categories of CSA featuring in this study. Some years later, child 3 disclosed that a man who had come over from Canada, to visit the main offender, and who was, therefore, an international child sex abuser, had sexually abused him. A search of the quite extensive police files on this case revealed that the offender, and others in Europe and North America, had been sending CAIs to one another through the post, either in the form of CDs or videos. They had, in addition, given advice to one another as to how they could prevent this material being detected whilst in transit from one country to another.

**10.2.25** In view of the numerical predominance of Internet-based CAIs in this research, a fifth case study, concerning a network of offenders distributing CAIs, using file sharing software, is provided in Appendix D.

## 10.3 Extent

**10.3.1** Table 12 shows the number of *suspected* CAI cases that were identified through searches of CSA-related *reports* to Computer Examination Units (CEUs) in three police services. As the table makes clear, investigations into alleged or suspected CAI cases were relatively numerous and certainly more so than those of grooming or IIC cases. In shire county 2, for example, there were 116 such investigations, accounting for 89.2% of all CSA-related reports to the CEU.

**10.3.2** Shire county 1 was one of the police areas in which a search had also been carried out of all *recorded* CSA offences. The offences searched were those that had been recorded between January 1999 and December 2002 - the same period as that covered by the CEU searches. In this period, the police in shire county 1 had recorded 984 CSA offences. Thus, the 115 CAIs reports would have accounted for 11.7% of all recorded CSA offences. By contrast, grooming and IIC cases, in this police service, accounted for 0.5% and 0.1%, respectively, of recorded CSA offences.

### Estimated national extent

**10.3.3** The three police services in which the searches were undertaken, covered areas with a total combined population of approximately four million people (Office for National Statistics, 2003). If these three police services were representative of the UK population as a whole, then nationally there would have been CAI cases, known to the police, in the UK, from 1999-2002, or 1,493 cases per annum.<sup>51</sup> This equates to 28.7 cases per police service per annum. (It should be stressed - see below - that the number of CAI-related reports to CEU units, and the operational demands they created, were increasing rapidly through the survey, and subsequent fieldwork periods i.e. up until, at least, March 2004.)

**Table 12** Cases of *suspected* Internet-based CAIs identified through searches of CSA-related reports to computer examination units in three police services (1999-2002)<sup>52</sup>

Police Service	Type of CSA Case					
	CAI		Other		ALL	
	N	%	N	%	N	%
Metropolitan <sup>53</sup>	203	65.3	108	34.7	311	100.0
Shire county 1	115	88.5	15	11.5	130	100.0
Shire county 2	116	89.2	14	10.8	130	100.0

### Internet-based CAI investigations

**10.3.4** It needs to be acknowledged that some computers were searched by the police on a routine basis - following a concern over CSA in general, rather than a specific allegation regarding CAIs. Furthermore, some computer examinations did not reveal CAIs. Thus, not all Internet CAI reports to CEUs were known or specifically suspected, of involving CAIs.

**10.3.5** That said, it was clear that investigations into the *possible* use of CAIs, but also cases where the police did *detect* the use of CAIs, were substantial in terms both of their absolute numbers, and as a proportion of all CSA-related allegations. While this research was not able to examine this category of case in any great depth, it was clear that the rise in the numbers of these cases, the increase in the amount and capacity of storage media which had to be examined, and the presence of multiple victims and suspects in cases, meant that the investigation of computer- and Internet-based CAIs was a major and growing problem for the police. It should also be remembered that this study was restricted to *known* cases - which constitute only a proportion of *all* cases.

**10.3.6** One police service - outside the three discussed above - provided the researchers with a breakdown of the number of investigations its CEU had been involved in over the four year survey period. (These concern all types of offence, but the majority were CSA-related.) These figures are presented in Table 13. As the table makes clear, there was marked rise in the both the number of investigations carried out and the amount of (hard drive) memory that had to be examined over the

<sup>51</sup> Again, these estimates must be treated with a degree of caution, based as it is upon figures from only three of the 52 police services in the UK. Moreover, it is not known how representative these services, and areas, were of all police services and the UK population, respectively, and no statistical weighting exercises have been undertaken. However, it is felt that the above are useful 'ball park' figures as to the national extent of known Internet-initiated grooming cases.

<sup>52</sup> This analysis is based upon figures for CSA-related reports only. Figures were obtained for non-CSA, computer/Internet-related reports, for example fraud, physical assault and hate crimes, but these are not used here.

<sup>53</sup> The term 'metropolitan' refers to an (anonymised) police service covering a large urban area - and not the Metropolitan (i.e. London) Police Service.

survey period. Between 1999 and 2002, there was a near three-fold increase in the number of investigations carried out, and a 120-fold increase in the hard drive memory examined.

**Table 13 Annual rises in cases reported to a police Computer Examination Unit, and hard drive memory examined**

YEAR	CEU Examinations		Hard drive memory examined	
	N	%	Gigabytes	%
1999	199	15.9	200	0.8
2000	216	17.2	1080	4.4
2001	308	24.6	4620	18.9
2002 <sup>54</sup>	531	42.3	18600	75.9
TOTAL	1254	100.0	24500	100.0

## 10.4 Nature

**10.4.1** By way of prelude to this section, it should be emphasised that while there is much information on offenders (owing to so many being apprehended) and images (owing to so many being seized plus the ability of specially sanctioned researchers to study them over the Internet), there is, by contrast, much less information on victims, due to the fact that the number and proportion that have been identified - or even more pertinently studied - is very small.

### Victims

**10.4.2** All of the information collected during the course of the research (i.e. questionnaires, interviews and record and file searches) indicated that the children who featured in CAIs were quite diverse in terms of their age, gender and ethnicity. (Much of this information originated from the innumerable CAIs that the police had seized or - along with COPINE - had examined on the Internet.) However, as these children were seldom identified, there is little knowledge as to their family or socio-economic background. That said, there is a suggestion, from the few identified cases, that these children may - like those in known CSA cases in general (Gibbons, Conroy and Bell, 1995) - be over-represented by those from disadvantaged backgrounds.

### Offenders

**10.4.3** Virtually all of the offenders in these cases were male. While there were very few female abusers, this may have been one of the few categories of sexual offence (albeit one not involving assault) where they tended *not* to act in concert with males. Other than this, though, offenders varied considerably in terms of their age, SEC, sexual orientation and ethnicity and their cohabiting, relationship and parenting status. There also appeared to be some variation in terms of victim-abuser relationship, with the full range (in terms of familiarity) from parent/carer to stranger.

**10.4.4** In terms of offenders who had 'taken' CAIs, they were predominantly family and extended family members, and other persons close to the child. This could, perhaps, have been anticipated, as to take CAIs would generally require some degree of care or control over the child. By contrast, the large majority of those who distributed CAIs, and the vast majority of those who downloaded CAI, were strangers to the child.

<sup>54</sup> Estimated annual figure based upon the information available up to the end July 2002.

**10.4.5** There were a number of other characteristics, concerning these offenders, which are worth highlighting. Their technical (computing) competence ranged from the novice to the expert and all points in between (contrary to some media reports concerning the supposed expertise of many of these offenders in this area). Offenders may have contained a disproportionate number of persons who had a professional involvement with computers - although this may be an artefact of their greater access to, and aptitude with, computers, rather than this group of workers having an innately greater sexual interest in children compared to other groups of workers. The authors were struck by the fact that compared to child sex abusers in general, these offenders *appeared* to be more likely express remorse over their behaviour and/or welcome being detected. They were also more likely to commit suicide (see 13.5.6 - 13.5.11). As to what these responses indicate, though, is unclear.

**The overlap between CAI use and child sex abuse**

**10.4.6** One of the most critical issues that has arisen in concerns around the entire phenomenon of Internet CSA, is the degree of risk which users of CAIs pose to children. In an attempt to address this issue some reliance has been placed, not unreasonably, upon statistics as to the number of CAI users who are *known* to have sexually abused children.

**10.4.7** Some of the most systematic evidence in this respect, from the present research, came via the records of one police service which had compiled information on suspects who had been identified, through a major international law enforcement operation, as having possibly downloaded CAIs. This information is presented in Table 14.

**Table 14 The (previous) conviction status of suspected CAI users based upon the records of one police service and relating to a major international law enforcement operation**

Investigation outcome - by suspect	Previous conviction status							
	Sexual offence		Other offence		None		ALL	
	N	%	N	%	N	%	N	%
Charged	7	11.9	7	11.9	45	76.2	59	100.0
Cautioned	0	0	7	15.6	38	84.4	45	100.0
NFA (insufficient evidence) <sup>55</sup>	1	2.6	0	0	37	97.4	38	100.0
Referred to another police service	2	6.7	2	6.7	26	86.7	30	100.1*
NFA (adult pornography users only)	2	8.7	1	4.3	20	87.0	23	100.0
Deceased	1	25.0	0	0	3	75.0	4	100.0

\* Percentages do not equal 100 because of rounding

**10.4.8** The sub-group about which there could have been thought to have been the most concern, and strongest evidence, regarding CAI use, were those in the ‘charged’ category. Within this group, just under 12% of suspects had been convicted of a sexual offence previously i.e. prior to the current investigation regarding CAIs. Overall, only 6.5% of (all) suspects were known to have committed sexual offences previously. It should be pointed out that even these figures refer to a composite of offences, incorporating both child and adult victims, and contact and non-contact offences (for instance, earlier CAI use or indecent exposure.)

**10.4.9** Thus, it would appear, from this analysis at least, that the number of CAI users who are *known* to have sexually abused children is relatively low. This finding is supported by evidence from the other stages of this research project, such as the police NPQS, case studies and search of reports to CEUs. This point, and its implications, is discussed further under 13.7.10-13.7.13.

<sup>55</sup> NFA refers to no further action by the police following CPS advice.

## **Modus Operandi**

**10.4.10** The Internet, along with digital photography, has revolutionised the creation, distribution and accessing of CAIs. Although there are few official figures, the incidence of CAI use, prior to the Internet, is generally thought to have been a very low, being restricted to a relatively small number of especially devious and persistent individuals, who created images in this country or imported them from abroad. Now, a huge number and range of CAIs are very readily available at, literally, the click of a mouse.

**10.4.11** It appeared that the large majority of offenders in this category, confined their activities to downloading CAIs from the Internet. (Offenders who engaged in this behaviour were often charged, by the police, under the category of ‘making’.) A very small proportion distributed images and an even smaller proportion again were involved in the (original) creation of such images. There were various Internet protocols - for example, the World Wide Web, peer-to-peer, newsgroups and email - which were used to obtain and/or send CAIs. Although it did not generally seem to require much effort or skill to obtain CAIs, there existed, in this respect, a continuum, at one end of which there were some highly proficient, organised and secretive, individuals and networks that employed many safeguards surrounding their use of CAIs.

**10.4.12** While the large majority of offenders seemed to use CAIs chiefly for the purposes of sexual gratification, some were primarily motivated by financial gain, and sold images worldwide. The IWF has estimated that 50% of illegal Internet content - the large majority of which comprises CAIs - is available on pay-per-view websites, and 50% is freely swapped (IWF, 2005.) For others, collecting and collections were a crucial part of their possession of CAIs. In fact, some offenders appeared to be so attached to their CAIs that they did not dispose of them, even in the face of possibly imminent police investigations. Similarly, some offenders were known to have returned to accessing CAIs after having been convicted in relation to these offences.

## **Images**

**10.4.13** Given that the chief concern within this category of Internet CSA is images, it seems appropriate to devote some of this chapter of the report to a discussion of their nature. Indeed, there are a number of reasons why this is felt to be especially important: it is the nature of these images which lies at the heart of their being criminalised (and subject to such concerted policy and practice attention), the misconception among some people that these images are, in terms of their content, of marginal consequence, and finally the fact that most people will never see, and therefore not be able to comprehend, what these images involve.

**10.4.14** The research found that CAIs varied considerably in terms of their content. Many images featured pictures of naked children which, themselves, ranged from the ‘non-invasive’ - where children did not know they were the focus of such photography (children covertly filmed on a beach, for example) - to shots which were clearly sexually explicit and abusive. More specifically, CAIs could extend from scenes of nudity (alone) onto the indecent assault of children, through to their rape and buggery, culminating in scenes of bestiality and torture. It did appear, though, that as the seriousness of images increased, the number of those images in existence declined.

**10.4.15** While the most serious images are, perhaps, the least numerous, the nature of these images should not be underestimated. Even with the modest amount of attention this research was able to direct to this category of case, it became clear that there were, in existence, many deeply disturbing images of the abuse of children. These included, for example, children being savagely beaten, forced to have sex with animals, a child whose penis was cut off and the sexual abuse of a newborn baby who was still attached to its mother by its umbilical cord.

**10.4.16** Some abusers achieved sexual gratification through the use of CAIs which depicted the physical abuse of children. Again, these images varied, ranging from those where children were

subject to corporal punishment (of varying degrees) to those in which they experienced such serious physical assault, that they were left with permanent injuries. Indeed, some agency workers remarked that, in a few instances, the physical abuse depicted in CAIs would have been life-threatening.

**10.4.17** There was a belief among some interviewees that, over time, victims were becoming younger and the images more serious.

**10.4.18** Needless to say, the impact upon children of this sexual and physical abuse, especially in its more extreme forms, may well have been, both physically and psychologically, very severe. There must also be major concerns in relation to the impact that these images have upon the offenders who are viewing them - especially those are who already more disposed towards abusing children.

## Chapter 11

# Key policy and practice recommendations

### 11.1 International Police/Law Enforcement Child Protection Agency (IPCPA)

#### Finding

**11.1.1** The *international* law enforcement response to international and Internet CSA could be described, at best, as unsatisfactory. In particular, there was no central, well-resourced, authoritative body to take the necessary concerted and co-ordinated international lead on these cases. Instead, the international response to these cases was characterised by a lack of political awareness of, and commitment to these cases, insufficient resources, conflicting legislation and practice, variable intelligence and information sharing, and agencies in different countries often contacting one another on ad hoc basis rather than using formal channels - in the belief that the former was much more efficient and effective.

**11.1.2** The inadequacy of the current response was starkly illustrated by a case, involving a large number of quite young children, who were being made to feature in CAIs, in what was believed to be a European country. These images were known to law enforcement agencies, in a number of different countries, over a number of years. Indeed, these agencies were able to witness the escalation in the children's sexual abuse over this time. However, as the children's country of origin was not known, no agency - in any country - would take responsibility for investigating the case. Finally, one agency did initiate an investigation, and the children and offender were eventually detected.<sup>56</sup>

**11.1.3** Some important additional effort has been directed towards tackling these cases through the setting up of the Virtual Global Taskforce (VGT, 2005). While the VGT is seeking to increase the number of law enforcement agencies around the world that are members, currently this is small, being restricted to Australia, Canada, the United Kingdom and the United States of America, along with Interpol. Moreover, this initiative is limited to Internet CSA offences.<sup>57</sup>

#### Recommendation

**11.1.4** The governments of the world should, between them, and using existing structures, such as the United Nations or Interpol, set up a central, well-resourced and authoritative international police (or law enforcement) child protection agency to take the lead on developing a robust and effective international response to international and Internet CSA. The specific tasks of this agency should include:

- Leading and/or co-ordinating proactive responses towards international CSA

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<sup>56</sup> It should be stressed, that this was only one of a number of cases that could have been used to exemplify the inadequacy of the *international* response to international and Internet CSA. This particular case has been cited as it was thought to reflect this problem especially well.

<sup>57</sup> That said, the VGT has had some notable success. For example, its website - set up, in January 2005, to facilitate the detection of alleged Internet CSA offences - has received more than 300 reports which have subsequently been referred to the UK National Crime Squad (Leapman, 2006). Approximately, one-half of all of these reports related to the online grooming of children for sexual abuse, and some of these have resulted in the identification and conviction of offenders.

- Providing a much enhanced liaison role for police services investigating international CSA cases - backed up by greater authority from member states
- Developing, maintaining and promoting an intelligence and information database on the international movement of victims, child sex offenders and CAIs
- Developing, maintaining, promoting and analysing a worldwide database of CAIs. This would enable the agency to contribute towards the identification of victims and offenders, alert law enforcement agencies to the successful identification of victims and the emergence of new images, and produce a generally more co-ordinated response to these cases
- Alerting law enforcement, around the world, to significant developments in offender behaviour
- Acting as a centre of excellence and advising law enforcement agencies on specific investigations, including inter-police service communication and more general joint working
- Collating and disseminating best practice, and knowledge, from around the world, on the law enforcement response to these cases
- Developing and promoting work around the standardisation of legislation and (law enforcement) practice throughout the world

**11.1.5** Consideration needs to be given as to whether this agency is within, adjoined to, or separate from, Interpol. A degree of separation may be beneficial in order that the proposed agency has the clear identity, high profile and authority that it needs, users have confidence in it, and it is not compromised by the competing demands which exist within the multi-role policing organisation that is Interpol. Account would also have to be taken of the fact that some police/law enforcement agencies in some countries may not be at a stage when they are ready to join such an international body.

## **11.2 National Police/Law Enforcement Child Protection Agency (NPCPA)**

### **Finding**

**11.2.1** Up until the time the fieldwork for this research was completed, in March 2004, there was, in the UK, no *single* policing organisation taking the lead on international (or national) CSA. Instead, this responsibility was variously shared among NCIS, NCS, NHTCU and - more significantly - the UK's 52 local police services. In addition, the Metropolitan Police Service Paedophile Unit also sometimes acted, on an informal basis, as a specialist national resource in regards to these cases (for both UK and foreign police services). As a result, the police response to international (and national) CSA tended to be fragmented and less effective than it could, and should, have been. In particular, there was little or no effort to collate, develop and disseminate - at least on a systematic basis - the knowledge, skills, expertise, intelligence, information and contacts which numerous, but separate, police officers and services acquired during investigations. (Responding, in part, to this fragmentation of law enforcement effort, more generally, the Government has now amalgamated NCIS, NCS and NHTCU within the Serious and Organised Crime Agency - SOCA.)

**11.2.2** It is, in this respect, then, that the recently launched Child Exploitation and Online Protection Centre (or 'CEOP' for short) - designed to provide a national, multi-agency response to *Internet CSA*, primarily - is very welcome (Home Office, 2005a; The Observer, 2005). However, these authors believe CEOP should be used as the basis for the development of a police/law enforcement agency with a much broader and ambitious child protection remit.

### **Recommendation**

**11.2.3** CEOP should have a national lead not only for international and national *Internet CSA* but *all* international and national *offline CSA*, along with supporting local police services in their work in these areas. The argument for an agency with this wider remit is even stronger when one considers the

overlap between international and Internet CSA. This broader agency would, then, assume what had been the child protection responsibilities of NCIS, NCS and the NHTCU. The specific remit of the revised CEOP (or NPCPA - National Police Child Protection Agency) would be to:

- Take a lead role in the (proactive) prevention (including deterrence and disruption), detection and investigation of international and national CSA. This would include UK inter-police service multiple offender cases which have, at times, been the subject of tension within, and between, police services over the issue of responsibility
- Collate, develop and disseminate, intelligence and information on international and national CSA offenders - and in doing so reduce the risk of related pieces of intelligence or information, from different police services or organisations, not being brought together
- Collate knowledge and expertise on international and national CSA, and its investigation, and following on from this, act as a centre of excellence, providing advice and support to local police services in the UK which are dealing with these cases
- Take a lead on, or be involved with, training police throughout the UK on international and national CSA
- Develop genuinely effective and reliable links with other national and international policing organisations in order to further facilitate UK-linked international CSA investigations, as and when these arise
- Act as a single point of reference for foreign and international policing organisations - including the proposed International Police/Law Enforcement Child Protection Agency (see 11.1) that are investigating cases which have a link to the UK
- Collate, develop and disseminate national and international expertise in the examination of computers and the Internet, other storage media and other new technology. This would include, for example, data retrieval and code-breaking
- Maintain and develop ChildBase - the UK national database of CAIs - and from this take a national lead on the identification of CAI-related victims, offenders and offences
- Generally encourage UK police services to direct greater thought and effort towards tackling international and national CSA

**11.2.4** Whilst known international and Internet CSA cases can be challenging to investigate, they are generally quite rare. This means that the police may find it difficult to build up the level of knowledge and skills that are necessary for the effective investigation of these cases. The proposed agency would enable the police, in this one location at least, to acquire this level of knowledge and skills. It would also enable economies of scale to be achieved, particularly in respect of more resource-intensive Internet-related investigations.

**11.2.5** There are two particularly important conditions under which a revised CEOP (or NPCPA) should operate - irrespective of its precise final remit. Firstly, it is essential that such an agency does not become, nor is seen as, elitist, or disconnected from the rest of police child protection work in the UK - the vast majority of which is, and will always be, undertaken by police at a local level (see 13.2.9 - 13.2.10). Towards this goal, the CEOP/NPCPA should ensure that it has an effective system for informing 'feeder' agencies of the progress and outcome of reports it receives - 12.1.6 - 12.1.7). Secondly, this agency should actively promote itself and the work it undertakes. This would serve a number of functions: increase its deterrent effect upon offenders, ensure that UK and foreign police services were more aware, and made greater use, of the agency, and help guarantee that it is properly resourced.

**11.2.6** In addition, consideration needs to be given as to whether this agency should be separate from any other national policing body. For their part, these researchers believe this should, perhaps, be the case, in order that the agency has the clear, distinct and authoritative identity it requires, and avoids the tension that can sometimes exist between child protection and other areas of policing.

**11.2.7** As stated above, it is recommended that the CEOP/NPCPA should have a lead responsibility not only for international CSA but also national CSA. As this research found, many of the cases within each of the three categories of Internet CSA i.e. grooming, IIC and CAIs, existed on a national basis. These cases come under the remit of the CEOP automatically, owing to their Internet component. However, these authors suggest that non-Internet-based, inter-force, child sex abuser networks should also come under the remit of this agency. Although these cases were outside the specific scope of this research, it has been established previously, not only that these cases exist, but also that the police response to them has not always been sufficient (Gallagher, 1998a). The CEOP/NPCPA would seem to be a very appropriate location for the required national response to these cases.

**11.2.8** While this research and report have generally focused upon the UK, it has to be recognised that the police response to international and Internet CSA will not be fully effective unless, and until, all countries have a national police/law enforcement child protection agency.

**11.2.9** It is also recommended that the CEOP promotes the work it does, among the public, in order to maximise its deterrent effect - one which this research has found, in relation to law enforcement in general, to be inadequate.

**11.2.10** Given that much of the impetus of the proposed NPCPA is to overcome the challenges posed by both local and national borders, it clearly makes no sense for the remit of this organisation to be restricted to England and Wales. Rather, the NPCPA should have a UK-wide remit.

## **11.3 Prioritising child protection**

### **Finding**

**11.3.1** Many police officers expressed the view (whether in terms of ‘performance indicators’, ‘policing plans’, ‘targets’ or ‘priorities’), that the Government, and more specifically the Home Office, did not attach sufficient priority to child protection work, and that, as a direct result of this, local police services did not attach sufficient priority to this work. (This finding echoes that of the Victoria Climbié inquiry report (Laming, 2003).) Officers stated that this led to inadequate resources being invested in child protection by both central government and local police services, and an general undermining of this work. Police interviewees regularly commented that the offences that were prioritised by Government and the Home Office, and consequently the police, were those which generated greatest public concern; namely, burglary, car theft and street robbery.

### **Recommendation**

**11.3.2** The Government, and more specifically the Home Office, must attach more importance to police child protection work and - moreover - convey this message to the police. One of the ways in which it might do this is by introducing ‘national performance indicators for child protection and the investigation of child abuse’ - consideration of which has been recommended by Her Majesty’s Inspectorate of Constabulary (HMIC, 2005).<sup>58</sup>

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<sup>58</sup> It is noted that the Government has stated that it is: ‘working in partnership with the Association of Chief Police Officers and the Association of Police Authorities to *consider* [authors’ italics] the development of meaningful child protection performance indicators for the police service’ (Department for Education and Skills, 2006).

## 11.4 Resources

### Finding

**11.4.1** One of the most striking and recurring findings in this research concerned the police's lack of resources for responding to international and Internet CSA. While this was most conspicuous in respect of the generally far more numerous *Internet CSA* cases (especially those involving CAIs) and *reactive* investigations, it also applied to international CSA cases and was evident in the general dearth of *proactive* investigations into *international and Internet CSA*. In some investigations, this lack of resources had clear operational effects. These were as follows:

#### *Identifying individuals*

- The failure to identify all the (potential) victims in multiple victim cases. In some instances, a deliberate decision was taken *not* to try and identify all the victims in such cases. Included within this, was the non-identification of victims featuring in CAIs<sup>59</sup>
- The failure to identify all the (potential) suspects in multiple offender cases. In some instances, a deliberate decision was taken *not* to try and identify all the offenders in a case<sup>60</sup>

#### *Extent of investigations*

- Decisions *not* to investigate - *at all* - certain Internet CSA cases - invariably those involving the downloading, but in some instances also the distribution, of CAIs<sup>61</sup>
- Decisions to examine only some of the media that had been seized during an investigation, or to examine given media only partly<sup>62</sup>
- Decisions to examine only some of the images or data that had been seized during an investigation, thereby running the risk, among others, of some victims being not being detected or identified<sup>63</sup>

#### *Specific aspects of investigations*

- Impaired assessments as to whether a case, or elements of it, should be investigated, and unreliable assessments as to the extent of cases. Following on from this, questions were raised - albeit only very occasionally - concerning the overall quality of investigations and more specifically the motivation of officers
- The police having to use inadequate hardware or software. This, in turn, led some police services to rely, in part at least, upon computers seized from offenders or borrowed from other organisations, and free or pirated software
- CAIs not being sent to ChildBase - the police national database of CAIs. This reduced the ability, on the part of the police in general, to identify victims and co-ordinate investigations carried out within different police services

#### *Examination of new technology*

**11.4.2** The lack of resources was, though, most evident in terms of the delay in examining computers and other new technology. During the course of the research, the authors had been in contact with the majority of police services in the UK. All of these police services were experiencing substantial delays in carrying out these examinations. The standard, minimum delay was approximately three months, although some services were encountering delays of 3-6 months and others longer still. (It should be stressed, that where the police had a *specific* concern, or information, that a child might currently be being, abused, then they did prioritise the case, and could usually arrange for examinations to be

<sup>59</sup> This failure to try and identify all the victims and/or offenders in CSA cases has been noted previously, in research by Gallagher (1998a) on organised CSA.

<sup>60</sup> See no. 59.

<sup>61</sup> Each of these situations carried with it the risk not only that CSA victims (and offenders) would not be identified but also, possibly, that children might continue to be abused.

<sup>62</sup> See no. 61.

<sup>63</sup> See no. 61.

initiated within 24 hours or soon after.) These delays had a number of deleterious effects. These were as follows:

- The risk (unknown to the police) that further abuse of children would take place
- Offenders being given more time in which to hide or destroy any (other) evidence they possessed, or warn any co-offenders of the initial investigation, thereby thwarting any more extensive an investigation
- Witnesses withdrawing evidence in the (mistaken) belief that the police's delay in examining equipment meant they 'did not care' about the allegation
- Police having to pay private companies and individuals to carry out computer examinations, invariably at considerable cost. In addition, this arrangement raised potential issues surrounding the welfare of the examiners in question and the security of material within these settings (see 12.6.11 - 12.6.17)
- A heightened risk that defence lawyers arguing that an abuse of process had taken place

#### *Proactive work*

**11.4.3** Although there were some proactive responses to Internet CSA - in the form of disruption, deterrence and detection - these tended to be ad hoc and limited in number. It was especially notable that there had been very little effort directed towards detection - either of offences, offenders or victims. Indeed, police officers reported that they were sometimes actively discouraged, and in some instances given explicit instructions, by their seniors, *not* to engage in proactive Internet CSA investigations. (Part of the reason for this, according to interviewees, was that any case detected would, in all likelihood, fall outside their police service area, and would therefore represent a '*waste of resources*'. Moreover, there was also a perception that other police services would not welcome having such cases brought to their attention.) Needless to say, it is a wholly unacceptable situation for the police to being discouraged or prevented from identifying suspects or, worse still, victims of CSA.

**11.4.4** Given that the police were, because of insufficient resources, already struggling to cope with the number of cases being *reported* to them - especially those involving Internet CAIs - this lack of investment in proactive initiatives was not surprising. This situation is, in relation to Internet CSA, especially regrettable, though, given that these cases do lend themselves to proactive initiatives. (This is on account of the modus operandi of the offenders i.e. their use of the Internet, and lower levels of security they employ compared to CSA offenders in general.) The result of this inactivity - as explained in 12.3.8 - 12.3.10 - was that offenders appeared to have little fear of detection and were quite emboldened in their activities.

