

E-Safety and Internet Abuse

SCOPE OF THIS CHAPTER

This chapter outlines key points in relation to the abuse of children through digital media, including bullying and so called sexting. It also explains how to make a referral to Children's Social Care where there are concerns regarding the abuse of a child or about an adult who has accessed illegal material online and processes including strategy discussions / meetings and assessment processes.

RELATED CHAPTERS

Making a Referral to Social Care Procedure

Children who Present a Risk of Harm to Others procedure

Working with Sexually Active Children and Young People Under the Age of 18 Procedure

USEFUL INFORMATION

Child Safety Online – a Practical Guide for Parents and Carers whose Children are using Social Media (trix please link to https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/490001/Social_Media_Guidance_UKCCIS_Final_18122015.pdf.pdf)

Internet Watch Foundation – to report criminal material online (trix please link <https://www.iwf.org.uk/>)

Child Exploitation and Online Protection Agency (CEOP) (trix please link <http://ceop.police.uk/>)

Think You Know - Internet Safety for Children and Young people

Stop it Now - confidential helpline for anyone who has concerns that someone they know may be abusing a child. Also offers support and advice to those are concerned about their own thoughts and behaviours towards children. Telephone 0808 1000 900.

Lucy Faithful Foundation - expertise in this area and can conduct assessment as part of a service level agreement.

Sexting in schools and colleges: Responding to incidents and safeguarding young people (2016) (Tri-x add link to https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551575/6.2439_KG_NCA_Sexting_in_Schools_WEB_1_.PDF)

1. Introduction

2. Online sexual abuse and sexting

2.1 Responses to young people who post self-taken indecent images

2.2 Responses to adults involved in online sexual abuse of children

2.3 Social Care Risk Assessment of Individuals Viewing Abusive Images of Children

3. On-line bullying

4. Online Extremism and radicalisation

5. Obsessive Use of websites giving unhealthy messages

1. Introduction

Child abuse in all its forms is increasingly being linked to the use of digital media. Technology is constantly being updated and the internet can now be accessed via mobile phones, laptops, computers, tablets, webcams, cameras and games consoles.

E-Safety is the generic term that refers to raising awareness about how children, young people and adults can protect themselves when using digital technology and in the online environment. See Childnet (trix please link <http://www.childnet.com/>) for resources which can be used with children and young people when discussing keeping safe on the internet.

Internet abuse relates to the use of technology to manipulate, exploit, coerce or intimidate a child to (but is not limited to):

- Engage in sexual activity;
- Produce sexual material / content;
- Force a child to look at or watch sexual activities;
- Encourage a child to behave in sexually inappropriate ways or groom a child in preparation for sexual abuse either online or off-line;
- It can also involve directing others to, or coordinating the abuse of children online.

As with other forms of sexual abuse, online abuse can be misunderstood by the child and others as being consensual occurring without the child's immediate recognition or understanding of abusive or exploitative conduct. In addition, fear of what might happen if they do not comply can also be a significant influencing factor.

Financial abuse can be a feature of online child sexual abuse, it can involve serious organised crime and it can be carried out by either adults or peers.

Internet abuse can also include cyber-bullying or online bullying.

The internet can be used to engage children in extremist ideologies. A child or young person may also use the internet to reinforce unhealthy messages /ideation such as suicide and eating disorders.

It is important to remember that no child under the age of 18 can consent to being abused or exploited.

2. Online sexual abuse and 'sexting'

This may include but is not limited to;

- Distribution of indecent photographs/pseudo photographs (images made by computer graphics, or other means, which appear to be a photograph) of children.

- Encouraging a child to behave in sexually inappropriate ways or engage in sexual activity;
- The production and distribution of abusive images of children (although these are not confined to the Internet);
- Where a child or young person is groomed for the purpose of Sexual Abuse (online or offline);
- Where a child is exposed to sexual images and other offensive material via the Internet; and
- It can also involve directing others to, or coordinating, the abuse of children online.

