

**Report about measures undertaken
by Malta following membership of the
Global Alliance against
Child Sexual Abuse Online**

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FORWARD

Malta joined the Global Alliance against Child Sexual Abuse Online following a conference that was organised to launch this initiative back in December 2012.

The Global Alliance against Child Sexual Abuse Online is a common endeavour of countries who want to tackle online child abuse. This initiative was brought about as a result of a joint collaboration between the European Commission (through Ms. Cecilia Malmström, EU Commissioner for Home Affairs) and the United States of America (through the US Department of Justice and US Attorney General's Office).

Forty eight (48) countries, including all EU Member States, had agreed to participate in this initiative when it was launched. Countries were requested to provide an overview of the actions that had already been undertaken in the fight against online child abuse in the past as well as provide a list of actions that each country intended on undertaking in order to curb even further this type of crime. The list of actions had to be divided according to the four (4) policy targets of this initiative, namely:

- Enhancing efforts to identify victims and ensuring that they receive the necessary assistance, support and protection
- Enhancing efforts to investigate cases of child sexual abuse online and to identify and prosecute offenders
- Enhancing efforts to increase public awareness of the risks posed by children's activities online, including grooming and self-production of images that results in the production of the new child pornography that may be distributed online
- Reducing as much as possible the availability of child pornography online and reducing as much as possible the re-victimisation of children whose sexual abuse is depicted

Malta presented its list of actions in April 2013.

This report outlines the status of each of the policy targets listed in the document which had been drawn up following Malta's participation in this initiative.

1. POLICY TARGET 1: ENHANCING EFFORTS TO IDENTIFY VICTIMS AND ENSURING THAT THEY RECEIVE THE NECESSARY ASSISTANCE, SUPPORT AND PROTECTION

As part of the efforts undertaken in pursuit of this policy target, Malta had declared that efforts would be made to grant access to the Malta Police Force to INTERPOL's International Child Sexual Exploitation (ICSE) Image Database. The purpose of this database is two-fold: (a) to act as a repository of images depicting child abuse that law enforcement throughout the world have come across; and (b) to disseminate within the law enforcement "new" child abuse images in an attempt to facilitate the identification and rescue of child victims who are still being abused. It must be pointed out that the granting of access to the ICSE database had been inserted as an action point in view of the fact that Malta already had an implied obligation to do so as outlined in an INTERPOL General Assembly Resolution that had been approved back in 2011 (INTERPOL General Assembly Resolution numbered "AG-2011-RES-08" at <http://www.interpol.int/content/download/12398/85453/version/4/file/AG-2011-RES-08.pdf>).

Access to INTERPOL's ICSE database has not been implemented. Throughout the past months, the Police Force has applied for EU funds, under the Internal Security Funds Programme, in order to upgrade the equipment used in its laboratory as well as increase its capacity and capabilities in the investigations of crime involving the use of technology. Part of the funds that have been requested through the Internal Security Funds Programme will go towards the purchase of computers and network equipment that are required to enable the Cyber Crime Unit to have access to INTERPOL's ICSE Database

Further to the above information a hotline with the name of childwebalert.gov.mt has been established, and is run by, Agenzija Appogg so that the general public can report online child sexual abuse material: basically websites which contain indecent photos or videos of children and children who are sexually abused and their videos or pictures are circulating online. The general public has the facility of reporting anonymously to the hotline. The Agenzija Appogg hotline team analyses the content received through the online reporting system and verifies whether it contains material related to minors.

The team also traces the content to verify in which country it is hosted. Through international cooperation and due to the fact that Agenzija Appogg is a member of International Association of Hotlines (Inhope), upon verification of the hosting country, the hotline reports to the Inhope Report Management System (IHRMS) and the hosting country will be notified that illegal content is hosted in its country's servers. Through the use of the hotline, reports are received which the general public may not feel at ease reporting to the Police thus more people are reached. Agenzija Appogg hotline passes all Uniform Resource Locators (urls) with illegal content to the Maltese Cybercrime unit with whom Agenzija Appogg has a Memorandum of Understanding (MoU) to enable hotline analysts to pursue their work within a legal framework. The Malta Police Force maintains a "stop-list" of known child abuse websites.

This "stop-list" is used in the implementation of a Child Abuse Internet Filter that is operated through collaboration with local internet service providers. Since its operation, the hotline has received EU funds through the Besmartonline! project which is made of a consortium of three official members-The Malta Communications Authority (MCA), Agenzija Appogg and the Office of the Commissioner for Children. Other members which support the project are the Cybercrime Unit within the Malta Police Force, the Education Department, the Directorate for Church School Education, Agenzija Zghazagh and the University of Malta.

The childwebalert hotline is also doing an intensive marketing campaign to encourage the public to report these kinds of websites.

