Global Alliance against Child Sexual Abuse Online

Ireland

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

Operational Goal:	Increase the number of identified victims in the International Child Sexual Exploitation images database (ICSE database) managed by INTERPOL by at least 10% yearly
Actions ALREADY UNDERTAKEN	
Description of the actions <u>already undertaken</u>	• An Garda Síochána have developed and implemented a policy on the investigation of Sexual Crimes, Crimes Against Children and Child Welfare. The policy is designed to provide practical guidance to members of An Garda Síochána, in creating awareness of the investigative and welfare responsibilities associated with sexual crimes. • A number of Garda members attached to the Paedophile Investigation Unit (PIU) and the Computer Crime Investigation Unit are trained in use of ICSE database and such personnel have regular access to the database and contributions made. • All Garda members attached to the Paedophile Investigation Unit engage in victim identification as part of their daily duties. • An Garda Síochána work in tandem with the Health Service Executive in line with Children First Guidance to provide follow up services to identified victims. • An Garda Síochána have long standing relationships with a number of law enforcement agencies worldwide and ensure an open policy of cooperation exist to reduce online child abuse.
Actions that WILL BE UNDERTAKEN	
Description of the actions that <u>will be undertaken</u> and timeframe	A member of An Garda Síochána (PIU) is to attend an upcoming training course as an ICSE trainer, An Garda Síochána will then have the capabilities to train further staff in the use of the ICSE data base.

Policy target No. 2: Enhancing efforts to investigate cases of child sexual abuse online and to identify and prosecute offenders

Operational Goal:	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
Operational Goal:	Improve the joint efforts of law enforcement authorities across Global Alliance countries to investigate and prosecute child sexual abuse online
Actions ALREADY UNDERTAKEN	
Description of the actions already undertaken	Under section 6 of the Child Trafficking and Pornography Act 1998, the possession of child pornography is a criminal offence which is punishable by a maximum penalty of imprisonment for up to 5 years and a fine.
	The Act also provides that the production, importation, distribution, printing, publication, showing, and export or sale of any child pornography are offences with a maximum penalty of up to 14 years imprisonment plus a fine.
	A person who knowingly possesses any child pornography for the purpose of distributing, publishing, exporting, selling or showing it is guilty of an offence. Again, the maximum penalty is 14 years imprisonment and a fine.
	Under section 3 of the Child Trafficking and Pornography Act 1998 (as inserted by section 6 of the Criminal Law (Sexual Offences) (Amendment) Act 2007), any person who intentionally meets, or travels with the intention of meeting, a child, having met or communicated with that child on two or more previous occasions, and does so for the purpose of sexual exploitation of the child, is guilty of an offence. The definition of sexual exploitation in this context is very broad and it means:
	(a) inviting, inducing or coercing the child to engage in prostitution or the production of child pornography;
	(b) using the child for such purposes;
	(c) inviting, inducing or coercing a child to participate in any sexual activity which is an offence under any enactment;
	(d) the commission of any such offence against the child; or
	The maximum penalty is 14 years imprisonment.
	Section 26 of the Sex Offenders Act 2001 makes it an offence for a convicted sex offender to apply for or enter into a contract of

	employment involving unsupervised access to children or mentally impaired persons without informing his or her prospective employer of the fact of the conviction. Failure to comply with this requirement carries a maximum penalty of 5 years imprisonment plus a fine.
	National legislation covers crimes of possession/distribution and production of "child pornography" and all forms of Sexual Exploitation of children.
	Children First guidelines allow for the HSE to be informed of all concerns relating to children. National Vetting legislation incorporates this information if suspects are applying to work with children. In addition the Sex Offenders Act 2001 requires persons convicted of certain sex crimes persons to advise their employer if they are to be working with children.
	An Garda Síochána has set up a specialised police unit in the form of the Paedophile Investigation Unit, established to initiate and coordinate investigations into child abuse offences. (Prosecutors/Judges not relevant in this context in Irish legal system).
	An Garda Síochána have available and utilise a number of investigative tools to aid the investigation of child abuse crimes. No facility exists under Irish legislation to allow for covert investigations.
	Good relations exist with private sector organisations in Ireland and good levels of cooperation exist with An Garda Síochána.
	Information sharing protocols have been developed with Interpol and Europol, and direct Specific Points of Contact for urgent sharing of intelligence.
	An Garda Síochána engages with and supports international investigations to bring down international networks of online child abusers, and supports international law enforcement efforts.
	An Garda Síochána attend the Interpol Specialist Group on Crimes Against Children, the Europol Experts Group and the Europol Analytical Work File AWF Twin.
	All investigators in PIU have completed international training in carrying out such investigations.

