Child abuse, child pornography and the internet

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Foreword

Access to the internet via computers and a range of other digital communications devices' are increasingly a modern day must have for children and young people in the UK and many other countries. Not only are they establishing new cultural norms, they are also becoming mainstream within education.

I do not doubt for one moment that for the vast majority of children and young people, for the great majority of the time, access to the internet will be positively useful and a source of perfectly innocent fun and games. But every child or young person who uses the internet will almost certainly be exposed at some time to materials that will shock and possibly harm them, or they will come into contact with organisations or individuals who mean them no good, Only one such encounter needs to go wrong for potentially disastrous consequences to follow.

According to the UK's Office of National Statistics, in the second quarter of 2003 12 million households had access to the internet at home. That is 48 per cent of all households, and is five times larger than the equivalent number in the second quarter of 1998, By August 2003, according to OFTEL, the percentage of homes with internet access had risen to 50 per cent. The rate of growth in internet usage at home has been huge and rapid, and often seems to have outstripped our capacity to meet many of the new challenges that have arrived in its wake.

Households with children are more likely to have internet access than other households. In 2002, according to the British Educational Communications and Technology Agency, 68 per cent of 5-18 year olds had internet access at home and the numbers are still rising. In November 2003, over 99 per cent of all schools in the UK had internet access, with 91 per cent of secondary schools in England and Wales already on broadband. A study published by Nielsen's Ratings in September 2003 showed the UK had 4.5 million

under-iSs regularly using the internet, the highest number in the whole of the EU, with the fastest growth happening among under-i2s. Across the whole world the number of children and young people regularly using the internet is now running towards the eighty million mark,[2] and this number is also still rising. The same Nielsen's Ratings study showed that 27 million American children between the ages of two and 17 are internet users, and that is one in five of all US internet users.

These are all big numbers, thus it is important never to forget that when we refer to the probability that only a small proportion of children who use the internet might come to harm on it, this can still encompass very many young human beings. If we only ever talk in percentages we can be deceived.

Moreover it is anyway wrong, or frequently unhelpful, to speak of children and young people as if they were an undifferentiated mass. Within any large group of children and young people who use or will use the internet there will be specific subgroups who will be more or less vulnerable, either some or all of the time. There are, for example, a range of children and young people with learning difficulties, needy or very young children, or children and young people who may just be going through a particularly difficult period of their lives. They all use the internet, or will do soon.

Civilised society has a duty to all children and young people, not just some, but the burden of that duty will differ according to the varied needs of each individual child or young person. One size does not fit all.

Our task as parents, carers, teachers, law enforcement officials, policy makers, owners or directors of internet companies, government officials or as other kinds of public agencies, is to try to ensure that all children and young people, of all ages and from all kinds of backgrounds, with al! kinds of abilities and needs, are appropriately educated about, made aware of; and prepared for what they might encounter on the internet, just as we educate them about, make them aware of and prepare them for so many other areas of life's attendant hazards. The internet is just the newest and latest phenomenon with which we need to grapple.

However, some of us also have additional duties. Some of us also have a responsibility to ensure that everything that can reasonably be done at a technological level is being done to reinforce and support these wider educational and awareness messages. It is this combination, of education and awareness on the one hand, linked to improved technological solutions and support on the other, that holds the key to protecting children and young people in the digital age. At the moment we have not got the balance right. 1 hope we will get it right in the very near future, We need an increased sense of urgency, especially as, at the time of writing, we are on the cusp of yet another major technological revolution.

With the development of GPRS mobile telephone networks, and with the imminent, large-scale arrival of the 3G networks, linked to the increased availability of highly sophisticated telephone handsets and a variety of forms of wireless connections, the internet is going mobile. This is very likely to add a new layer of complexity to all, or at any rate many, of the issues discussed in this report.

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Introduction

The sexual abuse of children and young people is a phenomenon that predates the arrival of the internet by many, many centuries. It follows paths that are now well understood by the police and by the other professionals who work with abused children or with sex offenders.

Not so well understood are the ways in which the internet is helping to create new pathways to the old forms of abuse, and how it is also helping to create new forms of abuse.

One of the central aims of this report is to draw together what we now know about the different types of sexually abusive behaviour, old and new, to which children and young people who use the internet can fall prey, and it seeks to determine to what extent the internet facilitates that behaviour. The report also tries to assess to what extent the arrival of the internet as a mass consumer product has led, or is likely to lead, to an overall increase in the level of sexual offending against children and young people.

A second and closely related major aim of the report is to draw together what we now know about the distribution of child pornography over the internet and the associated abuse that goes with the production of those images. The report discusses the role that child pornography can play in stimulating people with a sexual interest in children to go on to commit real-world offences against children.

The report concludes by setting out various proposals for reforms that are designed to enhance the protection of children and young people on the internet and to reduce the amount of child pornography in circulation on the internet. Legislation plays little or no part in this prospectus, although views on the need to use legislation may well change if the broad range of companies that now make up the internet industry do not respond positively within a reasonable timeframe.

I argue that the arrival of the internet has almost certainly led to an increase in the volume of child pornography in circulation and to an increase in the overall level of sexual offending against children and young people. It has also almost certainly led to an overall increase in the exposure of children and young people to a wider range of undesirable or age-inappropriate sexual materials, that are abusive in character or may become so. The reason this report focuses primarily on undesirable or age-inappropriate sexual materials, is because of the way they are often linked to the sexual abuse of children, but it would be a mistake for anyone to believe that sexual materials are the only ones that concern parents, or indeed children themselves. I further suggest that, short of countervailing measures being taken, all of these trends are likely to continue and get worse, therefore ever larger numbers of children and young people will be harmed or put at risk.

The key conclusions 1 have just set out are put in a rather provisional or tentative way, In the main this is because there are a number of major methodological problems associated with proving them incontrovertible eg certain benchmark data, from pre-internet days, simply do not exist. Also, in this particular area of inquiry, there are a range of insurmountable ethical obstacles to research, eg you cannot deliberately expose children and young people to hardcore or illegal pornography over a prolonged period simply in order to try to measure its effects on them. However I believe that any reasonable examination of the evidence that is already available points ineluctably towards certain very obvious conclusions.

That said, this report still in no way tries to claim it is the final word on any or all of the issues it discusses. What it very definitely does seek to do, however, is give shape, structure and coherence to some of the larger emerging issues that continue to capture the public's, the media's and policy makers' attention, and to air key aspects of the

current state of thinking, at least among those whose principal concern is the protection of children and young people.

Having reached my conclusions, I want also to make it very clear that I am most certainly not trying to blame the internet itself for these trends or developments nor, emphatically, does it mean I believe in any kind of technological determinism. The internet is not an actor in its own right. The internet is merely a technology, a conduit. It has brought, and continues to bring, huge benefits to society in general and to children and young people in particular. It is only through human agency, through deliberate or accidental acts, that the internet can be turned to harmful use. However, if we are to have a good understanding of what needs to be done to protect and support children and young people in the digital age, we need to focus as specifically as we can on the new modalities of abuse that the internet has made possible.

The report relies mainly on UK data. The challenge is to construct a similar report based on data drawn from many more countries. Are there differences between children and young people's exposure to online risks according to where they live? If there are, how do we explain them? If there are not, what does that tell us?

The report touches on a broad range of issues, but it focuses principally on the two areas that have been of most concern to policy makers:

(i) contact offences: real-world sexual offences against children that begin on or are commissioned by or through one of the internet's interactive technologies, typically a chatroom

(ii) the production, circulation and possession of child abuse images

The report also looks at the connection between (i) and (ii) as this seems to be at the heart of so many of the current debates about online child protection strategies and tactics, and related law enforcement strategies and tactics.

Child abuse through contact offences

The term contact offence describes criminal behaviour that is sexually abusive in nature and involves some kind of physical activity in the real world. The most extreme form of contact offence is rape, but the term also encompasses other forms of sexual assault or inciting others to perform illegal sexual acts.

Contact offences can be committed by adults on other adults, and by legal minors on other legal minors, but in the context of this report the term refers only to situations where an adult' commits or seeks to commit a sexual offence involving a person below the age of consent for sex, ie a child under 16.[4] In this report, except where the context provides otherwise, all references to children and young people refer to persons under the age of 16.

In relation to the internet, the term contact offence is also used to distinguish real-world behaviours from 'mere' online exposure to certain materials, eg illegal child abuse images or even certain types of pornographic images or materials that are probably legal but which are age-inappropriate.[5] As Utting and others have noted,[6] exposure to material of this kind can play a decisive part in desensitising children. Among other things, this might make the children more vulnerable to improper sexual contacts with adults. Paedophiles[7] often use hardcore pornography as part of a sexual grooming process, a process of manipulation and entrapment.

The family and social circle

Historically most child sex abuse has taken place within existing family or social circles. We also know that a significant amount of child abuse took place where children were in care, being looked after by adults who were not their parents[8] or who enjoyed some other kind of position of trust, eg from within a faith community or linked to leisure or sporting activities. For adults already engaged in such abuse the internet can therefore become a means of finding new or alternative victims outside these established family or social circles or institutional settings. But the internet also allows adults who might not be party to such circles or settings, or who may, at least initially, be inhibited from offending within them, to make contact with new children in new places.

There have always been a small number of cases each year[3] where a complete stranger has sexually assaulted a child, abducted or even murdered them. These continue to happen and are in no way necessarily linked to the existence of the internet. Typically such crimes are opportunist in nature, and they depend upon the murderer, rapist or abductor finding a potential victim in particular real-world circumstances. What we now have, courtesy of the internet, is an additional possibility of a person finding a child with whom they have had no previous contact or knowledge. Thus, even though a great deal of thought and preparation may have been put into engineering or contriving the circumstances in which an encounter might take place, the crime itself is still, essentially, opportunist[1]* in nature and to that extent there is no doubt that the internet has created a completely new route to committing an old and familiar crime." In the UK thankfully, as far as we know at the time of writing, no such online encounters have led to a murder[1'] but many have led to rapes or other forms of serious sexual assaults,[3]

Interactive technologies

On the internet adults who are intent on or who may become involved with sexually abusing children can locate them and make the initial contact using an array of different interactive, communications technologies.[4] These can facilitate both one-to-many virtual contact and one-to-one virtual contact. They can promote an abusive relationship or allow it to develop without the necessity for participants to meet in real life. An early face-to-face encounter in the real world might have shown or suggested the true age or disposition of the stranger. Now the would-be abuser can delay that initial encounter, perhaps

for a long time, or at any rate until a time when they judge, through a grooming process, they have formed such a close bond with the child that the revelation will not be viewed as a destructive form of deceit.

The internet has therefore introduced a new or intermediary stage in the development of certain sorts of relationships. It has created the possibility of a kind of intimacy at arms' length that, in former times, could only have been attempted through correspondence and therefore was very different indeed. A paedophile can work with this intimacy, through the grooming process, to sexualize a child and bring them to a point where they have won their trust, and perhaps also their affection. At that stage the child may well have become open to the possibility of a meeting in real life and to complying with or submitting to the paedophile's sexual advances. By then the person's age may have become, as they see it, an irrelevant detail. They will continue to see them as being 'still the same person I have come to know and love,[J]

A typical modus operandi

In a typical case the adult'[s] and the child will initially meet in an internet chatroom,'[6] Long-term or committed paedophiles are known to frequent chatrooms that are popular with children, eg ones associated with music, fashion or sport, but the possibility of an encounter with an opportunist paedophile always exists in almost any chatroom.

Most chatrooms are quite public places.'[7] Within this public space the paedophile might be particularly adept at identiiyingthe younger, more naive or vulnerable child. He will make that child the focus of his attention. He will try to speak directly to the child, try to become their special friend and persuade her'[s] to leave the public space and go off into a private, one-to-one chat area. This is therefore obviously a key, initial danger point for any child. Children should be strongly discouraged from going into private chat areas with anyone they do not already know. If the child is in any doubt, the advice must be to stay in the

public space or else leave the chatroom altogether. Once in the private chat area the conversation can go in a number of directions. Typically the adult will trick the child into revealing her own age first and then present himself as being just a few years older, but there are several other strategies that can be deployed.