**11.4.5** There are several other points that should be stressed:

- It was not that the police, in general, did not want to improve their response to Internet CSA - but that they did not have the resources to do this
- The lack of resources did not completely undermine Internet CSA investigations. On the contrary, very many such investigations were carried out and often extremely successfully. However, the fact remains that the above problems were significant issues both in their degree and extent
- Work in this area - and in particular the examination of technology, monitoring of the Internet, and the detection of offences, offenders and victims - is highly resource-intensive
- While the police struggled to cope with the cases that *were* being reported, these probably represented only a small proportion of all cases that existed - with most cases never being detected
- The police were confident that they could detect a significant number of additional cases if they embarked upon greater proactive work
- The demands upon the police, while already quite acute, were increasingly rapidly. Not only was there ever-greater access to, and use of, computers and the Internet, but the police were having to contend with an increasing number of cases involving mobile phones and a range of other new technologies, such as digital cameras. What is more, offenders were, over time, coming to possess

more computers, with greater capacity and additional storage devices - all of which meant that even greater time was required to examine media

- While resources were a more acute problem in relation to Internet CSA, they were also manifest in relation to international CSA - and indeed child protection cases in general

**11.4.6** The Government has provided the police with new resources to enable them to improve their response to Internet CSA. In particular, they made available £25 million for the setting up of the NHTCU and high tech crime units/computer examination units in all 52 police services in the UK (Department of Health, 2001) and have recently launched the Child Exploitation and Online Protection (CEOP) Centre (Home Office, 2005a; The Observer, 2005). While these developments are extremely important and welcome, this research has clearly shown, that they are not sufficient.

### Recommendation

**11.4.7** The Government needs to provide considerably more *new* resources, especially to local police services, to bring about the much needed improvement in the investigation of Internet CSA, especially in respect of ensuring that more victims and offenders are identified, investigations are as extensive as they should be, specific aspects of investigations are carried out to a sufficient standard, delays in the examination of computers and other media are reduced, and more proactive work is carried out.

**11.4.8** In regards to CEOP, it should take a national lead on proactive responses to Internet CSA and undertake this work on a substantial scale. Indeed, there is a very considerable amount of work that CEOP could, and ideally should, undertake in relation to Internet CSA (see 11.2). However, and as the experience of local police services has shown, resources are, in this area of work, a very acute issue. In light of this, CEOP should be subject to regular scrutiny by an independent body - such as HMIC or the Audit Commission - a major brief of which would be to determine whether CEOP is sufficiently resourced.

## 11.5 CAI victim identification

### Finding

**11.5.1** The research found that, in general, the police, at international, national and local levels (including the UK), were able to invest only a very limited amount of effort in the identification and tracing of children featuring in CAIs. One international policing organisation reported that, at 1<sup>st</sup> December 2003, 234 children, who had featured in CAIs, had been identified worldwide - an average of only 1.2 children for each of the 192 countries in the world (World Atlas, 2005). However, it would appear that the numbers of children who have featured in CAIs on the Internet must run into many thousands.<sup>64</sup>

**11.5.2** It should be stressed, though, that this situation, does not, in general, reflect an unwillingness on the part of the police towards the identification of victims but rather a lack of resources, on their part, with which to do this work. Indeed, there was a general consensus among police interviewees that more victims should, and could, be identified - notwithstanding the formidable practical problems that can arise in respect of this work.

### Recommendation

**11.5.3** There needs to be a much more concerted and systematic effort, led by the police, to identify and trace children who feature in CAIs. Given the (international) nature of the Internet, it is vital that

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<sup>64</sup> Taylor and Quayle (2003), for example, estimated that the CAIs they had obtained from just one Internet protocol - newsgroups - and then only a sample of these - featured 2,400 children.

this is co-ordinated at an international level, by the proposed international police/law enforcement child protection agency, liaising with national police child protection agencies. (In the case of the UK this should be CEOP/NPCPA.)

**11.5.4** Through such co-ordination, the police could, in addition, reduce the following: multiple police services investigating the same case (unbeknown to one another), police services investigating solved cases and situations where no police service is investigating a reported case. Ideally, of course, all countries should have a national police child protection agency, in order that the same co-ordinated and concerted efforts are made to identify victims, irrespective of where they live.

**11.5.5** Until such time that these new organisations are set up, existing international (such as Interpol and Europol), national (for example, CEOP) and local police services - working together and supporting one another as much as they can - should seek to bring about a substantial increase in the amount of effort invested in victim identification.

**11.5.6** Having said this, it is noted that the G8 group of nations is developing a CAI database. This database will enable the CAI databases of each of these nations to 'talk with one another'. By interrogating and analysing one another's databases, police services in these countries will be assisted in determining whether any detected image is (already) known or whether it is new. This should, in turn, help in distinguishing and identifying children who are currently being sexually abused. Needless to say, this initiative is to be welcomed and commended. However, and notwithstanding issues of security, it should be extended to as many other countries as is feasible and as quickly as possible. Ultimately, though, there needs, again, to be a single international police/law enforcement organisation carrying out such collating, analysis and feedback work.

## **11.6 Internet-initiated incitement or conspiracy to commit CSA**

### **Finding**

**11.6.1** The police were well aware of, and able - in principle at least - to respond to, cases comprising Internet grooming or CAIs. They appeared much less prepared for dealing with cases involving IIIC to commit CSA. (Although this issue was not explored so thoroughly among policy makers i.e. the Home Office, and other agencies, such as ISPs and CPS, it is very likely to be equally applicable to them.<sup>65</sup>)

**11.6.2** This issue was manifest most clearly in the fact that the police, *appeared*, sometimes, not investigate cases as fully, or did not charge suspects, in relation to this behaviour, as often, as they should have done.

**11.6.3** Part of the reason for this may have been that the police underestimated both the degree of intent on the part of the offenders, and the seriousness of the acts which they might carry out.

**11.6.4** These assessments of, and the general police response to, IIIC cases, *seemed* to be the product of a series of other factors. Some of these were specific to IIIC cases but others were pertinent to Internet CSA cases more broadly. The former consisted of the following:

- A lack of *awareness* as to the existence of these cases
- No, or limited, *experience* of these cases

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<sup>65</sup> A small but important indication of this is provided by a Home Office's press release, concerning the then planned CEOP, which referred to the first two of these categories but not IIIC (Home Office, 2005).

- Being overly influenced by thoughts that offenders might be engaged in mock attempts to incite or conspire<sup>66</sup>
- An uncertainty over what, if any, laws had been broken

**11.6.5** The factors which applied to Internet CSA cases in general, were as follows:

- Police services were inundated with Internet CSA cases, especially those concerning CAIs (see 10.3)
- Closely allied to the above point, the police did not have enough resources to cope with the Internet CSA cases that were being reported to them
- Although it may not have been a major determinant, the fact that some Internet CSA cases, including IIC, were national or international, meant they were more difficult to assess and investigate

**11.6.6** Having made the above points, it should be noted that while the police response to some of these cases may not have been wholly appropriate, in many, it was. It is perhaps more accurate to think of the police reaction to these cases, as having covered a broad spectrum. This was, in part, a reflection of the fact that IIC cases existed along a continuum - as shown in 9.4.24 (Figure 8). Broadly speaking, it appeared that as cases moved further along the continuum (from left to right), so the police response to the case became more robust.<sup>67</sup> This may, in turn, have been due to increasing clarity over offender behaviour, along with offence seriousness and evidence. This does not alter the conclusion, though, that in some IIC cases - both more and less 'serious' ones - police practice did not always *appear* sufficient.

## Recommendation

**11.6.7** The police, in conjunction with the Home Office, should review the current law enforcement response to IIC cases. In particular, they should ensure that the investigation of cases, and the charging of offenders, is appropriate, and that they do not underestimate the degree of intent on the part of offenders or the seriousness of the acts that they could carry out. They need, moreover, to address the issues in 11.6.1 - 11.6.4.

**11.6.8** The Home Office should ensure that all other relevant agencies, including ISPs and CPS, are sufficiently aware of IIC cases, and are able and willing to respond to them in a robust manner.

**11.6.9** Some offenders will be involved in what *may* be mock attempts to incite, or conspire with, other offenders to commit CSA. These offenders should also be subject to a robust response on the part of policy and practice.

**11.6.10** CEOP should take a national lead on the *proactive* response to IIC cases, including their deterrence, detection and investigation. However, it must also be recognised that local police services can, and should, continue to make their vital contribution to the organisational response to these cases (see 13.2.9 - 13.2.10).

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<sup>66</sup> This factor may have been especially important, as in a situation of a high workload and an insufficiency of resources (see 11.6.5), the police had to prioritise cases reported to them. Not unreasonably, (possibly) mock CSA cases (along with CSA communications) would have a lower priority than CSA cases where the risk was more definite.

<sup>67</sup> In terms of *perception*, the police viewed the behaviours at the extreme right-hand side of the continuum - essentially the perpetration of CSA - as clearly illegal. By contrast, there appeared to be some uncertainty as to whether behaviours in the middle part of the continuum - attempted incitement and conspiracy - were illegal. At the other end of the continuum, the police rarely saw CSA communications as illegal. Following on, in part, from the above, there was also a continuum in terms of police *action*. Whereas the large majority of CSA allegations were pursued by police, attempted incitement and conspiracy cases were followed up only sometimes, and CSA communication cases very rarely.

**11.6.11** While much of the policy and practice focus within these cases will be upon CSA, the existence and significance of child *physical* abuse should not be overlooked.

**11.6.12** The Home Office should commission research to establish in a more reliable manner the extent and nature of (known), the special challenges to which they give rise, and whether any reforms are needed in terms of policy and practice, including legislation.

## 11.7 CSA communications

### Finding

**11.7.1** Although not as explicit as IIC cases, some instances of CSA communication, studied within this research, may, legally, have constituted incitement. In addition, most, if not all, of the points made in 11.6.1 - 11.6.6, in relation to IIC cases, could be applied to CSA communications. Despite this, there remained important differences between CSA communication and IIC cases, both in their *nature*, and the *policy and practice* issues to which they gave rise - as described below. It is for this reason that CSA communication cases are dealt with separately in this chapter of the report.

**11.7.2** In terms of their nature, and as explained in 9.1.4 - 9.1.13, CSA communications were quite diverse, and varied according to a number of criteria. Two of these criteria - the content of the communication<sup>68</sup> and the form it took<sup>69</sup> - are especially germane to the current discussion. Individuals could also be engaged in a range of quite specific acts.<sup>70</sup> Thus, not all CSA communication cases could *necessarily* be thought to constitute incitement. In some of these cases, an individual's behaviour might be better described either as glorifying<sup>71</sup>, or alternatively promoting or advocating, CSA<sup>72</sup> - albeit in a general sense, as opposed to the more specific one implied by the term incitement.

**11.7.3** In terms of practice (*and* policy), CSA communication cases were distinct from IIC ones in that they were especially likely to result in suspects not being fully investigated and/or charged. Furthermore, and probably explaining, in part, this police response, there seemed to be greater ambiguity surrounding the legal status of CSA communications-related behaviour.

**11.7.4** It is the authors understanding that the Home Office, in conjunction, with agencies, including the police, have previously examined the adequacy of the policy and practice response to CSA communications. The authors are unaware of the precise deliberations that have taken place in the *past*, but they would argue that the *current* response is not adequate. They would also contend, that the problem of those with a sexual interest in children, communicating with one another, has been, and is - like the Internet upon which it is based - developing markedly, both in its extent and nature.

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<sup>68</sup> In terms of content, CSA communications ranged from general 'discussions', relating to sexual interest in children, through exchanges that glorified or promoted CSA, and onto fairly clear attempts to incite, or conspire with, another person, to commit CSA.

<sup>69</sup> These included the Internet, telephone and face-to-face meetings. They could easily have included the post but this form of communication was not encountered in this research.

<sup>70</sup> Drawing upon legislation relating to CAIs, individuals could, for example, possess these, possess them with a view towards their distribution or distribute them - whether through the Internet or the post, or by hand.

<sup>71</sup> In one case, for example, two men were having an Internet-based discussion concerning a notorious incident, in the UK, in which children had been sexually abused and murdered. In addition to commending the murderer, the two men discussed how they would masturbate whilst thinking about what had happened to the children.

<sup>72</sup> This *could*, perhaps, be thought to be equivalent of the activities of 'paedophile' pressure groups - such as the Paedophile Information Exchange (PIE), that was active in the 1970s (Tate, 1990).

## Recommendation

**11.7.5** Most of the recommendations put forward in respect of IIC cases, can be made in regards to CSA communication cases. In summary, these are as follows:

- The police, in conjunction with the Home Office, should review the current law enforcement response to cases involving CSA communications
- The Home Office should ensure that all other relevant agencies are sufficiently aware of these cases, and are able and willing to respond to them in a robust manner
- CEOP should take a national lead on the proactive response to CSA communications
- The Home Office should commission research on these cases

**11.7.6** There are, though, a number of other, more specific issues which the Home Office needs to address. In particular, it needs to determine a) the extent to which the law, as it currently exists, can be applied to CSA communications and b) how clear this is, especially to police and CPS. Moreover, it must assess which additional aspects of CSA communication-related behaviour, if any, should be criminalised.

**11.7.7** For their part, these authors believe that the Home Office should ensure that the widest possible array of CSA communication-related behaviour is prohibited. This should certainly include the *distribution*, or other sharing, of such communications, whether by the Internet, telephone or in person, and the full range of communications in terms of content. Consideration should also be given to prohibiting the *possession* and *creation* of such communications in any written (including electronic) form.

**11.7.8** In considering the prohibition of these communications, the Government should investigate whether it is possible to achieve some, or all, of this legislative objective, by extending the new sexual offence prevention order (SOPO) or risk of sexual harm order (RSHO) (s104 and s123 of the Sexual Offences Act 2003, respectively) to include communications between adults, which has a sexual content and relates to children. Similarly, it should examine whether these ends might be attained if the police, and the CPS, used, or were more ready to use, the Obscene Publications Acts 1959 and 1964 - either in its current or an extended form.

**11.7.9** Policy makers should ensure that all legislation in this area applies equally to CSA communications which are moved internationally. At the same time, rigorous attempts should be made to make all such law as clear as possible in order to avoid any divergence in practice between the police and HMRC.



## *Chapter 12*

# **Further policy and practice recommendations**

## **12.1 International policy and practice**

### **Interpol**

#### **Finding**

**12.1.1** In some respects, Interpol is the ideal location for the proposed International Police/Law Enforcement Child Protection Agency (11.1.1 - 11.5.5) and it does fulfil some of this role already. Interpol was, though, the subject of criticism from some respondents taking part in this research. Police officers said that after sending reports to Interpol, they often did not receive feedback on their progress or outcome, or did so only very belatedly. This led some (UK) police officers to bypass Interpol and go directly to the authorities in the country concerned - which, one presumes, would only undermine the efficacy of Interpol still further.

**12.1.2** Such criticism appeared, though, to be based, in part at least, upon a misunderstanding of the remit - and also the resources and authority - under which Interpol operates. This research found that much of Interpol's role was a liaison one, receiving reports from police officers around the world and forwarding these on to police services elsewhere in the world. Where delays did take place, these appeared to be the responsibility of the police service to whom reports had been passed, and not Interpol. Interpol did undertake some office-based investigative or intelligence-gathering work but this was relatively limited. Overall, it appeared to be carrying out a high standard of work in the face of very finite human and material resources, authority and independence.

#### **Recommendation**

**12.1.3** If Interpol is to assume responsibility for the proposed IPCPA, then its work in this area will have to be given much more authority, resources and priority. For its part, and in the interim, Interpol should:

- Set up a more formal (and effective) system for informing police services as to the progress and outcomes of reports which they submit to the organisation
- Embark upon an awareness-raising campaign so police services better understand its remit (and the constitutional and resources limitations under which it operates)
- Arrange for an in-depth, independent research project to be carried out to ascertain, in a definitive and comprehensive way, what work Interpol does, could, and should, carry out in relation to child protection. This work would include identifying Interpol's achievements, the challenges it faces and areas for improvement

## Information and intelligence sharing

### Finding

**12.1.4** Interviewees felt that there was insufficient sharing of information and intelligence between police services in different countries, and that this was undermining efforts both to monitor offenders and prevent CSA. They said that this was particularly important in terms of countries being informed when convicted child sex offenders were coming into their country. This capability and practice was reported to be generally good on the part of UK authorities although but they did sometimes encounter practical issues in working with other countries. In particular, not many other countries had sex offender registers or lists, and there were some countries - those that took a very harsh attitude to child sex offenders - where to pass on information could be problematic as it might endanger the individuals concerned.

### Recommendation

**12.1.5** Governments, along with law enforcement agencies, should develop much more effective systems for sharing information and intelligence between law enforcement agencies, including that which relates to the international movement and monitoring of child sex offenders. The setting up of international (see 11.1) and national (see 11.2) police child protection agencies would seem key to such developments.

## Feedback

### Finding

**12.1.6** As indicated above, there were problems in communication *between* law enforcement agencies. These were not restricted to communications between local police services and Interpol. Interviewees from local police services, and HMRC, made similar complaints against national law enforcement agencies, and indeed against one another - although less commonly.<sup>73</sup> In the absence of responses to reports they had made, law enforcement officers were left not knowing whether they [the reports] had been acted on and/or were left feeling that they [the reports] had not been treated with the seriousness they merited. This affected their motivation, whereby some officers subsequently either avoided making reports or circumvented the organisation in question. These actions ran the risk of undermining the effectiveness of the response to international and Internet CSA in regards to both specific cases and cases in general.

### Recommendation

**12.1.7** All police organisations (international, national and local), and HMRC, should ensure that sufficient priority is attached to providing feedback on the receipt, progress and outcome of reports they receive from fellow law enforcement agencies. To this end, all law enforcement organisations should ensure they have formal systems in place whereby such feedback is a matter of routine.

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<sup>73</sup> It should be pointed out that this discussion refers to feedback *between* agencies and not debriefing *within* agencies. This latter subject is dealt with in 12.5.15 - 12.5.16.

## **12.2 National (UK) policy and practice**

### **Victims of international child sex abusers**

#### **Finding**

**12.2.1** Some, and perhaps a large majority, of the CSA by international child sex abusers from the UK, is carried out in developing countries. These countries are generally not very well able to meet the needs of these victims.

#### **Recommendation**

**12.2.2** The UK government should instigate a restitution scheme, whereby if its citizens are found to have sexually abused children in other countries, restitution is made to those children and/or the agencies which are seeking to help them.

### **Extra-territorial jurisdiction**

#### **Finding**

**12.2.3** While commending the existence of extra-territorial jurisdiction, as contained in section 72 of the Sexual Offences Act 2003 (re-enacting Part 2 of the Sex Offenders Act 1997), it would appear that there have been few prosecutions in this country for child sex offences which have been committed abroad.

#### **Recommendation**

**12.2.4** Ideally, offenders should be prevented from travelling internationally (12.2.6 - 12.2.7) but failing this - and if they do travel abroad, and subsequently commit CSA offences - then it is preferable that they are prosecuted in the country in question. This underlines the need for all countries to be supported and encouraged (see 13.2.1 - 13.2.8) in developing effective child protection (including prevention) and criminal justice systems.

**12.2.5** Having said this, it also has to be recognised that there may be significant challenges in bringing suspects to trial in the country in which they have committed their offences. Thus, the Government and agencies in the UK should, where necessary, be fully committed to pursuing cases of CSA committed by UK citizens abroad, through the criminal justice system in this country.

### **Prohibiting foreign travel**

#### **Finding**

**12.2.6** This research - backed up both by other studies and practice - suggest that many child sex offenders will always constitute a risk to children. Were these offenders to travel abroad, then the risk they present might be even greater, given that they may not be known and could not be monitored by the appropriate authorities. Moreover, in many countries (especially developing ones), there is, compared to the UK, less awareness of, and response to, CSA, and consequently children are generally more vulnerable.

## **Recommendation**

**12.2.7** While the introduction of the foreign travel order (under the Sexual Offences Act 2003) is welcome, the Government should consider whether the remit of these should be extended to give courts the power to permanently ban convicted, high risk offenders from all foreign travel - irrespective of destination, duration or purpose, and including emigration. Moreover, they should be made surrender their passports to facilitate enforcement. By the same token, convicted high-risk child sex offenders should be permanently prohibited from entering the UK.

## **Child sex offenders travelling to the UK**

### **Finding**

**12.2.8** In the course of the research a small number of officers stated that their police services had investigated cases where men who were relatively recent immigrants, or would-be immigrants, to the UK, were alleged to have sexually abused (local) children (often girls) in this country. Some of these cases were said to involve lone suspects acting opportunistically, while others were more organised, involving, for example, groups of suspects forcing and controlling girls involved in prostitution.

**12.2.9** This research was not able to examine this issue in any substantial manner. The only figures it has on this subject are from the search of *recorded* crimes in two police services (see 6.3.1, Table 8 and footnotes 25 and 26).

**12.2.10** So, while this research was not able to comment upon the scale of the sexual abuse of children by offenders who have recently arrived in the UK - whether for immigration, asylum or any other purpose - in any very reliable manner, it did appear that there was a problem - albeit a small one - in this respect. Similar concerns have been raised in the Bichard inquiry (Bichard, 2005).

**12.2.11** It is, in the light of this, that the Notification Order, introduced through the Sexual Offences Act 2003, is to be welcomed. This '*new civil preventative order*' means that '*individuals [whether UK citizens or foreign nationals] who have been convicted, cautioned etc. abroad for sexual offences*' can, on entering the UK, be made subject to the notification requirements of Part 2 of the Sexual Offences Act (Home Office, 2004b).

### **Recommendation**

**12.2.12** Any case of CSA, including those perpetrated by persons who have *come into* the UK, must be a cause of concern. The Government, and the Immigration and Nationality Directorate (IND), should, then, ensure they establish a thorough understanding of this phenomenon. This is especially pertinent as, to date, the official focus has been, almost exclusively, upon offenders - typically child sex tourists - who go *out of* the UK to sexually abuse children.

**12.2.13** Moreover, Government and the IND should fully explore what policy and practice measures - around, for example, vetting, monitoring, criminal record checking and the granting of visas - could be implemented in response to this problem. Having said that, it has to be recognised that the vast majority of offenders are not likely to have criminal convictions (for CSA), and detecting those at risk of abusing will, therefore, be extremely difficult.

**12.2.14** It should be stressed that, in light of quite widespread hostility, in the UK, towards immigrants/asylum seekers, and members of ethnic minority groups more generally, this issue needs to be handled with considerable sensitivity.

**12.2.15** The Government, possibly through the Foreign and Commonwealth Office, IND or Home Office, should commission research to ascertain, on a more systematic and reliable basis, the extent

and nature of the problem of the sexual abuse of children in the UK by foreign nationals. This would enable a much more informed response to be taken to the problem.

## Government-initiated inquiry

### Finding

**12.2.16** As shown elsewhere in this report, the Internet (and other new technology) has been instrumental in a large number and wide range of CSA cases. These include:

- Internet-initiated grooming, Internet-initiated incitement or conspiracy to commit CSA, and Internet-based CAIs. It is probably only a matter of time until the grooming of a child is *initiated* over an Internet-enabled mobile phone
- Those with a sexual interest in children meeting on the Internet to exchange communications in which they glorify or promote CSA, and/or aid and abet one another in the commission of the above offences, or provided more general support and encouragement to one another

**12.2.17** Although they were not central to this research, the Internet and other new technology were found to raise other child protection concerns. These consisted of:

- Children receiving unsolicited CAIs or adult pornography via the Internet
- Children taking and distributing indecent images of themselves via camera-enabled mobile phones, sometimes for material gain
- Indecent photographs of children being taken via covert cameras (see 14.3)

**12.2.18** In addition, the research identified:

- CAIs and other indicative material (for example, naturist photographs, text, drawings, magazines/comics and ‘erotic’ pictures of children) being brought into (and sent out of) the country

**12.2.19** Finally, new technology gave rise to issues in terms of the commission of sexual and physical offences against women:

- Abusive images of women (AIW) appearing on the Internet, or moved internationally (see 14.4)
- Indecent images taken of women via covert cameras

**12.2.20** Although some of these behaviours, for example, the creation and distribution of abusive images of children (and women), and the grooming of children for sexual abuse, are not unprecedented, overall, new technology, supplemented by the international movement of CAIs, constitutes a new, serious and increasing child protection problem.

**12.2.21** The existence of this material and these behaviours, or more precisely the way in which they might or should be responded to, raises fundamental legal, civil liberty and social issues or dilemmas involving, for example, control of the Internet, and the international movement of people and ‘goods’, freedom of speech, and indeed thought, the (sexual) depiction of children (and women) and the socialisation of males.

**12.2.22** Much of the response to international and Internet CSA has, to date, consisted of Government, and statutory and voluntary agencies, consulting over, and then developing and implementing, what might be thought of as *technical*-type measures, such as computer examination units, ‘hotlines’ for reporting illicit images, legislation and advice to parents/carers. There has been little or no official and public debate as to how society should respond, at a more fundamental level, to the threat which new technology poses to children (and women - see 14.4).

## **Recommendation**

**12.2.23** These authors recognise that to some extent, Internet CSA represents a familiar offence perpetrated by a new method. At the same time, though, they would argue that the Internet (and increasingly other new technology), has had a profound effect upon CSA, such that it should be viewed as a new, distinct and significant threat to children.

**12.2.24** The Government should initiate an inquiry into international and Internet CSA (and AIW). The purpose of this inquiry would be to collate and examine, in the first, substantive and public way, knowledge of, and views on, the causes and consequences of international and Internet CSA, and the manner in which it should be responded to, including its prevention.

**12.2.25** The authors believe that the general public, in particular, has very little appreciation of the nature of the material and communications, in relation to CSA, which exist on the Internet, and which increasingly are involving other forms of new technology. The public should, however, be one of the key stakeholder groups in terms of determining the response to international and Internet CSA. Thus, while the proposed inquiry would seek evidence from, and be of most relevance to 'professionals', one of its aims should be to ensure the public is more aware of, and informed about, the nature of international and Internet CSA. Were the public to become more aware and informed - as advocated here - it is likely that they would make vociferous demands for much more to be done to address the problem of international and Internet CSA.

## **Unaccompanied children entering the UK**

### **Finding**

**12.2.26** Interviews with agency workers, supported by other published material<sup>74</sup>, indicated that the number of children who entered the UK, unaccompanied, was very high.

**12.2.27** Policy makers and practitioners have become much more aware of this phenomenon and have, as a result, begun to implement some important initiatives. These include Operation Paladin (see below) and the recently announced new rules on the admission of such children into the UK (Community Care, 2006).

### **Recommendation**

**12.2.28** Given the number of unaccompanied children entering the UK, it is felt that this phenomenon should be viewed as a significant social issue. (Concerns that some of these children *may* be trafficked into the UK for the purposes of sexual, or other forms of, exploitation, reinforce this view.)

**12.2.29** Measures should be put in place to ensure that there is wholly adequate opportunity, where necessary, to assess, monitor, support and protect, unaccompanied children entering the UK. (To date, there appears to have been only one attempt at achieving this, through Operation Paladin Child (Metropolitan Police Service, 2004) which, while extremely important, needs to be done on a much more routine and comprehensive basis.)

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<sup>74</sup> The Refugee Council states that approximately 6000 such children entered the UK in 2002 (The Refugee Council, 2003), the BBC reports that approximately 15,000 unaccompanied children have entered since 2000 (BBC, 2004) and the Metropolitan Police Service were said to have identified, through its Operation Paladin Child, nearly 2000 such children, arriving at Heathrow, over a three month period in 2003 (The Independent, 2004).

**12.2.30** Consideration may need to be given towards tightening up travel and visa procedures in the countries from which children are travelling in order to disrupt those who may be sending children to the UK for the purposes of exploitation.

**12.2.31** It is also important, though, that agencies (particularly NGOs) do not *assume* that most (or indeed any) of these children are victims of trafficking for sexual, or other forms of, exploitation. Indeed, and putting aside issues of legality, it is likely that some of these children are being sent to the UK in the legitimate hope and expectation of a better life. That this is the case, underlines still further the need for macro-level change in the countries from which these children originate (see 13.2.1 - 13.2.2).

## 12.3 Police

### Consolidating police child protection work

#### Finding

**12.3.1** Responsibility for investigating international and Internet CSA (as with child protection cases in general) was divided among different departments and sections within the police. These included Child Protection Units, Criminal Investigation Departments, and - where they existed - Paedophile Units and Vice Squads. As a result, experience and skills, both general and specific, concerning the investigation of child protection offences, rather than being consolidated, were dispersed. This fragmentation meant that child protection expertise within the police was not as accessible, nor developed, as it could, and should, have been. In some instances, this appeared to result in a situation where officers investigating international and Internet CSA were not always those best equipped to do so. In particular, they lacked the specialist skills and knowledge for dealing with child protection cases. While these issues applied to the investigation of child protection in general, they were especially relevant to international and Internet CSA, on account of the fact that, while these cases could be challenging, they were also relatively rare, whereby building up experience and expertise was a much more protracted process.

#### Recommendation

**12.3.2** The police should concentrate responsibility for investigating the largest number and widest range of child protection cases within Child Protection Units, or otherwise named (and constituted) units, and these units should be staffed by (fully) detective trained officers. In this way, the police could maximise the consolidation of expertise, and optimise its accessibility and development - thereby ensuring the most effective response to child protection cases.

### Case assessment

#### Finding

**12.3.3** Though generally not very common, the police did sometimes underestimate the extent of individual cases of international and Internet CSA and/or the strength of the evidence surrounding them, and simultaneously overestimate the investigative or practical challenges they posed. Allied to this, there were, very occasionally, question marks over the motivation of police officers and the overall quality of investigations. These situations seemed especially likely in regards to multiple victim and multiple offender cases. (This phenomenon has been identified previously in cases of organised child sexual abuse - see Gallagher, 1998a.) Such erroneous case assessments appeared to be

due, in large part, to agency workers having too few resources and facing too many demands - as explained in 11.4.