Legal framework

Crimes involving indecent images of children fall under Section 1 of the Protection of Children Act 1978, as amended by Section 45 of the Sexual Offences Act 2003 to extend the definition of children from under 16s to under 18s. It is illegal to take, make, permit to take, distribute, show, possess, possess with intent to distribute, or to advertise indecent photographs or pseudo-photographs of any person below the age of 18.

The Serious Crime Act (2015) introduced an offence of sexual communication with a child. This applies to an adult who communicates with a child and the communication is sexual or if it is intended to elicit from the child a communication which is sexual and the adult reasonably believes the child to be under 16 years of age. The Act also amended the Sex Offences Act 2003 so it is now an offence for an adult to arrange to meet with someone under 16, for the purposes of committing a relevant offence, having communicated with them on just one occasion (previously it was on at least two occasions).

Allowing or encouraging a child to view adult pornography, and/or extreme forms of obscene material is illegal and should warrant further enquiry.

Contextual information

'Sexting' or 'youth produced sexual imagery' describes the use of technology to share sexual images or videos which young people have taken of themselves. Some self-taken indecent images will be as a result of grooming and facilitation by adult offenders. See section 2.2 Responses to adults involved in online sexual abuse of children.

These images are then shared (usually via instant messaging or text messaging) with other young people and/or adults, including with people they may not even know. The content can vary, from images of partial nudity, to sexual images or video. Young people are not always aware that sharing images in this way is illegal. The widespread use of smart phones has made the practice much more common and the taking of such photographs is often as a result of children and young people taking risks and pushing boundaries as they become more sexually and socially aware.

A factor that appears to drive the creation of self-taken images is children and young people's natural propensity to take risks and experiment with their developing sexuality. This is linked to, and facilitated by, the global escalation in the use of the internet, multimedia devices and social networking sites.

The reasons why children and young people post sexual images of themselves will vary from child to child. A child would not usually be in possession or be distributing these images because they

have an inappropriate sexual interest in children - rather in the majority of cases, it will be as a result of their normal teenage sexual development combined with risk-taking behaviour.

2.1 Responses to young people who post self-taken indecent images

Education establishments may also wish to seek advice from non-statutory guidance *Sexting in schools and colleges: Responding to incidents and safeguarding young people*. (add link to https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551575/6.2439_KG_NCA_Sexting_in_Schools_WEB__1_.PDF).

A safeguarding approach is at the heart of any intervention. Parents and carers should be involved at an early stage unless informing them will put the child or young person at risk of harm.

Once an adult / professional becomes aware of the images they should not view the imagery unless there is a good and clear reason to do so; the decision to view should be based on professional judgement and clearly recorded.

When it is believed young people have viewed abusive images of children, consideration needs to be given to the possibility of the young person being influenced by external experiences (e.g. their own experiences of abuse, prolonged exposure to abusive material by an adult, young person is being groomed etc). Some young people will be at higher risk of developing paraphilic behaviour (a condition in which a person's sexual arousal and gratification depend on fantasising about and engaging in sexual behaviour that is atypical and extreme) as a result of being exposed to abusive images of children. A practitioner who becomes aware of such activity will need to take this seriously particularly if that young person is living in a household where there are potential victims or as a child protection issue for the young person concerned.

Please see **Children who Present a Risk of Harm to Others Procedure** for further guidance.

An immediate referral to the Police and /or Children's Social Care should be made if:

- The incident involves an adult;
- There is reason to believe that a young person has been coerced, blackmailed or groomed, or there are concerns about their capacity to consent (for example owing to special education needs);
- What is known about the imagery suggests the content depicts sexual acts which are unusual for the young person's developmental stage, or are violent;
- The imagery involves sexual acts and any child in the imagery is under 13;
- The child or young person is at immediate risk of harm owing to the sharing of the imagery; this may include arranging offline meetings.

The referral should be made on the same day and as a matter of urgency.