Such an adult will generally be sure to be up to date with all the latest trends in clothes, music, sport and street talk so they can convincingly carry off the pretence that they are a young person close to the intended victim's age.

The paedophile may be very skilful in communicating with children. He will come across as a 'nice guy[3]. Having moved from a public or semi-public chatroom to a private or one-to-one chatroom, the paedophile and the child can then arrange to continue to communicate with each other in any number of different ways, eg via email, instant messaging, SMS text messaging via mobile phones, and then to direct voice contact via a fixed or mobile telephone, or even by voice over the internet. There have been instances where the paedophile has sent a mobile phone to the child to ensure that the child's parents have no way of knowing about or monitoring contact between the two, or they have sent top-up vouchers so that the child can make frequent calls to them without having to ask their parents to pay, thereby again reducing the risk of discovery. There have even been instances where the predator has established a freephone number for the child to call him on. In the UK freephone numbers do not show up on the telephone bills of fixed telephone lines thus, again, making monitoring impossible, or at any rate very difficult.

Secretiveness is generally essential to the abuser's strategy. In the course of their initial discussions with a child, a paedophile will often take care to establish the exact location of the computer in the home. He will be anxious to discover how easily their conversations could be overlooked or overheard.'[9] He will also often be keen to ensure that the child does not keep any record of their conversations on the computer as sooner or later

he will seek to sexualize the contact and conversations as part of the grooming process. If anything goes wrong with the relationship records of such conversations could provide the police with useful evidence that he will not want them to have. Thus if a child ever discloses that they have been talking to someone online who has raised these sorts of issues it ought to act as a warning and a clear signal to a parent or other responsible adult to find out who the child is talking to and why they are asking her such questions.

The scale of offending

So far, in the UK in the past two or three years, following the sort of grooming process outlined above where the initial contact was made in a chatroom, 27 children'" or young people have met the adult in real life and have been raped by them or otherwise been subjected to a serious sexual assault. Of the 27, 24 were girls and three were boys.[21] The typical age range of the victim is 12 to 15, but children younger than 12 have also been approached." We know about these 27 children because in all bar one case the crime was reported, and the perpetrators were caught, convicted and sent to jail. We do not, of course, know how many cases there have been where no prosecution was brought or succeeded for want of evidence, or because the incident was not reported to the police in the first place. We can be sure that 27 cases does not represent the real level of such offending.

However, with a global medium such as the internet, we must ask if the UK courts are the only place we should be looking for evidence. The true measure of the real level of contact offending linked to the emergence of the internet, and for that matter all the other issues discussed in this report, are to be found in the accumulated global numbers that, so far, no one has drawn together.

Other forms of real-world offending

While rapes and sexual assaults that resulted from initial contacts in a chatroom are perhaps the most extreme forms of contact-based sexual predation, they are by no means the only forms. No reliable numbers are yet available but we know, for example, that children have been persuaded to perform and photograph or take videos of sexual acts that they have undertaken either alone or with friends, and these images have then been sent to the abuser. Such images might later be published on the internet and become part of the stock of child abuse images that are traded between collectors or sold commercially, They can also give the abuser a greater hold over the child because they can be used to blackmail the child into performing other sexual acts and into keeping the relationship a secret Some children abused in this way have themselves become involved in downloading child pornography and have been arrested for doing so.

Children have also been persuaded to perform or witness sexual acts live via web cams, to watch videos online or to listen to audio files with sexual content. Sexual predators have inveigled children into abusive, sexually explicit conversations either online in chatrooms or via email or directly by voice, and these can be psychologically very damaging for the child.

It has sometimes been suggested that children who end up being abused in this manner sooner or later would have been abused by another adult anyway, ie that these were children who were always heading for disaster, It was not a question of whether, but when, they were going to be abused. Some might argue that this is precisely why there needs to be stronger and better safeguards available to protect them, but there are two major problems with such a proposition:

(i)   it implies the child is somehow to blame or is responsible for their own abuse

(ii)   when it comes down to it, we have no way of knowing with any degree of confidence what might, or might not, have happened to the child in question if he or she had not met that particular abuser at that particular time

Ensnared in the manipulative clutches of an adult who is a practised paedophile, the child might have had little or no chance of escape. Such is the nature of online grooming.

The effect on children of being sexually abused by adults is well documented. It is almost invariably deeply traumatising and damaging both in the short and longer runs.[23] What is less well known and understood is what, if any, differences arise because that abuse has been recorded on video or in a photograph or sound file and then posted to the internet where it becomes, in effect, a permanent and ineradicable record.[4]

A child or young person who knew or believed that images or a record of their abuse were out there on the internet, might be permanently worried that the image could turn up, even randomly, on the computer screens of their classmates, neighbours or other family members. Alternatively the image could fall into the hands of other people who know them and who might then use it against them. Children who have been abused in front of a web cam similarly could never be absolutely sure that they would not meet someone who might have witnessed their abuse and recognise them in real life. Some preliminary work suggests that different children will react in different ways, some even denying that the images are of themselves when plainly they are. The therapeutic implications, and the implications for how one approaches investigations of these sorts of cases, are still largely uncharted but it seems likely that victims of this kind of abuse, abuse that has potentially been displayed to countless thousands of unknown people, will require long-term support.

Exposure to age-inappropriate material

In pre-internet days children and young people were, of course, exposed to a range of both legal and illegal age-inappropriate[15] images, generally in magazines or books, less commonly as moving pictures in films or videos. They were also exposed to age-inappropriate sexually explicit texts and other materials, eg cartoons and drawings.

However, for the great majority of children and young people, exposure to such material was thought[6] to be comparatively infrequent.

The internet has changed the situation dramatically. Pornography in almost all its forms is now routinely and easily available, not least through a plague of unsolicited emails, known as spam.[17] In June 2003, Symantec, a major internet security firm, published the results of a survey that had been conducted for them by Applied Research. Applied Research interviewed 1,000 youths between the ages of seven and 18.[18] The survey showed that more than 80 per cent of them received what they themselves considered to be inappropriate spam on a daily basis. Of the spam, 47 per cent contained links to x-rated websites and around 50 per cent of those surveyed reported feeling uncomfortable or offended by the spam they received. The UK's Office of National Statistics, in its report on the second quarter of 2003, found that in the past 12 months 44 per cent of all adult users (16+) had received 'too many' junk emails,

The kind of pornographic images that much of this spam promotes could not legally be displayed or sold in a public place in the UK, even though it might be legal for an adult to possess it. And of course some spam promotes access to images that unquestionably are illegal in the UK.

There seems to be no settled view about the impact that exposure to different kinds of pornography can have on children and young people[19] just as there is no settled view about its impact on adults. Some argue, in relation to children and young people, the impact is nil to very little, others argue that it can be positively beneficial whereas a third group, perhaps a majority in the UK, seem to believe it can either be harmful or very harmful.

Here we come up against the first of a series of problems: just as children and young people are not an undifferentiated mass, neither is pornography, and equally there is no agreed definition of harm, let alone of its gradations.

There is a wide variety of pornography that stretches from the grossest of multi-participant sadistic nightmares through to images of men or women posing alone naked or semi-clothed in sexually alluring or suggestive positions. Of course in some cultures, cultures with many adherents who live in the UK, the definition of pornography can be very much narrower than this.

Similarly with children and young people, there are a wide range of capacities and levels of maturity. And the context within which different kinds of material might be viewed by children and young people at any given time can vary enormously and yet have a decisive influence in terms of its impact.

However desirable it might be, in principle, to reach a settled and incontestable view of the harm, or benefit, of exposing different children to different kinds of pornography, it seems very unlikely that this issue is ever going to be susceptible to conclusive proof and resolution. In the end it seems inevitable that these issues will come down to matters of judgement and taste, and these in turn are heavily influenced by the religious or cultural backgrounds and previous life experiences of the protagonists in the debate. To that extent, therefore, arguing in general terms about whether or not allowing children to be exposed to pornography is a 'good thing' or a 'bad thing' is likely to generate more heat than light. There can be no one correct view that will or ought to prevail in all circumstances at all times for all people, young or old.

There is undoubtedly a lot of pornography of all kinds on the internet and it is obviously very popular with huge numbers of people. So be it. If they are adults they have a perfect right to choose to spend their time and money looking at or collecting legal pornography if that is what interests them. One might wish it were otherwise, but it isn't, and in the end it is nobody's business but their own.

But with children and young people things are different. For one thing we have a range of existing laws, customs, cultural or religious expectations or requirements that mean that their parents or carers, or in schools their teachers, are empowered and expected to make detailed decisions about what is or is not appropriate for that specific child, not just in relation to pornography but across a much wider range of headings. They are responsible for bringing up the child in the widest sense. It might be going too far to say that in the UK the law stipulates that children should never under any circumstances be allowed to see pornographic images, but if it were shown that a child was regularly being exposed to pornography it might well constitute grounds for concern sufficient to justify a child protection enquiry by the local social services department. Issues could also arise under the Obscene Publications Act 1959, because while it might be difficult to convince a jury that showing pornography to adults was likely to make them more depraved or corrupted, it would be a lot easier to convince a jury if the person being exposed to the pornography was a child. Moreover in the Sex Offences Act 2003, it has become an offence to cause a child to watch a sexual act and 'watching' encompasses looking at pictures or videos of sexual acts every bit as much as live sexual acts. It will be interesting to see what impact this new provision has on the activities of UK-based internet publishers.

Thus, while it is true that the arrival of the internet has undoubtedly made it harder tor many parents and teachers to ensure that their own beliefs or preferences about pornography are observed, it has not fundamentally changed or invalidated their expectations in relation to it. The fact that children at some time or other seek to evade rules laid down by their parents, teachers or others in authority is no reason for saying that parents, teachers and those in authority should therefore abandon the effort and have no rules at all. Rules describe standards.

Never before has such a large volume of such a wide range of pornographic images been so readily available to minors. No one knows what the longer term consequences will be of this kind and level of exposure to that sort of material. How will it shape today's young people's attitudes towards sex and

sexuality? How will it shape or influence today's boys' attitudes towards girls and women, and vice versa? We have no historic experience to guide us but anxieties about it form a common part of the reasoning behind parents, teachers and others wanting to exercise greater control over the sorts of pictures and other matter that can appear on computer screens in their homes or classrooms. It would be illiberal and anyway pointless to call for a ban on legal pornography on the internet. It is not, however, pointless or illiberal to suggest that the internet industry ought to do all it can to help parents, carers and teachers by giving them the tools to control the sorts of images their children might view. Naturally one would wish that such tools were as sophisticated and as effective as could be. At the moment many are not, but that is no reason to give up on the hope and expectation that they might get better, and soon.

What is clearly unacceptable, or at any rate undesirable, is to allow the agency of the internet to enforce, de facto, a single view or regime in respect of pornography. Everyone is entitled to an internet that suits themselves and their family. To be fair, most of the leading consumer-facing internet companies now accept this idea in principle but we still need to make more progress, more rapidly, in putting it into effect for all families with children and young people who use the internet at home,
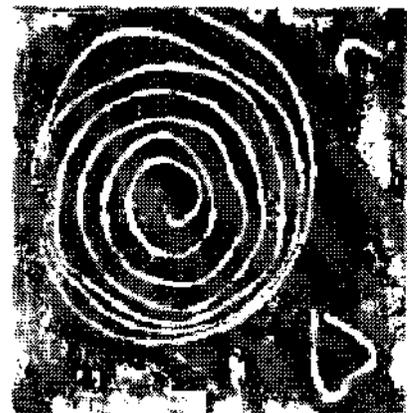
Child pornography - child abuse images

As well as facilitating contact offending against children, and access to a range of both legal and illegal pornography, the internet now also provides wider and easier access to child pornography or to child abuse images as they are becoming known.*[1] Such images are to be found on the web, via newsgroups, through peer2peer applications, via spam, and in other ways.

