

# Victim Support Europe Contribution

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FIGHTING CHILD SEXUAL ABUSE: DETECTION,  
REMOVAL AND REPORTING OF ILLEGAL CONTENT  
ONLINE

Victim Support Europe  
APRIL 2021 | <https://victim-support.eu/>



With Financial support from  
the Justice Programme  
of the European Union

## About Victim Support Europe

Victim Support Europe (VSE) is the leading European umbrella organisation advocating on behalf of all victims of crime, no matter what the crime, no matter who the victim is. VSE represents 62 member organisations, providing support and information services to more than 2 million people affected by crime every year in 30 countries.

Founded in 1990, VSE has been working for almost 30 years for a Europe, and a world, where all victims have strong victims' rights and services, whether they report the crime or not. We work towards this mission through advocacy to improve European and international laws, through research and knowledge development and through capacity building at the national and local level.

As part of VSE's work, we conduct research and regularly engage with member or associate organisations on child rights, child sexual abuse and, more generally, on innovative solutions to protect children from victimisation. Recently, at the end of 2020, VSE advocated in favour of the adoption of the interim legislation to combat child sexual abuse online, to ensure that voluntary reporting of child sexual abuse materials would still be allowed and that vulnerable children are not left behind.

## Introduction

As highlighted in the 2020 European Union Strategy for a more effective fight against child sexual abuse (CSA), the last years have seen a continuous increase of reports of child sexual abuse materials (CSAM) online. Among these reports, in 2019, almost 90% of URLs known to contain CSAM were hosted in Europe<sup>1</sup>. The COVID-19 pandemic has led children to spend more time online, exposing them to higher risks and creating more opportunities for offenders who benefit from more anonymity and global outreach.

In view of the need to better regulate, prevent and counter CSA online, Victim Support Europe strongly welcomes and supports the European Commission's initiative to consider the adoption of a legislation targeting online CSA. Such a framework would help adapting the legislation to the current environment and challenges, while offering long-term solutions to prevent CSA and better support child victims.

While we welcome the Commission public consultation, we would like to introduce additional recommendations on points that were not covered within the survey. We would particularly like to recommend that the upcoming legislation and European Centre:

- Adopt a comprehensive approach to CSA;
- Introduce and coordinate further education and awareness-raising for children and adults;
- Ensure appropriate support for child victims and supports child-friendly justice systems;
- Improve cross-border coordination and cooperation.

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<sup>1</sup> WePROTECT Global Alliance

## I. A comprehensive approach to CSA

With the pandemic, online and offline forms of crime affecting children are overlapping more than ever before. While VSE strongly welcomes the Commission's strong focus on prevention in the upcoming legislation, it is fundamental not to consider online child abuse as an isolated issue but rather to link it with and **integrate it to a broader range of prevention and protection measures and policies**, linked to child's rights, child protection and child support, notably from violence and victimisation.

Notably, not only should upcoming measures address identified victims but also cover the linkages between **online CSA and missing children**. In a number of cases, CSA and/or grooming can lead to children going missing and missing children becoming victims of CSA<sup>2</sup>. Preventing children from going missing will help prevent CSA and preventing CSA will help reduce the number of missing children's cases.

We therefore call the Commission to look at ways to support missing children hotlines and hotlines operators, notably through funding and training, within the upcoming legislative framework and in cooperation with civil society organisations specialised in missing children<sup>3</sup>.

## II. Build resilience through education and awareness-raising

As explained above, we believe it's fundamental to integrate CSA prevention measures to a broader range of prevention policies. Any strategy to prevent and tackle CSA and child victimisation must therefore seek not only to address the demand end of criminal activity but also the socio-economic, psychological and awareness factors that leave victims at risk of victimisation.

We believe that the EU can have an important role in this and are therefore calling the European Commission to encourage and **support Member States to develop and implement education trainings and raising-awareness programmes** through the upcoming legislative framework and the possible European Centre to prevent and tackle CSA.

While some of us are able to spontaneously develop resilience, without the external help, many others will need to learn how to deal with stressful and traumatic situations. This is particularly true for highly stressful events such as victimisation and for particularly vulnerable groups, such as children.

**Resilient victims recover more quickly and more successfully**, and while particular focus should be kept on highly traumatic events, such as sexual abuse, resilience in children needs to go broader and aim at **helping them cope with other traumatic events**, such as (cyber)bullying, the loss of a loved one, or even stressful situations such as parents' divorce or COVID-19 lockdowns. In cases where the child sexual abuse involved video recordings or images, resilience training can play an even bigger role in supporting the victim in its aftermath. In these situations, victims will need to develop strategies to

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<sup>2</sup> Missing Children Europe, Report of the online symposium, Child Safety First: Multi-stakeholder approaches to fight online child sexual abuse, March 2021

<sup>3</sup> Such as Missing Children Europe and Amber Alert Europe.

cope with the knowledge that these images may potentially stay online for the rest of their life, reminding them of their traumatic experience.