### **Recommendation**

**12.3.4** The police must ensure that their *assessment* as to the extent of, evidence surrounding, and challenges posed by, international and Internet CSA cases, are as reliable as possible, and are not influenced by resource considerations. It is also important - in the face of sometimes seemingly unending images, victims, suspects and investigations, especially those relating to Internet CAIs - that the police do not become overwhelmed by, complacent towards, or 'immune' to, these cases, with this leading to adverse consequences in terms of their judgement or motivation, or practice more generally. This is a consideration for both front-line workers and their managers.

### **Response strategy**

#### **Finding**

**12.3.5** The police utilised a number of different strategic approaches in their response to Internet CSA. These included prevention, deterrence, disruption, detection and investigation, each of which, to varying degrees, could be pursued proactively or reactively. These approaches have been subject to some debate concerning their prioritisation. Recently, an increasing emphasis has been placed upon disruption with, for example, the development and use of computer packages to prevent CAIs being placed on, sent over, or accessed via, the Internet.

### **Recommendation**

**12.3.6** Whilst recognising the need for discussion over the use of different strategies for Internet CSA (including that of prevention), these authors believe that ultimately there is no, and never will be, a 'silver bullet' option for responding to these cases. Rather, it will always be necessary, and most appropriate, to respond to this challenge by developing, resourcing and utilising *all* the strategies that the police (and indeed society more generally) have at their disposal.

**12.3.7** As part of this broad range of strategies, the police should publicise more the work they do towards detecting offenders and offences, including the number of detection's they make. This should act to deter at least some abusers and prevent some abuse. The police should also continue, and possibly build upon, their development of dummy CAI sites which warn would-be offenders about their behaviour.

### **Detection**

#### **Finding**

**12.3.8** Some offenders involved in Internet CSA cases took very few precautions to protect their identity and in doing so *appeared* to leave themselves extremely vulnerable to being detected. This included offenders who gave their credit card details when purchasing CAIs<sup>75</sup>, those who sought to groom children for sexual abuse, and those who engaged in incitement or conspiracy to commit CSA - all of whom were communicating with people who were, in essence, complete strangers. Other

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<sup>75</sup> This includes the 7,272 UK suspects - among many thousands of other suspects worldwide - who gave their credit card details to two US-based offenders, who were selling access to CAIs websites, and who were investigated under Operation Avalanche (Harris, 2002). The UK suspects were reported as including more than 50 police officers - individuals who might be thought to be particularly aware of the risk of being detected (Wilson and Hopkins, 2003).

offenders exhibited equally 'vulnerable' behaviour, in making no attempt to disguise themselves or their victims when taking CAIs and then placing these on the Internet. The preparedness of these offenders to take such apparent risks *could* be taken to indicate recklessness on their part. On the contrary, though, what this behaviour did point to is that many offenders perceived - and often justifiably so - that there was little risk of their being detected by the police or any other agency.

### **Recommendation**

**12.3.9** Clearly, this finding points to the need of the police (and ISPs), firstly, to embark upon more (proactive) detection, and secondly, to enhance deterrence by making would-be offenders feel there is a much greater likelihood of their being detected. That the police are not doing this, is not, though, explained by a lack of willingness on their part, but - again - by a lack of resources. This situation strengthens the case (see 11.4) for their being greater, dedicated resources (ideally within a national agency - see 11.2 for the police to tackle Internet CSA.

**12.3.10** Following on from this, the Government should be under no illusion, that currently - and as shown by the behaviours outlined in 12.3.8 - many offenders believe that they run very little of being detected, and that this is a situation the police will be unable to address without the investment of significant, additional, new resources.

## **Searches, seizures and examinations**

### **Finding**

**12.3.11** Although not common, there were instances where the police's investigation of Internet CSA offences was not as effective nor efficient as it could, and should, have been. This included the failure to seize all computer-related media during a search, initial searches that were not sufficiently extensive and consequently overlooked computer-related media, delays in carrying out searches that allowed suspects to dispose of, or conceal, computer-related media or evidence, and/or warn co-offenders, and the failure to search all computer-related media thoroughly.

### **Recommendation**

**12.3.12** The police must ensure that searches for evidence, in respect of computer/Internet CSA offences, are carried out as quickly and thoroughly as possible, all media that is possibly relevant is seized, and all of this media is thoroughly examined. Key to this, is ensuring that this work is properly resourced. The police should also, where possible and appropriate, seek to restrict - either through custody or court orders - the access of suspects to computers/the Internet during the course of investigations.

## **Training**

### **Finding**

**12.3.13** The technical (i.e. computing/Internet) expertise of police officers, particularly those working in computer examination units, appeared to be very high, and was vital to the success of Internet CSA investigations - some of which could be extremely challenging. Their work also proved valuable in securing intelligence on the activities of suspects. Given that policing - as opposed to computing - was their primary occupation, this expertise among police officers was especially impressive. It appeared that one of the key factors in accounting for this proficiency was the training they had been able to receive.

**12.3.14** In the main, training opportunities for police officers, around computers and the Internet, seemed to be sufficient and of a good quality. However, training tended to be expensive, took officers away from their work, was not always available in the UK (some officers, for example, had to go to the USA for training) and needed regular updating on account of the continuous development of computers and the Internet.

### **Recommendation**

**12.3.15** The police must recognise the centrality of their officers' technical abilities in the investigation of Internet CSA offences, the additional benefits of this in terms of obtaining intelligence and the key role which training plays in this. Moreover, they should realise that technology is likely to feature in an ever-increasing proportion of CSA (and non-CSA) investigations. This technology is likely to become ever more numerous, diverse and complex. This will only increase the demands upon the police in terms of the technology-related examinations they have to conduct.

**12.3.16** In view of the need for, but also the expense of, training courses, consideration should be given to developing a centralised training resource for the police in the UK. The CEOP Centre (see 11.2) or some branch of it might be an appropriate location for this.

**12.3.17** While such training-related issues are primarily of concern to specialist police officers, the police should ensure that the remainder of its staff are fully aware of how to respond to initial reports of computer/Internet CSA.

**12.3.18** These findings and recommendations further underline the need, on the part of Government, to ensure that the police have adequate resources for responding to Internet CSA (see 11.4).

## **Computer/Internet examinations**

### **Finding**

**12.3.19** Some offenders, who were more adept with computers, employed passwords and encryption to prevent or thwart investigation of their activities. On occasions, the police found it extremely difficult, if not impossible, to get beyond these passwords and encryption, but were able to request assistance from colleagues in other policing organisations, industry and central government departments (such as the National Technical Assistance Centre (NTAC) and General Communications Headquarters (GCHQ)). Sometimes this assistance proved to be extremely valuable. However, some of these organisations, in particular GCHQ, could assist the police only in exceptional circumstances. Furthermore, it did not appear that police officers were as aware, as they might of been, of what other expertise existed in the country, and could be drawn upon, to assist with more technically challenging investigations.

### **Recommendation**

**12.3.20** All relevant individuals - especially those in highly specialised bodies, such as NTAC and GCHQ - and organisations, should be fully aware of the invaluable support they can offer to the police, in what are extremely important investigations, and be fully committed towards providing this.

**12.3.21** The police should, in the short-term, seek to identify, collate and disseminate details of all the individuals and organisations in the UK, and possibly abroad, which have a specialised computing expertise which they can call upon in more challenging Internet CSA investigations.

**12.3.22** In the longer-term, though, it is to be hoped that one of the achievements of the CEOP Centre (see 11.4) will be to develop a highly proficient resource that can be used in most, if not all, of the most technically challenging Internet CSA cases that the police, from across the country, encounter.

## **Interviewing suspects**

### **Finding**

**12.3.23** Police interviews with suspects in Internet CSA cases could be quite challenging in terms of addressing the technical issues surrounding computers/the Internet.

### **Recommendation**

**12.3.24** Police officers, when interviewing suspects in Internet CSA cases, should consider whether they need to be accompanied, in interviews, by a colleague with specialist knowledge of computers/the Internet. This is especially important where suspects have expertise in computers/the Internet, are likely to be manipulative or where the case itself is technically complex. Consideration should be given to de-briefing offenders for intelligence-gathering purposes.

## **Children trafficked for sexual exploitation**

### **Finding**

**12.3.25** Interviews with police officers who had dealt with the trafficking of children for sexual exploitation (i.e. prostitution), suggested that these cases could be especially challenging to investigate and manage. The police often had to contend with multiple and/or foreign offenders, offences in multiple locations (both in the UK and abroad) and the risk of witness intimidation. The police also faced considerable problems in progressing these cases through the CJS. At least some of the reason for this lay with the vulnerability of victims and the difficulties they encountered in acting as witnesses (see 13.3.1 - 13.3.2). As a result, the police had, among all their other tasks, to provide considerable support to victims ahead of trials. Overall, these cases were exceptionally resource-intensive for the police. However, the research encountered prime examples of cases where the police had, not only through their skill and dedication, but also the investment of the necessary resources, been able to bring extremely complex investigations to a very successful conclusion.

### **Recommendation**

**12.3.26** The police must be prepared, *and able*, to commit the resources to these investigations that are required. This includes providing support to victims ahead of trials. This reinforces the point made in 11.4 that the Government must ensure the police have adequate resources for responding to child maltreatment cases, especially those which involve the new and considerable challenges of international (or Internet) CSA.

## **ChildBase**

### **Finding**

**12.3.27** ChildBase is a centralised, national, computerised database of detected CAIs managed within CEOP. The principle of the database is that police services send copies of CAIs they have detected to ChildBase, which then becomes a definitive record of such images known to the police in the UK. This enables the police response to these images to be more co-ordinated and effective. In particular, the police are able to distinguish between known and 'new' images, and link together related images - which may be beneficial to investigations. In light of the workload the police face, in terms of examining computers (see 11.4.2), this database was - in principle at least - vital in ensuring that police initiated investigations into new cases but did not investigate cases which had already been dealt with.

**12.3.28** This research suggested, though, that ChildBase was a quite incomplete record of detected CAIs. While some police officers and services sent their detected CAIs to ChildBase, many did not. Indeed, practice was, in this respect, extremely variable. Where images were in a hard copy form (for example, photographs) or were not *believed* to have been distributed (electronically), then they were especially unlikely to be sent to ChildBase. It did not appear that there was any system - formal or otherwise - by which HMRC could send CAIs, it seized, to ChildBase. These findings suggest that ChildBase was not as effective as it could, or should have, been. This situation also carried with it the risk of a vicious circle being set up, whereby the more often CAIs were not submitted, the more devalued the database became, and the even less likely police officers were in the future to submit images, and so on. There appeared, then, to be a lack of clarity, if not confusion, over the role and purpose of ChildBase.

### **Recommendation**

**12.3.29** CEOP should, in the light of the above findings, review the role of ChildBase. This review should consider:

- The extent and manner in which ChildBase is being used, in terms both of ‘inputs’ (CAIs sent in) and ‘outputs’ (data analysed to assist investigations and numbers of investigations assisted)
- Whether ChildBase should be used differently, and in particular whether it might be used in a better way, and if so, how this could be brought about, and the resource implications of this. Included within this could be consideration of the benefit which advances in facial recognition technology might have, in conjunction with ChildBase, in the identification of victims
- Whether all detected CAIs should be sent to ChildBase, and if so, the optimum ways of facilitating this. Alternatively, if only some images should be sent to ChildBase, then which images should be submitted

**12.3.30** This review should be underpinned by an independent and specific piece of research on ChildBase to provide objective information on the above issues.

## **Child sex abuser networks**

### **Finding**

**12.3.31** Prior to the Internet, it was generally very difficult for persons with a sexual interest in children to identify or communicate with one another. With the advent of the Internet, and moreover its widespread use, this process of identification and communication has become not only very effective - through protocols such as dedicated newsgroups - but also relatively secure.

**12.3.32** The offences which have resulted from such contact have taken two main forms: the provision or exchange/sale of CAIs - accounting for by far the largest proportion of cases - and incitement or conspiracy to commit CSA. Some of this contact had led to the creation of child sex abuser networks. While all CSA is grave, irrespective of the number of offenders involved, the presence of multiple perpetrators could, and did, lead to cases becoming even more serious, in that more children were abused, by more abusers and on more occasions. It is also possible that children in such cases experienced more serious forms of abuse. Each of these features is likely to increase the psychological and physical harm of children. In addition, multiple offender cases tended to be much more challenging for the police, and other agencies, to investigate. These findings are born out by an earlier study into organised CSA (Gallagher, 1998a).

**12.3.33** Offenders also used their Internet contacts to obtain technical (i.e. computing/Internet) advice to facilitate their offending (usually regarding the acquisition of CAIs), avoid detection and thwart investigations, and procure social support in relation to their sexual interest in children.

**12.3.34** Previous research, by one of the authors (Gallagher, 1998a), found that there was little concerted or co-ordinated response - certainly not on either a national or proactive basis - by the police, towards child sex abuser networks. Rather, the police approach to these cases was invariably an ad hoc one. Eight years on, this situation appears not to have changed - in spite of additional child sex abuser networks being created via the Internet.

### **Recommendation**

**12.3.35** The police need to embark upon, and develop, a much more concerted and co-ordinated response towards preventing, detecting and investigating child sex abuser networks, both online and offline. This should include improvements in the collation and analysis of, and response to, intelligence and information, on known and suspected members of such networks, from police services and HMRC, throughout the country. While some of this will be undertaken by local police services, it has to be recognised that many networks cross not only local police boundaries, but may be nationwide and in some instances international. These are further grounds as to why the Government should set up the national police child protection agency recommended elsewhere in this report (see 11.2) to provide a more robust, and adequately resourced and structured, national lead on these cases.

**12.3.36** While this police effort should be concentrated upon those who are intent on carrying out sexual assaults against children, it also needs to be directed at those who seek to use CAIs, and the more general contact which takes place, online, between those who are sexually interested in children, and which might facilitate or incite offending.

## **12.4 HM Revenue and Customs<sup>76</sup>**

### **Victim identification**

#### **Finding**

**12.4.1** It did not appear that HMRC had any formal policy, concerning the processing of CAIs, as would facilitate the identification and protection of children featuring in them.

#### **Recommendation**

**12.4.2** HMRC should draw-up a formal policy concerning the identification of children who feature in the CAIs it detects - both hard copy and electronic. It would seem - assuming agreement of all relevant parties - that the ideal policy would be for these images to be sent to ChildBase (now located within CEOP) which has acquired considerable experience of handling such images.<sup>77</sup>

**12.4.3** After taking due account of any limiting factors<sup>78</sup>, consideration should be given to reporting, or sharing, internationally moved CAIs, detected in the UK, with authorities in the country from which

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<sup>76</sup> HMRC is, in terms of child protection, primarily concerned with CAIs, and specifically their international movement. However, the organisation is sometimes involved in monitoring child sex offenders, and in a few instances, children who are potential victims of sexual abuse, at ports of entry or departure. In keeping with this wider remit, but also the broad theme of this research, the work of HMRC in this and the next part of the report, is referred to by the general term 'child protection'. It should be noted, though, that most of the points that follow relate chiefly to CAIs.

<sup>77</sup> This underlines the potential, and the need, for CEOP to extend its role still further than that proposed in 11.2.

<sup>78</sup> These would include, for example, whether the country in question has the infrastructure, and the will and ability, to respond to such reports in an appropriate manner.

they are believed to originate, in order to enable the identification and protection of children concerned. Sending these images to ChildBase, might well assist this international liaison.

## **Searches**

### **Finding**

**12.4.4** Figures for the proportion of people and goods coming into, or going out of, the country which HMRC searched, were very limited. However, those figures that did exist, suggest that the proportion of people or goods searched was extremely small.

**12.4.5** In 2003, for example, there were 61.5 million visits overseas by UK residents and 24.8 million visits to the UK by overseas residents (Office for National Statistics, 2004). This produces a total of 86,300,000 *initial* visits into, or out of, the UK, per annum. Given that the vast majority of the persons undertaking these visits did, presumably, return to their country of origin, the total number of transits into or out of the UK or, more pertinently, through Customs posts, would have been double this, or 172.6 million transits.

**12.4.6** In the broadly comparable 12 month period, April 2003-March 2004, HMRC conducted 11,203 ‘searches on persons’<sup>79</sup> (HMCE, 2004). This means that only 1 in every 15,407 transit, or 0.006% of all transits into, or out of, the UK resulted in a search.

**12.4.7** Information on the number of postal items coming into, or going out of, the UK, appear to be limited (or, at least, difficult to obtain). What figures were available suggest that these volumes are, like passenger figures, very considerable. The National Audit Office, for example, report that ‘*Royal Mail handles over 20 million packages each year from 180 countries outside of the EU at their postal sorting depot at Mount Pleasant in Central London*’ and ‘*In 2003-04 Parcelforce Worldwide handled 3.8 million parcels from countries outside of the EU*’ (National Audit Office, 2005). (These figures do not include packages dealt with at other sorting offices, items from EU countries, items going out of the UK, ‘fast parcels’ dealt with by commercial operators, or freight.)

**12.4.8** HMRC does not keep a record of the number of postal items it examines. The proportion of international postal items examined is, though, also thought to be very small. An HMRC officer, based at one of the small number of postal sorting depots in the UK responsible for international post, estimated that his office examined only 0.001% of postal items coming into the country.<sup>80</sup>

### **Recommendation**

**12.4.9** It is beyond the scope of this research project to make recommendations as to the rate at which HMRC should be searching people or goods coming into, or going out of, the country. These researchers appreciate, moreover, that increasing the number of searches could have major privacy/civil liberty, logistical, commercial and resource implications. They also realise that HMRC uses an intelligence-based approach, whereby it seeks to focus its searches upon high-risk travellers and goods.<sup>81</sup> That said, it did *appear* that current rates of searching were too low and should be

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<sup>79</sup> It should be noted that this is a count of *searches* carried out, as opposed to *people* searched. One person could be subject to more than type of search.

<sup>80</sup> It is recognised that this represents a very crude estimate on the part of the HMRC officer concerned, but it makes the point that only a tiny minority of items are examined.

<sup>81</sup> While this is a very logical approach to take, it does have to be acknowledged that this strategy is very dependent upon intelligence being available which, of course, in regards criminal behaviour, it often isn’t.

raised.<sup>82</sup> At a minimum, there should be a debate, possibly involving both policy makers and the public, as to the extent to which passengers and goods can, and should, be searched.

**12.4.10** HMRC has two overarching roles: the collection of revenue, and the control of prohibited and restricted goods, which include CAIs. Given that searches lie at the heart of this latter role, it would seem to be a basic element of good practice for HMRC to compile figures - however brief these might be - on the number of postal items (or goods) it examines - as it currently does for the number of people searched. It might be that such figures are used only for internal, management purposes. There is a case, though, for such figures to be made public - again, as they are for people searched - in order that there might be a wider understanding - and again, possibly, debate - as to what HMRC does and how it should operate.

## **Inter-agency working**

### **Finding**

**12.4.11** While it was relatively modest in scale, HMRC did undertake important child protection work. The organisation was, however, very much on the periphery of the child protection system - a situation that may have prevented it from developing its work in this area as much as it might have done. Some police interviewees, including specialist child protection officers, stated that they knew little or nothing of the work of HMRC in the area of child protection. Given the evidence in this, and other, research, of an overlap - and a possibly an increasing one - between international and Internet CSA, and with many of these cases also possessing local dimensions (see 13.2.9 - 13.2.10) it would seem appropriate, for HMRC to enhance its working relationship, with police and other agencies, involved in child protection, in the UK.

### **Recommendation**

**12.4.12** HMRC should investigate whether there are feasible and worthwhile ways in which it could, and should, become more involved with the broader child protection system. This might, for example, involve one, or more, of the following: involvement with CEOP, attendance and presentation at the annual ACPO national child protection conference and any London-wide LSCB committee.

**12.4.13** In addition, it is hoped that CEOP will act to strengthen links between HMRC and the police at the national level, which might, in turn, benefit local HMRC-police links.

**12.4.14** These initiatives, in relation to HMRC, stand to constitute a modest but important means of raising awareness of child protection, enhancing specific knowledge of, and skills in, this area, and contributing towards the development of a greater child protection culture within the organisation.

**12.4.15** This interaction could also be of benefit to those agencies which are currently involved in the wider child protection system, such as police, probation and children's services, by increasing their knowledge and understanding of the work of HMRC and the problem of the international movement of CAIs.

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<sup>82</sup> While increasing the number of searches might have only very modest benefits in terms of detecting (and deterring) CAIs, the work of HMRC does have to be seen 'in the round' i.e. such changes would be of benefit in regards to the innumerable types of item which this HMRC is seeking to prohibit or restrict, for example, firearms, drugs and illegal meat.

## The profile of HMRC child protection work

### Finding

**12.4.16** One of the overall conclusions of this study, was that the child protection work of HMRC has a low profile, among the public and also relevant agencies, such as police. The researchers felt that this low profile did not help deter offenders from moving CAIs internationally (and possibly even in creating them), or induce the police to share reports (see 12.5.1 - 12.5.2), or encourage members of the public to make reports, in connection with such behaviour.

### Recommendation

**12.4.17** HMRC should examine whether there are feasible and worthwhile ways in which it could, and should, raise the profile of the work it undertakes in respect of child protection.

**12.4.18** Towards this end, one of the strategies HMRC could contemplate - operational considerations notwithstanding - is publishing more comprehensive information concerning the child protection work it undertakes and achieves. Similarly, it could consider dedicating a separate part of its annual report to its work in this area.<sup>83</sup>

## Child protection within HMRC

### Finding

**12.4.19** Some HMRC officers believed that the organisation did not attach sufficient importance to child protection work, and they cited various policy changes as evidence of this.<sup>84</sup> However, other staff argued that child protection was treated with the seriousness it merited, and they argued that recent policy changes represented a strategic shift designed to improve the organisations capabilities across all its regimes.<sup>85</sup>

### Recommendation

**12.4.20** Notwithstanding the points made in relation to the number of CAI detection's, other HMRC' responsibilities and the appropriateness of the organisation's response, it does have to be acknowledged that some officers had concerns about the approach of HMRC to child protection work. It should also be noted that this is not the first time these issues have been raised.<sup>86</sup>

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<sup>83</sup> The sole figure HMRC currently publishes concerning its child protection work is the number of suspects it 'prosecutes' for the international movement of CAIs (see for example HMCE, 2002). This is felt to be rather narrow and unambitious reflection of the work it carries out in this area.

<sup>84</sup> These included the removal of staff from dedicated child protection work, transfer of responsibility for investigating CAI cases to the police (alone), removal of national targets for the numbers of persons placed on the Sex Offenders Register (for the importation of CAIs), and the shortage and/or reduction in training and other staff development opportunities relating to child protection.

<sup>85</sup> They also pointed out that the number of CAI detection's was relatively small, and this area was only one of a large number of prohibitions and restrictions with which HMRC were charged - the others including, for example, firearms, drugs and illegal meat.

<sup>86</sup> Although a little dated, it is worth noting some of the findings and recommendations of the Government-initiated review, into safeguarding children, carried out by Sir William Utting. In relation to the child protection work of HMRC the review stated: '*the resources allocated to this are relatively small*', there are '*good grounds for giving much higher priority to this work and for allocating adequate resources to it*' and '*HM Customs and Excise are urged to dedicate more resources to this and to build up their expertise*' (Utting, 1997, p.102).

**12.4.21** This being the case, it is important that HMRC makes doubly sure that its policy and practice in relation to child protection work, is both appropriate and sufficient.<sup>87</sup> This research suggests that there are a number of ways in which HMRC might be able to improve its work in this area, including victim identification (12.4.1 - 12.4.3), inter-agency working (12.4.11 - 12.4.15) and raising its profile (12.4.16 - 12.4.18).

## **12.5 Police, and HMRC**

### **Information sharing**

#### **Finding**

**12.5.1** Although the police do not have primary law enforcement responsibility for responding to the international movement of CAIs - this resting with HMRC - they did detect a small number of cases which involved this type of offence. However, it appeared that in some, if not many, of these cases, they did *not* inform HMRC that they had detected this material. (It is also worth noting that these particular offences were sometimes 'lost' to the criminal justice system, as the police did not charge offenders in relation to them, on account of the fact that they [the offenders] were facing more serious CSA-related indictments.)

#### **Recommendation**

**12.5.2** The police and HMRC should establish a procedure whereby the police routinely inform, and pass key information to, HMRC on all cases it detects involving the suspected or known international movement of CAIs. This would provide HMRC with a much more accurate assessment of the extent and nature of the international movement of CAIs, and consequently assist it in developing a more informed and effective response to this problem. This seems especially important in view of HMRC's intelligence-led approach to this problem (see 12.4.9).

### **Investigating the international movement of CAIs**

#### **Finding**

**12.5.3** Prior to 1<sup>st</sup> April 2003, detection's of internationally moved CAIs were subject to joint investigation by HMRC and the police. Since then, and following on from an agreement between HMRC and ACPO, these cases are now investigated by the police alone (ACPO, 2003).

**12.5.4** The research found that this policy change was the source of much disquiet among many HMRC officers who were interviewed. At a general level, this disquiet appeared to be due to the regret that officers felt at having to give up an area of work - investigating the international movement of CAIs - to which they (i.e. HMRC front-line staff as a whole) were committed, and one in which they were proficient. These officers did, though, also raise a number of more specific concerns they had with this policy change.<sup>88 89</sup>

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<sup>87</sup> With this in mind, it is encouraging to note that the most recent Public Service Agreement - which is drawn up between HMRC and Government, and sets out HMRC work for a three year period - signifies an increased commitment to child protection work.

<sup>88</sup> In terms of investigations, HMRC offices were concerned that the police simply would not investigate cases involving the international movement of CAIs - given the challenges they were already facing in responding to the Internet-based CAIs cases that were being reported to them (see 11.4). They were especially concerned in relation to cases involving indicative material, as they felt the police might not appreciate the potential significance of such seizures. Interviewees also argued that, as the police and HMRC had different remits and

## Recommendation

**12.5.5** In light of these concerns, it is to be welcomed that HMRC plans to review the impact which this policy change is having. If this review finds that this policy change is having adverse consequences, then attempts should be made, in the first instance, perhaps, to resolving these within the existing policy context. However, if this is not deemed feasible then serious consideration should be given to reversing this policy and returning to joint (police-HMRC) investigation of internationally moved CAIs.

**12.5.6** Whilst this policy remains in place, it strongly underlines the need (outlined in 12.5.1 - 12.5.2) on the part of organisations receiving reports (i.e. the police) to provide feedback to organisations submitting reports (i.e. HMRC).

## HMRC-police relations

### Finding

**12.5.7** A near unanimous view among HMRC staff - and one shared by the police - was that the working relationship between these organisations - in respect of child protection cases - was very good. The quality of this relationship was all the more notable given that there were not that many opportunities for these two agencies to work together on child protection cases. However, with the change in policy from joint to sole (i.e. police only) investigation of cases involving the international movement of CAIs, there was a concern, among HMRC staff, that other areas of joint working, regards child protection, such as intelligence and information sharing, case reporting and investigative support, could be adversely affected.<sup>90</sup>

### Recommendation

**12.5.8** Any agencies which have to work together - in this instance, HMRC and police - should always be striving to maintain, and improve, their working relationships. This is, now, especially important in the case of these two agencies, given that a key plank of their working together (i.e. joint investigations) has been removed.

## Counselling

### Finding

**12.5.9** Some of the CAIs (and Abusive Images of Women - AIW) which the police and HMRC had to view, featured children (and women) being subject to serious, and in some instances extreme, sexual

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powers, when the police investigated cases (alone), this would not be as thorough or effective as it would, or should, be - had inquiries been conducted jointly. Within HMRC, officers were anxious - following on from this anticipated police response, plus the general message that was being sent out (see later) - that this policy change might result in a decline in the motivation of detection staff to identify this material. Officers were also worried that there would be a diminution in what had been an important and improving relationship with the police in respect of child protection work (see 12.5.7 - 12.5.8). In terms of the general message, officers felt this change signalled a downgrading of child protection work within HMRC.

<sup>89</sup> It should be noted, that HMRC interviewees did not know that such adverse consequences had, or would arise, but rather were raising concerns about what *might* occur. It should also be acknowledged that the number of cases that police and HMRC jointly investigated, previously, would have been quite small. Moreover, HMRC interviewees may have been motivated by an admirable sense of professional pride. Having said all of this, it was striking as to how strongly they felt about this issue.

<sup>90</sup> Whilst it must be acknowledged that these views represent an element of speculation, they did, nonetheless, constitute what appeared to be genuine concerns on the part of interviewees.

and/or physical abuse. This was, in terms of agency work, a new, unique, uncharted and very considerable challenge. While some workers *seemed* to be able to ‘cope’ with most, if not all, of the images they viewed, others reported adverse effects - although sometimes in respect only of particular images. One phrase used by a number of police officers, quite independently of one another, was ‘*There are certain images I can’t get out of my head.*’

**12.5.10** There appears to be little reliable or systematic knowledge (including this research) as to the effects - in terms either of their nature, strength or duration - which the viewing of CAI (or AIW) has upon agency workers. Similarly, it is not known how effects vary between individuals or by type of image.