The publication or exchange of these images may or may not be commercial in nature but, as we shall see, the key point is that, compared with pre-internet days, there seems little doubt that many more people are now encountering and looking at child abuse images. In turn, as the arrest figures are starting to show, this seems to have led to an increase in the number of people who have become involved in collecting and in the possession of these images.[31]

This report argues that this increase in looking, collecting and possession is leading to more children being abused than otherwise would have been the case, because

(i) it is very likely to cause a proportion of this enlarged population of lookers, collectors and possessors[1] to go on to abuse children[5']

(ii) it also creates a demand for new child abuse images to be produced, and in order to produce these new images more new children will be recruited to be abused[33]

Many of those who start looking at child abuse images on the internet, or who start collecting images they have obtained from the internet, may already have a direct sexual interest in children of which they were aware, or they may believe their interest is limited only to looking and collecting. For others, the internet will provide their first ever introduction to the idea of having sex with children or to child abuse images. They may find the images initially by accident.[34] Some will go looking for child abuse images deliberately, out of what they think is

simple curiosity, without necessarily knowing that by doing so they are committing a crime. The key point is that many of those who come to it for the first time, and even many of those with a pre-existing interest, would almost certainly never have got involved with the images in the real world, perhaps for a mixture of reasons but probably mainly because the amount of effort needed to obtain such images would be a major disincentive, or because of their fear of getting caught.[35] The easy access the internet now provides, possibly linked to an erroneous belief that they can use the internet anonymously or with very little realistic prospect of being identified, is what opened the door.

Some of those with a pre-existing and acknowledged sexual interest in children may already be involved in contact offending, but even for them there remains a question about whether or not the internet might be responsible for accelerating, expanding or deepening their involvement.

However, irrespective of the details of the route by which they arrived there, is it really possible to say that, having had their sexual interest in children stimulated, extended or created by the kind of exposure to the images the internet allows, some of these same people will, in turn, go on to abuse children directly because of that? If it is, the implication is clear: but for those prior processes, any children thus abused would have been spared.

Can it be that straightforward?

It has to be said it seems very unlikely that it all works in such a neat and predictable way, ie a person starts looking at child abuse images, then goes on to start collecting and possessing them, then inevitably goes on to commit contact offences against children.

Very little is known about those who only look at child abuse images and do not also start collecting and possessing them. Collecting does seem to signify an important developmental phase or is a crossover point but, as we shall see,

some collectors will become involved in hands-on child abuse and some will not. The truth is no one knows for sure exactly how the different activities are connected. Very few academics are researching this area and there are major methodological and ethical problems associated with researching it.

What do paedophiles say?

There are as yet no published large-scale studies of paedophiles' online behaviour but, based on their clinical experience, people like Donald Findlater of the Lucy Faithful! Foundation[55] make some incisive points. A number of Findlater's clients are very clear that the internet was where they first found child abuse images, sometimes initially by accident, later deliberately. Others say they were always aware of their sexual interest in children but were too scared to do anything about it until the internet provided them with the means. They fell for the myth of online anonymity or felt driven to take huge risks.

Joe Sullivan, a colleague of Findlater's, encapsulates many people's views when he says 'Men who collect child abuse images do so because they want to have sex with children, but some of them may not have realised it yet.' Findlater's clients are certain that, for many men like them, looking at and collecting child abuse images dramatically increases the likelihood of an individual going on to offend against children in the real world.

There is also objective evidence from elsewhere that seems to support this view. Police sources in Canada and the UK, and a published study within the US prison service,[37] suggest there is a definite link, but the probabilities seem to range widely from between 10 per cent and 70 per cent. The biggest single published study, carried out by the US Postal Inspection Service, puts it around 35 percent, ie a little over one in three men arrested merely for possessing child abuse images will also be child molesters.*[8] As a result of the US Postal Inspection Service's operations 530 children were rescued from further sexual abuse and exploitation.[39]

The link between possession and abuse

Of course knowing there is a link between possession and abuse is not the same as knowing the cause. We need to understand the pathology a lot more thoroughly if we are to be better able to protect children in future. All the available studies really tell us about, therefore, are levels of probability.

Thus, assuming the US Postal Inspection Service's results are accurate, two out of three people arrested for possession of child abuse images will not, at the time of their arrest, be abusing children, and they will have no history of abusing children or will not have declared or shown an intention to abuse children. However, because one in three is too high a level of probability to ignore, and because you cannot know in advance who the other two are, law enforcement officials have to investigate all three, being mindful of the possibility that they are also investigating a hands-on abuser.

The message to would-be possessors is therefore clear: if you are caught you have put yourself in the frame to be investigated as a potential paedophile. But, according to Donald Findlater, the message is gloomier than that. A good proportion of the two out of three who were not abusing at the time they were caught by the US Postal Inspection Service, or who did not declare or show an interest in doing so, might well have gone on to do so. In other words the true ratio is likely to be higher than one in three in terms of an actual or potential risk to children.

Of course there are classes and types of paedophiles for whom child abuse images will play little or no part in causing or sustaining their offending behaviour. Other analysts see the use of child abuse images and the sexual abuse of children as behaviour that is simply at the far end of a continuum of male sexuality and male power (female paedophiles are not unheard of but they are very rare). Findlater believes that very few people are 'born paedophiles[3]. The problem may manifest itself initially as curiosity, but in the end

most men become paedophiles as part of a process that can be understood, A key part of that process is access to material that fuels sexual fantasy. Take away the material and you reduce the risk.[4] In that context the fact that, within the UK, the law seems to be only concerned with photographic images and seems to turn a blind eye to explicit paedophile texts, continues to be a concern,[4] Some paedophiles are drawn much more to words than they are to images, but these words can have an equally serious effect.

The images are important in their own right

Every republication of a child abuse image, in a way, re-abuses the child depicted within it. Partly for this reason, some people worry about the focus on investigating child abuse images solely because they might lead to an actual abuser. They say this diminishes the importance of the possession offences and ignores the fact that possessors are simply active abusers by proxy. They could not possess or look at the images if someone else did not do the abusing for them. If they did not do what they do, fewer children would be abused.

If it were true that possession offences were in any way regarded as being trivial matters, it would indeed be highly undesirable, but at the same time knowing that you might be able to remove a child from an abusive situation has to be a worthwhile and very immediate target.
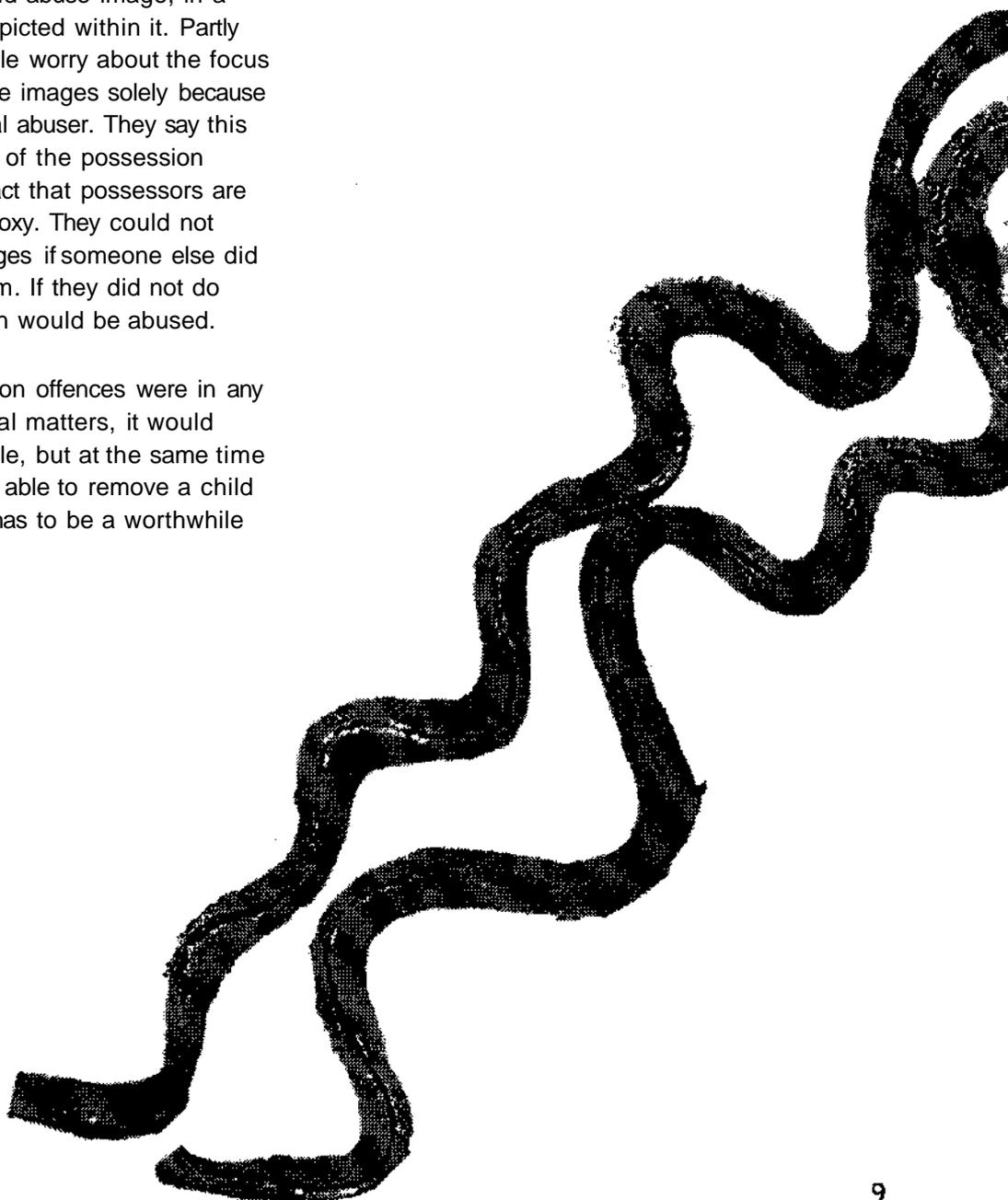
Looking at numbers

We have no reliable way of knowing how many child abuse images existed before the internet arrived in our midst as a mass consumer product. Neither, for that matter, do we know exactly how much child abuse was going on in pre-internet days and whether this was or was not linked to the existence of child abuse images. Maybe there has been some displacement of offending behaviour from the real world to cyberspace. It is therefore theoretically possible that the internet has changed nothing, or very little. It is merely giving us a better insight into a situation that has existed, possibly for a very long time. However the growing weight of evidence makes this seem highly unlikely.

We have seen that some paedophiles say that exposure to child abuse images increases the likelihood of offending against children, and we have seen that several large-scale studies appear to support that idea, even if the exact causal chain is not, as yet, fully understood. It therefore seems to follow that if we can establish, at a macro level, that more child abuse images are in circulation and are being seen or collected by more people, it is very likely the net effect is that more children are being abused now than was the case before the internet became what it is today.

Volume of child abuse images

We do know certain things for definite; for example in 1995, arguably the last year before the internet started to take off in the UK, the Greater Manchester Police Abusive Images Unit[42] seized the grand total of 12 indecent images of children, all of them on paper or on video. In 1999 the same squad seized 41,000, all bar three of which were on computers and had come from the internet.[43] Pre-internet a typical arrest for possession of child abuse images would involve only a handful of pictures, all printed on paper or on tape of some kind. A haul of hundreds would have been sensational. In December 2003 a UK man was convicted of having 450,000 images in his possession, easily beating the record, set earlier in the year, of 250,000 images. In the Wonderland case

in 1999 police seized 750,000 images from around 100 men[44] in one operation. In New York, in a single raid on one address, police seized an estimated one million images. All of these numbers are a very long way from the 12 seized in Manchester in 1995.

