

## **Global Alliance against Child Sexual Abuse Online**

### **Poland**

**Policy target No. 1: Enhancing efforts to identify victims and ensuring that they receive the necessary assistance, support and protection**

<b>Operational Goal:</b>	Increase the number of identified victims in the International Child Sexual Exploitation images database (ICSE database) managed by INTERPOL by at least 10% yearly
<b>Actions ALREADY UNDERTAKEN</b>	
<b><i>Description of the actions already undertaken</i></b>	<p>Polish Police puts an emphasis on the identification of victims, assuming that the good of a child is one of the most important factors of conducting investigations. It results not only in the proper identification of victims in ongoing investigations but also in the identification and prosecution of offenders (which is one of the primary targets of penal procedure). Moreover, the process of provision of services to identified victims is continued – a good example of such activities, which are combined together with achieving main goal of investigation (prosecuting the offender), is the establishment of special “friendly” rooms for interrogation of minor victims of sexual abuse, so-called “blue rooms”. These facilities are one of the key elements of Police activities taken to avoid re-victimization of molested children. It consists in the establishment in the Police headquarters/stations the a/m rooms for victim’s interrogation – on 13 September 2012 there were 344 “blue rooms” across whole country. From the given number, 238 rooms are located in Police stations, the rest of them in courts, prosecutor’s offices, governmental and non-governmental institutions and organizations. The idea of “blue rooms”, as it was underlined above, is to avoid the re-victimization of abused children, therefore the key element of these rooms is an equipment which has to create a friendly atmosphere preventing from repeated experience of trauma - special furniture, toys, anatomic dolls etc. to assure that children will feel comfortable. The necessary element of the room is also a Phoenician mirror (one-way mirror) and audio-video equipment to register sound and image of the interrogation. The interrogation has a form of discussion between a victim and a judge with the participation of a psychologist. During the interrogation, prosecutor, defender, official and technician (responsible for a proper way of questioning and right preservation of a recording) are present in an accommodation behind the Phoenician mirror. The interrogation is recorded on DVD/CD and attached to evidences of the case.</p> <p>The evidence material obtained during the interrogation in the “blue room” has the same legal force as testimonies given during the questioning in the court room. This allows to avoid several interrogations of the child victim in the same case. Below please find a link to an article containing some pictures of “blue rooms”:</p> <p><a href="http://www.policja.pl/porta1/pol/44/80398/quotNiebieskie_Pokojequot.html">http://www.policja.pl/porta1/pol/44/80398/quotNiebieskie_Pokojequot.html</a></p>

**Actions that WILL BE UNDERTAKEN**

<p><b><i>Description of the actions that will be undertaken and timeframe</i></b></p>	<p>In 2013: as part of on-going and future investigations and actions, the Polish Police continues its efforts to identify children who are victims of sexual abuse and are depicted on seized images (photos and movies).</p> <p>Moreover, as a part of training process, Polish Police will continue organizing trainings and workshops concerning the combating of sexual abuse of children and child abuse images which inter alia focus on the topics of victim identification. These trainings will include the use of different techniques allowing for a proper identification, such as the use of open Internet sources.</p> <p>The Polish Police will also continue its cooperation with NGOs specialized in the assistance and help for minor victims of sexual abuse and exploitation.</p>
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**Policy target No. 2: Enhancing efforts to investigate cases of child sexual abuse online and to identify and prosecute offenders**

<p><b>Operational Goal:</b></p>	<p>Establish the necessary framework for the criminalization of child sexual abuse online and the effective prosecution of offenders, with the objective of enhancing efforts to investigate and prosecute offenders</p>
<p><b>Operational Goal:</b></p>	<p>Improve the joint efforts of law enforcement authorities across Global Alliance countries to investigate and prosecute child sexual abuse online</p>
<p style="text-align: center;"><b>Actions ALREADY UNDERTAKEN</b></p>	
<p><b><i>Description of the actions already undertaken</i></b></p>	<p>Polish criminal law already provides for the prosecution of child sexual abuse (e.g. sexual intercourse and other sexual activities with children, child pornography, grooming, child prostitution). Moreover, Polish law stipulates the possibility to adjudicate the ban on performing activities connected with fostering, treating, educating of children and with protecting them. However, further steps need to be taken to fully comply with the directive 2011/39 and guarantee the completeness of the regulations.</p> <p>Analytical works have been undertaken to establish potential gaps between national and EU requirements regarding prosecution of sexual abuse of children. Based on that analysis the draft amendments to the Criminal Code, Code of Criminal Procedure and other laws have been prepared. The draft will be further discussed and finally presented to the Parliament.</p> <p>Preparation and realization of special project on the central level which allowed to estimate the range of child-grooming phenomenon in Poland and on the other side allowed to develop basic procedures and rules for Police officers involved in possible future “undercover investigations” in this field (Police officers acting as a child in Internet, seeking for Internet offenders) due to expected changes in law (see next point “actions that will be taken”)</p> <p>Enhancement and development of international Police cooperation in the field of combating child sexual abuse on line which is crucial to adequate and effective investigation and prosecution: permanent participation in operations and cases conducted or started at the international level.</p> <p>One of the main problems are the differences in legislation concerning child abuse online in the respective countries or sometimes lack of such legislations. For instance, as it was mentioned above, in Poland there is no legislation which allows the LEAs to conduct undercover investigations against child groomers (however this can change in the coming future due to expected amendments in the penal law).</p> <p>Follow-up of the training process – series of trainings conducted in cooperation with Research and Academic Computer Network (NASK) for Police officers, prosecutors and judges (4 trainings for approx.120 people each, for 5 different regions of Poland) in the field of combating pedophilia including child sexual abuse on line.</p>