**12.5.11** There was, within the research, no systematic analysis of the counselling provision which either the police or HMRC provided. That said, it did appear that both organisations provided access to counselling services and were mindful of the need to assess the adequacy of that provision. HMRC, for example, were, at the time of writing, reviewing and strengthening their procedures regarding their counselling service. It did appear, though, that the counselling provision, particularly among the 52 local police services in the UK, was somewhat variable, both in its availability and quality.

## **Recommendation**

**12.5.12** Until reliable evidence is produced to the contrary, it should be considered a distinct possibility that viewing CAIs (and AIW) *could* have adverse effects upon, at least some, agency workers. This is not to be alarmist but rather to encourage caution on the part of agencies. Following on from this, police and HMRC should ensure that they adequately monitor and supervise staff who view CAIs (and AIW), ensure they have access to high quality counselling, and take any other steps they can to avoid or minimise adverse reactions to this work. Given that they undertake less work (than the police) on abusive images, and in the interests of cost effectiveness, HMRC could consider buying into police counselling provision.

**12.5.13** The Government should fund research to provide reliable and comprehensive information on the effects which viewing CAIs (and AIW) has upon agency workers, the subsequent needs of these workers, the extent, nature and quality of counselling (in this area), and what constitutes good practice in the provision of both counselling and support more generally. Included within this work, should be an examination of whether counselling should be on a voluntary or compulsory basis.

**12.5.14** Having said this, it should be noted that some authorities have advocated caution in the provision of counselling, in general, pointing out that it may not be appropriate for every individual and that it may have adverse consequences (see, for example, Henderson, Hotopf and Wessely, 2003; and Wessely, 2005).

## **Expertise**

### **Finding**

**12.5.15** There was a tendency on the part of the police and HMRC (and agencies in general) to place too much reliance upon the views of individuals from other statutory agencies, NGOs or academia, who were seen as specialists (or ‘experts’) in international or Internet CSA, or other areas of child protection. At the same time, they placed too little reliance upon their own individual or organisational expertise. This practice was, perhaps, particularly acute in the case of international and Internet CSA where there is, still, little reliable knowledge, but much media and public, concern over, and interest in, these cases.

## **Recommendation**

**12.5.16** While the preparedness of the police and HMRC to draw upon specialists (or ‘experts’) on international or Internet CSA (or indeed any other area of child protection) is appropriate, it is also important that these officers (and agency workers in general) maintain something of a cautious and questioning approach towards this input, *and* also not underestimate their own knowledge and skills in this area. The former is especially important given the generally poor state of knowledge in the areas of international and Internet CSA.

**12.5.17** That said, both the police, as alluded to in Consolidation (see 12.3.1 - 12.3.2) and Tenure (Appendix E, point 9), and HMRC, must ensure that they invest sufficient effort in consolidating, developing and utilising the expertise which exists within their own organisations.<sup>91</sup>

## **12.6 INDUSTRY**

### **Commitment**

#### **Finding**

**12.6.1** The research uncovered instances where varied commercial organisations, including ISPs, airline companies and the Royal Mail, were uncooperative towards the police and HMRC when they were seeking to detect or investigate international and Internet CSA. On a small number of occasions, police and HMRC were ultimately prevented from carrying out their inquiries. It appeared that the uncooperativeness of these organisations was due to a variety of factors, both legitimate and illegitimate. In terms of the former, some organisations were, for example, uncertain over the legality of the assistance they were being asked to provide. In regards to the latter, though, some organisations seemed to be driven primarily by commercial concerns, or an ignorance of, or disregard for, the importance of child protection.

#### **Recommendation**

**12.6.2** All commercial organisations should be ready and willing to assist the police and HMRC in their detection and investigation of international and Internet CSA. Where these organisations have legitimate concerns over the legality of such assistance, then these should be resolved between all relevant agencies, and if need be Government, as a matter of urgency. That some organisations are not able and/or willing to understand the seriousness of CSA, the importance of child protection and their co-operating with police and HMRC, in this area of work, indicates that they may be in need of awareness-raising and/or training in these areas. Where organisations continue to thwart investigations by police or HMRC, then these latter agencies should press for measures, including legislation, if need be, to compel such organisations to co-operate.

### **ISPs**

#### **Finding**

**12.6.3** In terms of industry, the largest number of concerns were raised - primarily by the police - in connection with ISPs and their response to Internet CSA. In some ways, this is not surprising, given

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<sup>91</sup> HMRC subsequently informed the researchers that they have recognised that there have been some issues in this area in the past, and that they are beginning to roll out a structured system of de-briefing.

that Internet CSA cases - and especially CAI cases - were relatively numerous, and ISPs had a pivotal role in the organisation response to these cases. The concerns that were raised, in respect of *some* ISPs, were as follows:

*Routine practice*

- Inadequate monitoring of Internet activity, including chatrooms
- ISPs choosing not to report (detected) CAIs to the police but simply deleting them instead<sup>92</sup>
- ISP 'abuse teams' being unable to cope with the volume of CSA-reports they received
- ISPs refusing to take down illegal content when requested to do so by the police
- ISPs not keeping any information on customers and their use of the Internet
- The failure to retain data for a long enough period
- The failure to retain data that was sufficiently detailed

*Assisting police investigations*

- ISPs refusing to release information to the police, including that which would identify suspects (Some of these were foreign ISPs that had headquarters abroad. These ISPs argued that they were subject to the laws of the country in which their headquarters was based and these forbade them from releasing the information in question)
- ISPs denying they had the information which police were requesting (with the police believing that they did possess such information)
- ISPs being very slow in providing the police with the information they requested
- ISPs attempting to charge the police for providing information
- The process of obtaining information becoming more bureaucratic - and consequently more difficult and slower. (This could have been due, in part, to factors outside the control of ISPs, for example, new legislative requirements)

*Constitution*

- The existence of fly-by-night or rogue ISPs
- The need among at least some foreign ISPs to obtain the permission of their head office before they released information

**12.6.4** Having said this, there was a sense, gained from the research, that ISPs were generally becoming more aware of, and involved in, child protection, in terms of their routine practice and constitution, and also in their attitude towards assisting the police. Indeed, some ISPs were said to be too eager to assist the police, and in their resultant haste, did not always check the accuracy of the information they provided.

**12.6.5** Overall, though, it appeared that there were some problems in the attitude and behaviour of a small minority, at least, of ISPs, especially in respect of the disruption, detection, reporting and investigation of CSA-related activity. Given that ISPs occupy a key position in the organisational response to Internet CSA, this situation is worrying.

**Recommendation**

**12.6.6** The authors recognise that there are arguments over the relative merits of voluntary, versus compulsory, regulation of industry - and specifically, in the case of Internet CSA, the basis upon which ISPs should respond to Internet-related child protection concerns. With this in mind, the authors

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<sup>92</sup> Further to the above findings and recommendations being drafted, it was put to the authors, that the reason ISPs may have been deleting, rather than storing and reporting, CAIs, was their fear that they might, otherwise, be charged with possessing or making CAIs - if they undertook this action. However, through Section 46 of the Sexual Offences Act 2003, and the subsequent Memorandum of Understanding (CPS, 2004) those 'who have a role in identifying and securing such data [including ISPs] for evidential purpose.....can do so without fear of prosecution' (Home Office, 2004a, p.39). It is hoped, therefore, that ISPs, now having this legal protection, will be less likely to delete CAIs but will, instead, preserve, and report, them to the police.

would argue that ISPs should have the opportunity of self-regulation but that *all* ISPs sign up to a certain set of minimum (but robust) standards governing their routine practice, assistance to the police and their constitution.

**12.6.7** In addition, an ombudsman-type person or body should be established where police can complain and seek redress where they believe ISPs are not taking a responsible attitude towards child protection matters.

**12.6.8** Ultimately, however, and bearing in mind the key position they occupy, if *all* ISPs cannot manage to respond appropriately to child protection concerns voluntarily, then the Government should consider introducing measures to compel them to do so.

**12.6.9** That said, and in the interests of balance, these authors should point out that input from ISPs to this research was minimal. It is possible that ISPs had a wholly different perspective in regards to the issues outlined above, and that this is not fairly or accurately reflected in this report.

**12.6.10** Indeed, the role of ISPs is so critical in the response to Internet CSA, that these authors believe a substantial and dedicated piece of research should be carried out to provide a much more systematic and comprehensive assessment of the way in these organisations deal with these cases. This would include an examination of the extent, nature and impact, of the measures that ISPs are currently taking in relation to the prevention, monitoring, disruption, detection and reporting of CSA-related activity on the Internet. This would enable these organisations to give their perspective and highlight the issues they face in this area of work, be they, for example, legislative, logistical or resource-related. This, in turn, should prove to be an important means of informing the development of policy and practice in relation to the concerns raised above.

## **Private computer examiners**

### **Finding**

**12.6.11** Some police services enlisted companies and individuals, largely in the private sector, to carry out examinations of computers and other new technology. This research was not able to measure the extent of this work but it did appear to be quite significant. The police used these companies and individuals to assist either with their general workload - which they were struggling to cope with, without leading to even greater delays (see 11.4.2) - or where more specialised technical skills were required.

**12.6.12** In general, this working relationship seemed to operate quite well. Despite this, it did raise a number of concerns. These were as follows:

- *Security*: seldom in any of the communications between police and these computer examination services was there any reference to the measures that were taken to ensure the security of the CAIs, or other CSA-related evidence that might be found. Again, this is not to say that there were no such measures but it is of concern that they were not explicit
- *Cost*: these examinations could be extremely expensive, sometimes running into thousands of pounds per investigation even for relatively straightforward cases. Had they the personnel or expertise, then the police may have been able to carry out examinations more cost effectively
- *Staff support*: rarely in any of the communications between the police and these computer examination services was there any mention of support or counselling for staff that had to carry out the examinations. While this does not mean that such support/counselling did not take place, it does raise a concern that it did not. What is more, it is likely that these examiners were less well prepared, than the police, for what they had to view

**12.6.13** It is probable that private companies and individuals will, for the foreseeable future, continue to examine computers and other new technology on behalf of the police. Indeed, there seems every

likelihood that the scale of this work will grow, and appreciably so, in line with the growing number of cases involving new technology which the police have to investigate. This means that the above issues will become increasingly acute.

### **Recommendation**

**12.6.14** In light of the above issues, the police, in conjunction with this industry, should set about establishing this work on a more formal and regulated basis. To this end, the police should give consideration as to whether it is possible to set up a register of approved examination companies and individuals. Part of the requirement for these companies to be approved would be that they agree to certain minimum standards in terms of a) the security of CAIs and other evidence and b) the support and counselling for staff who carry out this work.

**12.6.15** In the longer-term, though, the Government should increase the resources made available to the police (see 11.4) to enable them to carry out more of these examinations in-house. Whilst there is always likely to be a need for the police to consult with companies or individuals who have more specialised computing skills, in particularly challenging cases, it would seem preferable for the police to carry out the vast majority of this work. Not only should this be more cost effective, it is also likely to reduce issues surrounding security, and support and counselling.

### **Additional findings**

**12.6.16** Further to the above findings and recommendations being drafted, the authors were informed of the following:

- These organisations/individuals do have to complete a form/provide a written statement as to how the security of CAIs would be assured. (It would seem, therefore, that it is restricted to a paper exercise only at the moment)
- ACPO have produced guidelines for computer examination, and these include stipulations regarding the involvement of industry (ACPO and NHTCU, undated)
- There is an issue concerning the expertise of individuals undertaking computer examination work. In response to this, an accreditation scheme is being considered
- If it were to be the responsibility of the police to vet these contractors, then this would represent a major additional workload for them - when they are already struggling to cope with the demands from investigating Internet CSA cases. In view of this, vetting should perhaps be undertaken by another authority, such as Her Majesty's Inspectorate of Constabulary

**12.6.17** The importance of the issues mentioned above, and attempts to address them, have been underlined by a recent report in the media relating to the work of a private computer analyst involved in Internet CAI-related cases (Muir, 2006).

## **Domain name registries**

### **Finding**

**12.6.18** Some police officers expressed concern about a lack of action on the part of industry towards website domain names which clearly indicated that they had a nefarious interest in CSA. Some of these domain names were quite disturbing in terms of what they implied regarding children's sexual, and sometimes physical, abuse.

### **Recommendation**

**12.6.19** Domain name registries, throughout the world, must act, robustly and promptly, to prevent the use of domain names which indicate a sexual interest in children. Where registries refuse to do

this, they should be compelled to do so by their respective governments. This situation underlines the fact that, ultimately, Internet CSA needs to be tackled on an international basis.

### **Additional findings**

**12.6.20** Further to the above finding and recommendations being drafted, the authors were informed of the following:

- Previously, it was claimed, Nominet UK, the domain name registry for this country, had not responded adequately to concerns raised over domain names that indicated an interest in illegal activities, in this case, CSA. Now, however, it was said to be working well with both police and the IWF to prevent the use of such domain names
- In some countries, though, domain names indicating a sexual interest in children were still in use, with the responsible registry's making little or no attempt to identify and trace the owners, or even remove the domains
- The IWF is providing ISPs and mobile phone service operators with key words to enable them to identify domain names which indicate a sexual interest in children and against which action should be taken
- In general, the industry was said to be taking a much more responsible attitude towards domain names
- The existence, and response to, inappropriate domain names is another issue which needs to be examined through research

## **Employers**

### **Finding**

**12.6.21** A small but significant proportion of offenders who used CAIs did so, entirely or in part, at their places of work. The research came across numerous instances of employers quite readily reporting these individuals to the police. There were some occasions, though, where employers were more reticent in this regard, and there may well have been instances where employers did not report such concerns when they arose.

### **Recommendation**

**12.6.22** All employers - encouraged and facilitated by their respective employer organisations - should have policies and practices in place for the regular checking of employee' computers for CAIs and for the reporting of any subsequent concerns to the police.<sup>93</sup> This would serve not only to deter workers from using computers for this purpose but would also aid detection where such use did take place. At the same time, employers, and employees, need to be aware of their responsibility to report CAIs, along with suspects, when they are detected, and not to try and conceal possible offences when they are uncovered. To this end, all employers should ensure that they, and their employees, are fully conversant with the principles underpinning, and the provisions contained within, the Public Interest Disclosure Act 1998 concerning 'whistle-blowing'.

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<sup>93</sup> It appears that the private sector is giving an increasing amount of attention to this area, as exemplified by a recent IT security guide, published by the Confederation for British Industry, for small and medium-sized enterprises (CBI, 2006).

## **Computer repair companies**

### **Finding**

**12.6.23** Some Internet CAI cases were detected by companies carrying out repairs to offenders' computers. As was the case with employers, some of these organisations, at least, seemed quite ready and willing to report these concerns to the police.

### **Recommendation**

**12.6.24** All computer repair companies should be aware of the possibility of detecting Internet CAI cases in the course of their work. Furthermore, they should be ready and willing to report these concerns to the police. Finally, all such employers and employees should be aware of the principles which underpin, and the provisions contained within, the Public Interest Disclosure Act 1998 - in order to guard against any covering-up of a customer's possible offending.

**12.6.25** Although they are likely to be detected much less frequently, the points expressed above (see 12.6.21 - 12.6.24) also apply to cases of Internet-initiated grooming, and Internet-initiated incitement or conspiracy to commit CSA.

## **Children's workers**

### **Finding**

**12.6.26** The contexts in which UK citizens went abroad, to work with children, who they subsequently sexually abused, were found to be much more diverse than is generally recognised. Although this research was not able to examine, in any systematic or comprehensive way, the child protection measures that existed in relation to UK citizens going abroad to work with children, they did appear to be variable. Indeed, some individuals appeared to go abroad to work with children having been subject to no safeguards whatsoever.

**12.6.27** That said, there are some important initiatives taking place in this area which deserve mention. Prominent among these is the 'Setting the Standard' project, instituted by a consortium of international NGOs (see [www.settingthestandard.info/](http://www.settingthestandard.info/)), which is seeking to promote core standards around child protection (Setting the Standard, 2003). In addition, the NSPCC have been working with the UN, UNICEF and the International Council for Voluntary Organisations, on the development of reporting protocols, and training of staff around the investigation of concerns, in relation to child protection. Similarly, ECPAT Australia have, through Child Wise, funded a child safety programme, called Choose with Care, and have developed an awareness programme and training in South East Asia on stopping child sex tourism (see [www.childwise.net](http://www.childwise.net)).

### **Recommendation**

**12.6.28** All statutory, NGO and private sector organisations which send UK citizens abroad to work, and whose work might bring them into contact with children, should have rigorous child protection measures in place, both prior to sending staff abroad and once they are abroad. This should include vetting, criminal record checking, training and supervision of staff. This applies to paid, religious and voluntary work, and the military.

**12.6.29** Given that some individuals undertake work with children abroad, on a more independent basis, the (UK) Government should take a lead in developing and implementing safeguards in respect of these workers. The Charity Commission could assume some of this responsibility for individuals or groups who wish to carry out charitable work with children abroad.

**12.6.30** As recommended in 12.2.6 - 12.2.7, the Government should give courts the power to permanently ban high risk child sex offenders - or indeed any high risk sex offender - from travelling abroad.

**12.6.31** By the same token, and as recommended in the Bichard inquiry (Bichard, 2005), robust measures should be applied to persons who wish to come to the UK and work with children.

## **Travel and tourism**

### **Finding**

**12.6.32** The research found that the travel and tourism industry (for example, tour operators, airline companies and hoteliers) were becoming increasingly involved in initiatives to prevent, detect and report international CSA. This has taken the form of, for instance, the insertion of relevant awareness-raising information in travel brochures, in-flight videos and hotel guides.<sup>94</sup> NGOs, such as ECPAT and World Vision, along with UNICEF, appear to have had, and continue to have, a crucial role in bringing about these developments. Travel and tourism are, though, massive, worldwide industries, and work in this area is at an early stage and commitment to it is variable.

### **Recommendation**

**12.6.33** All those involved in the travel and tourism industry should adopt, and be fully committed to, initiatives designed to improve the prevention, detection and reporting, of international CSA.

**12.6.34** It is recognised that there are commercial and aesthetic issues surrounding the employment of such child protection measures. However, these can be conveyed, both effectively and appropriately, within the more general, and increasingly popular, campaigns built around the concept of sustainable - or 'eco' or 'ethical' - tourism (see, for example, Foreign and Commonwealth Office, 2006).

**12.6.35** Where possible, the travel and tourism industry should be encouraged and supported in undertaking these measures but should this not work then pressure, and ultimately legislation, should be used to compel them to do so.

## **Royal Mail**

### **Finding**

**12.6.36** Royal Mail has legal responsibility for, and control over, postal items. As a result, HMRC had to work in conjunction with Royal Mail if they wished to examine international mail items. This working relationship was, though, subject to a number of tensions. These were as follows:

- During the time period covered by the research, Royal Mail refused to continue opening postal items for HMRC - saying that this was, in their opinion, no longer legal
- Royal Mail staff (in one sorting office) would not give HMRC officers advance notice of the countries from which postal items were coming in, which undermined their desired policy of targeting mail from particular countries
- The requirement that HMRC officers had to get Royal Mail' staff to open postal items appeared to be an inefficient use of the resources of both of these agencies

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<sup>94</sup> The potential - and profound - benefits of such initiatives are well-illustrated by the recent case of Alexander Kilpatrick, a UK citizen, deported from Ghana following reports to the authorities in that country from a French holidaymaker. The subsequent investigation by police, in the UK, revealed that he had abused children in Ghana and the UK, and had also imported CAIs from Ghana (BBC, 2006).

## **Recommendation**

**12.6.37** Royal Mail and HMRC need to resolve the above problems. In particular, though, Royal Mail needs to be more aware of the importance of international postal items being checked for the purposes of law enforcement (in this case, child protection). With this in mind, it needs to urgently review its decision to stop opening mail items for HMRC. Furthermore, it needs to develop a more co-operative approach to HMRC and the work it is charged with carrying out. Finally, the Government should consider - in the interests of efficiency - giving responsibility for the opening of mail items to HMRC.

## **12.7 Other agencies**

### **Awareness and training**

#### **Finding**

**12.7.1** Although the police and HMRC were at the forefront of the organisational response to international and Internet CSA, their understanding and expertise in regards to these cases, while increasing, was still relatively modest. This situation was compounded by the general dearth of (reliable) knowledge surrounding these cases. It should not come as a surprise, therefore, that understanding and expertise among other statutory agency workers, particular those in the CPS, education, health, Probation and children's services - which have had considerably less involvement with international and Internet CSA - were even less well developed.

#### **Recommendation**

**12.7.2** All agencies which are outside law enforcement but which have a responsibility for child protection, should ensure that their workers have - through training - sufficient awareness, knowledge and skills regarding international and Internet CSA, in order that they are able to meet their responsibilities towards these cases, in areas, such as prevention, care of victims, investigation, prosecution, and the management of offenders. Such training should also help these workers avoid the assumptions and misconceptions that tend to prevail in these areas (see 13.1.11 - 13.1.13).

### **Crown Prosecution Service**

#### **Finding**

**12.7.3** Although this research did not involve any fieldwork with the CPS, some police officers believed that this organisation faced a particular challenge in respect of Internet CSA. This challenge arose from the fact that, while these cases could be technically quite complex, they were generally not very numerous. This meant it could be difficult for individual CPS lawyers to build up adequate knowledge and skills with which to assess, and if need be prosecute, these cases in a sufficiently effective manner.

#### **Recommendation**

**12.7.4** All local CPS offices should assign special responsibility for Internet CSA cases, to one, or a very small number of its lawyers. By concentrating responsibility in this way, local CPS offices could help ensure its lawyers acquire sufficient knowledge and skills to work on these cases.

**12.7.5** Although international CSA cases may not generally present the same technical complexity as their Internet counterparts, they too are rare, and can present unfamiliar and significant challenges to

the criminal justice process. The CPS should, therefore, consider appointing specialist lawyers in respect of these cases also. Indeed, given the overlap between them, it would be worthwhile if the same specialist lawyers were responsible for both international *and* Internet cases.

## **Specialists ('experts')**

### **Finding**

**12.7.6** There was a tendency among some workers, whether from statutory agencies, NGOs or academia, who were seen, or put themselves forward, as specialists (or 'experts') in the area of international or Internet CSA, not to discuss these phenomena in as responsible (including objective) a manner as they should have done. This appeared to be especially likely when they dealt with the extent and nature, and following on from this, to some degree, the seriousness, of cases - all of which they could exaggerate. This lack of objectivity contributed to the assumptions and misconceptions that, as explained in 13.1.11 - 13.1.13, are so prevalent around these phenomena.

**12.7.7** As evidenced in chapter 15, it is readily accepted that there is a dearth of knowledge surrounding international and Internet CSA. However, this does absolve specialists from discussing these phenomena - and in particular what is *known* and what is *not* known about them - in a responsible manner.

### **Recommendation**

**12.7.8** If there is to be an appropriate and effective response to international and Internet CSA, then it is essential that policy and practice is based upon reliable assessments of these challenges. With this in mind, all those who are seen, or put themselves forward, as specialists (or 'experts') in these areas, should be as objective as possible in discussing these subjects, take care not to exaggerate the extent or seriousness of cases, not imply that reliable evidence exists when it does not, and distinguish clearly between what is fact, and what is theory or speculation.

**12.7.9** Although relating to a much more specific set of cases, and then in the confines of the judicial process, the recent concerns over expert evidence in infant death/shaken baby syndrome cases, underlines the need of (all) 'experts' to act in a responsible (including competent) manner (Attorney General, 2004).

**12.7.10** As the workload around Internet, and other new technology-related, CSA cases increases, there is likely to be an even greater demand for specialist knowledge or skills. This underlines the importance of these issues still further.

## Chapter 13

# Broad policy and practice findings

### 13.1 International and Internet CSA

#### Child and victim focus

##### Finding

**13.1.1** In policy and practice spheres - and the media - international and Internet CSA cases tended to be quite high profile. This was partly on account of the 'technical' aspects of these cases. With regards to international cases, this was manifest in, for example, international arrest warrants, extradition proceedings, extra-territorial jurisdiction and the involvement of Interpol. In respect of Internet cases, this was reflected in more material terms, such as computers, photographic equipment, storage devices and images.

**13.1.2** The technical element of international and Internet CSA cases tended to make them challenging and novel, generating not only concern but also interest - an interest that was magnified by the media. Unfortunately, all of this could lead to an over-concentration upon the technical aspects of cases, at the expense of sufficient attention being directed towards children and victims. (This, in turn, only exacerbated the long-standing marginalisation of the child/victim that has been brought about by the excess focus upon offenders, Gallagher, 1998b.)

##### Implication

**13.1.3** All those involved in, or concerned with, child protection need to ensure that their chief concern is the child and his or her abuse, and preventing or responding to this. This principle should not be seen as a cliché - as it sometimes is - but rather should be at the heart of the *child* protection system. Indeed, even CAIs, as disturbing and shocking as they often are, and regardless of the considerable 'official' and media attention they receive, comprise only a *photographic record*. They are not the *child*.

**13.1.4** Terry Jones, the former head of Greater Manchester Police Abusive Images Unit, and one of the foremost authorities on Internet CSA, has expressed a similar point: '*The most important issue surrounding "Child Abuse and the Internet" [original author's emphasis] is child protection, not computer technology*' (Jones, 2003).

#### The rights and status of children and females

##### Finding

**13.1.5** It was widely accepted, especially among advocacy organisations, that at least some of the explanation for CSA lay in two inter-related factors. The first was the low status afforded to children, and females in particular, and the failure to respect their rights. The second was the socialisation of males (responsible for virtually all CSA). These factors were also said to explain why governments and agencies sometimes failed to respond adequately to CSA. While these issues may be more acute in developing countries - rendering children more vulnerable to abuse by both international, and 'local',

child sex abusers - it should not be thought that they do not exist in developed countries. (Having said the above, it is recognised that the disproportionate number of girl (and female) victims is also a function of the large majority of offenders being male heterosexuals.)

### **Implication**

**13.1.6** Rather than continue the preoccupation with individual/psychological explanations of CSA, governments and agencies should recognise that at least some of the reason for CSA lies in social and cultural factors. Following on from this, these organisations need to ensure that sufficient effort and resources are directed towards changing society - and in particular attitudes to children and females, and male behaviour - at the same time as they address the challenge posed by offenders.

### **Extent of cases**

#### **Finding**

**13.1.7** Apart from Internet-based CAIs, the number of international and Internet CSA cases *known* to law enforcement agencies in the *UK* was small, both in absolute terms and as a proportion of *all* CSA cases known to these agencies. This included child trafficking, child sex tourism and Internet-initiated grooming of children for sexual abuse. These three latter groups of cases have received a considerable - and it could be argued disproportionate - amount of 'official' (and media) attention.

#### **Implication**

**13.1.8** This report does not wish to underestimate the seriousness of *individual* international and Internet CSA cases. Indeed, it argues for a much more robust response to these cases. However, the research does indicate that these cases do need to be kept in perspective. In particular, it is important that all those who are involved in, or concerned with, child protection have, and act on the basis of, an accurate, and realistic, assessment of the extent of international or Internet CSA, do not over-react to the media-initiated furore over the 'latest' child protection concern, and ensure that resources are not taken away from that very large majority of CSA cases which possess neither international nor Internet dimensions.

### **Seriousness of international and Internet CSA**

#### **Finding**

**13.1.9** That most categories of international and Internet CSA were, both in absolute and relative terms, quite modest in number, should not be taken as the only measure of the seriousness of these phenomena. As attested throughout this report, many of these cases involved serious, and sometimes extremely serious, harm to children. Moreover, individual cases could place an inordinate demand upon agency resources.

#### **Implication**

**13.1.10** Notwithstanding the points made in 13.1.7 - 13.1.8, policy makers and practitioners must be aware of the seriousness of individual international and Internet CSA cases, and be committed to responding to these cases in the robust manner they demand.

## Assumptions and misconceptions

### Finding

**13.1.11** It was noticeable that some of the thinking around, and to some extent responses to, international and Internet CSA were influenced by misconceptions or assumptions. Included among these were the following:

- The extent of child trafficking - specifically that into the UK - is relatively high
- The extent of child sex tourism - specifically that out of the UK - is relatively high
- International CSA victim and child sex abuser cases are largely or exclusively restricted to cases involving child trafficking and child sex tourism
- The international movement of CAIs has virtually disappeared with the advent of the Internet
- The risk to children from Internet-initiated grooming - and increasingly mobile phone-initiated grooming - is relatively high
- CAIs are relatively innocuous
- A relatively high proportion of people who use CAIs, sexually abuse children - and reliable evidence exists to support this view
- Viewing CAIs is part of a spiral of behaviour which increases the risk of offenders sexually abusing children
- Offenders quite often use CAIs, or other pornography, to groom children, and this technique is, moreover, effective
- The number, or seriousness, of CAIs an offender possesses, and their technical expertise - with computers or the Internet - is positively correlated with the risk they pose to children
- Children featuring in CAIs have needs which are distinct from those of other CSA victims

**13.1.12** It may be that some or all - *or none* - of the above beliefs are correct. Certainly, some of these views are contradicted by this research. However, the critical point here is that all of these views tended to be put forward as *facts* when they were, in reality, assumptions or misconceptions.