Where there are concerns that a child may be or is likely to suffer Significant Harm Social Care will convene a Strategy Discussion / Meeting involving, health, police and other relevant agencies. See Child Protection Section 47 Enquiries Procedure, Strategy Discussions / Meetings.

A strategy discussion/meeting may also look at appropriate multi-agency interventions early in the process and seek to minimise risk. In most cases a strategy meeting rather than a discussion is likely to be needed.

The strategy discussion/meeting will consider:

- The safety of all children within the household, including children in the extended family or social networks with whom the alleged abuser has contact with;
- The safety of the children shown in the abusive images;
- Whether the Police will proceed with a criminal investigation, the conduct and timing of the investigation, it is worth noting that an investigation does not always conclude with a prosecution.

The National Police Chiefs Council (NPCC) have issued guidance for responding to cases where young people have shared indecent images of themselves or their friends / partners: see **Young People Who Post Self-Taken Indecent Images**. This has made it clear that incidents involving youth produced sexual imagery should be treated primarily as a safeguarding issue rather than a criminal offence. New guidance for law enforcement relating to the investigation of youth produced sexual imagery offences to ensure a co-ordinated, effective and proportionate response is currently under development by the NPCC. Pending the production of this national guidance Derbyshire Constabulary have produced interim guidance on sexting for their officers and staff. (add link to documents library)

When the police are involved a criminal justice response against a young person would only be considered proportionate in certain circumstances; the key issue would be if there are any aggravating factors.

First time young offenders should not usually face prosecution for such activities, instead an investigation to ensure that the young person is not at any risk and the use of established education programmes should be utilised. The Police recommendation is that these cases should be dealt with on a case by case basis, and within a wider safeguarding framework.

Young people who have shared images, or had images shared with or without their consent should be offered appropriate support including help and support with the removal of content (imagery and videos) from devices and social media.

2.2 Responses to adults involved in online sexual abuse of children

As noted earlier, some self-taken indecent images will be as a result of grooming and facilitation by adult offenders. Social networking sites are also often used by perpetrators as an easy way to access children and young people for sexual abuse. The primary purpose of Police involvement in these cases should be to ensure that the potential contact with adult exploiters is properly explored. As per Police guidance, the focus of investigations should not be on the behaviour of children who have been the victims of abuse or exploitation but on the adult offenders who 'coerce, exploit, and abuse children and young people'.

A referral to Children's Social Care should also be made on the same day if there is evidence that persons found in possession of indecent photographs/pseudo photographs of children are living with, or have unsupervised contact with, children and young people..

Adults who have made/taken, download or distributed abusive images of children, have committed an offence under the Sexual Offences Act 2003 and a referral to the Police is always required. If the alleged abuser lives in a household with children/young people or comes into contact with

children/young people through their personal, work or voluntary activities a referral to Social Care will also be required.

Also see Managing Individuals who Pose a Risk of Harm to Children procedure.

If the alleged abuser works or is a volunteer with children or is a foster carer, please refer to the **Allegations Against Staff, Carers and Volunteers Procedure**.

When adults are found in possession of indecent images partners, colleagues and friends often find it very difficult to believe and may require support.

Information should not be discussed or disclosed to any other individual, including the alleged abuser, their partner or children as it is important there is no opportunity given to the alleged abuser to destroy any evidence that may lead to the identification of victims or be of use in any criminal proceedings. There may be occasions when it is necessary to take action before any strategy meeting has taken place because the risk is time bound and needs urgent action. Similarly it may occasionally be necessary to make an arrest without disclosing that outside of the police service to ensure offenders are not alerted.

A **Strategy Discussion/Meeting** should be held on arrest to consider the risk to any children with whom the alleged abuser comes in to contact both in their personal life and through work or voluntary activities. If the images include abusive images of children known to the alleged abuser including his/her own children, an urgent strategy discussion must be held on the same day with a view to commencing a **Section 47 Enquiry**.