**Actions that WILL BE UNDERTAKEN**

<p><b><i>Description of the actions that will be undertaken and timeframe</i></b></p>	<p>In 2013: expected changes in legislations - amendments in the penal law and other acts of domestic law. The a/m changes are due to the obligation to implement the provisions of the Directive of European Parliament and Council 2011/92/UE on combating the sexual abuse, sexual exploitation of children and child pornography as well as Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (so-called „Lanzarote Convention“). Among various changes in law there may be also a change concerning assurance of special and appropriate investigation tools for LEAs which allow them to use undercover identity in queries regarding child sexual abuse online.</p> <p>Follow-up of the training process in the field of combating sexual abuse of children and child pornography including child sexual abuse online.</p> <p>Constant and enhanced cooperation and participation in initiatives that concern combating child sexual abuse online both on multi and bilateral level. For instance, based on the funds from the ISEC Programme Polish Police has become a partner of Bulgarian counterparts in the project regarding the training of over 150 Bulgarian Police officers in combating sexual abuse of children (including online) and child abuse images in wide range meaning of this crime phenomenon. The project will be continued in the period of 2013-2014.</p>
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**Policy target No. 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 new child pornography that may be distributed online**

<p><b>Operational Goal:</b></p>	<p>Develop, improve, or support appropriate public awareness campaigns or other measures which educate parents, children, and others responsible for children regarding the risks that children's online conduct poses and the steps they can take to minimize those risks</p>
<p><b>Operational Goal:</b></p>	<p>Share best practices among Global Alliance countries for effective strategies to inform the public about the risks posed by online, self-exploitative conduct in order to reduce the production of new child pornography</p>
<p><b>Actions ALREADY UNDERTAKEN</b></p>	
<p><b><i>Description of the actions already undertaken</i></b></p>	<p>Participation of Polish Police as a partner in nationwide media campaigns organized or co-organized by NGOs including activities under the auspices of “Safer Internet” Programme: in recent years these actions and campaigns focused on different areas such as child sexual abuse, child-grooming, propagation of pedophilia, distribution of child abuse images. Some of them had also strictly preventive measures directed to parents or teachers.</p> <p>Already mentioned above trainings for LEAs officials in the field of combating sexual abuse of children and child abuse images.</p> <p>Within the framework of the research component on the use of ICTs in education which is implemented by the Ministry of Administration and Digitization as part of the “<b>Digital School</b>” project, the <b>trainings for the teachers</b> to increase knowledge and awareness in the field of Internet safety are provided. Teachers involved in the project were given educational materials on the safety on the Internet which were prepared by NASK (Research and Academic Computer Network) and Nobody's Children Foundation.</p> <p>The Polish <b>Safer Internet Centre</b> (run by the Nobody's Children Foundation– FDN and Research and Academic Computer Network - NASK) which was established in 2005 within the European Commission's Safer Internet Programme undertakes a number of comprehensive activities aimed at improving the safety of children and young people using the Internet and new technologies. Large number of actions related to the problem of child abuse, including conferences, training programmes and social campaigns have been implemented. The Saferinternet.pl project comprises comprehensive <b>awareness-raising activities promoting safe and responsible use of the new media by children and young people</b>. One of these actions is organization of an International Safer Internet Day. It is organized annually in February and aims at voicing the problem of online safety and at promoting initiatives fostering safe access of children and young people to Internet resources. The Polish Safer Internet Day organizers encourage schools and other institutions to undertake educational actions locally for promoting children's Internet safety.</p>

<b>Actions that WILL BE UNDERTAKEN</b>	
<b><i>Description of the actions that will be undertaken and timeframe</i></b>	In 2013: participation in new nationwide media campaigns (press, radio, TV, street banners, etc.) and trainings as joint efforts of law enforcement authorities, NGOs and private sector to protect minors and increase public awareness.