Now it is obviously true that the internet has increased the volume of every type of (legal and decent) material being created and circulated, but the sorts of differences we are seeing here represent such a quantum leap that it seems very unlikely that it could have happened but for the internet. On the contrary it seems likely that the internet has had, and continues to have, a major effect on both supply and demand. The new possibilities it has opened up have created and taken us into entirely new terrain. The internet, in some ways, seems also to be creating a snowball effect. A volume of material is out there, stored on computers, constantly being accessed, distributed and re-distributed. The material is always being added to; rarely will anything be permanently removed as it reaches out to more and more people who in turn get drawn in and start adding to the material themselves. In other words, unless we find a new way, technically, of remotely locating and removing material from the internet,[45] it is very likely that the problem will continue to grow and be cumulative in its effects.

Collecting, cataloguing, trading and swapping is itself part of the pleasure for many of the men who get involved with child abuse images on the internet, and computers and the internet provide a trading, swapping and cataloguing environment without equal. The traffic in swapping and the associated communications make the men who do it feel part of a community of like-minded individuals, comrades, whom they embrace and join. It normalizes their behaviour. They might rise in status in that community if they become more proficient and prolific. Abusing more and more children, recording and then showing that abuse to their cyber circle, has been shown to make them heroes in a world that otherwise would not even

give them a second glance or, if they knew the truth, would lock them away or kill them. In other words, for men like these, computers and the internet have created a welcoming world that otherwise could simply never have existed for them.

At a more detailed level

Numbers recently released by the University of Cork's COPINE project (Combating Online Paedophile Networks in Europe) lend further weight to the idea that more child abuse images are now being made than before and more children are being abused in order to provide them.

Newsgroups

Usenet newsgroups are one of the lesser known parts of the internet. They are not as user-friendly as typical web-based applications so, historically, they have tended to be the preserve of internet aficionados. Newsgroups were for many years the principal source of child pornography on the internet and they remain very important even today. Since the mid-1990s COPINE has been monitoring newsgroups that are known to contain child abuse images on a regular basis. It has built up a massive database of these images, and it now contains around 500,000 unique pictures, some of which might be 30 years old or more.[46]

In 1999 COPINE found, on average, four new children per month were appearing in new abusive images in a subset of newsgroups. In 2002, in a six-week period covering August to mid-September, 20 new children appeared in the same newsgroups. During the same period a total of 140,000 child abuse images were posted to these newsgroups, of which 35,000 were new images not already part of COPINE's database. That represents an average of 1,750 images per child. According to COPINE's analysis the newer images it is seeing show younger children than before, and they are being abused in ever more grotesque or violent ways.[47]

Might all this merely mean that now that digital cameras are more commonly available, and the images are easier to process at home and post to the internet, so more people are doing it but that, actually, there has been no change in the amount of abuse going on, or in the number of abusive images being made? That is possible, but it is just as likely that more adults are abusing more children and that is what is being reflected in all these higher numbers.

One of the difficulties of trying to assess volumes and scales in an area such as this is that, because all of the relevant activity is illegal and therefore clandestine, we only get a glimpse of the truth when the police finally manage to make arrests and then, in court, produce all or some of the evidence they have obtained. So is it possible that all we are seeing now is an increase in police efficiency in bringing offenders to court? That again is possible, but equally it seems improbable that that is the entire explanation. It might equally be the case that the police are making more arrests because more illegal activity is coming to their attention and that is because there is more of it going on.

Arrests and prosecutions for possession

Recently released Home Office statistics[43] show that, between 1988[49] and the end of 2001 there has been a 1,500 per cent increase in the offences of making and taking or possessing child pornography in England and Wales, up from 35 in 1988 to 549 in 2001. By comparison, in the US the number of indictments and informations laid by the FBI,[50] which is only one of three federal agencies with jurisdiction in this area, increased by 629 per cent, from 99 to 722, and the number of arrests and convictions each increased by around 1,000 per cent, so we can see that the rate of growth in these sorts of crimes in the UK is in no sense an isolated or unusual phenomenon. In the same period the number of new cases opened by the FBI rose from 113 to 2,430, an increase of 2,050 per cent.

In the UK, during the period 1988 to 2001, altogether 3,022 people were either cautioned or proceeded against in the courts for making, taking or possession related child pornography offences. Taking a spread of years since 1995, the

annual rate of increase in cautions and prosecutions for child pornography offences was well in excess of 33 per cent but, of course, Operation Ore changed everything.

In 2002, under Operation Ore, in a single action, police were handed the names of 6,500 suspects, of whom 5,700 were in England and Wales, The remainder were in Scotland, Northern Ireland or the Islands. Of the 5,700 names in England and Wales, at the time of writing over 2,300 have been arrested, 723 have been charged and 38 have been cautioned. There is a considerable backlog of computers waiting to be examined by forensic experts. So far only 277 court cases have been completed but no central database exists to show what levels of sentences have been handed out. The statistics for this class of offence will therefore change dramatically when the arrests and prosecutions from 2002 and 2003 start to feed through and when the remaining 2,400 individuals are visited by the police.

Operation Ore

Operation Ore started in the US, The United States Postal Inspection Service had mounted Operation Avalanche to target a website housed in Texas that was owned by a company called Landslide Inc. Landslide, in effect, provided access to some 300 other websites that sold child abuse images. The postal inspectors seized Landslide's servers, which contained the names of over 75,000 individuals who had bought child abuse images from them using credit cards. After sorting them out into national groups, the postal inspectors handed the lists over to the police in the various countries. To deal with this list the UK police, through the National Crime Squad, established Operation Ore,

Working with various statutory authorities the police identified persons on the Ore list who either worked with children, were in a position of trust in relation to children, or were known sex offenders. These were arrested first and then they steadily worked their way through the remainder of the list. The evidence from Operation Ore, all drawn from a single law enforcement operation, points to there

being a vastly increased number of people looking at and collecting child abuse images. Meanwhile we should not forget that Operation Ore was not the only police operation concerned with child abuse images during 2002. Several other discrete operations, some of them large scale, were also running alongside Ore and this will have the effect of inflating the annual figures for 2002 and 2003 even further. Moreover it is a sobering thought that Operation Ore is unlikely to be the last of its kind in the UK.

Levels and types of images

A worry that has been brought into sharp relief by the resource and time pressures caused by Operation Ore arises in relation to the way in which the police, the courts, the probation service and possibly other agencies, eg the Crown Prosecution Service, are making decisions about the disposition of cases, or the treatment of offenders, based solely and exclusively on the nature of the content of the material found in the possession of the individual concerned. Of course the nature of the material has to be taken into account but, from a child protection perspective, of even greater importance ought to be considerations about whether or to what extent an individual's involvement with such material indicates that he poses a threat to children in the future, or that he may have been involved in abusing children in the past.

The principal origin of the problem lies in the decision of the Court of Appeal in November 2002, in the case of Oliver and others.[5] In that case the Court of Appeal received and considered a report from the Sentencing Advisory Panel[5] on sentencing in child pornography cases. The court adopted a modified version of the typology of child abuse images that the panel had put forward.

According to the court's decision, illegal child abuse images are now divided into five different categories or levels:

1. images depicting erotic posing with no sexual activity

2- sexual activity between children or solo masturbation

3. non-penetrative sexual activity involving an adult

4. penetrative activity with an adult

5. sadism or bestiality

I n determining the sentence the Court of Appeal indicated that the judge or magistrate should look at the nature of the material and the extent of the offender's involvement with it, remarking that the seriousness increases with proximity to, and responsibility for, the original abuse. Any element of commercial gain will place an offence at a high level of seriousness; swapping of images is a form of commercial activity, albeit without gain, because it fuels demand; wide-scale distribution, even without profit, is intrinsically more harmful than a transaction limited to two or three individuals, both by reference to the potential use of the images by active paedophiles, and by reference to the shame and degradation of the original victims. Merely locating an image on the internet will be less serious than downloading it, and downloading will be less serious than taking an original film or photograph.

In relation to sentencing the court advised that:

- a fine would normally be appropriate where the offender was merely in possession of material solely for his own use, including material which he has downloaded from the internet, and either the material consisted entirely of pseudo-photographs, the making of which had involved no abuse or exploitation of children, or there was no more than a small quantity of level 1 material

- a conditional discharge might be appropriate where there was a plea of guilty and no previous convictions... offences involving pseudo-photographs will generally be less serious than those involving real photographs because the element of corruption of children will be absent

- a community sentence may be appropriate in a case of possession of a large amount of level 1 material and/or a small amount of level 2 material, provided that it has not been distributed or shown to others

- the custody threshold will usually be passed where any of the material has been shown or distributed to others, or for simple possession of a large amount of level 2 material or a small amount of level 3 material

Leaving aside the court's comments on pseudo-images, which with respect were not properly thought through or considered, no one disputes the fundamental basis of the Court of Appeal's system of classification of the images, or the reasoning behind it. There ought to be some sort of deterrent element to sentencing that relates to the nature of the material found in a person's possession, ie people ought to be discouraged from collecting the worst kinds of images because this implies a requirement for there to be even more gross acts of abuse against children in order to produce them. What is less clear is the real significance that ought to be attached to the quantities of material a person has in their possession.

However, what seems to be happening in some areas, and perhaps this is largely because of the pressure on resources caused by Operation Ore, is that decisions are being made about a suspect or a convicted person solely by reference to the nature of the material found in their possession. This may be impacting, for example, on decisions on whether or not to offer a caution rather than insist on taking a person to court, or it may subsequently affect decisions about a person's treatment under the Multi Agency Protection Panel Arrangements. In other words the Court of Appeal's hierarchy of

images is being used for purposes and in contexts that were never intended. It is perhaps an understandable, almost intuitive, response to the existence of such a hierarchy, ie if you are found in possession of level *')* material, at a commonsense level it may seem obvious that you must be less reprehensible than someone found in possession of level 5 material.

The problem is that there is absolutely no research evidence that supports the idea that, in terms of being a greater or lesser threat to children in the past or in the future, level 1 and level 5 have any significance at all. There could even be an inverse ratio because, according to Donald Findlater of the Lucy Faithfull Foundation, situations portrayed in the lower levels are likely to be much closer to potential fulfilment in real-world situations than levels 4 and 5. The point is that no one knows with any degree of certainty Anecdotally some arresting officers are convinced that a number of the people they have arrested who 'only' have level 1 material in their possession at the time, display characteristics that suggest they already are or may be about to become active abusers, but because of the pressure of work, on the evidence they have before them, the police cannot justify any more intrusive and time-consuming forms of enquiry.

More research is needed into this area and in the meantime it is argued that everyone found in possession of any quantity of any kind of child abuse images should be investigated with a view to establishing whether they have been involved in abusing children in the past, and a risk assessment needs to be carried out to determine whether they represent an on-going threat to children in the future. This may lead to more serious charges being laid and other action being taken but, either way, post-sentencing their treatment should be determined by the outcome of the risk assessment. This may also require a new model to be developed for risk assessing people caught in possession of child abuse images as the model currently used for most sex offenders, the Thornton Matrix, was not designed with these sorts of offences in mind,

This, of course, potentially has huge resource implications as it would require a major expansion of the probation service and of psychiatric counselling and analysis services. At the moment, even the relatively small number of people given custodial sentences cannot be guaranteed to benefit from treatment programmes within prison because the waiting list is so large. This situation is very unsatisfactory. Everyone convicted or cautioned under Ore will go on the sex offenders' register, but in practice it might mean very little else. The root cause of their offending behaviour may never be addressed and thus many of them may continue to be a danger to children.

The UK's National Crime Squad tells us that a very high proportion of those being arrested under Ore have no previous convictions and are not known to the authorities. Final figures are not yet available but preliminary indications are that somewhere between 70 per cent and 95 per cent of everyone arrested under Ore had no previous contact with law enforcement or social services. In other words the police or social service authorities would have been very unlikely to find these men in any other way. Thus, paradoxically, while it seems that the internet is contributing to an increase in abuse, it is also potentially making it easier for the authorities to apprehend some of those who are involved with it. The internet is opening a window that was previously closed and it allows us to glimpse into a world we never saw other than in the flimsiest or most ethereal of outlines.