### Implication

**13.1.13** It is important that all those who are involved in, or concerned with, child protection are aware that knowledge of international and Internet CSA is poorly developed (see Chapter 15) and that, partly as a result of this, there are many assumptions and misconceptions surrounding these cases. Moreover, they should endeavour to adopt something a questioning, if not sceptical, approach to some, if not much, of what is said or written about these cases. They should, in addition, differentiate between that which is supported by good evidence, and that which is theory or supposition, and also avoid being overly influenced by the latter in carrying out their work, as in, for example, making assessments of the risk which CAI users pose to children.

## Extraneous influences

### Finding

**13.1.14** The readiness and scale of the response, on the part of policy and practice, to some categories or types of international and Internet CSA, appeared to be driven, in part, by a number of what could be described as 'extraneous influences'. Chief among these were the following:

- The media - which itself was driven by the newsworthy, if not sensational, aspects of cases
- 'Experts' and advocacy organisations, some of which exaggerated the extent of international and Internet CSA (see 12.7.6 - 12.7.10)

- The fact that many international and Internet CSA cases were *thought* to involve offenders who were strangers to their victims. (As a number of commentators, such as Silverman and Wilson (2002), have argued, society finds it much easier to respond to stranger, rather than intrafamilial or other familiar, child sex abusers.)

### **Implication**

**13.1.15** It is important that all those involved in policy and practice are not overly influenced by these extraneous factors. While some of these factors may need to be taken into account - to greater or lesser degrees - it is vital that policy and practice are based upon professional judgements and reliable evidence. It is also important that policy makers and practitioners do not reinforce the common misconception that children are more at risk from strangers than persons they know.

## **General policies and practices**

### **Finding**

**13.1.16** Although this research sought to identify and highlight the policy and practice measures that were needed in respect of specific categories and types of international and Internet CSA, it also found that there were measures which could be developed to respond to international and Internet CSA more generally. These included additional safety advice to children, parents/carers and organisations when children go abroad (irrespective of the particular context in which journeys took place), greater vetting and supervision of individuals who travel abroad and whose work brings them into contact with children (irrespective of the particular context in which they went abroad), enhanced border controls (including the postal system), and improved regulation and monitoring of the Internet.

### **Implication**

**13.1.17** All those involved in, or concerned with, child protection should be aware of, and seek to develop, general (as well as specific) measures in regards to international and Internet CSA. Besides providing a more effective response to a range of different types of international and Internet CSA that are known to exist at the moment, such general measures should also prove to be a safeguard in respect of new types of case which might arise.

## **Existing child protection system**

### **Finding**

**13.1.18** Some cases of international and Internet CSA were similar in their nature and the practice issues to which they gave rise, to CSA cases in general, and could, therefore, be dealt with largely within the existing child protection system. This is particularly true of cases which involved the following: children on holiday or on organised trips (whether club, exchange or school-based), victims of international, Internet-initiated child sex abuser networks, and offenders who worked with children, were on holiday with them or who were migrants but living with their families.

### **Implication**

**13.1.19** While this reports advocates the development of special measures to deal with international and Internet CSA, it is important to realise that at least some part of this phenomenon can, and should, be dealt with from within the existing - though improved - child protection system. That said, any 'familiarity' that might surround these cases, should not lead to any underestimation of the challenges

they can present, either individually or collectively. Moreover, one area where child protection needs to improve, in respect of all CSA, is in relation to prevention, including public education.<sup>95</sup>

## **Standardising policy and practice**

### **Finding**

**13.1.20** Law enforcement officers reported that they sometimes encountered difficulties in investigating international and Internet CSA, owing to policy and practice differences between countries. For example, some police services were not allowed to transmit CAIs to their counterparts abroad, while others were. The use of different (i.e. incompatible) technology meant that police services could face problems in working together, especially in terms of sharing information.

### **Implication**

**13.1.21** Law enforcement agencies around the world should work towards standardising their practice, where possible, in order to facilitate the investigation of international and Internet CSA. This is something that the proposed international (see 11.1) and national (see 11.2) police child protection agencies could help facilitate.

## **Ratcheting-up legislation**

### **Finding**

**13.1.22** A number of law enforcement officers stated that they encountered difficulties in pursuing international and Internet CSA cases owing to differences between countries in terms of legislation. (For example, possession of CAIs and the promotion of CSA were not illegal in some countries. In the USA, CAIs have to be shown to depict a real child for a person to be convicted of a criminal offence in relation to them.) As a result of these difficulties, many officers argued that legislation relating to CSA offences should be standardised between different countries.

### **Implication**

**13.1.23** Whilst appreciating the reasoning behind requests for a standardisation of legislation, these authors feel it is, in general, more appropriate to think in terms of, and work towards, a ratcheting-up of legislation, in order that all countries have equally robust standards, rather than consideration being given to a dilution of legislation in any country.

## **Limits of criminal justice legislation**

### **Finding**

**13.1.24** A considerable amount of legislation has been enacted in recent years to respond, in part, to international and Internet CSA. This includes: the Sex Offenders Act 1997, Crime and Disorder Act 1998, Criminal Justice (Terrorism and Conspiracy) Act 1998, Criminal Justice and Court Services Act 2000, Regulation of Investigatory Powers Act 2000 and the Sexual Offences Act 2003.

**13.1.25** Combined, this legislation could create the impression that much has been done, and achieved, in response to international and Internet CSA. However, it should be noted that detection's

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<sup>95</sup> This should include risk assessment in relation to school trips abroad.

and convictions in CSA cases (in general) - two of the central premises upon which the legislation is based - remain very low (Kelly, et al, 1991; Cawson et al, 2000). Moreover, the majority of protective (prevention) orders, as contained within the Sexual Offences Act 2003, can be made against only *convicted* sex offenders.

### **Implication**

**13.1.26** While legislative measures against international and Internet CSA are very important, and welcome, both for practical/law enforcement and symbolic reasons, it is essential that all those who are involved in, or concerned with, child protection, do not have an exaggerated impression of their efficacy. Rather, it should be recognised that legislation is a limited - if not very limited - tool, and should be viewed as only one of a raft of responses that are needed to address international and Internet CSA.

**13.1.27** Having said this, attention should be drawn to the Risk of Sexual Harm Orders (RSHO), which is a new *'civil preventative order'* introduced through section 123 of the Sexual Offences Act 2003. The RSHO *'aims to restrict the activities of those involved in grooming children for sexual activity'*. What is unusual, but also important, about this measure is that *'A previous conviction, caution etc. for a sexual offence is not [original emphasis] a pre-requisite in applying for a RSHO'* (Home Office, 2004b).

**13.1.28** This research was not able to establish the impact (including sufficiency), if any, of the RSHO or section 15 of the Sexual Offences Act 2003 (*'Meeting a child following sexual grooming etc'*), in terms of preventing or deterring grooming - although concerns have been raised over the efficacy of these efforts (The Guardian, 2002).

## **Working with Industry**

### **Finding**

**13.1.29** The response to international and Internet CSA involved a much larger number and wider array of agencies than are traditionally involved in child protection. Many of these agencies were from the private sector and included travel and tourism companies, ISPs, mobile phone companies, banks, computer repair and examination companies, employers, and the Royal Mail.

### **Implication**

**13.1.30** Statutory agencies need to recognise that they may need to work with a wide array of private sector organisations, in responding to international and Internet CSA cases, and be aware of the special challenges to which this can give rise (see 12.6).<sup>96</sup>

## **International-Internet (CSA) overlap**

### **Finding**

**13.1.31** Some offenders used the Internet to facilitate CSA offences that were international in nature. Both Internet-initiated grooming and IIC cases, could involve victims and/or offenders moving internationally. Similarly, contact between offenders which was initiated over the Internet, could lead

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<sup>96</sup> The concept that child protection is 'everybody's business', especially in relation to statutory bodies and NGOs, and the public, is becoming increasingly popular (see, for example, Department for Education and Skills, 2006). The findings of this research, in respect of the expanding role the private sector can, and should, play in child protection, indicates that this concept needs to be interpreted even more broadly.

to CAIs being moved internationally. Similarly, international child sex abusers sometimes used the Internet to facilitate offences, either inciting co-offenders to travel internationally (to join them) and sexually abuse children, or to send photographic recordings of the abuse they perpetrated abroad to their 'home' computer.

### **Implication**

**13.1.32** Policy makers and practitioners need to be aware of, and develop their responses to, the links which exists between international and Internet cases - links which may well be increasing.

## **13.2 International CSA**

### **Macro-level change**

#### **Finding**

**13.2.1** There was a widespread consensus, at least among NGOs and other specialists working in this area, that the macro-level economic, political and social challenges faced by developing countries, were major factors in explaining the existence of international (and 'local') CSA in those countries. These challenges were also believed to be significant in the inability of those countries to respond adequately to international and Internet CSA.

#### **Implication**

**13.2.2** The governments of developed countries, including that of the UK, along with international political, economic, welfare and advocacy organisations, must do all in their power to assist and encourage developing countries to address the macro-level economic, but also political and social, challenges which account for CSA - whether international or local. (It is in the light of this, that the UK Government's professed aim of addressing poverty and debt in developing countries is to be welcomed (Directgov, 2005).

### **'Local' support**

#### **Finding**

**13.2.3** The UK Government (through, for example, the Foreign and Commonwealth Office, and the Department for International Development), along with NGOs and UK police services, has provided assistance to governments and agencies in developing countries to help improve their response to CSA. This includes, for example, the training of police officers, funding projects to work with street children and the provision of computing equipment.

#### **Implication**

**13.2.4** Although these initiatives tended to be quite 'local' and small scale, they did stand to make an important contribution to child protection. In view of this, these initiatives should, not only be continued, but also significantly expanded, by the UK Government and all other governments of developed countries.

That said, the UK - despite some shortcomings - has one of the most established, sophisticated, and well-resourced child protection systems in the world, particularly in terms of law enforcement. This

being the case, the UK should be at the forefront of attempts to assist developing countries improve their response to child protection.

## **Moral responsibility**

### **Finding**

**13.2.5** Interviewees were generally of the opinion that far more offenders travelled from developed countries - including the UK - to developing ones, in order to perpetrate CSA, than the converse. This did not seem an unreasonable proposition, given the economic and travel advantages which residents of developed countries enjoy. In addition, there are economic, political and social factors, within developing countries, which not only render children therein especially vulnerable to CSA, but which also mean these countries are less able and/or willing to respond to CSA.

### **Implication**

**13.2.6** Given that developed countries are, in effect, 'exporting' CSA to developing countries - the countries which are the least equipped to deal with it - there is an additional, *moral* responsibility upon governments in developed countries, including that of the UK, both to prevent this phenomenon and to assist developing countries respond to it.

## **International pressure**

### **Finding**

**13.2.7** While some countries and statutory agencies were *unable* to respond adequately to CSA - whether international or local - others were *unwilling* to do so. In particular, there were reports of corruption, the placing of commercial interests (relating to the tourist trade) before those of child protection, indifference to CSA, a failure to understand the seriousness of CSA, a lack of political will to tackle CSA, an absence of a child- or victim-centred focus, an apportioning of responsibility to victims rather than offenders, and delays in, or refusals to carry out, investigations. While these criticisms were made largely in respect of developing countries, they were sometimes made in respect of developed ones as well.

### **Implication**

**13.2.8** In addition to macro-level and local-level support, governments, including that of the UK, along with international political, economic, welfare and advocacy organisations, must ensure that - where necessary - they pressure such countries and agencies, both to accept their responsibility to protect children from sexual abuse, and to respond to CSA in an appropriate and effective manner.

## **Local services**

### **Finding**

**13.2.9** While the international nature and response to these cases - whether they involved the movement of victims, offenders or CAIs - could be quite significant, it was notable that the large majority of work on these cases - and very often extremely good work - was, and had to be, carried out by local agencies, including police services (in particular) and local authority children's services.

## Implication

**13.2.10** This report has advocated that international (and many Internet) CSA cases be responded to with both existing, and new, *international*, and *national*, law enforcement organisations (such as Interpol, the Virtual Global Taskforce (VGT, 2005), CEOP, HMRC and IWF). However, it is important that the critical role which *local* agencies fulfil, in the response to these cases is, firstly, fully recognised, and secondly - in the increasing drive to respond to these cases - strengthened.

## Familiar offenders

### Finding

**13.2.11** Contrary to the impressions gained from the stereotypical cases of child trafficking and child sex tourism, in many international CSA cases offenders were not strangers but were known, and sometimes well known, to their victims.

### Implication

**13.2.12** All those responsible for, or concerned with, the response to international CSA, need to be aware that many of the offenders in these cases will - contrary to expectations - be known to their victims, as opposed to being strangers. This underlines the importance of utilising local services (see 13.2.9 - 13.2.10) and the existing child protection system (see 13.1.18 - 13.1.19), in the response to international (and much Internet) CSA.

**13.2.13** Moreover, and whilst not neglecting the role of strangers in these cases (see 13.6.7 - 13.6.9), the above finding also emphasises the need, on the part of policy makers and practitioners, not to succumb to the more palatable, but erroneous notion, that most CSA is perpetrated by strangers (see 13.1.14 - 13.1.15).

## International mindset

### Finding

**13.2.14** The research found that, in general, there was - on the part of policy and practice - insufficient awareness of, or thought given to, international CSA. This situation is probably explained, in part at least, by the fact that child protection has traditionally, and is still currently, organised predominantly on a local basis, with little investment in national initiatives, and even less in international ones. This has had the following effects:

- Those who are involved in, or concerned with, child protection have a poor knowledge of international CSA, in terms of its typology, extent, nature, and the implications it raises for policy and practice
- Assumptions and misconceptions, surrounding these cases, tend to be quite prevalent (see 13.1.11 - 13.1.13)
- Most significantly, the international policy and practice response to these cases is poorly developed, in areas such as police liaison, the monitoring and supervision of children and offenders, and the compatibility of legislation

### Implication

**13.2.15** Policy makers and practitioners need to develop more of an *international* (and for that matter *national*) mindset in relation CSA - in the same way that they have developed - and to considerable

effect - a *Internet* (CSA) mindset. The most direct and relevant way in which this can be done is by promoting awareness, understanding and knowledge, through, for example, training courses, conferences, guidance, reports and research.

**13.2.16** The specific measures recommended elsewhere in this report - such as dedicated law enforcement agencies and workers (see 11.1 and 11.2), and legislative reforms (see 12.2.6 - 12.2.7) - for improving the response to international cases, would be an additional, indirect, but important, means of advancing this international mindset.

**13.2.17** This objective seems even more pressing, given that increasing international interaction through, for instance, greater travel, trade and Internet-based communication will, almost certainly, lead to further international CSA cases.

## **Diversity of international CSA**

### **Finding**

**13.2.18** Where there has been any policy or practice response to international CSA, then this has been concerned, largely, with just two sub-types of case: child trafficking *into* the UK and child sex tourism *out* of the UK. However, this research found that both international CSA victim, and international child sex abuser, cases were far more diverse - and consequently more challenging - than existing official responses suggested.

**13.2.19** Victims included not only those who were trafficked but also those abused in the context of forced marriages, 'fostering', holidays, organised trips, and Internet-initiated grooming and child sex abuser networks. Moreover, they comprised not only children coming *into* the UK but those going *out* of the UK.

**13.2.20** Similarly, offenders included not only sex tourists but also those who abused in the context of working with children - whether in a paid, voluntary or religious capacity - those who entered a country on the basis of being a holidaymaker, migrant or student, and members of the military. Again, this research identified offenders who not only went *out* of the UK but also those who came *into* the UK. Finally, this research highlighted the existence of a third major category of international CSA - that of internationally moved CAIs.

### **Implication**

**13.2.21** All those involved in, or concerned with, child protection should recognise that international CSA victim and child sex abuser cases are much more diverse than existing stereotypes suggest, and that the policy and practice response to them consequently needs to be much more extensive and sophisticated.

**13.2.22** If policy makers and practitioners, including NGOs, were to adopt this much broader approach, and in doing so, drop the existing overly narrow one, then this should bring about a more effective and efficient response to international CSA.

**13.2.23** That the typology of international CSA victims and international child sex abusers is much broader than has previously been conceived, underlines the appropriateness of the broadening out, in recent years, of the conceptualisation of 'trafficking' and 'child sex tourism', on the part of policy and practice, as indicated, for example, in the Sexual Offences Act 2003 (sections 57 and 72) (Home Office, 2004a).

## 13.3 International CSA victims

### Children trafficked for sexual exploitation

#### Finding

**13.3.1** Interviews with police officers and NGO workers revealed that the needs of children who had been trafficked into the UK, to be sexually exploited, could be especially acute. These children had often experienced serious and repeated sexual abuse by multiple perpetrators, physical abuse, abduction, false imprisonment, and were cut off from family and country. Some of them had also been maltreated within their own families, prior to being trafficked. Thus, victims felt, and were, very vulnerable - a feeling which was compounded by their fear of the traffickers. To make matters worse, tension sometimes arose between meeting the welfare needs of these victims (including their need to remain in the country) and meeting the 'needs' of the CJS. This tension was heightened, still further, by the on-going controversy surrounding immigration into the UK.

#### Implication

**13.3.2** Cases involving the trafficking of children into the UK for the purposes of sexual exploitation have to be responded to in an appropriate and effective manner. If this is to be done then it will require the following:

- All those who have responsibility for children trafficked for sexual exploitation should be fully aware of the *profound* abuse they are likely to have suffered and the impact this will have had upon them in terms of their vulnerability
- They should be further aware that these victims will have acute needs and they must do all in their power to meet these needs, including providing victims with the opportunity to remain in the UK if they so wish
- The police and CPS, but also the Government (through its policies and pronouncements), must ensure that that the demands of the CJS are not put before the needs of the child. (As part of this, victims should not be put under any pressure to take part in the criminal proceedings.)
- The Government (and also political parties and the media) should be aware that the statements they make, and the approach they adopt, towards immigration into the UK, can have adverse effects upon child (and adult) victims of sexual exploitation

### The scope of sexual offences-related trafficking

#### Finding

**13.3.3** This research found that the trafficking of children for the purposes of *sexual exploitation* (i.e. CSA with a financial motive - invariably undertaken in the context of (forced) prostitution) was only one of the many different contexts in which children moved, or were moved, across international borders and were subsequently sexually abused. While it is recognised that the former cases could be especially serious (see 13.3.1) other types of international CSA victim case could also possess grave aggravating factors, such as children being exposed to child sex abuser networks or being removed from their country of origin after having been 'fostered' by an offender.

**13.3.4** Although this diversity of sexual offences-related trafficking is recognised in section 57 of the Sexual Offences Act 2003 (see paragraph 257, Home Office, 2004a), this research suggested that some practitioners retain a very narrow, and traditional, understanding of this term - as it relates to CSA i.e. one restricted to prostitution. In addition, the Government has introduced, through the

Asylum and Immigration (Treatment of Claimants, etc.) Act 2004, a much broader definition of the term ‘trafficking’

### **Implication**

**13.3.5** The Government and agencies should ensure that all those involved in the CJS (i.e. police, CPS and judiciary) are fully conversant with, and ready to implement, the breadth of provision contained within section 57 of the Sexual Offences Act 2003, and section 4 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004, as it relates to children trafficked for CSA.

## **13.4 International movement of CAIs**

### **Extent**

### **Finding**

**13.4.1** Contrary to earlier statements of some specialists (or ‘experts’), this research found that the availability of CAIs on the Internet has not led to a cessation in the international movement of CAIs. On the contrary, contacts initiated over the Internet, between offenders, led to new instances of this behaviour (see 7.3.5 - 7.3.6). Moreover, this activity involved not only the *importation* of CAIs (into the UK) but also the *export* of such images (see 7.1.1). Neither were these images confined to less serious abuse but reflected the full range of scenes found in Internet-based CAIs (see 7.4.7 - 7.4.8).

### **Implication**

**13.4.2** All those involved in, or concerned with child protection, should appreciate that the international movement of CAIs, into and *out of* the UK, has not disappeared (with the rise of the Internet) but remains, and *may* well have increased in terms of both incidence and the seriousness of images.

**13.4.3** Following on from the above, it is vital that policy makers and practitioners ensure that the response to the international movement of CAIs is not allowed to decline in any way. Indeed, they should give serious consideration to strengthening this response (as indicated in 12.4 and 12.5).

**13.4.4** The creation of CAIs has undoubtedly become much easier with the wide availability of digital-type cameras. It would seem that controlling the use of these cameras, for such malign purposes, is extremely difficult, if not impossible. While it may not be feasible, then, to prevent the creation of CAIs, improvements in the policy and practice response to Internet CAIs (and Internet CSA in general) may deter some offenders from sending these CAIs - internationally - over the Internet. However, given the ease with which digital images may be moved, and concealed, physically, in the form of DVDs for example, policy and practice needs to be alert to the risk that offenders might opt instead to smuggle CAIs, into and out of countries, especially through the post.

## 13.5 Internet CSA

### *New technology* mindset

#### **Finding**

**13.5.1** Much of this research focused upon computers and the fixed (Internet) connections between them - on account of the fact that these have, and still, account for the largest proportion of technology-related CSA. However, the research found that there was a wide, and increasing, range of other new technologies that could be used to facilitate CSA. These included digital recording and storage devices (such as cameras, web cams, CDs, DVDs), mobile phones (some of which incorporated cameras and Internet access) and covert cameras. Offenders were, in regards to computers and the Internet, also able to draw upon a considerable and expanding, array of software and communication protocols to assist their illegal activities. Developments in this new technology, including its effectiveness, seem, up until now at least, perpetual.

**13.5.2** In terms of child protection, this development appeared to be producing a number of distinct trends. In particular, offenders were finding it technically easier, and in some instances increasingly secure, to communicate with children, avoid being detected by parents/carers or other responsible persons, communicate with co-offenders, take and conceal CAIs, move CAIs (either electronically or physically), and conceal or destroy evidence in relation to their offending.

#### **Implication**

**13.5.3** All those involved in, or concerned with, child protection, must recognise that computers and the Internet are only one of a number of new technologies that being used to facilitate CSA, and that they need to develop their response accordingly. This includes the development of a wider, '*new technology*' mindset, as opposed to a narrow computer/Internet one. While the scale of *known* Internet, and other new technology-related, CSA, is relatively small, and *might* always remains so, it does seem clear that '*new technology*' represents a growing, and increasingly effective, threat to children.

### Costs and benefits

#### **Finding**

**13.5.4** Computers and the Internet, and other new technologies, have had a major, beneficial impact upon many different spheres of life, including business, communication, education and leisure. New technologies do, though, also carry with them serious 'costs' in terms of the facilitation of criminal offences, one of the most serious of which is CSA.

#### **Implication**

**13.5.5** The Government decision to commit £25 million of 'new' money (Department of Health, 2001), along with other initiatives, such as the Home Secretary's Task Force on Child Protection on the Internet, in order to combat computer- and Internet-related crime have to be commended. That said, the Government - and indeed society in general - has to realise that new technology presents a serious, and growing, child protection risk. More particularly, the Government (and society) has to accept that, as well as enjoying the benefits of this new technology, it must also meet its costs - in this case, the need to protect children. The Government must, therefore, be prepared to make more *new* resources available, especially to the police, if there is to be anything like an effective response to new technology-related CSA (see 11.4).

## Suicide

### Finding

**13.5.6** Enquiries among a number of police services suggested that the suicide rate among suspects in Internet CSA cases, especially those involving the use of CAIs was, very approximately, 1-2%. In the cases presented in Table 14 (see 10.4.7), there were three suicides (and one 'other death') among 199 suspects, equating to a suicide rate of 1.5%.

**13.5.7** The above, are higher rates of suicide than that which has been cited for Operation Ore - the major international law enforcement investigation into the worldwide sale of CAIs through the Internet. In this case, 32, out of a total of 7,272 suspects, or 0.4%, are reported to have committed suicide (The Register, 2005). (It is not known how or precisely when this figure was compiled. It may be that it should be seen as 'the most recent figure to date' and one which might well have increased as this particular investigation has progressed.)

**13.5.8** Based upon one of author's (Gallagher) quite considerable experience in child protection research, it is believed that while the suicide rate among the users of CAIs is relatively low, it is higher than that for child sex offenders in general. Gallagher and Pease (2000), for example, studied attrition in the criminal justice system in a *random* sample of approximately 1000 cases of child abuse and neglect reported to a largely *random* sample of six police services from across England and Wales. Roughly one-half of these cases concerned CSA. There was one (completed) suicide in these cases, producing a suicide rate, among these CSA suspects, of approximately 0.2%. There was one further attempted suicide

**13.5.9** While the police were generally well aware of this heightened risk, this may not have been the case for workers in other agencies, such as prisons, children's services and health.

### Implication

**13.5.10** It is important that all agencies are fully cognisant of the (heightened) risk of suicide among suspects in Internet CSA cases - especially those involving the use of CAIs. Whilst recognising that there are limits as to what agencies can do in respect of this issue, they need to take whatever steps they can to identify and monitor high risk cases, and prevent such outcomes.

**13.5.11** Research should be carried out to establish whether it is possible to identify risk factors, for suicide, among individuals in Internet CSA cases, and especially those involving the use of CAIs.

## Mock suicide attempts

### Finding

**13.5.12** Some offenders, on being detected, in Internet CSA cases, and in particular, it seemed, Internet grooming cases, went through mock suicide attempts. It appeared that the purpose of these mock suicide attempts was to manipulate people, be they persons known to the offender (especially family members), victims or agency workers. These offenders had shown a marked propensity towards, and adeptness in, manipulation, whereby they could perpetrate, and then conceal, the sexual abuse of children. The mock suicides seemed a further extension of this manipulative behaviour.

### Implication

**13.5.13** Notwithstanding the small numbers of cases studied in the course of this research, it would appear that agency workers do need to be aware that some offenders, in Internet CSA cases, will make mock suicide attempts, and that the primary purpose of these is probably to manipulate people around

them. Agency workers, themselves, should be careful to avoid being manipulated by these offenders either in this, or any other, way.

**13.5.14** At the same time, agency workers have to recognise that other of these Internet CSA offenders do make genuine (and sometimes completed) suicide attempts (see 13.5.6 - 13.5.11) and that they will, therefore, have to try and discriminate between these two phenomena.

## 13.6 Internet-initiated grooming

### The needs of victims

#### Finding

**13.6.1** While this research was not able to study the needs of victims in international and Internet CSA cases in any systematic or large scale manner, there were suggestions, in cases of Internet-initiated grooming, at least, that these were not always addressed. There appeared to be three main reasons for this:

- Virtually all of the victims in these cases were abused by strangers - a situation which the child protection system does not seem well-equipped to deal with - being geared far more towards intrafamilial CSA
- Many victims did not have backgrounds which *might* have been thought to have rendered especially vulnerable to CSA - or, not at least, in any very conspicuous manner. Consequently, agency workers sometimes assumed - in the absence of any reliable assessment on their part - that victims did not need any therapeutic or other supportive intervention
- Some victims came from backgrounds characterised by a higher SEC, and their parents/carers - wishing to avoid the stigma which they perceived as being attached to welfare services - did not take up any support for the young person. (This echoes the findings of research into organised CSA (Gallagher, 1998a) which showed a similar reticence on the part of middle-class families to take up child protection, and especially welfare, services.)

#### Implication

**13.6.2** Agency workers (but also parents/carers) should be careful not to make *assumptions* about the needs of victims in Internet grooming cases, and in particular as to whether they are any more or less acute, or indeed different in any other way, than those of other CSA victims. Rather, the needs of these young people should be assessed in the same manner as that of any other CSA victim, and services offered to them accordingly.

### Compliant victims

#### Finding

**13.6.3** There has, in recent years, in the literature, been a growing emphasis upon the 'role' of victims in cases of Internet grooming (Wolak, Mitchell and Finkelhor, 2003; Berson and Berson, 2005;). In particular, it has been argued that victims have acceded, in varying degrees, firstly, to being groomed, and secondly, to being sexually abused - what Lanning (2002) has referred to as the '*compliant victim*'. Given that there are many young people who are 'approached' online (Finkelhor, Mitchell and Wolak, 2000) but only a very few who succumb to efforts to groom them, it does not seem unreasonable to examine the role or actions of this latter group.

## **Implication**

**13.6.4** It is recognised that some people will not agree with the concept of ‘compliant victims’ in grooming cases, and will contend, instead, that victims have no responsibility for these situations. Whilst recognising that these arguments have a definite *moral* validity, they appear to be less valid on *practical* grounds (and possibly *legal* ones), and may indeed even be harmful to children.

**13.6.5** These authors maintain that public education/prevention campaigns around Internet grooming must devote sufficient attention to the issue of young people taking responsibility, themselves, for their protection on the Internet. This is becoming even more relevant as more children acquire access to devices offering mobile Internet access, such as Internet-enabled mobile phones - given that these are subject to less monitoring by parents/carers.