**Policy target No. 4: Reducing as much as possible the availability of child pornography online and reducing as much as possible the re-victimization of children whose sexual abuse is depicted**

<p><b>Operational Goal:</b></p>	<p>Encourage participation by the private sector in identifying and removing known child pornography material located in the relevant State, including increasing as much as possible the volume of system data examined for child pornography images.</p>
<p><b>Operational Goal:</b></p>	<p>Increase the speed of notice and takedown procedures as much as possible without jeopardizing criminal investigation</p>
<p><b>Actions ALREADY UNDERTAKEN</b></p>	
<p><b><i>Description of the actions already undertaken</i></b></p>	<p>From the Police perspective there are no problems in cooperation with large ISPs such as the Polish Telecom (Telekomunikacja Polska) in achieving goals of investigations. However, there are some problems concerning cooperation with small providers concerning both the takedown/removal of child abuse images and pinpointing individuals responsible for uploading and distribution of child abuse materials on the Internet. These problems are solved on an ad hoc basis.</p> <p>Polish Police is involved and regularly participates in the meetings of the so-called “Consultative Committee” which supports the realization of EC’s project “Safer Internet” in Poland but also is a forum of contact and exchange of ideas as well as knowledge between various actors engaged in combating and preventing sexual abuse of children and child abuse images – LEAs, governmental institutions, NGOs, private sector’s companies.</p> <p>There exists a Memorandum of Understanding between the Polish Police and „Dyżurnet.pl” hotline (being a part of INHOPE Association). The <b>Dyżurnet.pl</b> (<a href="http://www.dyzurnet.pl/about_us/about_us.html">http://www.dyzurnet.pl/about_us/about_us.html</a>) - the team acting within the framework of the Research and Academic Computer Network (NASK), aims to eradicate of illegal content created on the basis of child abuse or threatening their safety, as well as content expressing racism or xenophobia. Since 2005, the Dyżurnet.pl team has been involved in responding to anonymous reports sent by Internet users regarding illegal and harmful content. The team performs its tasks in cooperation with the Police and the International Association of Internet Hotlines (INHOPE). The main duty of the Dyżurnet.pl hotline is to analyse the reports submitted by Internet users. Upon receiving a notification of potentially illegal content, the hotline members run a primary technical analysis in order to locate the server and then they take any steps necessary to remove the content from the Internet resources. If the materials prove to be illegal and they are hosted in Poland, the hotline reports this fact to the Polish Police. If the materials prove to be illegal and they are hosted in other country associated with INHOPE, Dyżurnet.pl reports this fact to the hotline in the respective country. In case of materials located in countries beyond the reach of INHOPE association, the hotline reports this fact to the Polish Police. Dyżurnet.pl team also takes action against content that is not illegal, but</p>

	<p>is deemed inappropriate for the youngest Internet users. In such case, the hotline team contacts the administrators of the website or server and asks them to moderate the material, move it into another category or provide a warning of its inappropriate content. Dyżurnet.pl is a part of the Polish Safer Internet Centre, and, therefore, apart from carrying out its daily tasks, i.e. handling and responding to reports, it also engages in activities that aim at raising awareness and improving safety of Internet users.</p> <p>The detailed scheme of action in such situations can be found under b/m link: <a href="http://www.dyzurnet.pl/about_us/about_us.html">http://www.dyzurnet.pl/about_us/about_us.html</a></p> <p>More about actions taken by the “Dyżurnet.pl” hotline, including cooperation with Police and other stakeholders can be found under b/m link containing the reports on undertaken activities in recent years: <a href="http://www.dyzurnet.pl/about_us/download.html">http://www.dyzurnet.pl/about_us/download.html</a></p> <p>Polish Police also participates deeply in international cooperation focused on notice and takedown child abuse images from Internet. On the other hand the a/m international cooperation also covers other area connected with child abuse images in Internet such as the dissemination of CAM in p2p networks (eDonkey2000, eMule, etc.) which means identification and prosecution of individuals responsible for distribution of this kind of materials based on Police’s own information and evidence or information and evidence from abroad</p>
<b>Actions that WILL BE UNDERTAKEN</b>	
<p><b><i>Description of the actions that will be undertaken and timeframe</i></b></p>	<p>2013: Continuation of cooperation with the „Dyżurnet.pl” hotline, based on existing MoU as well as continuation of cooperation with ISPs in the field of notice and takedown child abuse images and the identification of both victims and perpetrators.</p> <p>Polish government is currently working <b>to set up a notice and takedown procedure applicable to host and hyperlinks service providers</b>. Proposed notice and takedown procedure will allow swift removal of illegal content from the web, so it may be used also to tackle child pornography. It is a work in progress and it is hard to predict when a draft will turn into law.</p>