Where the alleged abuser is in a position of trust either through their work or voluntary activities, a separate strategy meeting chaired by the Local Authority Designated Officer (LADO) will need to consider a strategy meeting to be convened within 5 working days. Please see **Allegations against Staff, Carers and Volunteers Procedure**.

All strategy discussions/meetings will need to consider whether the threshold has been met for holding a Section 47 Enquiry, and consider if an Initial Child Protection Conference is required. A strategy discussion/meeting may also look at appropriate multi-agency interventions early in the process and seek to minimise risk. In most cases a strategy meeting rather than a discussion is likely to be needed.

The strategy discussion/meeting will need to include the Police (who are likely to take the lead in any subsequent enquiries related to criminal proceedings) Social Care and relevant Health Professionals. The strategy discussion/meeting will consider:

- The safety of all children within the household, including children in the extended family or social networks with whom the alleged abuser has contact with;
- The safety of the children shown in the abusive images;
- When the alleged abuser and their partner will be informed about the investigation, taking into account the time needed by Police to gain and exercise a warrant to seize any electronic equipment;

- Whether the Police will proceed with a criminal investigation, the conduct and timing of the investigation, it is worth noting that an investigation does not always conclude with a prosecution.

In the case of staff, volunteers and carers, the LADO discussion will also include:

- Any contact with children or young people through the course of the alleged abusers work or voluntary activities;
- Whether any action should be taken by the employer or agency.

The Police and Social Care will conduct a joint investigation. The Police investigation is likely to be lengthy, as time is needed to analyse the results of any seized equipment and it is likely that the results of this will not be known within the 45 working days timescale for completing the single assessment. However some key factors can help determine the likelihood of significant harm at an early stage, including:

- Previous history (known to Social Care for abuse or neglect);
- Previous contact abuse of children;
- Images of own children;
- Assessment of partner's capacity to protect indicates the children's safety is likely to be compromised;
- Absence of cooperation;
- Understanding of risk factors associated with sexual abuse;
- Known criminal lifestyle.

If any of these risk factors are present the strategy meeting must consider if the alleged abuser should be asked to leave the home during the assessment and if not, how the risks will be managed. Often this will include the need to devise a written/working agreement to cover matters such as supervision of contact, intimate care of children, entry to children's rooms, sleep overs etc. Safeguards need to be put into place at the start of any work until a conclusion can be reached about the child/children's safety. Measures such as this are not sustainable in the long term and should be reviewed regularly; this would include the need for a child protection conference.

The use of digital media is not limited by local or national borders. Those undertaking an investigation must always consider the possibility of notifying agencies in other areas (or countries) of their concerns about a child or about an alleged perpetrator.

2.3 Social Care Risk Assessment of Individuals Viewing Abusive Images of Children

Social Care involvement is usually (but not always) initiated following notification from the Police about a criminal investigation with an individual caught in the possession of indecent images of children. Individuals who view these images do so as they have a sexual interest in children and have acted on this interest by looking at children being abused. Some individuals will go onto contact abuse and others will not, however careful and holistic assessment is required.

An appropriate assessment model should always be used. An individual who is assessed as being low risk to the general public may still present a unacceptably high risk to children and the risk posed by the alleged abuser must be assessed alongside the vulnerability of potential victims, and the quality of protection which surrounds the child, Where there is a partner involved it is essential that they are also assessed within the assessment and interviewed first and separately to the alleged abuser.

