“While doing every disgusting show [for a customer, in front of the computer camera], I lost every bit of my self-esteem to the point where I felt disgusted with myself as well. It’s like being trapped in a dark room without any rays of light at all. There’s no point in living at all.” – Ruby, a survivor advocate

Improving protection for children online is one of the key objectives of the Online Safety Bill. IJM supports the introduction of new requirements on regulated services to take action to mitigate the risk of harm to children, including sexual abuse. However, the Bill could go much further in addressing the manner in which online platforms are used to sexually exploit and abuse children, particularly through livestreaming.

IJM partners with authorities in the Philippines, a global hotspot for this abuse, to bring children to safety from online sexual exploitation. Many of IJM’s cases involve traffickers who livestream the exploitation to satisfy the online demand of child sex offenders paying to direct the abuse in real time.

IJM has supported law enforcement agencies around the world to bring hundreds of children to safety, the youngest just a few months old. Many child victims are left with serious emotional and physical trauma, which can include sexually transmitted diseases.

Whilst the abuse is physically taking place in the Philippines, the demand is coming from countries including the UK, where sex offenders pay to direct and livestream the child’s exploitation. There is, therefore, an onus on the UK to take action to prevent such harm occurring.

A GROWING ISSUE

Experts agree that online sexual exploitation is growing fast, outpacing our attempts to stop it: “The scale of child sexual exploitation and abuse online is increasing,” and that “This sustained growth is outstripping our global capacity to respond.” (WePROTECT Global Alliance)

Europol notes that online sexual exploitation of children is “a constantly evolving phenomenon and is shaped by developments in technology”. One particularly disturbing way in which this exploitation manifests is through livestreamed abuse.

The COVID-19 pandemic created the perfect storm for online sexual exploitation and led to further rises in child sexual abuse materials – as high as 265% in the Philippines (WePROTECT Global Alliance), echoing Europol’s warning that “livestreaming of child sexual abuse increased and became even more popular during the COVID-19 pandemic”.
The Online Safety Bill presents a critical opportunity to significantly improve protection of vulnerable children around the world. The Bill will require online platforms to carry out risk assessments to determine how their service might be vulnerable or susceptible to illegal content. They must then take steps to address and mitigate any risks or vulnerabilities in order to protect users, in particular children.

Online platforms will be required to adopt ‘proportionate systems and processes’ which prevent people seeing or reading illegal content, and to ensure that any such content is swiftly taken down. ‘Illegal content’ specifically includes child sexual exploitation and abuse (CSEA) content, and any instances of CSEA must be reported to the National Crime Agency. This will increase visibility and transparency of offences, and the ability of law enforcement to hold offenders to account.

IJM welcomes these new duties, but would like to see the Bill go even further.

MINIMISING OPPORTUNITY TO ABUSE CHILDREN

Online sexual exploitation of children cannot be fully addressed without limiting the opportunity to abuse children and preventing the production of new child abuse material. Online platforms aren’t just where abusive material is published. Sex offenders use these services and platforms as tools to commit child sexual abuse through livestreaming.

IJM has identified several clauses which could be amended to extend the duties of care to include preventing the creation of new CSEA content, including through livestreaming. With a few simple amendments, the Bill will be able to:

1. Limit the opportunity which sex offenders have to abuse children
2. Improve accountability for sex offenders so they can’t act with impunity

IJM would welcome your support in advancing these amendments. For a full breakdown of suggested amendments, please see IJM’s Proposed Amendments.

ENFORCEMENT

Critical to the Bill’s success is its enforcement. OFCOM will be granted innovative powers to require services to take action or to limit their access in the UK. Before enforcement action is taken, OFCOM will have to consider a number of factors, one of which is the prevalence of illegal content. In the context of CSEA we believe this approach is unwise.

Any incidence of CSEA is serious and requires attention; it cannot be left to OFCOM to establish a threshold of prevalence which is unacceptable. This is particularly pertinent in relation to livestreamed CSEA, where prevalence is difficult to determine owing the challenges in detecting this material.

Further, the Bill requires OFCOM to consider the risk of harm to people in the UK. IJM believes that this should be extended, so that OFCOM considers the risk of harm which internet users in the UK might pose to others around the world. IJM has seen through our casework the harm which sex offenders in the UK can cause to children in the Philippines. This should be a relevant consideration for OFCOM to ensure the effectiveness of the legislation.

RECOMMENDATION: ADVANCE AND SUPPORT AMENDMENTS TO THE BILL WHICH:

1. Require online platforms to take action to prevent the creation of new CSEA content, and which protect children from livestreamed sexual exploitation.
2. Equip OFCOM to take enforcement action against online platforms which do not adequately address CSEA content on their platforms or which allow UK-based users to pose a threat to children.
BEYOND THE ONLINE SAFETY BILL

INTERNATIONAL LAW ENFORCEMENT AND NGO COLLABORATION:

The duty created by the Bill for online platforms to refer incidents of CSEA to the National Crime Agency (NCA) is a positive step in ensuring offender accountability.