Recent figures show that CSA victims are becoming younger and younger, with 92% of victims aged between 3 and 13<sup>4</sup>. It is therefore important that this training is introduced at school, for both children and teachers, as early as possible. Considering the victims' young age, **similar training must be introduced to the general public (adults)**. The general public needs to be trained in recognising signs of and possibly preventing child sexual abuse, understanding the impact of crime and trauma, understanding the specific needs of children and how to help and support them. Training on how to recognise child sexual abuse material online and what to do when you come across it should be included as well.

### III. Ensure appropriate support for child victims

#### 1/ Establishing victim support services in all Member States

It is crucial to ensure victims' access to their rights under EU law. While increasing resilience is an important preparatory step, it is still fundamental to put into place necessary support services for children victims of sexual abuse and ensure that every child victim has access to all the services they need to achieve full recovery. We welcome the focus that the European Centre would have on victim support, but regret the fact that the topic has not been addressed in the assessment of gaps of the current legislation and recommendations for a new legislative framework.

The Victims' Rights Directive and the Child Sexual Abuse Directive recognise the need for support and protection of child victims, before, during and after the criminal proceedings. This support is guaranteed to both direct victims and their family members and needs to be provided regardless of whether the victim reported the crime and takes part in criminal proceedings or not. While there are at least some forms of support for child victims of sexual abuse, it is alarming to note that a number **of EU Member States is still failing to ensure nation-wide generalist support services, and** that many child victims and their families still can't access appropriate and sufficient victim support throughout Europe.

There is little information about the availability and sufficiency of specialist services for vulnerable child victims and there is an insufficient concerted effort to establish the need for such specialist services. At the same time, in a number of Member States there is a lack of sustainable and stable funding for victim support services, leaving vulnerable victims, including children victims of sexual abuse, to receive support from time-limited initiatives, such as projects, hence risking end of support with the end of the project.

We encourage the European Commission to conduct an assessment of the implementation of Articles 19 and 20, to evaluate the reasons of the lack of implementation when necessary and to address them in the upcoming legislative framework. It is crucial that the **upcoming legislative frameworks insists on the full implementation in law and in practice of both Victims' Rights and Child Sexual Abuse Directive**<sup>5</sup>. We encourage the European Commission to support the Member States in the

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<sup>4</sup> INHOPE, Annual Report, 2019.

<sup>5</sup> Directive 2011/92/EU of the European Parliament and the Council of 13 December 2011, on combating the sexual abuse and sexual exploitation of children and child pornography.

development of support services and **evaluate the access conditions for children to support services** in all Member States, particularly conditions and restrictions linked to age.

Additionally, we encourage the upcoming legislation to recognise children who have been groomed as victims and to grant them rights and support them as such.

## 2/ Establishing child friendly justice systems

When dealing with victims of child sexual abuse in the criminal justice system, it is important to ensure the proceedings are child-friendly, i.e. that the justice system is accessible, adapted to and focused on the needs and rights of the child, age appropriate, and that it respects private life, dignity and integrity of the child.

We believe that developing or establishing child friendly and safe justice systems should be a priority within the next legislative framework. Member States should focus on **providing accessible and high quality forms of communication** with child victims and to **prioritise innovative practices** to support child victims should be encouraged, such as the use of facility dogs<sup>6</sup>. **Training** should be provided to practitioners who are likely to be in contact with the child victims during the proceedings (judges, lawyers, police, care givers, etc).

In line with Article 20 of the Child Sexual Abuse Directive, the Commission should make sure that **effective guardianship systems** are in place in every Member States, with common standards for appointing a guardian for unaccompanied minors. Additionally, we call for a harmonisation of protection measures throughout Europe and the establishment of **minimum standards for protection orders**. Such initiatives would provide a minimum equal level of protection, no matter where in the EU the child victim is, while at the same time safeguarding the high performance in some Member States.

### IV. Improve cooperation through the European Centre to prevent and counter CSA

VSE welcomes and supports the Commission's initiative to create a European Centre to prevent and counter CSA, in order to help European coordination on fighting CSA. We encourage the European Centre, should it be created, to **focus on coordinating and supporting prevention measures and their implementation** in the Member States, **improving the cross-border referral of and coordination of information and services** on the child victims' individual cases and support exchange of knowledge and developments on effective support to child victims.

In a high number of cases, online CSA involves a cross-border dimension. While child victims of sexual abuse are already in a most vulnerable position, being in a cross-border situation adds additional difficulties and barriers in accessing their rights, information and support.

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<sup>6</sup> For more information about the use of facility dogs for victims of crime, please visit Victim Support Europe's [FYDO \(Facility Dogs in Europe\) Project page](#).

We believe that the Centre should support cross-border exchange of information and cooperation on individual cases by **supporting referral and coordination of services**, both at a national and international level, working closely with the civil society. We need to **ensure that child victims of CSA in cross-border situations have access to sufficient and continued support**, including when they go from one Member State to another.

Additionally, we encourage the European Centre, should it be created, to focus on coordinating and supporting prevention measures, especially raising-awareness and education measures and programmes developed in our point II.