In order to risk assess the following information will need to be collated from either the Police enquiry or Social Care enquiries and should formulate part of, and not replace, the single assessment process:

- What is known about the nature of images (Category A-C) age, gender of children?
- What is the source of images, e.g. commercial site, home-made images, chat rooms, is there evidence of trading?
- Was any additional material seized at the property (in addition to the hard drive) e.g. disks/dvds, videos, printed images, written material, were they hidden?
- What other technology was present in the house, e.g. webcam, digital camera, video camera, games consoles?
- If children do not live within the household, was there evidence of toys or other child centred objects?
- Is there any indication children were present whilst material was being viewed or other material featuring children known to the alleged abuser?
- Is there evidence of heavy alcohol use/drug use/distributing drugs e.g. cannabis?
- Was adult pornography present as well (though adult pornography may or may not be illegal, it is still likely to be relevant to assessment)?
- How does the alleged abuser initially present her / himself, explore background history, significant life events, previous partners and children including any contact arrangements?
- Any known previous professional involvement?
- Is there a history of domestic violence or abuse?
- Is there any prior criminal history?
- How does the non-offending parent initially react to the situation, is the non-abusing parent less or more able to protect, does the couple's relationship increase or lower risk?
- How do children in the household present themselves and/or react to the situation (bearing in mind age and development), consider each child individually, do their own circumstances increase or decrease their vulnerability?
- Who are the safer group of significant people to the children, e.g. grandparents?
- Do agencies involved with the family have any concerns?
- Any initial indicators of abuse/neglect, do parenting styles increase or lower risk?
- What are the protective factors in the situation?

- What are the children's daily routines particularly with regard to intimate care and bedtime routines?
- What social and community support is available to the family, are they socially isolated?
- What contact does the alleged abuser have with children and young people beyond the immediate family? Consider contact with extended family and community.
- Does the alleged abuser come into contact with children or young people through their work or voluntary services?

3. Online Bullying

Internet abuse may also include online bullying, also known as cyber-bullying. This is when a child is tormented, threatened, harassed, humiliated, embarrassed or otherwise targeted by another child using the Internet and/or mobile devices. It is essentially behaviour between children, although it is possible for one victim to be bullied by many perpetrators. In any case of severe bullying it may be appropriate to consider the behaviour as child abuse by another young person.

Children can engage in, or be a target of, online bullying via text / instant messaging or social media sites such as Facebook. This form of bullying is a growing problem in schools and other educational settings (see Cyber Bullying Advice for Head Teachers and School Staff, DfE, and Childnet Cyberbullying: understand, prevent and respond guidance for schools and practical PSHE toolkit (trix please link

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/374850/Cyberbullying_Advice_for_Headteachers_and_School_Staff_121114.pdf and <http://www.childnet.com/new-for-schools/cyberbullying-guidance-and-practical-toolkit>)

Online bullying should be taken seriously by any practitioner who becomes aware of it. If necessary concerns should be reported to the Police. See also **Children who Present a Risk of Harm to Others Procedure**.

The Department for Education have also issued guidance for parents and carers on cyberbullying (see **Advice for Parents and Carers on cyberbullying, DfE**).

4. Online Extremism and Radicalisation

Radical and extremist groups use social media as way of attracting and drawing in children and young people to their particular cause; this is similar to the grooming processes and exploits the same vulnerabilities. The groups concerned include those linked to extreme Islamist, or Far Right/Neo Nazi ideologies, various paramilitary groups, extremist Animal Rights groups and others who justify political, religious, sexist or racist violence.

Where there are concerns in relation to a child's exposure to extremist materials, the child's school may be able to provide advice and support. Suspected online terrorist material can be reported through www.gov.uk/report-terrorism. Reports can be made anonymously, although practitioners should not do so as they must follow the procedures for professionals. Content of concern can also be reported directly to social media platforms – see Safety features on Social Networks.

See also Safeguarding Children and Young People against Radicalisation and Violent Extremism procedure. (Tri-x please add link)

5. Obsessive Use of websites giving unhealthy messages

Children particularly around the time of adolescence can become obsessed with ideas about themselves and their lifestyle. This may include concern about body image, lack self-worth, or obsession about ideas they have around life and mortality. There are a number of websites which give harmful messages to children about weight loss and suicide in particular which can lead to significant harm of a child.

Professionals should be warned that if they are aware that a child or young person has become obsessed with one of these harmful websites then this should be raised with relevant others to ensure this information is included in the risk assessment.