But is all this evidence of an increase in possession offences leading to an increased number of prosecutions for hands-on child abuse reaching the courts? Not yet, but it very well may do quite soon.

Within Operation Ore different police forces,[55] but not all police forces, seem to be initiating very thorough and comprehensive investigations of the men arrested, in an attempt to determine whether they are also simultaneously engaged in abusing children in the real world, or whether they have been in the past, At the time of writing, 54 children

have been taken into care following arrests under Ore, This is some way short of matchingthe levels of probability indicated in the studies mentioned earlier-[4], but these are early days and they are only preliminary numbers.

Moreover there is an additional difficulty in monitoring the outcome of the activity generated by Operation Ore: the way crime statistics are compiled and court data are published gives no indication of whether a computer was involved in a particular crime, let alone whether or not the internet was also involved. We have to rely on our ability to track individual cases as they are reported in the local or national press or on one-off attempts to record data in this way by the police, Different academics are thought to be monitoring activity and outcomes under Operation Ore and in March 2003 the Home Office announced that they were to undertake a specific study of data collection issues in relation to internet crimes.

When thinking about current levels of prosecutions for hands-on abuse arising from Operation Ore, or other police actions, we also need to think about time lags. It could just be that our current knowledge, or lack of it, underestimates what is going on because of the period of time that almost always elapses between a process of abuse starting and the child finally finding the wherewithal to disclose it, or it being discovered. We have always known that there are major disincentives to children disclosing abuse, not the least of which is fear and shame. The fear and shame factor might be significantly increased where the child knows that pictures oftheir humiiiation exist. Alternatively, as before, they might worry they will simply not be believed by the authorities. In the past, various prevalence studies have suggested that perhaps as many as one in 10 children are being or have been sexually abused in some way or other, yet the level of prosecutions has never been anywhere near reflecting that level of offending.[55] A second factor in relation to time lags are those caused by the legal system itself There always has been a time lag between the moment of arrest, the completion of the investigation and the moment when the decision is taken to prosecute, or not. With Ore some of these time lags appearto have been extended, not least because of the pressure on forensics. In some forces, if a computer is seized today, it might be twelve months or more before forensics can analyse it. Then there is a delay waiting for a court hearing. Again the overwhelming numbers coming through from Ore may have lengthened these delays, with the suggestion in some areas that, for the sake of administrative convenience, Ore cases have been bunched together.

Criticisms of Operation Ore

There has been some criticism of the police tactics over Operation Ore and there is no doubt that they do not want a repeat of it. Other more proactive strategies are being implemented eg. Operation PIN which involves managing a number of fake sites that enable the police to capture the IP addresses of visitors. The police do not deny that, initially, they were caught on the hop by the huge and unprecedented amount of intelligence that suddenly arrived on their desks via Operation Ore, But the criticisms go beyond that.

Firstly it has been suggested that the police were wrong to put so many resources into arresting and prosecuting people who might be guilty 'only' of downloading images, perhaps drawing police officers off other important work in the field of child protection or other forms of cyber crime. It has been argued that it is far more important to focus on identifying the victims shown in the abusive images and rescuing them from the situations they must be in in orderto have ended up being abused forthe purpose of producingthe images.

Secondly it has been suggested that pay-per-view websites are yesterday's technologies and that the more serious criminals and child abusers are moving off into peer2peer networks, using encryption and other means to disguise themselves.

Both of these criticisms are fundamentally misguided, Firstly it implies that 'mere downloading[3] is not such a serious matter, whereas of course people who download child

abuse images are simply abusers by proxy. If there was no market for downloaded images fewer children would be abused in order to supply it. It would be a grave strategic error to send out a message that said or implied that downloading child abuse images was not regarded as being a serious offence. Moreover if there is the possibility of a strong link between possession offences and hands-on abuse then it is vital that all evidence relating to possession is followed through.

Secondly, critics seem to think that there is or could be a trade off between following through on the evidence provided by Operation Ore and similar web-based actions, and doing other related things. The truth is, however, that to crack open peer2peer networks and the use of encryption normally requires different skills and different types of resources.

Finally while the idea of identifying the victims is of course powerful and hugely important, it is in fact far, far harder to do than some of the rather glib references seem to acknowledge. On some estimates perhaps fewer than 300 children have ever been identified from images that have fallen into the hands of police authorities anywhere in the world. Many of the images currently circulating on the internet may be 30 years old or more, and dealing with the victims of historic abuse is by no means the same as rescuing children who are currently under threat. The UK's National Crime Squad, through its ChildBase initiative, is developing a database system that ought to enable the police to identify new images coming onto the internet very rapidly.

Clearly where there is something in the image that gives a clue as to who the child might be or where they might be found, then this ought to be picked up as quickly as possible and a strategy agreed for locating the child and a course of action for effecting a rescue, and possibly also a related arrest. In Germany the police posted pictures of the faces of two children in newspapers asking anyone who recognised them to come forward. In the UK an experiment was tried, working with local

social services departments and schools, in another attempt to locate children who had appeared in abusive images on the internet. Both approaches were variously criticised or praised by different groups, but this simply serves to underline the practical difficulties of engaging in this type of work.

Organised crime steps in

Whereas traditionally the exchange of child abuse images was largely an amateur affair, largely thanks to the Landslide website, some very serious criminals have realised there is big money to be made in it. In its last month of trading, before the authorities closed it down, the Landslide child pornography pay-per-view website took US$1.4 million dollars via credit cards. Of the revenues, 70 per cent went to the producers of the images and 30 per cent to the US-based company that had been hosting the website.

And so it is that criminals, mainly in the US, Eastern Europe and South East Asia, are organising for children to be abused for profit. There are signs that this is starting to happen on a systematic and regular basis in order to keep up a plentiful supply of new material, Every order received by the website anticipates the possibility of another order, providing there is something new to sell. Some of the new images making their way into COPINE's database may have originated this way.[56] Very few of the criminals involved in this business will necessarily be paedophiles themselves, Their objective is simply to make money.

Today in the UK the authorities have been uncovering many new commercial pay-per-view sites, all housed overseas. Most of these sites use credit cards to pay for the child abuse images they sell. The credit card companies in the UK are genuinely distressed by this illegal misuse of their facilities and they have affiliated to the Internet Watch Foundation as part of a wider series of measures they are taking that are aimed at closing down the trade. Nonetheless the trade continues and the producers of the child abuse images seem to have found ways of letting their clientele know

the addresses of the sites where the images are for sale, mainly through spam. But what is shocking is how, even a considerable time after the existence of a child abuse website has been reported to the police, many of them still appear to be operating. In the case of websites housed in Eastern European and a number of other countries this is deplorable but not exactly novel. However, the fact is that many of these sites seem to be housed in the US, and the US law enforcement community has been made aware of them.

The importance of the US

The invention and development of the internet was very much an American affair. In almost every department American companies and American technologies are pre-eminent. As we have seen, the law enforcement authorities in the US have been very active domestically in pursuit of child abusers and people engaged in making or distributing child abuse images. Our own Operation Ore was only possible because of the initial investigation and arrests made in the US. However, whereas in the UK we have arrested over 2,300 of the names on our list of 6,500 Ore suspects, in the US from their equivalent list of 35,000 names so far only about 200 have been arrested. This is because US laws of evidence require more than ours do to justify issuing a search warrant or making an arrest, Everyone is aware of the huge frustration felt by the US law enforcement communities about their inability to act against these suspects in the same way that other police forces can. In the main the US list has been used principally as a source of intelligence to target specific individuals through sting operations, and these are very time-consuming and resource-intensive forms of policing activities, hence the comparatively small number of arrests.

However, there are other weaknesses in the US legal framework that are also a cause for concern. The UK's Internet Watch Foundation annually publishes details of the sources of all child abuse images that are reported to it by members of the public.[57] In 1997, 43 per cent of all child pornographic images being reported in the UK

originated in the US. This was at a time when over 75 per cent of all the world's internet users lived in the US. In 2002 the US's share of child abuse images being reported to the authorities in the UK stood at 52 per cent, having fallen back from a high of 64 per cent in 2001. However, this is in the context of the US's share of the global number of internet users having fallen to less than 30 per cent. It is also in the context of an increase in the total volumes of images being reported, ie everyone is producing more child abuse images, including the US, Over the same period the proportion of child abuse images being reported that had originated in the UK has fallen from 18 per cent to two per cent. There is a very good reason for this.

Newsgroups were, for many years, the primary source of child abuse images on the internet. Even today they remain an important source. On some estimates, in 2002, over 12 million child abuse images moved across the internet solely within a small sub-set of Usenet newsgroups, and these images were being downloaded, viewed, stored and redistributed by an unknowable number of people, But it is now much harder to find the child abuse newsgroups, or post to them, if you live in the UK. This is thanks to the work of the Internet Watch Foundation.

The IWF was established by a tripartite agreement made in 1996 between the UK internet industry, the police and the then government. Under the agreement the industry agreed to fund the IWF as a cyber hotline that allows anyone to report any illegal images they find online. The IWF looks at the images, assesses them and if it judges them to be illegal, it gets them removed from UK servers and reports the content and the author to law enforcement.

It did not take long to realise that the IWF's staff were going back to exactly the same newsgroups time after time. The IWF finally settled on what was then a bold new policy, but which now seems utterly obvious - choke off the supply and you effectively suppress demand. The ISPs operating

out of the UK were simply asked to stop carrying the identified newsgroups. There is now not a single UK-based ISP known to the IWF that is carrying any of these groups. This does not mean it is impossible for a determined UK-based individual with sufficient technical knowledge to gain access to child pornography newsgroups via an overseas server, but it has massively reduced access and more or less completely eliminated the possibility of people, including children, tripping over them accidentally. It has also disrupted many of the paedophile networks who use these newsgroups as an organising focus and largely explains the dramatic drop in the UK's numbers referred to above.

Seemingly because of anti-trust worries the US internet industry is powerless to act in the same way. The overall effect of all this is that the US remains the world's no, i exporter of child abuse images. The problem is that taxpayers, police forces and children all over the world are left paying the price. And the situation is getting worse, not better. Before Operation Ore, child abuse websites were almost unheard of Since Operation Ore, new pay-per-view child pornography websites have been coming on stream at the rate of up to So per week. Not one has ever been located in the UK, and again over half are in the US alone, but the UK internet industry and the UK credit card industry, through the IWF and the UK police, still have to investigate and track them.