**13.6.6** Having made this argument, the authors would advise that any discussion of the role of victims in Internet grooming cases, be handled carefully. More specifically, they would, drawing upon their own research, highlight a series of considerations that should be taken into account in discussing the concept of the ‘compliant victim’ and the issue of responsibility more generally:

- Young people, by virtue of their age, are at a stage when acquiring, and being in, an emotional/sexual relationship is particularly important - but this may render them especially vulnerable to being exploited
- Some, if not many, of the victims in these cases believed that the person they were communicating with, and subsequently agreed to meet was, very broadly, of a similar age
- Given that young people may not be as able, as adults, to gauge the risk in meeting a stranger, they may not be as ‘thrill-seeking’ as has been suggested by some authors, such as O’Connell (2004)
- The dynamics and interaction, between victims and offenders, may be very complex - and possibly much more complex than has been implied by some authors. Indeed, young people were often so effectively groomed and manipulated, if not harassed and brainwashed, that they were not acting of their own volition as much as might have appeared
- Following on from the above, it should be recognised that in some instances victims were not at all ‘compliant’. These included cases where the victim was sexually abused after the offender had travelled to their home or after they had been blackmailed
- Irrespective of the circumstances of a case, young people should not be made to feel responsible, in any way, for their abuse
- Offenders (and defence lawyers) should not be given any additional opportunity to plead mitigating circumstances in the sexual abuse of children which they [the offenders] have orchestrated
- It should also be pointed out, that most of the discussion of compliant victims has been based upon samples of young people from North America. Owing to cultural differences, it may be that the results of these studies are not readily transferable to other countries, such as the UK and other European countries. North American young people may, for example, be more precocious and may, therefore, be more likely to place themselves in high risk situations

## **Stranger abuse**

### **Finding**

**13.6.7** All but one of the Internet-initiated grooming cases studied in the course of this research involved victims and offenders who were strangers to one another. (The one exception being a case in which the offender - who was the victim’s mother’s non-resident, boyfriend - contacted the victim and pretended to be a stranger - see 8.4.4.)

## Implication

**13.6.8** While it is important that the extent of stranger abuse is kept in perspective (Gallagher, Bradford and Pease, 2002), it is also necessary to recognise that it does exist - both offline and increasingly online - and requires an effective and on-going, policy and practice response.

**13.6.9** The above finding also suggests that claims by some writers, such as Furedi (2001), that society has a wholly excessive concern over stranger abuse - or is '*paranoid*' - are not well-founded.

## 13.7 Internet-based (and internationally moved) CAIs

**13.7.1** Cases comprising Internet CAIs were found to be far more numerous than those involving the international movement of CAIs, and were subject, consequently, to a much greater policy and practice response. Given this, and in the interests of brevity, all the references in this section of the report are to Internet CAIs. However, it should be noted that most of the points set out below are equally applicable to internationally moved CAIs.

### The needs of victims

#### Finding

**13.7.2** A number of agency workers suggested that children who had been made to feature in CAIs would have discrete and significant needs as a result of their being subject to this particular form of sexual abuse. This argument has also been put forward in the literature - see for example Palmer and Stacey (2004). Despite this, there appears to be little reliable evidence as to the nature or degree of impact that this particular form of maltreatment has upon children.

#### Implication

**13.7.3** Notwithstanding this lack of evidence, it does not seem unreasonable to imagine that being made to feature in CAIs *may* have discrete and significant impacts upon children. (Certainly being photographed in an indecent context, and then having these images viewed by vast numbers of people, in perpetuity, might well raise unique issues for children and consequently therapeutic services.)

**13.7.4** While agency workers should, then, be ready and able to address the needs of these victims, they should, at the same time, be careful in making assumptions as to the nature or degree of these effects.

**13.7.5** Finally, it seems imperative that research be carried out to identify the effects which being made to feature in CAIs has upon children, and for services to be developed in accordance with the results of this research.

### The challenge of CAI use

#### Finding

**13.7.6** It was not possible, within the remit of this research, to address the questions as to whether the Internet *can* be controlled, the *extent* to which it can be controlled or *how* best to control it - in relation to tackling the problem of CAI use. However, taking into account that there are likely to have been, worldwide, at a minimum, 100,000s of offenders, who have viewed - often with impunity - millions of

CAIs, featuring of 10,000s<sup>97</sup> of children, the impression, at least, is created that the Internet is *out of control*.

### **Implication**

**13.7.7** This is not said to be alarmist nor sensational. Moreover, it is fully recognised that one of the fundamental attributes of the Internet is the absence of control.<sup>98</sup> The point being made here is that no one should be under any illusion as to the scale of the Internet CAI problem, nor the amount that needs to be done, in terms of policy and practice, if there is to be an effective response to this phenomenon.

## **The seriousness of CAIs**

### **Finding**

**13.7.8** As stated in 10.4.13 - 10.4.18, while CAIs are quite diverse in their nature, many of them depict the sexual, and sometimes physical, abuse of children, and some of these scenes involve extremely serious assaults upon children. It is likely that the majority of society - including agency workers outside of the police - have very little appreciation of the seriousness of CAIs. This is well illustrated by suggestions in the media, from across the political spectrum, that the law enforcement response to CAIs is excessive or, as they have more pointedly claimed, constitutes a '*witch-hunt*' - see for example the Daily Mail (2003) and The Guardian (2003).

### **Implication**

**13.7.9** Professionals, and the public, should be under no illusion as to the gravity of many CAIs. It is for this reason, that robustness in the law enforcement response to CAIs is appropriate and necessary. This includes cases where offenders '*only*' view CAIs.

## **The risk of CSA by CAI users**

### **Finding**

**13.7.10** One of the key questions which has arisen in respect of CAI users is the degree of risk they pose to children. Previously it had been claimed - albeit in somewhat unquestioning manner, and on the basis of little evidence - that a relatively large proportion of these offenders were *known* to have sexually abused children. One of the most frequently quoted figures was that produced by the US Postal Inspections Service, which indicated that 36% of CAI users had sexually abused children (US Postal Inspection Service, 2002).

**13.7.11** More recently, it has began to be suggested that the *known* risk may, in fact, be much lower. This is borne out by this research - see Table 14 (see 10.4.7). It is possible that some of the non-

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<sup>97</sup> The authors recognise that it is difficult to estimate, with any reliability (and sometimes meaning), the *full* extent of the problem of Internet-based CAIs. However, that information which does exist, indicates that, even at a minimum level, this is a very considerable challenge. For example, Hart (2003) reports that the US Postal Inspection Service investigation, known as Operation Avalanche (and Operation Ore in the UK), found that the main offenders in this case had sold CAIs to 150,000 individuals worldwide. Quayle et al (2006) report that the COPINE archive contained over 500,000 CAIs. Taylor and Quayle (2003), having collated images from only one Internet protocol (newsgroups - and then only a sample of these), estimated that these had featured approximately 2,400 children. Furthermore, and as far back as 2001, US Customs reckoned that there were roughly 100,000 web sites '*involved in some way with child pornography*' (US Customs, 2001).

<sup>98</sup> That said, it is notable that major IT companies, namely Cisco, Google, Microsoft and Yahoo have bowed to the demands of the Chinese government and imposed limits on the use of the Internet, for political purposes, by the citizens of that country (Maitland, 2006; Watts, 2006).

convicted suspects, covered in Table 14, had committed CSA offences but had simply not been detected. This, however, has to be recognised for what it is; namely, speculation. In terms of what was *known* - from this research at least - only a relatively small proportion of individuals who were suspected of using CAIs were known to have sexually abused children.

**13.7.12** It should also be pointed out that some of the above suspects (in Table 14) who were known to have sexually abused children, may have done so *prior* to using CAIs i.e. it could not be argued that the use of CAIs had led them to sexually abuse a child.

### Implication

**13.7.13** Agency workers have to recognise that it is likely that the *known* risk of CSA among CAI-users is relatively low, and much lower than has been suggested previously. Whilst not abandoning the due amount of caution which must surround any child protection work, this finding is something which agency workers must take into account when carrying out assessments of the (on-going) risk which CAI users pose to children.

## Wider consequences of CAI use

### Finding

**13.7.14** Notwithstanding the debate which surrounds the risk which CAI users pose to children, and which were raised above, this research did find that the use of CAIs could have a number of serious consequences. These were as follows:

- Individuals sexually abusing children very soon after - and seemingly as a direct result of - their starting to view CAIs - and where there was no concern of such behaviour previously
- Individuals sexually abusing children, and photographing these acts, in order to secure CAIs which they could use, over the Internet, to trade for other CAIs - again, where there were no concern of such behaviour previously
- Individuals who were already sexually abusing children but who then proceeded to abuse children in ways in which they had witnessed in CAIs obtained from the Internet
- Individuals distributing CAIs who were further encouraged in this behaviour - whether they were carrying this out on a commercial or non-commercial basis
- Related to the above, existing CAI victims suffered further sexual abuse and/or more severe sexual abuse through the production of subsequent CAIs, or additional ('new') children being sexually abused to produce further CAIs

There are, moreover, two further fundamental effects of using CAIs that need to be highlighted:

- That there was a *demand* for CAIs, was a major factor in there being a *supply* of CAIs (although having said this, the relationship between these two behaviours should not be over-simplified)
- Those who viewed CAIs were, at least on a moral level, complicit in the production of those CAIs and the sexual abuse of children which they entailed

### Implication

**13.7.15** While the number of CAI-users who are *known* to have sexually abused children may be lower than was previously believed, this should not obscure nor minimise the fact that the use of CAIs can, and does, have serious and wide-ranging consequences. Moreover, every CAI can be thought of as an image of a child being abused.

**13.7.16** These findings underline the need for a robust response to the use of CAIs - and one, above and beyond, that targeted at CAIs *per se*.

## **The nature of CAI users**

### **Finding**

**13.7.17** As shown in Table 14 (10.4.7) and 13.7.10 - 13.7.13, the proportion of CAI users who were known - at least within the confines of this research - to have sexually abused children was very small, and certainly smaller than has been suggested elsewhere. These authors would argue that this aspect of CAI users' *behaviour* might indicate that they are different to child sex abusers, in terms of their *psychological* profile.<sup>99 100</sup>

**13.7.18** There were a number of other features of the behaviour of CAI users which strengthens the view that they *might*, to some degree, be psychologically distinct from child sex abusers. These features include the number of offenders who either welcomed being detected, willingly surrendered evidence or did not dispose of it in the face of imminent investigation, readily admitted their offences, showed remorse or who committed suicide.

**13.7.19** This is not to say that the number of CAI users who exhibited any of these behaviours, was very high. In fact, it was not possible, within this research, to obtain a reliable measure of the incidence of these behaviours. The point being made here is that these responses are believed to be extremely rare among child sex abusers - even those convicted of particularly serious offences. It is this difference that leads to the view that these CAI users *may* be a somewhat discrete group of child sex offenders.

### **Implication**

**13.7.20** All those involved in, or concerned with, child protection should be aware that CAI users may be psychologically, and behaviourally, different to child sex abusers, and more particularly, may present less of a risk to children than has been suggested to date. The above finding reinforces the need, especially among practitioners, to be objective and cautious in assessing the risk that these offenders pose to children. Clearly, more research is needed on this subject, and especially that on the identification, if possible, of risk factors, for CSA, among CAI users.

**13.7.21** It should be stressed, that the above points are not put forward to mitigate or minimise, *in any way*, the behaviour of this group of offenders - behaviour which these authors believe to be both serious and reprehensible. Rather, the authors are simply seeking to further knowledge of CAI use, and help inform policy and practice, especially that around risk assessment - in circumstances where there is a paucity of reliable information, and a risk that decisions will be made on the basis of assumptions or misconceptions (see 13.1.11 - 13.1.13).

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<sup>99</sup> It might be, for example, that, compared to child sex abusers, CAIs users have a lower motivation to sexually abuse children, lack the gall, or the techniques, to carry out these acts, or are prevented from doing this on the basis of - what remains of - their belief system. Alternatively, it may be that some CAIs do not sexually abuse children because they lack the opportunity.

<sup>100</sup> It should be stressed that this discussion is based upon CAI users/child sex abusers as a whole. The authors are well aware that some *individual* CAIs users are known to have sexually abused children.

## **Sexual interest in children**

### **Finding**

**13.7.22** The scale of CAI use found by this (see 10.3) and other research (see 13.7.6), suggests that adult (and possibly juvenile) male sexual interest in children is more extensive, and possibly much more so, than was previously thought. This concurs with the arguments of other writers, such as Taylor and Quayle (2003).<sup>101</sup>

### **Implication**

**13.7.23** Policy makers and practitioners - and indeed society in general - should be aware that sexual interest in children is more widespread than has been appreciated before. As to the full implications of this finding, these remain to be determined. However, what this finding does suggest is that explanations for sexual interest in, and abuse of, children, may lie less in psychological/medical type models - which have tended to dominate policy and practice to date - and more in social/cultural models.

## **Police attitude to Internet-based CAIs**

### **Finding**

**13.7.24** Previously, the police response to Internet CAIs tended to be belated, reticent and uneven, and did not begin in any concerted fashion until, very approximately, 2002, when these cases started to become the focus of widespread media and public, concern and attention. There appeared to be a number of reasons behind this response. These included, an insufficiency of resources, a failure to appreciate the seriousness of the problem and ambivalence, among some police officers, towards child protection work. Since 2002, however, the police have embarked upon an increasingly robust response to these cases, being willing to direct more resources towards their investigation, having a better appreciation of their seriousness and possessing a greater readiness towards tackling them.

### **Implication**

**13.7.25** The police do, then, have to be commended for their much improved response to Internet CAIs. That said, it is essential that they not only maintain these improvements but also build upon them, particularly in terms of resources, prioritisation and commitment. Within this, it is also important that the police continue to guard against and combat the ambivalence that exists within some sections of the police towards child protection.

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<sup>101</sup> Indeed, a similar point was made by West (1987) - almost 20 years ago.



## Chapter 14

# Other international and new technology-related sexual offences

### 14.1 Introduction

**14.1.1** This study was concerned primarily with CSA offences that had an international or Internet dimension. However, during the course of the research other types of international and new technology-related sexual offence were identified. While these offences do not fall within the main remit of the research, they are felt to be closely connected to international and Internet CSA, and also help reinforce or extend some of the arguments which have been made, above, in regards to these cases. It is for these reasons that it is felt worthwhile discussing these particular cases in this, specially dedicated, chapter of the report. These offences can be grouped into three main categories:

- The use of mobile phones to facilitate CSA
- The use of covert cameras to take abusive images of children (and women)
- Abusive images of women (AIW) which are moved internationally or which are Internet-based

**14.1.2** These offences were not studied in any extensive or systematic manner. Consequently, what follows should be taken as only a *very preliminary* discussion of the phenomena in question. It is hoped, though, that by recording here, these additional observations from the research, that this might contribute to knowledge and understanding of the wider problem of international and new technology-related sexual offences, perpetrated against children - and women.

### 14.2 Mobile phones

#### Finding

**14.2.1** There is a significant and increasing amount of concern over the use of mobile phones in the initiation of CSA, and in particular grooming (Childnet International, 2003). However, this research did not - for the period from the start of the NPQS (January 1999) until the end of the fieldwork (March 2004) - learn of a single case, in the UK, where a mobile phone had been used to *initiate* contact with a child for the purposes of grooming and then sexually abusing that child. (This is based upon the NPQS, interviews, file and record searches, and informal contacts with agency workers.)

**14.2.2** Interestingly, and tellingly, the research did come across two (separate) cases where children (one boy in each case) had been sexually abused (by men) after they had rung a (solely telephone-based) chatline and offered themselves for sex for payment. So, while it is possible that there may have been cases comprising mobile phone-initiated grooming, which this research missed, that these chatline cases existed, and were identified, underlines the sense that if there were any mobile phone cases, then these were not very numerous.

**14.2.3** That said, in many of the *Internet*-initiated grooming cases, offenders were eager to, and invariably succeeded in, transferring their communication with children from the Internet to mobile phones. It is likely that they preferred mobile phones as these provided a more effective and surreptitious means of communicating with, and therefore grooming, children.

**14.2.4** The research did learn of cases where young people had sent indecent images of themselves to other persons, using a camera-enabled mobile phone, and also of instances where young people had received indecent images from offenders, via mobile phones. While these behaviours are obviously of concern, it is important to note (again) that they appeared to be uncommon - at least in terms of known cases.

**14.2.5** It is worth reiterating, that this research did not enquire into the use of *mobile phones* in initiating CSA offences in as thorough a manner as it did for the *Internet*, so it is possible that some cases were missed. That said, this is unlikely to drastically alter the overall impression from this research that mobile phone-initiated CSA cases were, and still are, in all likelihood, rare.

### **Recommendation**

**14.2.6** While agencies, and society more generally, have to be aware of the CSA-related risks which mobile phones present, it is important that these risks, as with those pertaining to the Internet, are kept in perspective.

**14.2.7** That said, it is likely that the risk to children, from the misuse of mobile phones, will grow, and *possibly* significantly - due, chiefly, to more phones acquiring Internet, but also camera, capability. There are, furthermore, relatively limited controls over how children purchase and obtain mobile phones. This being the case, it will become ever more pressing for Internet use by children, whether through computers or mobile phones, to be adequately monitored, controlled and regulated.

**14.2.8** It is hoped that CEOP will take a national lead on developing the police response to the threat which all forms of new technology - including mobile phones - present to children.

## **14.3 Covert cameras**

### **Finding**

**14.3.1** A further technological development which is beginning to raise issues for child protection, and sex offending more generally, is that of covert cameras. Offenders now have the ability to conceal small cameras which can record images to a high quality and in some instances even transmit these to remote locations, without the knowledge of the victim. The cameras are designed to record images of victims, in a variety of situations, either partly or wholly undressed. Although these concerns are relatively recent, they are starting to be discussed in the literature (see Wolak, Finkelhor and Mitchell, 2005).

**14.3.2** Based upon the small number of cases they studied in the course of this research, and their wider understanding of the Internet, the authors would make the following, very tentative, observations:

- The number of known cases appears to be very small with a few police services having only 1-2 cases reported to them over the 5+ years covered by the study, and the remainder not detecting any cases whatsoever
- All, or virtually all of the victims, are children or women, and all the offenders are male.

- There are Internet sites dedicated to these activities - which *may* well be both inciting and facilitating this offending
- As with the users of Internet CAIs, it *may* be that known offenders in these cases are a more representative cross-section of the (male) population than (known) child sex abusers in general. (Two of the cases reported to this study involved health professionals who were taking covert, indecent photographs of their patients)
- The widespread availability of covert cameras, and awareness of the existence of this technology, are relatively new. This probably explains, in part, why the number of cases known to the police is very small. However, as awareness of this technology, and the nefarious uses to which it can be put, increases, along with the capabilities of the cameras themselves, this is likely to lead to an rise both in the incidence, and the reporting, of these cases

## **Recommendation**

**14.3.3** Legislation was recently introduced, under the Sexual Offences Act 2003 (section 67, subsection 3), making this type of behaviour i.e. ‘voyeurism’, a criminal offence.<sup>102</sup> This legislation is, then, both appropriate and timely. Despite this, there is a need for some additional awareness of this issue among both agencies and society more generally. At the same time, and as with most other technology-related CSA featuring in this research, this phenomenon must be kept in perspective in terms of the number of known, and all, cases.

**14.3.4** Again, it is hoped that CEOP will take a national lead on responding to these cases, especially in terms of collating knowledge of reported cases and building up technical expertise, and sharing these with local police services as the need arises.

## **14.4 Abusive images of women (AIW)**

### **Definition**

**14.4.1** The remainder of this chapter of the report discusses research findings in relation to what the authors have termed, for the purposes of this study at least, abusive images of women (AIW). It should be stressed that this discussion is concerned, not with ‘pornographic’ images that are legal, but images which are illegal on one, or more, of the following grounds:

- The women who featured in them did not consent to the activities which took place i.e. they were victims of sexual and/or physical assault
- The images incited the user to assault women (either explicitly *or implicitly*)
- The images were used in such a way - for example distributed - which constituted a criminal act
- The images *per se* were illegal - on account of the scenes they depicted

**14.4.2** It is recognised that not everyone will support the above distinction between (legal) pornographic and (illegal) abusive images. In the light of this, the authors would like to point out that whilst they use it, they are not necessarily advocating it. Moreover, they also appreciate that pornographic/abusive images of women can be thought of existing along a continuum as opposed to comprising discrete categories (Itzin, 1993). That said, the authors did opt to focus upon AIW that were illegal at the time the research was carried out. This is on account both of the nature of the research - with its focus upon criminal offences and law enforcement - and the authors’ desire to highlight the existence of these ‘most serious’ images.

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<sup>102</sup> The legislation covers situations where one person observes another (without their consent) directly (i.e. in person), or where equipment or recording devices are employed to bring about this end.

**14.4.3** It should be pointed that there may also be in existence comparable images featuring men but these would appear to far less common than those featuring women. However, where such images do exist then all the points made in this section of the report would be equally applicable to them.

### Vignettes

**14.4.4** Given that the main focus of this research was children, the researchers did not carry out any case studies featuring AIW. The authors were aware, though, of a small number of cases which had been reported in the media, and which can be used to illustrate the basis for the concerns that this section of the report seeks to address.

#### UK case

**14.4.5** The one UK case that has, perhaps, given rise to the greatest amount of concern, is that of Graham Coutts who was convicted, in February 2004, of the murder, by strangulation, of Jane Longhurst (The Guardian, 2004). The manner in which Coutts assaulted his victim was said to mirror the types of images he viewed over the Internet (and to which he was said to be 'addicted') - namely, scenes depicting violence towards women, and in particular those concerned with sexual abuse, strangulation and necrophilia.

#### Dutch case

**14.4.6** This case involved two men and two women, from Belgium, and one Dutch man, who were, between them, charged with the kidnapping, rape and human smuggling, of three female North African asylum seekers (Expatica, 2005). The women were taken from Belgium to the Netherlands, where they were videoed, in a farm shed, being physically and sexually abused by men, and made to have sex with animals.

### Extent

**14.4.7** This research did not obtain any figures for the number of known cases comprising the use of Internet AIW. However, there are figures regarding the known extent of the international movement of AIWs - and which suggest that this is a quite sizeable problem. HMRC (2004), for example, reports that in the year ending 31<sup>st</sup> March 2004, it made 2,387 seizures of 'adult pornographic material' (this was against 13 seizures of 'paedophile material')

**14.4.8** A number of respondents stated that digital photography - and before it video recording - and the Internet, had had two significant effects in terms of the extent of AIW overall. Firstly, there had been a major increase, over the last ten years approximately, in the creation, distribution and possession of AIW, both still and moving, on a worldwide basis. Most of this activity appears to have taken place via the Internet, although some of this has taken place in the form of internationally moved images. Secondly, images that depicted, specifically, scenes of women being sexually and/or physically *abused* - whether real or staged - were much more readily available than they were previously.

### Nature

**14.4.9** As explained above, this research did not involve any systematic study of AIW. However, it did highlight what may have been some key features of this material. These were as follows:

- Some of the scenes depicted in AIW found on the Internet were extremely serious, and included, for example, a beheading, the rape of women imprisoned in camps at the time of the war in the former Yugoslavia, women who had had nails and other sharp objects pushed through their breasts and genitalia, and scenes of bestiality
- There appeared to be three types of scene which, through a combination of their extent and seriousness, caused most concern among agency workers: rapes (especially those which appeared authentic or which were made to look authentic), physical abuse and bestiality

## Policy and practice

### General policy and practice response

#### Finding

**14.4.10** There has, in general, been only a modest policy or practice response to AIW on the part of Government, police, HMRC or ISPs. In fact, there appears to be relatively little awareness even - at least officially - within many of these spheres, as to the existence of AIW.

#### Implication

**14.4.11** Policy makers and practitioners need to be much more aware of the extent and nature, and the policy and practice implications, of AIW. Following on from this, they need to identify and implement measures to ensure a much more effective response to AIW. This should include an examination of the adequacy of existing legislation in this area.

#### Additional findings

**14.4.12** Further to the above findings and recommendations being drafted, the authors were informed that the Home Office had launched a consultation exercise surrounding its proposal to create an offence of possessing ‘*extreme pornographic material [featuring adults]*’ (Home Office, 2005b). This proposal represents an important practical, and symbolic, development in the response to AIW. However, this proposal should be seen as only one measure, and a relatively modest one at that, in the response to AIW. As this section of the report argues, more substantial measures are also needed, chief among which are - in the first instance - the need on the part of policy to a) ensure the police and HMRC respond to the challenge of AIW with the seriousness its merits, and b) establish (and fund - from new resources) a dedicated law enforcement agency to deal with these offences.

### Police and HMRC response

#### Finding

**14.4.13** The response on the part of the police and HMRC towards AIW - specifically, their prevention, detection and investigation - has, historically, been a modest one. With the major growth in the number of reported CAI cases, especially those involving the Internet, the problem of AIW appeared to be receiving even less attention, especially within the police.<sup>103</sup> This, though, is at the same time as what appears to be a significant increase in the use of AIW.

#### Implication

**14.4.14** The police - and to a lesser extent HMRC - should embark upon a much more robust response to the problem of AIW, especially those on the Internet. In respect of Internet-based AIW, it *might* be

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<sup>103</sup> Given the potential scale of the problem of AIW, it is surprising, and indeed disconcerting, that there have, apparently, been so few suspects charged, by the police, in relation to these offences.

appropriate for CEOP to be given a national lead for this, particularly in terms of the proactive response to these cases. However, there should, at a minimum, be a separate and dedicated unit within CEOP for undertaking this work. Otherwise, there is a risk that this area of work would be in competition with, and undermined by, that concerning CAIs. To this end, the Government should ensure that CEOP - or any other unit chosen to undertake this role - has sufficient resources for undertaking this work. More resources must also be made available to local police services and HMRC to enable them to better respond to these cases.

**14.4.15** Alternatively, it might well be preferable for a wholly separate national agency to be set up, dedicated to dealing with AIW - in the same way that responsibility for child protection and domestic violence are separated within local police services. That said, and again following the police child protection-domestic violence model, it would be vital to have close links between CEOP and the proposed agency, given that there would be important overlaps in their areas of work, especially where the ages of teenager girls and young women can not be determined.

### **Agency worker' assessments**

#### Finding

**14.4.16** In the course of interviews with the police and HMRC, it appeared that *female* staff were more likely than their *male* counterparts, to assess AIW - whether internationally moved or Internet-based - which depicted the sexual and/or physical assault of women, as being non-consensual and/or otherwise illegal.

**14.4.17** Given that the large majority of workers in these two law enforcement agencies are male, it *may* be that these cases were being responded in a very particular way and that this *may* not have been the most appropriate one.

#### Implication

**14.4.18** Police and HMRC should ensure that their response to AIW cases is an appropriate one. In particular, they should judge AIW on the basis of an objective assessment of the evidence, as opposed to their (own) attitudes, values or preconceived ideas - all of which may be significantly influenced by their gender.

**14.4.19** In addition, organisations should ensure the following: that the training they provide to staff addresses this issue, a professional culture is promoted which encourages an appropriate response to these cases, there is a greater gender balance between staff, and staff are fully aware that the images they are seeking to detect and investigate (and prevent) may depict criminal assaults.

**14.4.20** Although other organisations, in particular CPS and Government, will have much less direct involvement in the response to AIW, it is important that all those who are responsible for, or concerned with, this area, have a proper understanding of the problem - and that this is, likewise, not unduly influenced by their gender.

### **Ratcheting-up legislation**

#### Finding

**14.4.21** There are difference between countries in the legislation surrounding AIW. As one interviewee pointed out, for example, the creation of 'rape videos' in which pain is inflicted, or weapons used, on adult subjects (invariably women), are legal in the Netherlands but not so in the UK.

## Implication

**14.4.22** While some interviewees called for a harmonisation of legislation between countries, concerning AIW, in order to make the organisational response more straightforward and/or effective, these authors would argue that it might be more appropriate to talk in terms of ratcheting-up legislation, where necessary, such that all countries are operating according to the same strict standards.

## Societal response

### Finding

**14.4.23** Over the period of time that this research was carried out, intense concern arose (and persists) over CAIs. In stark contrast, concern over AIW was barely perceptible - except, perhaps, for a single case that appeared in the UK media and which is discussed above (see 14.4.5). It is accepted that *part* of this difference results from the (legal) issue of consent, and the clarity/ambiguity, for practitioners, which follows on from this i.e. children can not give consent to appearing in pornographic images whilst adults can. It is also recognised that there was much less awareness of the number and nature of AIW that were in existence, and were being used. However, some of the reason for the contrasting response to these cases appeared to lie in the fact that society is generally much more inclined to respond to the abuse of children than it is of women.

### Implication

**14.4.24** Society needs to be much more aware of, and take more seriously, the existence, and use of, AIW, both those that are moved internationally and those which are Internet-based. Following on from this, there needs to be a major public debate as to the implications and effects of AIW, and the way in which society should respond to them (see also 12.2.16 - 12.2.25).

## Links with CAI use

### Finding

**14.4.25** Some offenders claimed that they started using 'less serious' adult pornographic images but subsequently found themselves drawn to increasingly serious forms of adult pornography and subsequently AIW, and then CAIs and ultimately ever more serious forms of these images. While these accounts or explanations could be interpreted as attempts by offenders to shift responsibility for their behaviour and/or attempts to excuse it, it is possible that they are not entirely without validity i.e. there *may* be a causal link, or chain, in the use of different, and increasingly serious, forms of 'pornographic' images - or, what might more colloquially be thought of as a 'slippery slope'.

### Implication

**14.4.26** Although the researchers are unaware of any research which provides reliable evidence of a link between the use of AIW and CAI, the above claims, by offenders, do not seem to be implausible, and could be thought to constitute anecdotal evidence at least. Clearly, research needs to be carried out to establish whether this link exists. In the meantime, however, that this link is a possibility, underlines, still further, the need to take AIW seriously in terms of policy and practice.