2. POLICYTARGET2:ENHANCINGEFFORTS TO INVESTIGATE CASES OF CHILD SEXUAL ABUSE ONLINE AND TO IDENTIFY AND PROSECUTE OFFENDERS

In the document drawn up in April 2013, Malta had identified amendments to local legislation, the establishment of the Police Cyber Crime Unit, the collaboration with the EU-funded "Be Smart Online" Project and the technical training received by officers assigned to the Police Cyber Crime Unit as those actions which had already been undertaken.

Moreover, Malta had committed itself to continue supporting the technical training given to officers assigned to the Cyber Crime Unit as the main action that will be undertaken by Malta in the following months. In view of the above, please be informed that the below-mentioned training opportunities were attended by officers from the Cyber Crime Unit throughout 2013:

- Participation by two (2) members in separate courses in EnCase Forensic Software (separate courses for v6 and v7) organised by the Bundeskriminalamt (German Federal Police) through OLAF

funding.

- Participation in a course in EnCase Forensic Toolkit organised by the Bundeskriminalamt (German Federal Police) through OLAF funding.
- Participation in a Basic Level Linux Forensics Course organised by the Bundeskriminalamt (German Federal Police) through OLAF funding.
- Participation in an Intermediate Level Linux Forensics Course organised by the Bundeskriminalamt (German Federal Police) through OLAF funding.
- Participation in a course organised by the European Police College (CEPOL), held at the Swedish National Police Academy, entitled “Member States and Union capacities to detect, investigate and prosecute cybercrime”.
- Participation by an officer in a course entitled “Advanced Computer Forensics using Linux”, organised by the University College of Dublin (IE).
- Participation by an officer in a Study Visit to EUROPOL Headquarters, organised by CEPOL.
- Participation in a course organised by the European Police College (CEPOL), held in Barcelona, entitled “Child Abuse in Cyberspace”.
- Participation in a course organised by the European Police College (CEPOL), held at a Police College in Finland, entitled “Cybercrime vs. Cybersecurity”.
- Participation in the 14 Europol Training Course on Combating Online Sexual Exploitation of Children, held in Selm (DE), under the auspices of EUROPOL.
- Participation in a course entitled “Introductory Open Source IT Forensics and Network Investigations Training Course” held in Spain under the auspices of the European Cybercrime Training and Education Group (ECTEG).
- Participation by in a course in EnCase Forensic Software v7 organised by the “INSIG2” Consortium in Croatia, through OLAF funding.
- Participation in a course entitled “Live Data Forensics”, organised by the “INSIG2” Consortium in Croatia, through OLAF funding.
- Participation in a course entitled “Internet Forensic Examiner”, organised by the “INSIG2” Consortium in Croatia, through OLAF funding.

- Participation in a course entitled “EnCase/ Macintosh/ Linux Forensic Examinations”, organised by the “INSIG2” Consortium in Croatia, through OLAF funding.

Further to the above, the Police Cyber Crime Unit has just started working on a project entitled “Children – Potential victims of crime on the internet” that is being co-financed by the Bulgarian State Agency for National Security, the Romanian International Agency for Crime Prevention and Security Policies as well as through EU-ISEC funding.. Malta, who is the third partner of this project, alongside Bulgaria and Romania, is not providing any direct funding to the project. Malta had accepted to be a non-contributing partner of this project – which will include the organisation of an international law enforcement conference in Bulgaria, evaluations in Romania and Malta on the investigation methodology in investigating online child abuse as well as the development of training modules for law enforcement - back in 2012. The project was accepted by the European Commission throughout 2013 and work has just been initiated.

It must be pointed out that training such as the one mentioned above is an integral part of any strategy that would allow the Cyber Crime Unit to maintain its capacity of investigating crimes involving the use of technology given that knowledge and expertise needs to be continuously updated to reflect the advancements in technology itself.

The following table outlines the number of cases involving the Cyber Crime Unit for each crime area in the past years:

CASES INVOLVING C.C.U RE: CHILD PORNOGRAPHY										
2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
7	31	11	11	5	23	29	17	12	11	7

CASES INVOLVING C.C.U. RE: SEXUAL OFFENCES (INCL. DEFILEMENT OF MINORS)										
2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
-	-	-	15	6	18	12	10	10	10	8

Further to the above information, the local legislation has been amended to take into consideration the solicitation of children for pornographic reasons.

The latest amendments to the Criminal Code were made through Act IV of 2014. The amendment to Article 204B (1) states that:

"(1) Whosoever in order to gratify the lust of any other person engages, recruits or causes a person under age to practice prostitution, or to participate in pornographic performances, or profits from or otherwise exploits a person under age for such purposes, shall, on conviction, be liable to imprisonment for a term from two to nine years, with or without solitary confinement."