A number of countries, especially Russia and others in Eastern Europe and Asia, are now gaining notoriety as major new sources of child abuse images on the internet. They are still dwarfed by the US's output but they are gaining fast. It will be impossible for the UN or for the world community generally to persuade the governments of these countries to crack down on their local criminals when the government and law enforcement agencies of the best equipped, richest and most powerful nation on the planet have so tar failed to make a decisive impact.
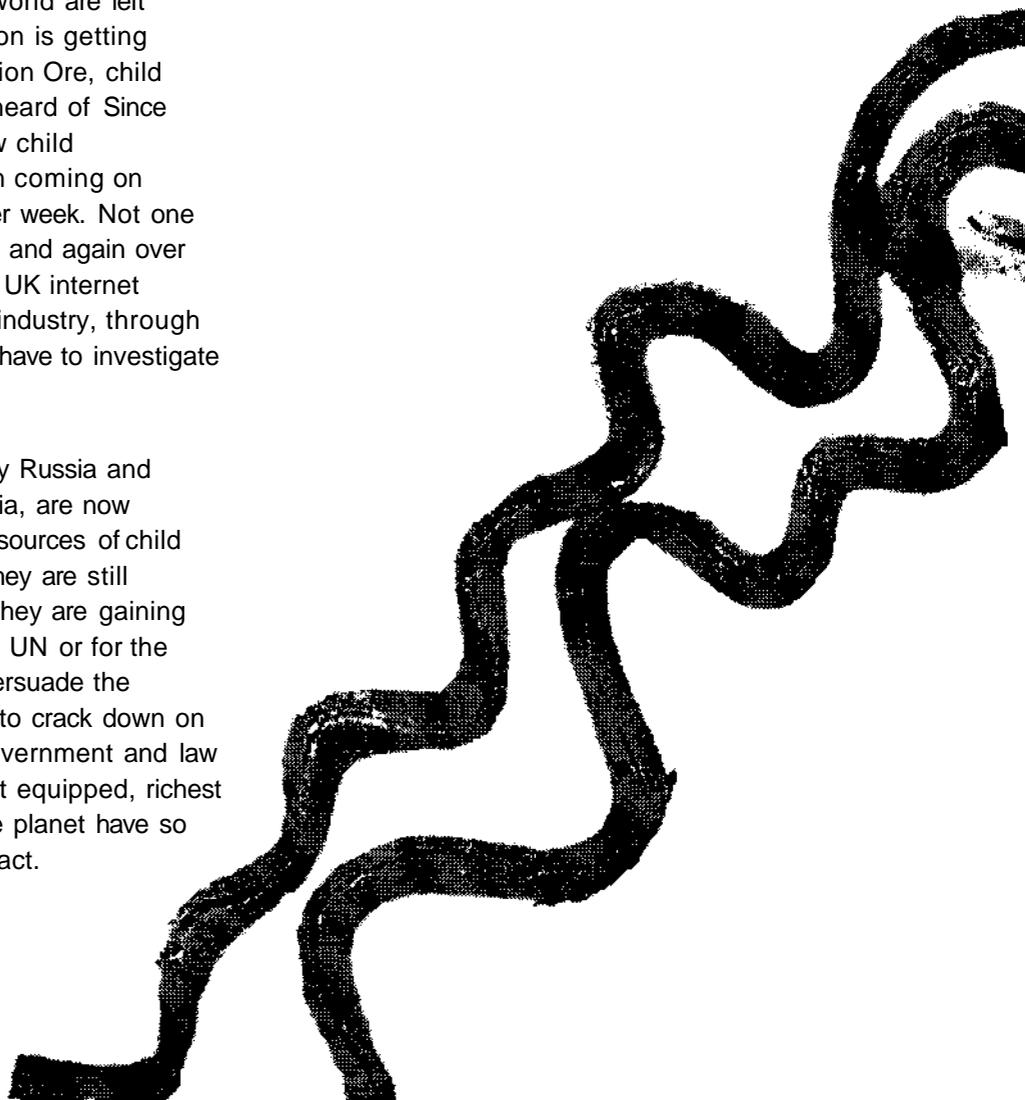
An agenda for reform

The UK government's task force

Within the UK, the Home Secretary's Internet Task Force on Child Protection[8] has become a very welcome and extremely important focus for much activity and reforms aimed at making the internet a safer place for children. Established in March 2001, the Task Force brought together, for the first time, many of the key players in the UK's internet industry: ISPs, other online service and connectivity providers, computer equipment manufacturers and retailers, child protection agencies, several different law enforcement agencies and the relevant arms of central government. In particular the DfES[59] is a member of the Task Force. The Df£S has been pursuing a very substantial programme of safety-related activities within and around schools, including a range of actions aimed at reaching parents, seeking to help them improve their understanding of the internet so they are then in a better position to help their children get the most out of the internet, while also staying safe.

Progress

Definite progress is being made by and because of the Task Force.

New laws on internet chatroom grooming and other online activities related to child safety have been developed and are now law, including new laws on child abuse images. For example, the minimum age at which a person can consent to take part in pornographic depictions that are to be shown or distributed to third parties is 18_3 whereas previously it was 16, or 17 in Northern Ireland, the same as the age of consent to sex.[6"]

The penalties for possessing or making child abuse images have been dramatically increased from six months and three years respectively, to five and ten years.

New procedures have been introduced to allow companies that employ chatroom moderators to initiate police checks on their staff through the Criminal Records Bureau, and a code of practice is

being developed that helps to define standards in respect of moderated services of all kinds.

A common set of safety tips and advice is being developed, drawing on the best of what is already widely available on many different websites.

A booklet has been published that provides guidance to internet companies on the presentation of a range of online services aimed at or used by children. A related booklet for parents that deals with spam is also in hand.

A major advertising campaign on chatroom dangers was initiated with peak time advertising on TV and radio, in cinemas and in the printed media.

Various proposals are being considered to develop new institutions or mechanisms that can perform independent evaluations of safety software products and of how different ISPs approach safety issues. The fruits of these evaluations will then be made available in accessible language to parents and the public.

A proposal is also being considered to establish a 'one stop shop', ie a focal point where the internet industry itself other organisations or members of the public can quickly and easily be directed to the proper place to progress a range of potential queries or complaints arising from online activity, whether these relate to consumer issues or concern potentially criminal matters.

A significant increase in police training is already underway in respect of a range of child protection issues raised by the internet, and an increase in the training of social workers, probation staff and the related professions is also being planned.

New approaches to risk assessing offenders and new forms of treatment for them are being developed.

Crucially, UK law enforcement agencies are developing closer links with overseas police forces

as part of a growing international effort to fight online crimes against children. New international mechanisms and resources are being developed, principally through the G8 machinery.

A programme of further reforms

The Task Force has an impressive list of achievements under its belt, but a number of other and larger suggestions made by the Children's Charities' Coalition for Internet Safety[6] have yet to be acted upon in a major way. These measures include;

1. Every new PC sold into the family environment should arrive with easy-to-understand safety advice and information for adults and for any children who will also be using it. Several formats could be used to provide the safety information but included among them should be a written, paper-based format so as to be usable and easily understood by people who, at that moment, are unfamiliar with or not yet comfortable with computers and the internet. Such information could be included in the box or issued at the point of sale, or both.

2. While accepting the primacy of educating children about the internet and of finding new and better ways of helping parents and teachers to improve their own understanding of the internet so they can provide better direct, personal support and supervision to their children, every new PC sold into a family environment should nonetheless also arrive with safety software packages pre installed and set to a high level.[62] At the time of writing, only one major UK retailer has agreed to this proposal: from December 2003, every new own-brand PC sold by Comet will have a trial version of Cyber Patrol pre-installed and set to a high level of security.

3. While existing safety software packages can play a valuable part in helping parents and teachers keep children safe online, few of these packages are entirely satisfactory.[6] But just because these packages are not yet perfect is no reason for

refusing to use them at all. They can still help, perhaps particularly in families with younger children. However major investments are still required to develop new and better technical solutions for protecting children online. Ideally these would be free at the point of use, or the cost ought to be factored into the price of the basic service. Child safety ought not to be an optional extra, not least because, if history is anything to go by, those who need it most are also the least likely to have it.

4. One alternative, and some might think rather extreme, scenario might be to require parents to pass an internet proficiency test of some kind before they can buy a computer or an internet connection for use by their children. In this test the parents would be expected to prove that they understand the risks they may be about to expose their children to, and they would be asked to undertake to minimise those risks. People are not allowed to drive a car on the ordinary highway without passing a test. Perhaps it should be the same for the virtual superhighway.

5. Especially for younger children, very large walled gardens[64] are the kind of technically-based solution that could play a major role by providing a protected online environment that is also enough fun for children to want to be there, and not just because their parents or teachers prefer it.

6. There is a very strong case for people being able to use the internet anonymously in certain circumstances, but equally it is plain that anonymity, and the ease with which one can adopt false identities and addresses, have become a cloak for abuse. This conundrum needs to be resolved. LINX, a key UK internet industry body, puts it thus in its best practice paper:
   'anonymity should be explicitly supported by relevant tools, rather than being present as a blanket status quo, open to use and misuse.'*
   Thus the UK internet industry's policy is to

improve traceability wherever possible. This recognises the sad reality that people tend to behave badly when they believe there is little or no chance of them being caught or held accountable for their actions. It is a problem that lies at the heart not only of online paedophile abuse, but also spam and other kinds of fraudulent online activity. Sooner or later the industry in the UK and more widely will have to devise a system that allows there to be a much greater degree of certainty about who, exactly, is initiating any online activity. In the meantime, in the interests of child safety, ISPs, the mobile telephone operators and other online service providers should verify the identities of everyone opening accounts with them. This will start to become critically important if, or rather when, accessing the internet via mobile telephones starts to become more commonplace and especially if the mobile network operators allow pre-paid mobiles to use such resources. Some of the services that the mobile network operators appear to intend to allow, eg location-based services, will also heighten the importance of having greater certainty about who users are and what legal relationships they have with other users.

7, Part of this process of verifying users' identities must, at the very least, involve developing a reliable means of verifying people's age. ISPs and other online companies should then abandon the fiction that only adults may legally open and operate internet accounts on their pay-as-you-go services and the increasingly dubious fiction that children and young people can only hold a sub-account given to them by an adult, thus making the adult solely responsible for any and all actions by that child on that account. Perhaps as the government develops its separate post-Laming proposals for providing a unique identifier to every child, an online component could be created which would help with this and related issues where identity, age and legal relationships are important.

8. Where an adult does open an account and hands on a sub-account to a child, ISPs, mobile phone operators and other online companies should verify the relationship of that adult to that child,

9. The mobile telephone companies need to revisit the way they interpret the Stewart Report. The Stewart Inquiry looked into the effects on children's physical health and brain development of certain kinds of radio waves associated with mobile phones and mobile phone masts. Following publication of the final report, the mobile phone operators adopted a self denying ordinance whereby they would not market their services to children or promote greater use of mobile phones by children. In practice this has been interpreted as meaning that the mobile phone companies cannot speak to children at all, ever, about anything. Given how many millions of children use mobile phones this is plainly absurd. No one wishes to give the phone companies carte blanche to promote commercial services to children, but there are existing ethical codes around advertisingthat deal with that. However, it cannot be right for the phone companies not to take a major responsibility for explaining directly to children and young people how to use their services safely, especially when internet access becomes an integral part of it.

10. The data privacy laws and data protection laws need to be revisited to take account of the new realities of the digital age and children's and young people's regular use of a variety of devices that can connect to the internet. For example, the standard advice that the Office of the Information Commissioner gives out is that at aged 12 or above a child is generally deemed capable of understanding the implications of giving information about themselves to third parties. Twelve was developed as the standard in the days when children commonly cut up a cardboard cereal box to fill in an application to send off for a free 'Action Man'. There appears to be no clear or research-based evidence that

supports the notion that 12 remains relevant in the age of the internet when two mouse clicks can reveal everything to everyone, Moreover, as the discussions on location-based services with the mobile network operators have revealed, there is in fact no defined lower age limit at which a child can properly give information about themselves to third parties, or agree to join various kinds of service without parental consent. The test is a subjective one, ie the third party is meant to satisfy themselves that this particular child is in fact capable of understanding the significance of what it is they are being asked to disclose. Large companies and remote service providers are not very good at administering subjective tests. Moreover there are also potential issues around possible conflicts of interests in respect of data privacy between parents and their own children - in respect of location-based services, for example, for the avoidance of doubt, the Finnish parliament is intent on passing a new law that would make it clear that, irrespective of the wishes of the child, a parent of a child aged 14 or under could insist that their mobile telephone is placed on a tracking service. To put it another way, at the moment the Finns appear to believe that a child aged 14 or under has a legal right to withhold their consent, even when their parents are almost certainly paying all the bills for the use of the mobile telephone.

n. Greater use of encryption and related technologies is beginning to emerge in circumstances that suggest it is very likely it is being used as a means of hiding evidence of criminal wrongdoing.[bh] New and better tools need to be developed to enable law enforcement to see this evidence and thereby apprehend and prosecute the offenders, Similarly there seems to be a shift towards greater use of peer2peer networks as a means of exchanging illegal images or sustaining a variety of forms of communication. This too raises new technical challenges that the industry should address with vigour.