## *Chapter 15*

# **Future research**

### **A research agenda**

**15.1** This research project set out to identify the extent and nature of (known) cases of international and Internet CSA, and their implications for policy and practice. The authors feel that the research has been successful in meeting these broad aims. Given its modest funding base, though, the study has been able to address only a minority of the numerous, more detailed research questions concerning international and Internet CSA. That said, what it has been able to do - in addition to addressing the original study aims - is to identify many of the needs, challenges and issues which exist in relation to research in this area and put forward suggestions as to how these can be addressed.

### **The need for research**

**15.2** Although research into international and Internet CSA is increasing (along with policy and practice experience), knowledge of these phenomena remains quite rudimentary. This has contributed to the degree to which thinking around international and Internet CSA has been influenced by assumptions and misconceptions (see 13.1.11 - 13.1.13). It also helps explain why 'experts' have had a sometimes disproportionate and misleading influence upon those working in this area (see 12.7.6 - 12.7.10). There is, then, a pressing need for a great deal more research to be carried out on international and Internet CSA. This is particularly important if there is to be a properly informed policy and practice response to these cases.

### **Challenges to research**

**15.3** The lack of knowledge concerning international and Internet CSA is, in part, a function of the general sensitivity, and consequent difficulty, of conducting research into any area of child protection and especially CSA. There are, though, additional challenges in respect of researching international and Internet CSA, and establishing a reliable knowledge base. These challenges are as follows:

- Ultimately, researching international and Internet CSA, is logistically very challenging, requiring as it does, work to be carried out in many different countries
- Many of the countries which are of greatest concern, particularly in terms of international CSA, are developing ones, where there is much less of a research structure or tradition
- International CSA victim and child sex abuser cases, as this research has shown, are very diverse
- The Internet, and mobile communications technology, and the way in which offenders use these, are constantly evolving. Similarly, offenders involved in international CSA may adapt their behaviour (though perhaps to a lesser extent) in order to exploit opportunities - as they arise - which facilitate the abuse of children
- Official awareness of international and Internet CSA is relatively new, with the result that the impetus towards carrying out research in these areas has been less than it would otherwise have been

### **Research funding**

**15.4** Responding to international and Internet CSA is the responsibility of, and raises major issues for, a wide range of government departments. These include (in alphabetical order) the Department for Constitutional Affairs, Department for Education and Skills, the Department for International Development, the Department for Trade and Industry, the Foreign and Commonwealth Office, the

Home Office and the Treasury. Thus, while funding councils and charitable bodies *might* finance part of the programme of research that needs to be carried out in these areas, some of it should be initiated and funded by Government.

### **International and Internet CSA research unit**

**15.5** As stated above, while there is a dearth of research and knowledge on international and Internet CSA, carrying out studies in these areas is, very challenging. At the same time, it is very likely that these cases are increasing. Taking into account these factors, it is recommended that a unit be set up to conduct, and otherwise promote, research (and develop knowledge) regarding international and Internet CSA. This unit would research all aspects of the problem, including prevention, detection, reporting, investigation, victim' needs, offender' management and public education.

**15.6** Given the international nature of many of these cases, it would seem be appropriate for consideration to be given for this unit to be funded, and operate, on an international basis.

**15.7** Many of the studies that have been, and will be, carried out, in different countries, on international and Internet CSA, are likely to be directly relevant to one another, and be capable of making an important contribution to the understanding of these phenomena. However, much of this work will remain dispersed, if not 'lost', unless steps are taken to the contrary. Thus, one of the specific tasks of the proposed unit would be synthesise research from around the world on international and Internet CSA.

### **Specific research needs**

**15.8** Following on from their own research, and their reading of the existing literature, the authors believe that research needs to be carried out in the following areas:

#### *International and Internet CSA*

- General studies, along the lines of the present research, but more comprehensive and detailed, into each of the major categories of international and Internet CSA identified in this report i.e. international CSA victims, international child sex abusers, international movement of CAIs, Internet-initiated grooming of children for sexual abuse, Internet-initiated incitement or conspiracy to commit CSA, and Internet-based CAIs

#### *Individual types of international and Internet CSA case*

- The extent and nature of individual *types of international CSA victim* case, and the implications of these cases for policy and practice. Included within this would be an examination of how and why this problem varies between different countries
- The extent and nature, and policy and practice implications, of the national and international *trafficking of children for sexual exploitation* within, and between, developing countries
- The extent and nature of individual *types of international child sex abuser* case, and the implications of these cases for policy and practice. Included within this would be an examination of how and why this problem varies between different countries

#### *Specific issues concerning international and Internet CSA*

- The effect of international and Internet CSA upon victims, and their consequent needs
- The relationship between the use of indicative material<sup>104</sup>, CAIs and CSA. This would include a study of the effect of CAI use upon offenders, the identification of risk factors for CSA among CAI

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<sup>104</sup> For example, drawings, cartoons, and texts relating to CSA, and rape and bestiality videos featuring adults.

users, and an examination of the notion that some offenders are drawn into the use of increasingly serious pornography (see 14.4.25 - 14.4.26). To further understanding in this area, it would be important to incorporate within this work, an examination of child sex abusers who have not used CAIs

- The extent, nature and impact of Internet-based contact between those who have a sexual interest in children. This would include those who incite, or conspire with others, to commit CSA - including the grooming of children - and those who distribute or download CAIs or other CSA communications, or who promote CSA more generally
- Whether there are characteristics among children and young people that indicate a higher propensity for being successfully groomed over the Internet and the nature of those characteristics. Also, whether there are any successful defence strategies, in respect of grooming, which can be identified and then passed on to children and young people
- Trends in child sex offenders use of computers, the Internet and other new technology, such as mobile phones and covert cameras
- The impact of the Internet upon the international movement of CAIs
- The experiences of children who enter the UK and report abuse which occurred either in their country of origin, or in the UK, to see whether they are being handled appropriately in relation to, for example, their receipt of support as victims and child witnesses, and whether they are allowed to remain in the UK
- The use of CAIs, and other illegal and legal pornography (Internet and non-Internet sourced), among a representative cross-section of UK young people and adults

#### *Agencies and their responses*

- The extent and nature of international and Internet CSA cases known to statutory, non-law enforcement agencies and NGOs, and the implication of these cases for policy and practice. Statutory agencies would include children's services, CPS, probation, health and education. Specific issues which need to be examined include the care of children who have featured in CAIs, risk assessment in cases where individuals suspected of having used CAIs have access to children and the management of offenders
  - The degree and types of effect which viewing CAIs (and other abusive images) has upon agency workers, and the nature of intervening variables, for example, type of image, frequency and duration of exposure, and worker characteristics (see 12.5.9 - 12.5.14)
  - The needs of agency workers who view CAIs and other abusive images, the extent, nature and quality of support and counselling which exists for them, including the identification of good practice
  - The criminal justice processing of offences involving CAIs and in particular the attitudes and behaviour of the CPS, defence barristers and judges, and variations in these between different areas
  - Variations in criminal justice decision-making (by police, CPS, defence barristers and judges) and outcomes in cases of Internet CSA, and especially cases involving the use of CAI
  - The attitude and response of the police, CPS, defence barristers and judiciary to cases of Internet-initiated incitement or conspiracy to commit CSA, especially where there are claims that suspects were ('only') fantasising about carrying out such offences
  - The extent and nature of the impact which 'civil liberties' legislation, such as the Data Protection Act 1998, Human Rights Act 1998 and the Regulation of Investigatory Powers Act 2000, has upon the investigation, by the police and HMRC, of international and Internet CSA
  - The use and efficacy of extra-territorial jurisdiction as contained originally in the Sex Offenders Act 1997, and the general criminal justice processing of UK citizens, abroad, for CSA-related offences
  - Whether analysis of the CAIs possessed by an offender can assist agency work in, for example, assessing the risk which offenders pose to children in terms of CSA
-

*Other*

- The number, background and destination, and care and protection of unaccompanied children coming into (and leaving) the UK

In addition to the above specific questions, this study also highlighted a number of broader, more organisationally oriented research needs. These were as follows:

**HM Revenue and Customs**

**15.9** There is little or no reliable or systematic information concerning the work which HMRC carries out in relation to internationally moved CAIs. (Indeed, this - albeit modest - report is believed to be the UK's first ever, certainly published, work on the topic.) This means that policy and practice in relation to the work of HMRC, in this area, may not be as well informed, and consequently effective, as it might be.

**15.10** HMRC should, therefore, commission a major, dedicated and authoritative study of its work in regards to internationally moved CAIs. Such a study would identify ways in which policy and practice could be improved, provide a comprehensive and substantial record of cases which HMRC staff have worked on (which would be a useful training source), and highlight and promote the work of HMRC in this area more generally.

**15.11** This research should include an examination of current search practice (i.e. which passengers or parcels are searched), set against all detection's of CAIs (i.e. those made by both HMRC and the police), to determine the appropriateness of the former.

**Internet Watch Foundation**

**15.12** The Internet Watch Foundation describes itself as an independent regulatory authority. It exists to receive, assess and - where appropriate - refer on, reports of '*online illegal content, particularly child abuse images*' (IWF, 2005). It receives these reports primarily from the public and makes many of its referrals to ISPs or the police.)

**15.13** During the course of the research a number of contrasting perspectives were given on the IWF and the work it carried out. These were as follows: that the IWF was - *or was not* - sufficiently independent of industry (chiefly ISPs); the IWF should - *or should not* - remain on a voluntary basis; and the IWF was - *or was not* - sufficiently well known. This research study, however, had too little information on the IWF to address these issues in any reliable manner.

**15.14** What was clear, though, was that the IWF played a major role in the response to Internet CSA, especially that relating to Internet CAIs. For example, in 2004 the IWF received 17,255 reports of potentially illegal content, of which 82% concerned 'child abuse' (IWF, 2005). In 1997, the UK accounted for 18% of illegal content. By 2005, this had dropped to less than 1%. Part of this decline, said the IWF, was due to the work in which it had been involved. The organisation drew particular attention to the partnership approach that existed between all the relevant agencies (including police and ISPs) - one which, it was said, the rest of the world could do with following. In addition, the IWF stated that they were very supportive of the police's work and as part of this, ensured that when they made reports to them that they were always of the required quality.

**15.15** In view of the importance of its role, it would seem appropriate and important for a specific research project to be carried out on the role and work of the IWF. This research should include an examination of the way in which the public uses the organisation, how industry responds to reports that are passed to it and the impact that the work of the IWF has upon law enforcement and child protection.

### **Seizure of computers and recording media**

**15.16** The research suggested that there was varying practice among the police as to when, and the grounds upon which, they seized computers, other equipment (for example, mobile phones, digital and video cameras) and recording media (for example, DVDs, CDs, floppy discs and video tapes) in CSA cases. Some police officers seized such material only when there was a specific allegation or concern that it had been used to facilitate CSA in some way. Others, however, seized it as a matter of routine in all CSA-related investigations. In some CSA-related investigations, where equipment had been seized - including those where there were specific concerns over CAIs - relevant evidence was not found.

**15.17** Research should be carried out on police practice in respect of the seizure of the above equipment, with specific regards to the following: the frequency of these seizures, the circumstances under which they are carried out, whether they are within the law, and the number of times, and circumstances in which, evidence of illegal activity is obtained. These findings should then be used to determine whether existing policy (including legislation) and practice, surrounding such seizures, needs to be altered or clarified, or whether it is quite satisfactory.

### **Deportation and extradition**

**15.18** Some interviewees criticised countries for deporting individuals suspected of sexually abusing children rather than submitting them to the criminal justice process. Other interviewees complained either about the inability to extradite suspects from particular countries, or the delay and difficulty in achieving this. These problems appeared to vary from country to country. It was difficult, though, to ascertain, within this research project, their extent or seriousness.

**15.19** Research should be carried out within the proposed more general studies of international child sex abusers (see 15.8) to determine the extent to which issues around deportation and extradition create problems in terms of child protection.

### **Other research needs identified in this report**

**15.20** Some research needs were discussed in earlier chapters of the report, as they followed on, very closely, from points that were being made at that time. These additional research needs are as follows:

- The identification of risk factors, for suicide, among suspected CAI users (13.5.6 - 13.5.11)
- The role of Interpol in child protection (12.1.1 - 12.1.3)
- The sexual abuse of children in the UK by offenders from overseas (12.2.8 - 12.2.15)
- The role of ChildBase (12.3.27 - 12.3.30)
- The work of ISPs in respect of child protection (12.6.3 - 12.6.10)
- The response of domain name registry's regards child protection (12.6.18 - 12.6.19)
- The link between the use of AIW and the use of CAIs (14.4.25 - 14.4.26)

### **Abusive images of women (AIW)**

**15.21** It is likely that, over the last ten years approximately, there has been a major increase in the creation, distribution, availability and accessing of internationally moved and Internet-based AIW. As a result, these images are not only much more numerous, they are also much more wide-ranging i.e. they include more extreme depictions of the sexual and physical abuse of women. Despite these changes, and the impact that they *may* have had upon offending, this remains a subject about which there is little or no reliable knowledge.

**15.22** Systematic and large scale research should be carried out into the extent and nature, and policy and practice implications, of internationally moved and Internet-based AIW. It is only through this, that there can be a properly informed debate over, and the response to, this issue. The research should

include a thorough examination of what the police, HMRC, and other relevant organisations, are, and should be, doing in this area.

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**APPENDIX A: ABBREVIATIONS AND TERMINOLOGY**

## Abbreviations

ABTA	Association of British Travel Agents
ACPO	Association of Chief Police Officers [England, Wales and Northern Ireland]
ACPOS	Association of Chief Police Officers Scotland
CAI	child abuse images
CEOP	Child Exploitation and Online Protection Centre
CHIS	Children's Charities Coalition on Internet Safety
CJS	Criminal Justice System
COPINE	Combating Paedophile Information Networks in Europe
CPS	Crown Prosecution Service
CSA	child sexual abuse
ECPAT	End Child Prostitution, Pornography and Trafficking
HMRC	Her Majesty's Revenue and Customs (formerly Her Majesty's Customs and Excise)
IND	Immigration and Nationality Directorate
ISP	Internet service provider
IWF	Internet Watch Foundation
LSCB	Local Safeguarding Children Board
NCH	(formerly) National Children's Homes
NCIS	National Criminal Intelligence Service
NCS	National Crime Squad
NGO	Non-Governmental Organisation (this term is used in place of voluntary organisation)
NHTCU	National High-Tech Crime Unit
NPQS	national postal questionnaire survey
NSPCC	National Society for the Prevention of Cruelty to Children
POLIT	Paedophile On-line Investigation Team
SEC	Socio-economic classification
SOCA	Serious and Organised Crime Agency
SSD	social services department (see point 13 below)
UNICEF	United Nations Children's Fund

## Terminology

Terminology can vary between different disciplines and over time, and is sometimes contentious. This is, perhaps, especially true in relation to child protection given its multi-disciplinary nature. In view of this, the following explanation of the terminology used in this report is provided:

**1. Case**

The term 'case' is frequently used in this report. This term is used to refer to the individual, or group of, victim(s) and perpetrator(s) involved in an incident or episode of CSA, and the subsequent attempts by agencies to respond to the associated reports.

**2. Child abuse images**

The term 'child abuse images' (CAIs) is used in place of 'child pornography' as it is felt, by an increasing number of people working in this area, that the latter and more traditional term does not adequately describe the content, and in particular the seriousness, of some images.

Having said this, it should be noted that the images incorporated within the term 'CAIs' cover a very broad spectrum in terms of their content. At the least serious end of this spectrum, are, for example, (indecent) photographs of children taken without their being aware - such as naked children covertly photographed on a

beach. While the taking of these images is reprehensible, and indeed illegal, it is questionable as to whether it is appropriate to describe the child in question as being 'abused'.

### **3. Children and young people**

In the interests of brevity, the term 'children' is used to refer to both children and young people.

### **4. Children**

The term 'children' is used to refer to all persons under the age of 18 years. That said, it is recognised that the law, particularly in relation to sexual offences and sexual relationships, does make distinctions within this age group - distinctions that may be significant to the subject matter of this research.

### **5. Child sexual abuse, child sexual exploitation and CAIs**

In general, the term 'child sexual abuse' is used in this report in a collective sense to refer to all the sexual maltreatment children experienced, irrespective of the particular form it took or circumstances in which it occurred. However, other terms are also sometimes used to denote specific CSA situations. In particular, the term 'sexual exploitation' is used to describe situations where CSA is driven, in part at least, by a financial motive. Similarly, the term CAI is used to indicate situations where the child is the subject of a pornographic image.

### **6. Child sex offender or abuser**

This report has sought, as much as possible, to avoid use of the term 'paedophile', preferring instead the terms (child sex) 'offender' or 'abuser'. The reasons for this have been set out elsewhere (Gallagher, 1998b) but, in short, it is felt that this term is very misleading as to the nature, and in particular the causes, of CSA. In common with other workers in this field, for example, Kelly (1996), it is felt that society needs to move away from its preoccupation with the psychological or individual characteristics of abusers, and focus much more upon the social or cultural factors - especially the socialisation of males - that explain CSA.

### **7. Grooming**

This refers to the manipulation of a child by an offender for the purposes of both facilitating the sexual abuse of that child, and then inhibiting the detection, or more specifically the disclosure, of that abuse. It is sometimes referred to, particularly in the North American literature, by the terms 'solicitation' or 'seduction'.

### **8. Known case**

The bulk of this research, and in particular the NPQS's and the cases studies, was based upon what might generally be referred to as 'known' cases. In the interests of brevity, this term is not always used in this report, but the reader is asked to bear in mind the difference between known cases, and *all* cases - i.e. known and unknown cases combined. 'Unknown' refers to those cases - of which there may be many - which take place, but which never come to the notice of agencies.

### **9. Internet**

There are, in existence, a number of quite distinct forms of new technology. These include computers, the Internet, mobile phones and digital cameras. Although, the divides between these various forms of technology appear to be diminishing quite rapidly - with, for example, the emergence of Internet- and camera-enabled mobile phones - they are still quite relevant and important. These differences could not, however, be addressed very fully in this study. This was largely on account of the fact that the research was already quite broad ranging whereby it would have been very problematic to add any additional elements. That said, as the research progressed the authors did become more aware of these differences and have tried to be more specific and explicit about these in this report. This is a process that will continue with future outputs from the study.

### **10. Reported and recorded (CSA) offences**

In certain parts of the report, reference is made to 'reported' and 'recorded' (CSA) offences. These were the official terms under which the police categorised cases, and each has a particular meaning. The term reported has

traditionally had a more administrative connotation, being used to refer to the receipt by the police of a complaint concerning a criminal offence. By contrast, the term recorded has traditionally had a more operational connotation whereby the police have concluded that an offence has taken place.

### **11. Suspected or alleged CSA**

While references are made to cases, this does not necessarily mean that the *suspected* abuse has taken place. Strictly speaking, all of the cases referred to in this report should more properly be referred to as '*suspected*' or '*alleged*' cases. However, in practice it transpired that the large majority of cases reported to this study either resulted in a conviction or - if they did not - contained (some) clear evidence that international or Internet CSA had taken place. In view of this, and in the interests of brevity, the terms suspected and alleged are not routinely used in this report, although their significance should not be overlooked. If comments are made on any aspect of a specific case, or cases in general, on the basis of speculation, then this is indicated accordingly. Otherwise, all comments regarding cases should be taken as having been substantiated in some way through the research.

### **12. Victim and suspect**

The children who are the subjects of investigations are referred to as victims. This is not considered to be an ideal term as it presupposes that all such children reported to agencies have been the subject of abuse when, in some instances, investigations may conclude that they have not been. Despite this, it is still felt to be most useful term currently available.

Owing to the multi-disciplinary nature of child protection work, there are a number of different terms that can be used to refer to individuals who commit sexual offences against children, such as, 'offender', 'suspect', 'perpetrator', 'paedophile' and 'abuser'. In general, the preferred terms for the purposes of this report, at least, are 'offender' and 'abuser'.

### **13. Children's services**

Since this research was conceived and carried out, social services departments have been restructured into adult, and children's, services – the latter also incorporating local education departments. In the light of this, the report uses the term social services departments when referring to the fieldwork, and the time before this, but the term children's services when discussing recommendations.



## **APPENDIX B: FURTHER INFORMATION ON THE BACKGROUND TO THE RESEARCH**

### **1. UK remit**

As its official title indicates, this research was concerned primarily with cases of international and Internet CSA ‘*which have a link to the UK*’. The reason for this was both to ensure the research was relevant to its immediate audience (i.e. a UK readership) and also to impose some limits on what might otherwise be an enormous piece of work. Thus, for example, the NPQS’s (and subsequent record searches) measured the extent of international and Internet CSA cases known to UK authorities (specifically, police and HMRC). Similarly, the police cases studies were largely concerned with victims or abusers who were linked to the UK in some way.

That said, it would of course be very much counter to the spirit of this study if it was wholly confined to a very narrow, UK perspective. Therefore, and as this report has sought to show, while individual countries (including the UK) have to take some of their own measures, ultimately, international and Internet CSA have to be tackled on a worldwide basis. With this in mind, the report raises issues not only for UK Government and agencies, but for all governments and agencies.

### **2. International and Internet CSA**

When drafting the original research proposal for this study, the research director (Gallagher) was eager to explore a relatively wide range of international and Internet CSA cases. (In the event, the research proved to be even more extensive - and considerably so - than had been anticipated.) This broad remit was felt to be justified on a number of grounds.

Firstly, earlier studies had tended to restrict themselves to specific *types* or *categories* of international or Internet CSA case, for example, child trafficking, child sex tourism, Internet-initiated grooming of children or Internet-based CAIs. However, not only did these different cases share a common international or Internet dimension, but many Internet-related cases were reported to have an international dimension, and some (primarily) international cases involved use of the Internet. It was felt that a particularly important contribution might be made to knowledge and understanding of these cases, and how they should be responded to, by taking a broad overview of cases rather than continuing with a case-specific one.

Secondly, it was perceived that policy and practice were increasingly taking an holistic approach to different international *and* Internet CSA cases, as witnessed, for example, through numerous Government, statutory agency and NGO initiatives (see, for instance, Home Office, 1996; Department of Health, 2001; and ECPAT, 2001). It was felt that the research should mirror this more comprehensive and integrated approach.

Thirdly, it was felt that this inclusive attitude might be more in line with the increasingly widely held and influential view, that different forms of abuse should be seen as part of a continuum rather than discrete and somehow unconnected phenomena (Kelly, 1988; Itzin, 1993). Thus, while this research proved to be very challenging and at times unwieldy, due to being so extensive, it is hoped that this has been worthwhile in terms of the innovative perspective it has been able to provide.

### **3. Known cases**

It is important to emphasise that this research was based, almost exclusively, upon cases *known* to law enforcement (or other) agencies. It was not based upon *all* cases or even a representative cross-section of all cases, as might be obtained through an incidence or prevalence survey. Ideally, one would carry out such a survey, but in an area, such as CSA, that is already very challenging, such a methodology would face formidable obstacles, which were certainly beyond the scope and resources of this project.

That being the case, it has to be recognised that this study does not provide a measure of the extent of all cases of international or Internet CSA. Moreover, the cases it has identified may not be representative of all cases. In addition, the study was largely restricted - as stated above - to cases that had a link to the UK. It is fairly certain that the UK - being a *developed* country - is not representative of *developing* countries, in terms of international and Internet CSA. For example, the UK, compared to many developing countries, is likely to have more of a problem in respect of Internet-related cases, but less of a problem with child trafficking and child sex tourism.

Therefore, caution has to be exercised in generalising from these (known) cases, to all cases of international or Internet CSA. Having said this, the cases that have been studied in this research, constitute an important and eminently practical basis upon which knowledge and understanding of these phenomena, and the responses to them, can be developed. Also, because these are the cases which are coming to the attention of agencies, and are, consequently, the ones to which they have to respond, they are obviously a highly relevant group of cases in respect of policy and practice.

#### **4. Policy and practice (1)**

As can be seen in the Methodology and Findings chapters, and indeed the official title of the research, there is a good deal of reference in this report to both 'policy' and 'practice'. Clearly, these are quite discrete arenas and they were treated as such throughout the course of most of this research and the subsequent report. However, it is also recognised that there is fundamental connection between policy and practice. So, while the large majority of interviews in this research were designed to have either a policy or practice focus, many of the policy interviewees wished to comment on practice, and many of the practitioners on policy.

#### **5. Policy and practice (2)**

Although the research set out to study both the policy and practice implications of international and Internet CSA, it had been the authors' intention - as reflected in the official title of the research - to prioritise the latter. This is on account of the fact that the funding body - The Nuffield Foundation - aspires to fund research that stands to have a practical application and benefit. In the event, though, it is felt that this research has as much to say about policy as it does practice.

There were a number of reasons for this. Firstly, it did not appear that law enforcement agencies found international and Internet CSA as challenging to investigate, as might have been predicted from work that has been carried out on, what could be thought of, as equivalent cases, such as those involving organised CSA (Gallagher, 1998a).

Secondly, international and Internet CSA incorporated such a diverse range of cases - many of which were relatively rare - that it was difficult to generate and study a sufficient number of these, whereby practice issues could be identified with any reliability.

Thirdly, it must also be said that awareness of, and the response to, some, if not many, types of international and Internet CSA, was still, very much, in a process of development. Consequently, practice did not encounter as many cases, or did not encounter them as 'fully' as it might, had awareness and responses been more advanced.

#### **6. Research focus**

As stated in the Introduction, this research largely set out to identify the implications of international and Internet CSA for policy and practice in the criminal justice system, particularly that relating to law enforcement. This focus reflected the nature of the professional debate at the time the proposal was drafted - between late 2000 to early 2001. However, during the course of the (main) study, additional issues, relating to other spheres, were identified. These spheres included Government policy, more generally, at both a national and international level, other statutory agencies, industry, the media and public attitudes. While these issues were not covered in as systematic a way as those relating to law enforcement and criminal justice, it is hoped that by raising them in this report, this study will have a value in addition to, and beyond that, which was originally envisaged.

As well as this, though, and in view of some of these emerging themes, the project director approached The Nuffield Foundation for a small supplementary grant to enable research to be carried out with some of these other relevant agencies. This was awarded in January 2003. These agencies were all the social services departments, probation services and Trading Standards, and military welfare and policing bodies in the UK. The purpose of this supplementary stage - like the main stage - was to establish the extent and nature, of international and Internet cases known to these agencies, and the implications of these for policy and practice.

This stage of the research met with only very limited success. However, what it tried to show, and did to some (small) extent succeed in showing, is that these cases do impact upon, and raise issues, for a wide range of statutory agencies and NGOs, relating to, for example, the needs of victims, the management and treatment of offenders, and the involvement of the commercial sector in the prevention, detection and reporting of cases.

Furthermore, these impacts and issues are becoming increasingly significant. This is yet another area in need of major, systematic research.

## 7. Remit

When drafting the research proposal, the research director requested a modest grant (approximately £35,000). This was largely in view of the fact that international and Internet CSA did not, at that time (late 2000-early 2001), have a very high profile, and certainly not as high a profile as it subsequently came to achieve. Shortly after its official start, in February 2002, international, and especially Internet, CSA, began to be the focus of a great deal of attention and concern, no more so than with the launch of 'Operation Ore' - the UK arm of an international investigation into the worldwide sale of CAIs (BBC, 2003; Wilding, 2003). Moreover, as the research progressed, it became increasingly clear that international and Internet CSA was far more diverse, and therefore challenging to study, than had been anticipated.

Given these circumstances, the authors have concluded, that they were not able to study international and Internet CSA, in as comprehensive or detailed way as they would have liked. It would, for instance, have been valuable to interview a range of representatives from ISPs, and other computer and Internet organisations, to establish the extent to which ISPs *did, could and should* combat Internet CSA. Similarly, it would have been extremely useful to have undertaken more cases studies (involving, for example, child trafficking, and Internet-initiated incitement or conspiracy to commit CSA), and to have conducted a more systematic enquiry into the work of HMRC and Interpol. In summary, this research is something of an overview of the issues relating to a large number and wide range of categories and types of international and Internet CSA. Having said this, it is felt that this research should still be of some considerable value, and to a wide range of audiences.

## 8. Participation

In the main, the large majority of organisations and individuals who were approached to take part in this study were very well disposed to it. Although, they faced many other demands, they were co-operative and generous with their time, and were able to make invaluable contributions to the research. On occasions some individuals did not feel that they could be as forthcoming with the researchers as they might have wished. This appeared to be related to one or more of the following: operational considerations, concerns over the sensitivity of specific data, anxiety over the reaction of their superiors/employers, and a reluctance to upset 'sister' organisations (by criticising them.) Overall, though, this did not appear to be a major issue in the research, and it was the researchers' impression that respondents spoke, and gave access to various types of information, quite freely.

Only two organisations refused outright to take part in the research. These were Fair Trials Abroad and Prisoners Abroad. Their absence was unfortunate as it was felt that their presence could bring some additional 'balance' to the research. It was unclear as to why these organisations did not wish to participate in the research. It could simply have been that they did not think that their work was relevant, or it *may* have been that they thought (not unreasonably) that this was too 'political' an area of research in which to become involved.