3. POLICY TARGET 3: ENHANCING EFFORTS TO INCREASE PUBLIC AWARENESS OF THE RISKS POSED BY CHILDREN'S ACTIVITIES ONLINE, INCLUDING GROOMING AND SELF-PRODUCTION OF IMAGES THAT RESULTS IN THE PRODUCTION OF THE NEW CHILD PORNOGRAPHY THAT MAY BE DISTRIBUTED ONLINE

This policy target deals mainly with crime prevention initiatives undertaken in the community. Malta had committed itself to the implementation of a National Children's Policy as well as continued support to crime prevention initiatives within the community.

Please be informed that throughout 2013, officers from the Cyber Crime Unit participated in a total of sixty nine (69) crime prevention initiatives within the community. These initiatives included presentations to teaching staff within schools (4), presentations to parents (7), presentations to youths and students (38), presentations in seminars for professionals (7) and participation in crime prevention initiatives undertaken through the local media (13).

The following table illustrates the crime prevention initiatives undertaken by the Police Cyber Crime Unit in the previous years:

CRIME PREVENTION INITIATIVES UNDERTAKEN BY C.C.U.						
	2008	2009	2010	2011	2012	2013
Teaching Staff	3	10	6	3	2	4
Parents	16	16	23	13	13	7
Youths and Students	17	26	32	35	34	38
Others	3	1	1	1	4	7
Local Media	12	8	6	24	27	13
Total	51	61	68	76	80	69

Throughout 2013, the Malta Police Cyber Crime Unit also continued participation in activities undertaken through the EU funded project entitled “Be Smart Online”.

It is to be noted that the *draft* Children’s Policy originally launched under the auspices of the Ministry for Education, Employment and the Family with consultation with children taking place in 2010. Following that, the draft was officially launched in November 2011 and public opinion was sought again in May 2012 as can be seen in this link:

<https://education.gov.mt/en/resources/Pages/Policy%20Documents/Draft-National-Children's-Policy.aspx>

In 2013, the Ministry for Family and Social Solidarity set up the National Commission for Child Policy and Strategy to revise the same *draft* Children’s Policy.

Through the BeSmartOnline! Campaign, the Maltese Safer Internet Center organised a number of awareness raising and educational initiatives. A number of resources were also developed and publicly disseminated during various events.

Amongst such initiatives, BeSmartOnline! developed resources and held classes for all Form 3 (13/14 year olds) and Year 6 (10/11 year olds) students in all of Malta and Gozo targeting public, private and church schools. The lessons dealt with the themes of *digital footprint* and *digital citizenship*. The projects’ helpline was also referred to during the lessons thus informing students about where they can access help should the need arise.

Children considered more vulnerable to online risks were catered for through direct sessions held in collaboration with the Office of the Commissioner for Children. Seminars were also held dealing with teachers’ further development, particularly those teaching Personal and Social Development, eLearning, ICT and Health & Safety.

Furthermore, awareness raising initiatives on digital parenting have been developed for parents and grandparents. For convenience sake, these sessions were held within numerous local councils around the Island after 18:00hrs and on weekeneds. Strong reference to the projet’s Helpline was also made during these sessions.

The project website and Facebook page have been redesigned and re-launched. Extensive use of social media, particularly Facebook, was made for marketing purposes. The Hotline's website has also been redesigned and marketed accordingly.

Information days are also held to disseminate resources and information to the public. The private sector has also been involved especially in the dissemination of resources through their outlets.

4. POLICY TARGET 4: REDUCING AS MUCH AS POSSIBLE THE AVAILABILITY OF CHILD PORNOGRAPHY ONLINE AND REDUCING AS MUCH AS POSSIBLE THE RE-VICTIMISATION OF CHILDREN WHOSE SEXUAL ABUSE IS DEPICTED

The emphasis of this target area is on the measures that need to be put in place in order to limit the access to internet websites depicting child abuse images as well as avoiding the re-victimisation of children depicted in such images. Malta had identified the establishment of a "Child Abuse Internet Filter" as well as participation in operational groups as measures that had already been implemented. On the other hand, the implementation of a National Children's Policy including the above-mentioned measures were the commitment put forward by Malta as actions that Malta intends to undertake.

It is to be noted that the above-mentioned Child Abuse Internet Filter (CAIF), which has been in operation since 2009, is still active. This crime prevention initiative blocks Maltese internet users from accessing known internet websites depicting child indecent material.

Finally one may also note that out of the 230 reports that the hotline received last year, 108 of these were reported on the IHRMS. All these reports contained child sexual abuse material and are classified as illegal in the Maltese context. Feedback on these reports is provided by Inhope, in situations when such feedback is provided by the hosting country. Feedback mainly concerns the content reported as illegal in the country where the site is hosted, whether police were involved and whether the website/material was removed from the internet. In line with Inhope policies such feedback is to be kept confidential and cannot be shared in any form with any other entity, nor can it be published.

CONCLUDING NOTE

The above report provides a snapshot of the situation concerning the Police Cyber Crime Unit vis-à-vis online child abuse investigations as per the obligations that emanate from our participation in the Global Alliance against Child Sexual Abuse Online.