12. At one stage there was a great deal of optimism around the idea that internet publishers could be persuaded to label or describe their own content prior to or at the time of publication. This would then provide the potential for software to be able to detect what kind of material or activity was taking place at a given internet location and allow it or block it on a particular computer according to criteria that had been previously set, typically by the parent. A group of major players[67] in the global internet industry announced they would back improved labelling as part of their self-regulatory, public domain contribution to improving online child safety. In 1999 a new global body, the Internet Content Rating Association[68] (ICRA), was formed to advance this cause and produce software that would be free to the end user. Today this system has still not taken off It should. ICRA has recently received new and substantial industry backing and plans are in hand to accelerate the emergence of ICRA's proposed solution. The timeframe for this ought to be ambitious as, sooner or later, people's patience will be exhausted.

13.The UK's Internet Watch Foundation,[69] is another industry-based initiative. It does excellent work as the UK's hotline but in the past it has been chronically under-funded and it still relies on public bodies, especially the EU, for significant amounts of its revenues. Hotlines in other countries are in a similar position. Either these bodies should be properly funded by the industry, with secure longer-term finances, and properly established within a self-regulatory or co-regulatory framework, or their functions should be taken over and carried out by the police.

14.Schools should be given greater resources to enable them to play a leading role in a sustained campaign to help their pupils' parents improve their understanding of the internet. In schools children use the internet extensively, but they generally do so within the

confines of a heavily protected and constantly supervised environment where some of the riskier interactive technologies are simply blocked, and where websites with age-inappropriate material are filtered out, Schools are one of the main drivers for children accessing the internet at home (eg to do their homework) but at home similar types of protected internet environments are often absent. Within the UK eight out of 10 home-PCs were found to lack adequate safeguards against harmful materials and 67 per cent of children were found to be more knowledgeable about computers than their parents. Of 10-14 year olds, 52 per cent are spending more than five hours per week online but 66 per cent of that time is unsupervised.[70] Schools are beginning to grasp their responsibility for ensuring that their pupils' internet experience at home approaches the same level of safety as that enjoyed within school. The DfES now also accepts it has a key role to play in reaching out to parents to ensure they are aware of the internet safety issues and that children are properly protected at home. Perhaps school networks should be opened up and made available to children working from home so they can enjoy the same level of protection in both places?[71]

15. Existing international institutions need to be further strengthened to help in the global fight against child abuse images on the internet and the related hands-on abuse. In particular, ways need to be found to assist the police forces in a number of countries where involvement in producing or distributing child abuse images appears to be growing very rapidly.

Proportionate responses

In discussing the programme of further reforms one is always mindful of the importance of keeping things in proportion to the size or nature of the problem they seek to remedy. However, discussing what is or is not proportionate is just another way of discussing different views of different groups' priorities or interests. It is just as hard to be exact

about what might constitute a proportionate response regarding child abuse and the internet as it is to be exact about so much else connected to the growth and current usage of the internet. In the end it often simply comes down to how important you think these issues are.

It is clear that many of the problems we discuss in relation to child safety and the internet were not foreseen or intended. Nonetheless the internet industry has a large degree of the moral and possibly also the legal responsibility for creating the problem so naturally we look to them to provide solutions to it, and ones that do not in turn create further problems. By default, the government also has an obligation to show that they are doing all they reasonably can to make the internet as safe as possible for every child who uses it, today and tomorrow.

Some will argue that the number of cases of child sex abuse whose origins can be traced back to the internet is small, but where does that leave us? It would be no consolation to a child, or to her parents, to be told, after the event, that they were just unlucky.

Who will deliver the further reforms?

The UK internet industry is an increasingly amorphous body. Nonetheless, because of the role they play, the ISPs remain the natural focus for much of the discussion about how we improve the safety of the online environment for children. But ISPs are highly competitive, they do not like sharing information, profits are down and margins are tight. Despite that, several of the major ISPs active in the UK home market have continued to take steps to reach parents and children with improved safety messages and improved technical tools. It is central to AOL's whole marketing campaign and position as a company and AOL currently has about 20 per cent of the market share for home use within the UK.

Yahoo, MSN, Freeserve and BT have also been very aware of their responsibilities in this area. All these companies, and others, have contributed their time

and expertise generously to the Home Office Task Force and the series of subsidiary working groups that have been looking at aspects of online child safety. But some of the key safety issues that the child welfare agencies have outlined, and which are detailed above, are perhaps seen as being beyond the power of any individual company to resolve. Maybe this is a classic example of where the free play of market forces does not meet a wider societal need? This whole area is about to be further complicated by the large-scale arrival of the mobile internet on a new generation of handsets, with GPRS and 3G, new generation networks, underpinning them. Happily the mobile network operators have joined the Home Office Task Force to mark their acceptance of that tact and they are now making their own distinctive contribution.

With the possible exception of Microsoft, probably no single commercial player could address the issues raised in the programme for further reforms outlined above. On the other hand, if Microsoft were seen to be taking the lead, lots of people would start protesting about an abuse of monopoly power, and a rival camp might well form to produce alternative solutions, thereby confusing the message and the market further. Online child safety ought not to be the subject of commercial competition.

Some companies might worry that if reforms are introduced piecemeal and on a voluntary basis, with no apparent determination on the part of government or law enforcement to see them universally adopted, they may simply be burdening themselves with additional costs that will undermine their competitive positions vis-a-vis their less fastidious rivals. Perhaps the government, and therefore the Task Force, need to be more explicit about its intentions to intervene, and legislate, if the reforms are not adopted on a very wide basis.

Other companies may even see further reforms as being disadvantageous to their short-term commercial interests. If the perception started to gain ground that the internet was now a much

safer place for children, all the investment different companies had made in developing and selling their own technical tools and creating their own brand image as a family-friendly provider might be wasted. Against that, if the internet were to become a much more trusted medium, one would expect overall use to increase and therefore everyone would benefit.

Perhaps there is a feeling among a number of companies that this is all simply an example of the child welfare lobby justifying its own existence and seeking to build ever-larger empires. They say that the predicted crisis around child safety has not happened and they think it never will. They say parents are not ringing up demanding the sorts of measures advocated in this report: they say parents just do not care enough, or at any rate they do not care enough to pay. This is very short-sighted. Time and again opinion polls show that there is deep parental concern about these issues, but for now very many parents simply lack the confidence to confront what they see as being a complex technical question, That situation will change, and it might change sooner than we think,

Historically the leadership of many of the UK's leading internet firms were heavily influenced by US first amendment thinking, It continues to exert a powerful influence. In the United States it is largely the Christian fundamentalist right that champions the causes espoused in this report so European liberals and libertarians are understandably wary of acknowledging a common agenda. But, to paraphrase George Orwell,

'just because something appears in the Daily Telegraph, it doesn't necessarily mean it isn't true.'

In other words, it is more important to address the fundamental issues that lie behind people's concerns than it is simply to dismiss them because of their provenance.

Conclusions

Modern society has always found it difficult to detect and prevent child sex abuse, the majority of which has taken place within existing family or social circles or in certain institutional settings, and the arrival of the internet has added to this difficulty by opening up new ways for paedophiles to reach and abuse children.

The internet has also provided new means of distributing images of the sexual abuse of children. This seems to have encouraged an increase in the production and circulation of such images and has, in turn, fed through into an increase in the sexual abuse of children, either for the purposes of producing the images or because users of the images have sought to fulfil the sexual fantasies that have been fuelled by their use of the images.

The global nature of the internet brings with it jurisdictional and logistical problems that add yet another layer of complexity. Detection, prevention, the identification and rescue of victims are all made even harder. The speed at which the technology has grown, and can change, adds another twist.

The internet is facilitating a major increase in children and young people being exposed to a wide range of age-inappropriate or illegal sexual and other kinds of material. No one knows what the long-term effects will be of this exposure but parents, teachers and others with a responsibility for children are greatly anxious about it.

It is clear that parents, teachers and others with responsibility for children must educate their children about the internet and how to avoid or deal with problems they may encounter on it. Parents and teachers can also be reasonably expected to take steps themselves to supervise and protect children, but it seems equally clear that the internet industry in the widest sense must similarly accept that they have a continuing duty to do all that they reasonably can at a technological level to maximise the probabilities that children using their services will not come to any avoidable harm. Neither should the industry be indifferent to the possibility that the service they are providing might undermine parental preferences in respect of how they bring up their children. The fact that children at some time or other seek to evade rules laid down by their parents, teachers or others in authority, is no reason for saying that parents, teachers and those in authority should therefore abandon the effort and have no rules at all. Rules describe standards.

Within the UK, the government's Internet Task Force on Child Protection has played a decisive leadership role in formulating new laws and developing the child safety agenda. Most of the UK's leading internet companies have played an active part in the Task Force and have responded positively to its recommendations, but there remains a series of larger reforms that ought to be acted upon. The industry also needs to find new technologically based solutions to assist the police and others in dealing with the new types of misuse of the internet that are emerging, Furthermore, with the advent of GPRS and 3G networks, the internet is about to go mobile on a large scale, supported by new, sophisticated telephone handsets. Almost all of the issues of child safety on the internet that exist today become much more complex when the internet goes on the street.

Given the pre-eminent position of the US in almost anything and everything to do with the internet, we must look to the US government and law enforcement agencies to increase the effectiveness of their interventions against the criminals who are using US-based resources to distribute child abuse images across all continents. We must also strengthen international efforts to deal with the rising tide of child abuse images starting to come out of various other countries, often in poorer parts of the world.

Whichever way one looks at it the internet is an enormously important and valuable technological

achievement. But that is not to say that civil society has simply to sit back and accept as inevitable whatever is served up to it by the industry.

Finding a solution to the problem of child safety on the internet is important in its own right, but for as long as acceptable solutions evade us, much that is dynamic, valuable and indisputably legitimate about the internet is also threatened. Put another way, the still essentially hazy awareness of the internet's dangers and the growing perceptions of the inadequacies of existing safeguards could suddenly crystallise around a specific incident or series of incidents, particularly if they came close together chronologically. Who knows what larger or wider damage might then be visited upon the internet?

The internet may never be completely and reliably safe all of the time, either for children or anyone else but, if the will is there, through a combination of increased public and parental awareness, and through improved technical tools, we ought to be able to look forward to a time when it is a great deal safer than it is today.

The alternative seems to be that we could end up with two or more internets,[7'] One will be strictly regulated and controlled. There will be a very high level of certainty about who all the users are, and you will pay to use it, over and above the cost of the connection or your ISP's current subscription level. Alongside it there will also be the internet we know today - wild and free, but with reducing levels of e-commerce being carried out on it, and wholly associated with a subculture of exotic or illegal sex and crime. Respectable people will not acknowledge that they use it and the world will have lost something very valuable. It is not yet too late. But time is rapidly running out.

Endnotes

1   In a sense the internet sits at the top of a pyramid, facilitating communications between a range of digital devices. Computers are the best known, but increasingly games consoles provide internet access, as do mobile telephones, personal digital assistants and so on. Except as the context provides otherwise, henceforth whenever a reference to the internet is made it encompasses the relevant uses of these o r any othe r devices th at can connect to it.

2   See www.cyberatlas.com

3   While acknowledging the importance of sexually predatory online behavourby some children and young people on other children and young people, the issues it raises are outside the scope of a report of this kind. An adult is defined as someone aged 18 or over.

4   The legal ageofconsentto sex in most of the UK. It is 17 in Northern Ireland.

5   For these purposes a legal image is one that it would normally be legal for an adult to possess. They might be videos or stills. The bulk ofthe material circulating on the internet is in the form of stills but many of them could be single shots taken from 2 video. However the fact that it maybe legal for an adult to possess or be exposed to certain kinds of materials does not always mean that it would be legal fora child to be exposed to it. The Obscene Publications Act 1959 refers to material that depraves or corrupts and the standard for an adult is unlikely to be the same as for a child.

6   *People Like* Us: *The Report ofthe Review ofthe Safeguards for Children Living Away from Home,* HrVISO, Department of Health, 1997, para 9.19.