Actions that WILL BE UNDERTAKEN	
Description of the actions that <u>will be undertaken</u> and timeframe	Legislative proposals to further enhance the protection of children and vulnerable persons from sexual abuse and exploitation are at an advanced state of preparation. These proposals will facilitate full compliance with the criminal law provisions of: • EU Directive 2011/92/EU on combating the sexual abuse and sexual exploitation of children and child pornography; • The Optional Protocol to the UN Convention on the Rights of the Child on the sale of children, child prostitution and child pornography; and • The Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse. Vetting legislation will strengthen measures to deal with persons suspected of and convicted of child sexual abuse.

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

Operational Goal:	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
Operational Goal:	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
Actions ALREADY UNDERTAKEN	
Description of the actions already undertaken	In Ireland, the Office for Internet Safety (OIS) has general but not exclusive responsibility for internet safety; the OIS has responsibility for raising general public awareness but other sector – specific agencies address internet safety issues in relation to those sectors. The OIS is an executive office of the Department of Justice and Equality. Its basic message is that the internet and electronic communication are overwhelmingly positive in their impacts. However, if abused, they can be very harmful. This view shapes the approach adopted by the OIS. As a result, it pursues two particular aims. First it encourages respectful behaviour in electronic communications. Its second major aim is to ensure that there are robust arrangements in place to prevent, in so far as possible, the dissemination of illegal internet content, especially child pornography. Awareness-raising is one of the ways in which the OIS gives effect to the two major aims identified above. It relies heavily on its website www.internetsafety.ie as its chief medium for the communication of its messages. The content of its website is supplemented by links to several other selected sites, including those of the partners mentioned below. A number of the linked sites are targeted at specific sectors of the population. Several of the linked sites, including those of the partners, reciprocate by providing links to the OIS site. The OIS also devises and makes printed materials available to the public, both directly and in conjunction with other agencies. The materials are supplied free of charge.

On the question of sharing the materials, the OIS allows access to and use of its awareness-raising materials on condition only that the source is acknowledged.

The awareness-raising materials consist of a series of booklets which are designed for use by parents and other adults with responsibilities towards children. They are:

- A parents' guide to new media technologies

- A parents' guide to filtering technologies

- A parents' guide to social-networking websites

- A guide to cyberbullying

The OIS revises the content of the booklets to ensure that they remain current and relevant. A further such review is planned for late 2013.

In addition, the OIS develops and produces awareness-raising materials for the Safer Internet Day (SID) each February. For the 2013 SID, the OIS chose to concentrate on the issue of cyberbullying under the general heading of 'Connect with Respect'. The SID materials are focused on younger people.

The work it undertakes with its partners represents the second major area of activity. The OIS and the partners have a structured relationship based on the participation by all of them in the EU funded Safer Internet Project for Ireland. The OIS coordinates the Project. The four partners are –

(i)   the National Parents Council (Primary), it provides, inter alia, a helpline for parents,

(ii)   the Irish Society for the Prevention of Cruelty to Children, its helpline is available for young persons,

(iii)   the National Centre for Technology in Education (it is a branch of the Department of Education & Skills) – it works with teachers and provides resources targeted at young people, for example, www.watchyourspace.ie ,

(iv)   Hotline.ie.

The first three agencies in particular are heavily focused on assisting young persons who are still in the education system, reflecting the importance attached to that age cohort when it comes to forming good, life-long habits when engaging with electronic communications.

The fourth partner is Hotline.ie. The OIS supports the work of Hotline.ie. It is a member of INHOPE and it is operated by the Internet Service Providers Association of Ireland. It has agreed

	formal links with the Gardaí (police) on procedures and information sharing. It is part-funded by the EU under the Safer Internet Project. Hotline.ie receives and investigates reports from the public of suspected illegal activities on websites. The activities being reported can vary but mostly they relate to child pornography. The Hotline.ie has played a major role in reducing instances of child pornography, including inadvertent viewing, on the web in Ireland.

The OIS itself has developed close relations with the Gardaí (National Police) primarily by supplying awareness-raising materials for use during Garda visits to schools under the Garda Schools Programme.

The Internet Safety Advisory Committee advises the OIS on developments and offers opinions on strategies. The Committee's views and opinions are especially useful to the OIS in the context of its reviews of its materials, etc. The Gardaí are represented on the Committee, along with a range of academic, legal, NGO and industry interests.