IJM is a founding member of the Philippines Internet Crimes Against Children Centre (PICACC) which was launched in 2019 to facilitate international collaboration to address online sexual exploitation of children. It comprises: Philippines police, the UK NCA, Australian Federal Police, Dutch National Police, and IJM.

This collaboration has enabled law enforcement agencies to identify children suffering harm and bring them to safety, whilst also ensuring offenders are held to account in both supply and demand countries. Since 2019 IJM has worked with partners in the PICACC to conduct 179 operations, in which 526 children have been brought to safety and 113 suspects arrested. Over the last year, amidst the pandemic, they conducted 52 operations, helping 154 children to safety, and arresting 48 suspects.

The NCA has made a vital contribution to the PICACC, not only with their subject matter and investigative expertise, but in providing practical and material assistance to equip their counterparts in the Philippines.

The model of the PICACC demonstrates the benefits of a coordinated approach to maximise effectiveness, as well as building the capacity and ability of local law enforcement to take ownership of the response to violent crimes. IJM believes that this form of collaboration between international law enforcement partners and NGOs is essential to tackling not only online sexual exploitation but other forms of international crime, including modern slavery.

RECOMMENDATION: As the UK Government develops and implements new Modern Slavery and International Development Strategies, utilise parliamentary debates, committees and questions to encourage a collaborative approach between international law enforcement agencies and expert NGOs to address transnational crimes.

DATA: MEASURING IMPACT

The reporting requirements within the Bill will help to increase the transparency and visibility of the true nature and scale of crimes including child sexual exploitation.

Building on IJM’s previous study published in 2020, IJM's Center to End Online Sexual Exploitation of Children has developed a Scale of Harm project to estimate the prevalence of trafficking of children to produce child sexual exploitation materials. This has been done in close collaboration with the University of Nottingham’s Rights Lab and experts from organisations across the technology, financial, government, and child protection sectors, as well as the Local Survivor Network in the Philippines.

Developing an accurate prevalence estimation is crucial in assessing the effectiveness of interventions to protect children. Across IJM’s projects our teams are rigorous in their approach to data collection, to ensure we have an evidence base against which to measure progress and to ensure our efforts are directed where they are most needed. As a result, we have been able to demonstrate our impact: we have seen exploitation reduced by up to 86% in areas in which we have worked.

RECOMMENDATION: Through parliamentary debates, committees and questions, champion a robust and rigorous approach to data which ensures a strong evidence base for the nature and scale of violent crime, and the effectiveness of interventions designed to enhance protection for those at risk.
LISTENING TO SURVIVORS

IJM is proud to have supported the convening of local survivor groups, leading to the creation of the Global Survivor Network (GSN). This is an international group of survivors who pursue safe communities through justice systems that protect the most vulnerable. The GSN includes survivors of modern slavery, violence against women and girls and police abuse. The GSN’s Leadership Council’s members are survivor advocates who consult with local survivor groups and lead the GSN in creating a survivor-led movement.

The GSN’s Leadership Council is made up of members from Kenya, Guatemala, Uganda, the Philippines and India, bringing together survivor perspectives from a diverse range of backgrounds and geographies.

Policies and interventions aimed at tackling violence must be shaped by those who have lived experience. It is only by hearing directly from survivors that we can truly understand how vulnerabilities to violence and opportunities for offenders are created, and how cultures of impunity become established. Understanding these dynamics and how policy and resource decisions can exacerbate or mitigate individual vulnerability, is vital to developing an effective, sustainable response.

RECOMMENDATION: Provide a platform to ensure that anti-violence strategies and interventions are shaped by those with lived experience of the crime, and that survivors contribute to the evaluation of anti-violence projects in order to determine impact and effectiveness.

In April 2022, a group of survivors of online sexual exploitation in the Philippines, abused as children but who are now adults, independently wrote a letter to the UK Government and Members of Parliament. They explained the reality of the abuse which they had suffered and called for the Online Safety Bill to be strengthened to address the production of new CSEA content.

Their message is clear:

“We ask that the accountability for livestreaming of child sexual abuse be included, specified, and prioritised in this bill. Livestreaming child sexual abuse should be detected from the very beginning of their criminal activity. If possible, applications that do not detect the abuse should be shut down from public access.”

“I am a survivor of online sexual exploitation. I have experienced extreme pain, hurt, and trauma. I am a victim of human trafficking. It was not easy for me to sell my body in exchange for money. So I want to share this with those who are leading the creation of this Online Safety Bill so that you can bring justice to what I’ve experienced as darkness – to the point of wanting to kill myself. I hope this bill is passed so that this does not happen to more children.”

– Alice*, 23 years old; 19 at the time of rescue, abused at age 17

Read the letter in full here and BBC coverage here.

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