## 9. Report remit

This report draws upon data collected at all stages of the fieldwork. However, given the amount of data at their disposal, the researchers had to be somewhat selective, to prevent the report - which is planned to be only the first of many outputs - from being overly long. Thus, the report has tended to draw particularly heavily from the search of police recorded and reported crimes (for the *extent* of known cases), and the policy- and practice-focused interviews (for *the policy and practice implications and recommendations*). This largely reflects what the researcher's feel should be the priorities in the initial publication from the research. The report does, though, also present *typologies* of international and Internet CSA and discusses - albeit, at this time, in a rather superficial and general manner - the *nature* of cases. Eventually, all the data from this research will be very fully exploited (see below).

## 10. Dissemination

Though modest in its resources, this project has yielded a quite formidable amount and range of data. In view of this, and the importance of the subject matter, it is intended that the results of this research should be exploited and disseminated as fully as possible. After publication of this report - which is the first major output from the study - work will begin on papers, for a range of academic journals, which will focus upon each of the six major categories of international and Internet CSA. The function of these papers will be to allow for a more detailed

discussion of the extent, nature, and policy and practice implications, of these individual categories. Copies of these will be sent to all individuals who, and organisations which, participated in the research. They will, in addition, be posted on the research director's website [[www.hud.ac.uk/hhs/research/acs/staff/bg.htm](http://www.hud.ac.uk/hhs/research/acs/staff/bg.htm)], and be accompanied by summary articles in professional journals. Following this, it is hoped that one or two books can be published from this study, possibly one on international CSA and the other on Internet CSA. These books would, in part, seek to examine and place the findings from this research in the context of other work that has been published on international and Internet CSA.

### **11. Confidentiality and anonymity**

In the interests of confidentiality (of research informants and organisations) and anonymity (principally of victims and their families), it is worth stressing, further, here, that details of all the cases quoted in the report have been changed. This has been done, though, without altering the substantive issues that these cases were chosen to reflect.

### **12. The abuse of women**

As stated earlier, this research is concerned almost exclusively with sexually abused children (or adult survivors of CSA). However, it became apparent in the course of this research, that women also featured in some of the categories of abuse featured in this study (in particular, trafficking, the international movement of abusive images and Internet-based abusive images). This research has been able to make some comments on these cases from a policy and practice perspective, and also a wider societal one, but this remains an area which the authors believe is in need of much more research, public awareness and ultimately official action.

## APPENDIX C: FURTHER INFORMATION ON RESEARCH METHODOLOGY

### Main study

#### Police NPQS

Case-specific questionnaire

1. The questionnaire, covering individual cases of international or Internet CSA, comprised the following eleven sections:

- Report details and case summary
- General features of case and suspect's modus operandi
- Abusive acts, and the recording or distribution of CAIs
- International or Internet features of case
- Suspect' details
- Victim' details
- Police action
- Outcomes
- Non-international or non-Internet aspects of case
- Questionnaire completion details
- Other information on international or Internet CSA

2. As Table 1 indicates, the police NPQS was only partly successful with 46.2% of the 52 police services in the UK participating. The chief reason for this appeared to be that the survey was being carried out at a time when police services throughout the UK - all of whom were already dealing with rapidly expanding numbers of Internet CSA investigations - were struggling with Operation Ore. (This was the US Postal Inspection Service-initiated investigation into a massive, worldwide, Internet-based, CAI-selling operation which involved 7,272 suspects in the UK alone (The Register, 2005.) Whilst a number of police services did not wish to take part in the survey, some of them did participate in other - what they perceived to be less demanding - stages of the research, in part in *some* stage of the research was 69.3%.

**Table 1 Response rate among UK police services to the NPQS and other research stages**

Response	N	%
Took part in the NPQS <b>and</b> participated in other stages of the research	20	38.5
Did <b>not</b> take part in the NPQS but participated in <b>other</b> stages of the research	12	23.1
Took part in the NPQS ( <b>only</b> )	4	7.7
Did <b>not</b> take part in <b>any</b> stage of the research	16	30.8
Total	52	100.1*

\*Percentages do not equal 100 because of rounding

3. Initially, the police were asked to complete one questionnaire for each international or Internet CSA case that had become known to them between January 1999 and the date at which the survey was administered (August 2002). Once it was learnt that many police services had scores, if not hundreds, of such cases (especially those involving Internet CAIs), it was realised that the proposed task was not feasible. In light of this, and the above factors, police services were subsequently invited to complete questionnaires for a random sample of cases - with ten soon becoming the standard suggested number.

4. One of the primary purposes of the survey was to provide a measure of the extent of international and Internet CSA cases known to police services in the UK. Due to the above logistical difficulties, though, the purpose of the survey had to be restricted to describing the basic characteristics of a sample of cases (which, in all likelihood, had not been selected at random). A total of 113 questionnaires were returned by police services in the UK. (It was as a result of this experience, that a small number of police services were approached for permission to search their crime reporting and recording systems (described below), to provide an alternative (and more reliable) means of establishing the extent of known cases.)

5. Although not as many questionnaires were completed as would have been wished for, those that were returned were still of much value, providing as they did, an insight into the nature and investigation of a not inconsiderable number of cases drawn from almost one half of police services (N=24) from across the UK.

#### General policing questionnaire

6. During the course of piloting the case-specific questionnaire, it became apparent that it would be worthwhile asking the police, across the country, about their experience of, and response to, international and Internet CSA, in general, from a more managerial and strategic position. A questionnaire was designed for this purpose and sent - one per police service - with the main questionnaire, with a request that it be completed by an officer in an appropriately senior position. The response rate was, at 30.8% (N=16), disappointing but this exercise did provide some useful additional information at relatively little cost in terms of resources expended.

7. The General Policing Questionnaire comprised the following seven sections:

- Respondent' details
- Respondent's recent experience of international or Internet CSA
- Special measures provided or needed in response to international and Internet CSA
- Practice difficulties, and achievements, in relation to, international and Internet CSA
- Policy problems and achievements
- Other comments on the response to international and Internet CSA
- Process by which cases were identified for the case-specific survey

#### HMRC NPQS

8. The main relevance of HMRC to this study was in relation to its work concerning the international movement (i.e. smuggling) of CAIs - chiefly into the UK, but in theory, at least, out of the UK also. All cases that become known to HMRC are logged with its headquarters office in London. HMRC reported that they had a database of approximately 150 cases and it was agreed that questionnaires would be completed for a random sample of these. A copy of the questionnaire used in the police NPQS was sent to HMRC headquarters office in September 2002. 35 completed questionnaires were returned to the research office between February and March 2003. In many respects, the HMRC NPQS was much more straightforward methodologically and practically-speaking, than that of its police equivalent - largely owing to the fact that it was completed by a single (and commendable) member of HMRC staff. This should not, though, be taken to imply that it was not time-consuming nor demanding for that individual in question - as it surely was.

#### Police case studies

##### Interviews

9. Interviews were conducted with 51 police officers in connection with 56 separate investigations. As Table 2 shows, these officers were drawn from a wide variety of departments (This is based upon an officer's position at the time of the interview, as opposed to the time when s/he investigated the case in question.)

10. The police interview schedule comprised the following nine sections:

- Interviewee' background and experience
- Case summary
- Work undertaken by police
- Work undertaken by other agencies (in the UK)
- Work undertaken by agencies (outside the UK)
- General police response to international and Internet CSA
- Practice issues, in general, surrounding the response to international and Internet CSA
- Policy issues, in general, surrounding the response to international and Internet CSA
- Other comments concerning international and Internet CSA

**Table 2 The departments of police officers taking part in case-specific interviews**

<b>Department</b>	<b>N</b>	<b>%</b>
Child Protection Unit	22	43.1
Computer Examination Unit	7	13.7
Criminal Investigation Department	7	13.7
Paedophile Unit	4	7.8
Vice Unit	4	7.8
Other*	7	13.7
<b>TOTAL</b>	<b>51</b>	<b>99.8**</b>

\*2 Homicide and/or Major Crime, 1 Professional Standards Unit, 1 Scientific Support, 1 Uniformed, 2 not recorded

\*\*Percentages do not equal 100 because of rounding

#### File searches

**11.** Searches were made of files in relation to 40 investigations. The data extraction form used in this stage of the research consisted of the following nine sections:

- Administrative details concerning the search and file
- Case summary
- Details of the alleged offence(s)
- Victim' details
- Suspect' details
- Police intervention
- Other agency intervention
- Outcomes
- General policy and practice issues raised by the case

**12.** The intention had been to interview an officer and search the file in every 'case study'. In some instances, though, owing to issues of availability, only the police officer or file was accessed. Overall, information was obtained for a total of 72 *different* investigations. A breakdown of the sources of information for these 72 investigations is given in Table 3. The international and Internet CSA categories covered by these 72 investigations are given in Table 4.

**13.** Due to practical problems - chiefly the difficulty of identifying and accessing cases, and resource considerations - case studies were not selected on a random basis. Rather, selection took place according to a series of ad hoc factors, including cases being identified through the police NPQS or other communications with the police, the incidence of a particular category of case and convenience.

**Table 3 Information sources for case studies**

<b>Source</b>	<b>N</b>	<b>%</b>
Interview only	32	44.4
Interview and file	24	33.3
File only	16	22.2
<b>TOTAL</b>	<b>72</b>	<b>99.9*</b>

\*Percentages do not equal 100 because of rounding

**Table 4 Categories of international and Internet CSA covered by police interviews and file searches**

CSA category	Interviews		File searches	
	N	%	N	%
International CSA victim	13	12.9	11	15.7
International child sex abuser	22	21.8	15	21.4
International movement of CAIs	9	8.9	5	7.1
Internet-initiated grooming	10	9.9	4	5.7
Internet-initiated incitement or conspiracy to commit CSA	11	10.9	7	10.0
Internet-based CAIs	36	35.6	28	40.0
<b>TOTAL</b>	<b>101*</b>	<b>100.0</b>	<b>70*</b>	<b>99.9**</b>

\* These totals exceed the number of interviews and file searches indicated in Table 3 as some cases incorporated more than one category of international or Internet CSA

\*\*Percentages do not equal 100 because of rounding

#### Additional searches of police files relating to Internet CSA offences

14. During the course of this study, the researchers were given access to the files of three units (in different police services - one metropolitan and two shire county) that had a specialist or support role in the investigation of Internet CSA. The number of files searched in the metropolitan and the two shire county police services were 21, 196 and 7 respectively. All of these files related to cases that had become known to the police in the period covered by the NPQS. Given the preponderance of Internet CSA cases - particularly those involving Internet CAIs - and the fact that access to this data source was available, it was considered very worthwhile carrying out this additional fieldwork.

#### HMRC (practice-focused) interviews

15. Interviews with (the 17) HMRC officers were more wide-ranging than those with the police and used an unstructured schedule. This was for two main reasons. Firstly, in addition to studying practice issues in relation to this agency, and the international movement of CAIs specifically, it was necessary for the researchers to establish - in broad terms at least - the role of HMRC more generally in respect both of child protection and their other areas of responsibility. (The work of HMRC was an area that the researchers - probably like many others involved in child protection - were unfamiliar with.) Secondly, the posts held by interviewees were quite diverse, incorporating a number of distinct sections (policy, intelligence, detection and investigation) and settings (airports, docks and postal depots).

16. Some of the interviewees had special responsibility for work concerned with indecent and obscene material, either currently or previously. However, all interviewees had at least some experience beyond this specific area, which meant they were able to provide the researchers with the broader appreciation of HMRC that they wanted.

17. Only limited efforts were made to search HMRC files. This was due largely to resource issues but also the fact that the ones that were available contained only a very modest amount of information. A total of three files were searched. Owing to practical considerations, it was not possible to select interviewees on a random basis. However, those that were selected did at least cover all the major sections and settings within HMRC.

#### Policy-focused interviews

##### Police

18. As Table 5 shows, these individuals were drawn from a wide range of police units and organisations. These comprised 31 separate units and organisations in total.

**Table 5 The departments of police officers taking part in policy interviews**

<b>Department</b>	<b>N</b>	<b>%</b>
Computer Examination Unit	12	30.0
Sex Offender Unit	5	12.5
Interpol	5	12.5
Child Protection Unit	3	7.5
Paedophile Unit	3	7.5
Vice Unit	3	7.5
Major Crime Unit	2	5.0
Telecommunications Unit	2	5.0
Crime Management	1	2.5
Criminal Investigation Department	1	2.5
National Criminal Intelligence Service	1	2.5
National High Tech Crime Unit	1	2.5
Ports Police	1	2.5
<b>TOTAL</b>	<b>40</b>	<b>100.0</b>

#### Specialist organisations

**19.** Table 6 shows the broad type of specialist organisations from which interviewees were drawn. Although, the number of these interviews was not large, they did cover many of the key organisations working in, or concerned with, international and Internet CSA.

**Table 6 Specialist organisations featuring in policy-focused interviews**

<b>Interviewee's organisation</b>	<b>N</b>	<b>%</b>
NGO*	7	43.7
Academic	4	25.0
Government department	3	18.7
Industry	2	12.5
<b>TOTAL</b>	<b>16</b>	<b>99.9**</b>

\*NGOs comprised: UNICEF (2 interviewees), World Vision (1), NSPCC (1), ECPAT (1), Internet Watch Foundation (2).

The four academic interviewees were from COPINE. The governmental interviewees were from the Home Office (2) and the Foreign and Commonwealth Office (1). The industry interviewees were from AOL (America On-Line - Internet service provider) and from an organisation 'representing' the travel industry (Association of British Travel Agents)

\*\*Percentages do not equal 100 because of rounding

#### Search of police crime recording and reporting systems

**20.** Owing to its shortcomings, the police NPQS could not be relied upon to produce a reliable measure of the number of known international and Internet CSA cases. This problem was rectified, in part at least, by carrying out a search of police crime *recording*, and *reporting*, systems. Although the number of records and reports searched were relatively large, the number of police services involved in this stage of the research was small - being two and three respectively. Consequently, some caution has to be exercised in generalising from these results to the rest of the UK. That said, one of the key findings of this research - that known cases of international and Internet CSA, with the exception of Internet CAIs, are relatively rare - was supported in other stages of the study, principally the police NPQS and the police practice-focused interviews.

#### Recorded CSA offences

**21.** While the crime *recording* systems in both police services were computer-based, there was no automatic means of highlighting international CSA cases. What the researchers could, and had to do, was to select all the cases where the HOC (Home Office Classification) code indicated that they did or might involve a sexual offence against a child. Each of these records was then studied to see whether it involved a) a child victim and b) an international dimension. This was a slow and painstaking exercise but ultimately a very important one in

terms of producing a reliable measure of the extent of known international CSA victim and child sex abuser cases.

#### Reported Internet-related criminal offences

**22.** The reports of Internet-related criminal offences were computerised in one Computer Examination Unit and in paper form in the other two. The process for identifying Internet CSA cases was the same whether the reports were in a computerised or paper form, and comprised reading the report to determine whether the case involved a) a sexual offence, b) a child victim and c) the Internet. Again, this was a demanding exercise but a valuable one in terms of producing a reliable measure of the number of known Internet CSA cases.

### **Supplementary study**

#### Aim and methodology

**23.** The supplementary study was designed to establish the extent and nature of cases of international and Internet CSA, that were known to social services departments, Probation, Trading Standards, and military welfare and policing organisations, in the UK, and the implications of these cases for policy and practice. It was to comprise two main stages: a NPQS carried out among these organisations, and interviews with workers.

#### NPQS administration

**24.** The NPQS was administered in March 2004, among all social services departments, Probation services and Trading Standards in the UK. (There was insufficient time to arrange the participation of the military in this stage of the research.) Respondents (one from each organisation) were asked to complete a single questionnaire relating to the number and types of case (for each of the categories in Figure 1) that had become known to their organisation (over a period which they determined and identified), and the policy and practice issues to which they gave rise.

#### Outcome of NPQS and interviews

**25.** In the event, the supplementary study met with only very limited success. The response rate from agencies was disappointing, with 24 of the 223 social services departments, 20 of the 207 Trading Standards offices and 4 of the 112 Probation services making any reply on the survey. There appeared to be a number of explanations for this poor response. These included the following: the fact that some agencies had had no involvement in international or Internet CSA (especially some Trading Standards offices), other agencies (namely social services departments) not wishing to participate without the approval of the relevant ADSS (Association of Directors of Social Services) committee, and the not uncommon reluctance on the part of individuals to complete questionnaires. Unfortunately, the research team did not have enough time to chase-up agencies over outstanding questionnaires or embark upon the interview stage. Despite these difficulties, the survey did provide some insight into the extent and nature, and practice and policy implications, of international and Internet CSA beyond those of law enforcement - which had been the primary focus of the main study.

### **Ethical issues**

**26.** The Research Director, the School Research Ethics Panel (School of Human and Health Sciences) and the University Ethics Committee (University of Huddersfield), recognised that this was a very sensitive research project. This being the case, the Research Director drafted an extensive Research Protocol that set out all the measures that would be taken to ensure the research was conducted in an ethical manner. The Research Protocol dealt with a wide range of issues, including the anonymity of research participants, confidentiality of information, obtaining informed consent and the setting up of an advisory committee to oversee the conduct of the research.

**27.** In addition to these relatively standard undertakings, there were a series of more special measures that were adopted in view of the nature of the research. These comprised the storage of the data at a local police station (for added security), making arrangements for counselling, should members of the research team wish to receive this, and establishing recording and reporting arrangements in the event of CAIs being (accidentally) accessed over the Internet (which did not occur). Of particular importance, was the Research Director's stipulation (to the

University and the Advisory Committee, and recorded in the Research Protocol) that the research would not be directly accessing any CAIs. In the event, the research project did not lead to any problems of an ethical, or for that matter legal, nature.



**APPENDIX D: INTERNET CAIs - ADDITIONAL CASE STUDY**

Case 5: network of offenders distributing CAIs using file sharing software

**D.1** The eventual detection and investigation of this case was, in some respects, relatively straightforward. However, the case did raise a number of significant issues surrounding the policy and practice response to CAIs.

**D.2** The case was first detected by an NGO, in a foreign country, that was concerned with the protection children using the Internet. Soon after being set up, this organisation began to receive reports of individuals distributing CAIs over the Internet, using various file sharing software. This organisation had approached different authorities in its own country to have these offenders investigated but no action was taken. They then approached a renowned law enforcement agency in a neighbouring country, which began an inquiry. However, as an increasing number of UK suspects began to be uncovered, this agency approached a specialist police unit in the UK and asked whether it would assume responsibility for the investigation.

**D.3** This unit then began to investigate the network, and as the police officer interviewee explained, from a single, speculative and indefinite report, the case soon mushroomed to huge proportions:

*‘One of the first suspects we traced was to Harrogate. So we decided Harrogate was close enough, we executed a search warrant, went in there and the information appeared to be very accurate as to what was going on, on the Internet. So as a result of that we took two or three more suspects, sent those to outside forces, saying this is what it is and they came back, and again said, very accurate information. Since that point, up until about Easter, we’ve been involved in the tracing of .....[approximately 1000] suspects within the UK, all engaged in the distribution of indecent images of children, predominantly via the Morpheus network.’*

**D.4** As with many other cases involving the use of CAIs, many of these offenders were not found to have sexually abused children. However, some were, and their detection underlined how critical this investigation was:

*‘...but there has certainly been four that we know of so far, males, of no previous convictions, no previous allegations, who have been involved in indecently assaulting their children and taking photographs and distributing them on the Internet.’*

*‘The spectacular ones have been John Smith in East Anglia who was the baby rapist.....he will certainly get ten years.....we’ve had another one in Southampton that got ten years because of the offences that came to light. We’ve got another one awaiting trial for the long-term abuse of his 11 year old niece. We’ve got one in Scotland videoing and sexually abusing his daughter for nine years, since she was four years old up to the age of 13, and the pictures literally show her growing up - it is absolutely sickening.*

*‘We’ve hit one in Kent, and when we did the research, the child protection team said there had been previous allegations of abuse by the father before, and one of the children was raped, they thought, but they couldn’t actually prove it. It [the previous allegation] went all the way to social services, all the way to hearings, and in the end they said that they couldn’t prove whether it is or isn’t..... So in the end he got access back and he is back with the mother and the children..... Of course we have turned up to arrest him for the distribution of indecent images of children, and while we are investigating him, the niece has come forward and said “he has been abusing me for years”.’*

**D.5** Given its scale, the case also usefully illustrated the diversity of offenders involved in this activity:

*‘...we have actually done quite a wide spectrum of 14-15 year olds up to 70 years olds...we’ve hit doctors, we’ve hit police officers, we’ve hit magistrates, teachers and kids.*

**D.6** Interestingly, of the approximately 100 suspects this officer had had more direct contact with, all had been male, although he did point out that one case was currently being investigated which might involve a female offender.

**D.7** Besides the refusal of authorities, in the country where the original report was made, to investigate this case, another policy and practice concern identified was the unwillingness and/or inability of some ISPs to assist police with their investigations, or, more specifically, to provide them with information identifying Internet users:

*'Some of the other problems have been ISPs giving us wrong results. We've got ISPs who constantly give us negative results, saying they've got nothing..... Some of the ISPs, I mean most of the ISPs, have been very, very helpful, and I genuinely think they were all trying to be helpful. Just one or two of them were being a bit ..... I don't know ..... I don't know what went on, on their side, so whether they genuinely couldn't find the information or whether they just didn't find the information, I don't know..... there are one or two companies who repeatedly send back 'no trace' and when you get the graphs out, we are looking at a 20-40% return rate from them. So, either they're not keeping records or somebody is not doing their job. We can't work out what is going on there but y'know they are private companies, they have got money to make. I think it comes down to money at the end of the day. Because we are trying to get information out of them for free and it is costing them money.'*

**D.8** This same police officer believed that his own police service, along with other local and national police organisations, had been overwhelmed both by this particular case and by Internet CAI cases generally:

*'...we were offered information on worldwide suspects and it became clear that we couldn't cope...so we ended up setting up a scheme with \_\_\_\_\_ [a national policing organisation] where they would deal with it, but they couldn't cope with it. So what we ended up doing was getting contacts in various countries and getting the information provided direct to those countries..... So worldwide, I think it is something like twenty countries that we are currently involved with...*

*'...and the volume that has gone out to some forces, we accept has been.....you know, if they have got only two people doing it and they are doing the analysis [forensic analysis of computing equipment], then it is going to take forever and a day to get round to doing them.*

*'But you know, it takes us up to, and sometimes over, a year to get a computer package back and then you've got to re-interview somebody. By the time you get the package back, on something that happened a year, eighteen months ago, and they [the offenders] say 'Don't know what you're talking about, can't remember.*

*'...when this was running and they [the police Telecommunications Unit, which was responsible for obtaining the details of suspects from ISPs] were getting 20-30 suspects a day, they were just drowning ..... they just couldn't cope. Y'know literally.*

*'Some forces have continued it, some forces have just said, again, that they couldn't cope with the volume of work that was flying around.'*

**D.9** So preoccupied had this specialist unit been with this and other similar cases, that any attempt at proactive working appeared to have been shelved - indefinitely:

*'We haven't done proactive jobs ourselves for two and half years.....just because of the sheer volume of stuff we've been receiving from other people. What we are now trying to do is to get our volume down or get it dealt with by other people and then we can start the monitoring to see whether there is a big box that we have never actually found before.'*

**D.10** Asked how well the police were responding to the problem of Internet CAIs, the officer identified one of the most fundamental issues in the response to Internet CSA: that there is, in all likelihood, a major undetected problem, or 'box' and one that the police were not yet tackling:

*'I don't know how well we respond to it. I don't know. I don't know whether they [the police in general] have ever opened the box to find out how big the box is! ..... I mean they can say we've arrested x amount of people, we've put x amount of people on the Sex Offenders Register, we've saved x amount of children from abuse, but do we ever actually open the box to find out how many we haven't found. So we can have all the performance indicators they want, but the bottom line is I don't think anyone ever knows how many victims there actually are out there. There are obviously new victims occurring everyday because there are new photographs going on the Internet.....So I think, we've got to be a bit realistic and say we do what we get reported. What gets reported to us, we deal with. But the problem is we don't do what doesn't get reported, and how do we get into the stuff that doesn't get reported?'*



## APPENDIX E: POLICY AND PRACTICE ISSUES - CSA IN GENERAL

### Introduction

1. One of the central aims of this research was to highlight the policy and practice issues specific to international and Internet CSA. However, during the course of the research, and in particular through the interviews with agency representatives, an attempt was made to highlight the policy and practice issues that existed in relation to CSA in general. These issues are listed below. The purpose of this exercise was to enable both the researchers and the readers of this work, to place the findings concerning international and Internet CSA in a broader, and therefore more meaningful and accurate context.

2. Although many of these issues will be familiar to those involved in, or concerned with, child protection, the authors believe it is important to reiterate them here, given that they reflect serious deficiencies in the child protection system. If a truly effective child protection system and *society*, is to be realised, whether in relation to international or Internet CSA, or CSA in general, then these deficiencies have to be addressed. In the interests of brevity, these issues are expressed in summary form. As this list indicates, there is still much which needs to be done to improve the response to CSA - including that which involves international or Internet elements.

### Victims

#### 3. Needs of victims

Provision for victims (and their family members) such as therapy, continues to be scarce. (The media, political and subsequent societal furore over, and preoccupation with, offenders, in recent years, have done nothing to remedy this problem, and may even have exacerbated it.)

### Awareness

#### 4. Public

The public need to have more *information* on how and when it should report child protection concerns. The public also require more *opportunities* to discuss and report such concerns. In addition, there needs to be moves to address both the indifference, and the over-reaction, which exists in different sections of society towards CSA. (It would seem that there is a need for a public awareness/education campaign, led by the Government, but involving, possibly, statutory agencies and/or NGOs.)

### Policy

#### 5. Resources

There is a marked lack of resources within all areas of child protection work. One of the clearest manifestations of this lack of resources is the marked dearth of preventative and proactive child protection work. It is understandable, but also very worrying, that society in general, and possibly even agency workers, are becoming resigned - if not immune - to this situation.

#### 6. Legislation - managing offenders

Courts need to have greater powers in order to exert more control, where required, over sex offenders, especially those deemed high risk, when they are in the community. This would include restrictions upon their moving home and changing their names.

#### 7. Legislation - suspected offenders

The courts should have the ability to take action against suspects who have not been convicted following a court case but against whom there is a strong suspicion.

## **Police**

### **8. Culture**

Some police officers pointed out that there was still a problem among their colleagues, both senior and junior, in their (negative) attitude towards police involvement in child protection work.

### **9. Tenure**

Many police services operate a policy of tenure whereby staff are in a department or position for a maximum period, and are moved on when, or before, this point is reached. While there seems to have been some relaxation in this policy, it is still in use in some police services and is a cause of significant disquiet. As a number of police officers, especially those in child protection units, pointed out the removal of such staff, led to a loss of expertise - which had taken much time and effort to attain - stability within units and working relationships with other agencies.

### **10. Victim support**

The police often perform an invaluable role in supporting child witnesses (i.e. alleged victims) (and their families) in the traumatic and lengthy periods before criminal cases come to court. While this work tends to be carried out on something of an unofficial or informal basis, it is time-consuming and one not without its challenges. (The challenges are not only logistical. Officers also have to contend with establishing, and maintaining, appropriate relationships with children and family members in the run-up to trials, and then have to manage the process of terminating these relationships post-trial.) The importance and necessity of this work needs to be fully appreciated, and above all supported, by the wider police service, and even more so by the Home Office and Government.

### **11. Interviewing children**

Girls, especially those of secondary school age (11 years and over) should have the option of being interviewed by female police officers (or social workers), with whom they are likely to be more forthcoming than if interviewed by male police officers (or social workers).

## **Criminal Justice System**

### **12. Victims not giving evidence**

A problem that persists in the criminal justice system is that some victims are prepared to make a disclosure, to the police, but are not, for a variety of reasons, prepared to act as a witness in any criminal trial.

### **13. CPS**

The CPS should have more confidence in the likelihood of being able to secure convictions and should, on this basis, prosecute a higher proportion of cases.

### **14. Delays in cases coming to trial**

Delays in cases coming to trial remain the norm, as opposed to the exception.

### **15. Trials**

There was a widespread feeling that the criminal justice system, and the judicial process in particular, strongly favours the defendant, at the expense of the victim.

### **16. Victims experiences in court**

Victims - even quite young ones - can still be subject to hostile treatment by defence barristers in court, and sometimes with the acquiescence of judges. Not surprisingly, experienced, aggressive, adult barristers do not

find it difficult to intimidate small, young and possibly traumatised children, to such an extent that they, and their evidence, are seriously undermined.

**17. Judiciary**

The practice of some judges is inadequate and their attitudes inappropriate.

**18. Sentencing**

Sentencing in at least some cases was felt to be too lenient.

**19. Therapy for victims**

Victims are still experiencing problems in receiving therapy, or more specifically are being delayed in receiving it, due to concerns that such provision might have an adverse effect upon the prosecution case.

**Children's services**

**20. Capability**

The police continue to question practice on the part of SSDs. This includes whether they share information and concerns with them as often and as readily as they should.

**Offenders**

**21. Treatment**

There remains a paucity of treatment provision for offenders - both those in prison and those in the community.

**Non-abusing parents**

**22. Hostility to victims**

Agencies face problems with some parents/carers who, while they have not been involved in the sexual abuse of children, take the abuser's side and dismiss the disclosures their children have made.

**Media**

**23. Influence**

The influence of the media, especially the less responsible elements of it, upon policy, and public perceptions (or misperceptions), is considerable and has grown significantly in recent years. Much of this is seen as unhelpful.

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