7   In this paper the term paedophile refers to any adult who shows an active interest in sexually engaging with a child below the legal age ofconsent.

8   See *People Like Us,* Sir William Utting, HMSO, 1997, and Lost *in Care,* SirRonald Waterhouse, HMSO, 2000.

9   Thought to be no more than five or six per year.

10 This does not mean that the plan was not carefully and deliberately executed by the paedophile, only that the selection ofthe specific individual was more or less random and depended on who happened to be around at the time.

11 See *Online Victimization: A Report 011 the Nation's Youth,* Finklehoret al forNCMEC, USA June 2000 (see http://www.missingkids.com/download/onli nevjct_execsurn.pdf). This showed that one in five children received an online sexual solicitation. One in 33 children received what they considered to be an aggressive sexual solicitation, eg the other person asked to meet them somewhere, called them on the telephone, sent them regular mail, money or gifts.It is thought that 24 per cent of all solicitations and 34 percent of al I aggressive solicitations came from persons aged over 18. Approximately one in four young people who reported these incidents said they weie distressed by them and five percent said they made them very or extremely upset or afraid.

12 Whereas in the US there have been several.

13 See page 3 of this report.

14 Principally these include email, chatroorns, newsgroups, instant messaging. peer2peer, voice-over-IP, message boards and other online communities. To the extent that SMS and picture messaging for mobile phones can be activated byorthrough the internet, these too would qualify for inclusion. SMS in particular has been used in the context of contact offending.

15 In the overwhelming majority ofcases the offending adult will be a male but we ought to acknowledge that female offenders of this type do also exist. In the typical case involving a female she will be aiding and abetting a male partner, but there are also a small numberof known cases where a female is the principal offender.

16 A chat room is typically a small boxorwindowthat appears on a computer screen. A user must first log-in and then one participates in or initiates a conversation by typing in messages that appear more or less instantaneously on your screen and on the screens of everyone else wfio is also logged-intothatchatroom. Chat rooms are generally themed in someway, but the themes can be very general and the extent to which the theme is adhered to can vary enormously. Aswith text messagingon mobile phones, chatrooms have developed their own styleand language.

17 It is possible in some chatrooms to logon in 'invisible mode' so it may not even be apparent to all users who is in there at any given moment. This is one further reason why it is important to impress on children the importance of not disclosing personal information while in a chatroom.You have no way of knowing exactly who might be reading and collecting it.

18 The typical scenario involves an older man and a yourger girl, but a small number of cases have been homosexual in nature and have involved boys.

19 Some chatrooms allow voice communication as well, in which case the paedophile will encourage the child to wear headphones so only she can hear what he is saying.

20 This figure is based onlyon media monitoring and therefore may not represent the complete picture.

21 Indudingone autistic boy.

22 In one case a paedophile made contact with two n-year-old girls who were friends. He gioomed them for two years before meeting them shortly after their 13th birthdays. He had sexual intercourse with both of them. Had he had intercourse with the girls prior to their 13th birthdays the subsequent charge against him would have been rape, which carries a life sentence. As it was he only faced charges of unlawful sexual intercourse, for which the maximum sentence was then three years.

23 See for example, *Prewtition, Protection and Recovery of Children from Commercial Sexual Exploitation, 2nd* World Congress on CSEC, Yokohama, 2001 arid *Child Sexual Abuse, Informing Practice from Research,* Jones and Ramchandani, UK Dept. of Health, 1599.

24 Although certain technological developments mighteventuallyhelp us to locate and destroy specific files that are being housed in public parts ofthe internet, there could be no certainly that a file had not al ready been takenoffline and stoned, thus putting it out of reach of such programmes.

25 Inevitably there can be no hard and fast rules about what is or is not age-inappropriate. Everything hinges on the child's current and evolving capacities, and will be influenced by their family, cultural or religious backgrounds or the context within which the material is being viewed.

26 There seems to be no reliable evidence on this point.

27 Unsolicited bulk email. Chat rooms are known to be a major source of email addresses for spammers.

28 See www.syrnantec.com/piess

29 See Youth, *Pornography and the Internet,* DickThornbugh and Herbert S. Lin, Editors, National Research Council, 2002, especially chapters s, 6 and 7, http://bob.nap.edu/html/jouth_intemet

30 There is a feeling in some quarters that by using the word 'pornography'one risks confusing what the images depict with imagesof consensual adult sexual activity. The truth is that the images we are discussing here depict rape and other forms of child abuse so that is what they should be called. The Greater Manchester Police were the first to start using this term.

31 See page n of this report.

32 Logically one would expect that the more a man looks at or collects child abuse images the greater the probability that he will go onto engage in contact offences, however no clear link has been established between the frequency of looking at or collecting images and involvement in contact offend ing. It is safe to say that moving fiom merely looking to collecting and possession definitely marks an important change in behaviour. Getting involved in collecting and possession seems to denote a much higher probability of being involved in contact offending.

33 This is particularly true if the images are being distributed in a commercial context, but it is also true in other contexts as well.

34   Under UK law if someone looks at a child abuse image unintentionally or comes to possess one unintentionally, say because it arrived as spam, no crime has been committed. The person concerned ought to inform the authorities and not copy it or distribute it to anyone. However, if a person intentionally goes looking for child abuse images, even if they do not then deliberately download any but merely look at them on their screen, then in all probability they have committed an offence because they have acted wilfully.

35   Typically in pre-internet days child abuse images could only be obtained via mail order, by visiting a certain kind of sex shop, from an existing collector or by making them yourself.

30   The Lucy Faithfull Foundation is a leading child protection agency that operates UK-wide. It assesses and provides intervention programmes for adult and adolescent, male and female perpetrators of child sexual abuse. It runs clinics providing intensive long-term therapy and therapy for child and adult survivors of child sexual abuse and their families. The Foundation works closely with the couits.

37   *Self Reported Contact Sexual Offenses by Participants in the Federal Bureau of Prison's Sex Offender Treatment Program: implications for Internet Sex Offenders,* Hernandez, presented at the Research and Treatment Conference of the Association for the Treatment of Sexual Abusers, San Diego, CA, November, 2000.

38   This means that at the time the arrest warrants were executed the only information in the hands of the postal inspectors was that the suspect was likely to possess child abuse images. It was only following subsequent and wider investigations that evidence of real-world abuse emerged, ie that the person concerned either had previous convictions for abusing children, or acknowledged their current or planned future involvement in abuse, or through the review of evidence, including interviews with family members and neighbours, it is discovered that abuse has occurred.

39   *Child Exploitation Program Overview and Highlights,* US Postal Inspection Service, and in correspondence with the author.

40   In this context Findlater also emphasises the importance of providing help to people who feel themselves being drawn to problematic behaviour and this help should be available before the behaviour reaches the stage where a crime may have been committed. This was an important part of the inspiration behind the launch of Stop It Now! They can be contacted on 0800 1000 900.

41   However the Sex Offences Act 2005, may alter that position.

42   As it is now known. It was previously known as the Obscene Publications Unit

43   Disclosed in correspondence with the author. The squad no longer count the number of the images they seize.

44   The volume of images is not always the most important factor to be taken into account in terms of assessing the likelihood of a person being a future risk to children.

45   Work of this kind is thought to be underway in several software houses.

46   Many dating from the time that child pornography was legal in a number of European countries.

47   *Abusive images of Children and the Internet: Research from the COPINE Project,* M. Taylor and E. Quayle, in *Medical and Legal Aspects of Child Sexual Exploitation. A Comprehensive Review of Child Pornography, Child Prostitution, and internet Crimes Against Children,* edited by Cooper et al. GW Medical Publishing, St. Louis, USA.

48   See Appendix.

49   The current law on child pornography offences was established in 1998 with the passage of the Criminal Justice Act 1988.

50   Under the Innocent Images initiative.

51   Reported in *The Times,* 6/12/2002.

52   See www.sentencing-advisory-panel.gov.uk

53   In England and Wales there are 43 different local police forces, each of which has operational autonomy. Differences in approach are therefore quite common and depend on local factors.

54   See page 5 of this report.

55   See www.stopitnow.org.uk

S6   Because COPINE focuses on newsgroups it misses a number of other areas of the internet where child abuse images regularly appear or are traded, sometimes in substantial volumes, eg websites, online communities, IRC and other chatrooms.

y   See www.iwf.org.uk

58   The author is a member of the Task Force.

59   Department for Education and Skills. The DfES also established its own Strategic Internet Safety Group, of which the author is a member.

60   See Sex Offence Act 2003.

61   CHIS consists of seven of the UK's largest, independent professional child welfare agencies: NCH, NSPCC, Garnardos, ChildLine, NCB, Children's Society and the NCVCCO.

62   Each technology that is available on the internet requires its own specific response. There are few blanket solutions available but there are now a number of safety software packages on the market that brir^ these different elements and responses together. The relevant characteristics that most of them share is an ability to screen out websites according to certain pre-determined criteria, eg they contain pornographic, violent or racist images, and they allow a high degree of control of the interactive elements of the internet such as email, access to chat, peer2peer, instant messaging and newsgroups. Some also allow for detailed monitoring of how the computer is being used, eg they can record, store and, if necessary, replay every keystroke and every email or other message sent or received. These packages could, of course, be disabled or removed if the purchaser felt they were no longer necessary.

63   Web filtering products, for example, can over block and under block, ie keep out material that ought to be let in and let in material that ought to be kept out.

64   A walled garden is an online environment where all the content that is available is pre-approved and where considerable effort is put into verifying who is using the service. A walled garden therefore provides access to parts of the internet, rather than all of it. It could never be 100 percent safe. Nothing can ever be that where the internet, or indeed life, is concerned. But a walled garden could be a great deal safer than the open system that currently predominates.

65   See www.linx.riet

56   See 2002 Annual Report, Internet Watch Foundation.

67   These included Microsoft, AOL, Yahoo and BT.

58   See www.icra.org.uk

69   Of which the author was a director until 31/12/03.

70   See http://www.dbons-group-plc.co.uk/, press release, 12 November 2002.

71   See http://www.nspcc.otg.uk A MORI poll, 21 January 2003, showed 90 percent of parents were concerned about trie possibility of their child being contacted by a paedophile via a chatroom. This rose to 99 percent for parents with very jsaung children.

72   Arguabiywe already have that as more and more investments are made in developing closed systems.

Number of defendants cautioned, those proceeded against at magistrates' courts and those found guilty at all courts for offences relating to child pornography, England and Wales, 1988 – 2001

Offence Disposal		1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	Totals	A+B
Take or make	A Cautioned	–	5	10	10	10	7	6	18	15	14	26	31	35	38	225	
indecent	B Proceeded against	32	44	44	40	46	42	40	53	80	111	116	175	284	398	1505	**1730**
photographs																	
of children (1)	Found guilty	31	39	35	39	44	37	27	44	69	103	82	139	218	289	1196	
																	C+D
Possession of	C Cautioned	–	2	5	3	13	4	7	11	16	17	19	34	25	25	181	
an indecent	D Proceeded against	1	21	36	53	43	48	53	60	125	124	167	163	129	88	1111	**1292**
photograph																	
of a child (2)	Found guilty	2	16	32	43	30	35	36	37	79	81	105	99	77	51	723	

A+B+C+D

3022

All data given refer to the principal offence only. Data may include persons proceeded against in earlier years or for a different offence.
(1) Offences under the Protection of Children Act 1978, section 1 and section 6 as amended by the Criminal Justice and Public Order Act 1994, section 84.
(2) Offences under the Criminal Justice Act 1988, section 160 as amended by the Criminal Justice and Public Order Act 1994, section 84(4) and section 86(1).

NCH is one of the UK's leading children's charities. We support the most vulnerable children, young people and their families so that they have the opportunity to reach their full potential.

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The artwork featured on the cover is by a young person from N0.28 Child and Family Counselling, an NCH project supporting children, young people and families affected by sexual abuse.