An Garda Síochána has developed and supports public awareness campaigns, in particular through the schools programme and sanctioned media reports including public awareness campaigns via the National Broadcaster.

An Garda Síochána use a substantial amount of material available, developed both in Ireland i.e. Office for Internet Safety (Ireland www.internetsafety.ie, and externally i.e. CEOP(Child Exploitation & Online Protection) and MCMEC (National Centre for Missing and Exploited Children) (US NGO) |
| **Actions that WILL BE UNDERTAKEN** ||
| *Description of the actions that <u>will be undertaken</u> and timeframe* | The OIS is aware that it is working in a very dynamic environment and, as a result, it keeps its materials and delivery systems under review. In carrying out reviews of its awareness raising activities, the Office for Internet Safety considers

    (i)   whether to expand the range and subject matter of its materials, based on up to date data on trends, activities and terminology, as well as new technological methods and devices, and

    (ii)   it assesses the effectiveness of the methods and mediums of delivery.

A full review is planned for late 2013. The policy of permitting use of its materials will continue on the same basis as heretofore. |

Operational Goal:	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.
Operational Goal:	Increase the speed of notice and takedown procedures as much as possible without jeopardizing criminal investigation
Actions ALREADY UNDERTAKEN	
Description of the actions already undertaken	In Ireland, Hotline.ie plays a central role in tackling the activities coming under Policy Target No. 4.
	General Context : As noted earlier – in response to No. 3 - it is operated by the Internet Service Providers Association of Ireland (ISPAI) and is part-funded by the EU. Hotline.ie is a member of INHOPE and participates in its activities.
	Operational framework : Hotline.ie operates according to and within the current law and in line with a Manual that has been agreed with the Garda Síochána (national police force). It methods and procedures are therefore considered to conform with the law on matters such as when the law on 'possession' of illegal materials does or does not apply.
	Processing reports : Hotline.ie receives reports from the public of suspected illegal activities on websites. Reports can be made via an on-line report form or in writing and may be anonymous. The activities reported to it vary but mostly they relate to child pornography. Reports are dealt with promptly and records of all investigations are maintained. Details of turn–around times are published. The reports are assessed by staff who are trained and who have been subject to vetting by the Gardaí. There is a regular turn–over. Appropriate supports are available to the staff.
	If it deems that the material is child pornography, and therefore illegal, Hotline.ie takes the following steps:
	(i) Where / if the site is based in Ireland the hotline notifies the service provider who, in turn, removes / discontinues the site.
	(ii) If the site is based abroad the hotline notifies its counterpart

	website within the INHOPE network with a view to its removal by the ISP in that other jurisdiction.
	(iii) In all cases the hotline notifies the Gardaí (national police) and if it falls into (i), the Gardaí investigate and, where appropriate, prosecute or, if (ii) applies and there is no counterpart website, the Gardaí refer the case to Interpol and to the law enforcement agency in the territory where the site is hosted.
	Assessment : Hotline.ie plays a major role in reducing instances of child pornography, including inadvertent viewing, on the web in Ireland. It also represents a successful link-up between the public authorities and the private sector and it demonstrates the importance Ireland attaches to international cooperation in this area.
	• No formal Public-Private partnerships, but An Garda Síochána work closely with www.hotline.ie, the Irish internet hotline for illegal content which is supported and funded by the Internet Service Providers Association of Ireland, and the filtering of child abuse websites is in development.
	• No difficulty in private sector identifying child abuse material for legitimate purposes and removal of same. Guidelines exist for referrals from hotline.ie and referral process to Internet Service Providers in Ireland.
Actions that WILL BE UNDERTAKEN	
Description of the actions that <ins>will be undertaken</ins> and timeframe	The good relationship and trust developed between the ISPs and the law enforcement agencies (achieved, in large measure, as a result of their collaboration in providing the Hotline.ie service) will be utilised to ensure wider dissemination of information about Hotline.ie and its operations. This is likely to include wider use of the Hotline.ie logo and links with other websites, thereby making more people aware not only of the problem but also ensuring access to effective action. Ireland will be addressing positively the question of blocking access to illegal material hosted outside of Ireland. Ireland recognises that international cooperation is an essential element in any strategy to defeat the spread of child pornography and its stands ready to participate fully in any new developments in that respect. A memorandum of understanding is under development for Irish Internet Service Providers to implement website filtering.