



# Information sheet 4: child sexual abuse in the online context

The internet and social media provide great ways to stay connected to family and friends and engage in remote learning. However, they have also enabled new opportunities for online child sexual exploitation. The following sections explain terminology, provide context, and assist mandatory reporters to identify child sexual abuse in the online context.

Please go to the Australian Government [eSafety Commissioner](#) and [ThinkUKnow](#) Australia websites for evidence-based education programs and resources.

## Online child sexual exploitation

Online child sexual exploitation includes a wide range of behaviours and situations and includes grooming, live streaming, consuming or making child abuse material, and coercing and blackmailing children for sexual purposes (Australian Centre to Counter Child Exploitation, n.d.). More specifically, online child sexual exploitation can include engaging a child in chat about sexual acts; sending nude or pornographic images of themselves to a child or exposing themselves via live stream; asking a child to view pornographic images or videos; asking a child to perform sexual acts, expose themselves or share sexual images or videos; or taking or making and sharing or showing indecent images of children (Australian Centre to Counter Child Exploitation, n.d.).

Offenders use interactive platforms, such as instant messaging apps, social media, gaming sites, emails and chat rooms, as a gateway to initiate contact with a child. They will then often direct children to continue chatting with them on other platforms with image-sharing capabilities to elicit photos or video content or to establish meetings. There have been many instances where online child sex offenders have used 'in-game' chat as a gateway to access children. Online child sex offenders can be strangers; however, they can also be known to the victim, such as a family friend or relative.

More and more child exploitation material is being produced by children themselves and often takes the form of 'sexting' which is requesting, capturing and sharing explicit material. Please read the section about sexting for more information.

## Online grooming and procuring

Online grooming is when an adult makes online contact with someone under the age of 16 with the intention of establishing a relationship to enable their sexual abuse. The offence, under Commonwealth legislation, occurs in the communication phase, so no physical contact need ever occur for police to step in and investigate. Offences under

Commonwealth legislation can be investigated by the Western Australia (WA) Police Force as well as the Australian Federal Police.

A number of myths and misconceptions relating to the nature and risk of online child sexual exploitation have been identified including that online grooming is a slow process which would allow for time to notice the signs. However, it may take only minutes for online child sex offenders to gain trust and form 'friendships' with a potential victim. Offenders are skilled in exploiting vulnerabilities (Australian Centre to Counter Child Exploitation, n.d.).

Online gaming and social media platforms provide opportunities for interactions between children, young people, and unknown adults (Royal Commission into Institutional Responses to Child Sexual Abuse, 2017). Groomers capitalise on low privacy controls, limited adult supervision and the anonymity of the online environment, and can use sophisticated strategies to target a child and gain a child's trust online or simply contact as many children as possible, hoping some will give in to their demands. Some offenders use multiple platforms and multiple identities to groom children. For example:

- They can pretend to be children themselves or could be another young person that is coerced into obtaining sexual images of other children.
- They use personal information they have gathered about a child to develop a connection with them and as the relationship grows, the child becomes comfortable sharing more information about themselves. This can happen in a matter of minutes. An interaction starts off seemingly legitimate but can quickly escalate into something more.
- They build secrecy in the relationship and aim to separate a child physically and emotionally from their family and friends.
- They test and gauge how willing a child is to engage in sexual activities. Some young people may use the internet to explore their sexuality and initially welcome and be open to online contact that facilitates this. Offenders can exploit this developmentally appropriate sexual curiosity.
- They share sexually explicit material and may ask for an intimate image of the child. This can then be used as a tool to pressure the child to send more material or to meet in person.

For more information about online grooming, view the ThinkUKnow [online grooming fact sheet](#) and the Australian Government eSafety Commissioner's [child grooming and unwanted contact](#) webpage.

## **Sexual extortion**

Sexual extortion, or 'sextortion', is a serious form of image-based abuse. A child may have unknowingly shared or been coerced into sending one explicit image of themselves to someone, which then turns into demands for more images and threats to share their content. These demands are usually for further sexual images, sexual favours, or money.

Offenders also capture nude or sexual images of children while they are on live stream or video, and have identified many ways around the 'view once' or disappearing image or

video features of popular applications to obtain images and videos for future use. Offenders are manipulative in making children feel there is no way out of the situation, including threatening to share their content online with family, friends or groups related to educational or work settings.

Fear, coercion, and manipulation keep the crime going. In addition to the threats and coercion, victims often feel like they have done something wrong and will be punished by parents, carers, or teachers or be prosecuted by police if their actions are discovered.

## Child abuse material

Although child abuse material has been made and shared long before the advent of the internet, Brown and Bricknell (2018, p.1) highlight that:

The internet provides an efficient infrastructure for large amounts of [child abuse material] to be uploaded, shared, stored and concealed. It also allows widespread contact among producers and consumers of [child abuse material] in an environment that promotes anonymity. Common methods of distributing [child abuse material], such as peer-to-peer networks, newsgroups and chatrooms (Mitchell, Jones, Finkelhor, & Wolak, 2011; Wolak, Finkelhor, & Mitchell, 2011), can increasingly be accessed from mobile telecommunications platforms, which have improved in both geographic reach and service delivery. The distribution of [child abuse material] has also been hidden from law enforcement through improvements in internet protocol anonymisers, encryption and hard drive eraser software (Australian Criminal Intelligence Commission, 2017).

Section 473.1 of the *Criminal Code Act 1995* (Cth) defines '**child abuse material**', which includes:

- (a) material that depicts a person, or a representation of a person, who:
  - (i) is, or appears to be, under 18 years of age; and
  - (ii) is, or appears to be, a victim of torture, cruelty or physical abuse;and does this in a way that reasonable persons would regard as being, in all the circumstances, offensive; or
- (b) material that describes a person who:
  - (i) is, or is implied to be, under 18 years of age; and
  - (ii) is, or is implied to be, a victim of torture, cruelty or physical abuse;and does this in a way that reasonable persons would regard as being, in all the circumstances, offensive.

Section 217A of the *WA Criminal Code Act Compilation Act 1913* uses the term child exploitation material and defines it as:

- (a) child pornography; or
- (b) material that, in a way likely to offend a reasonable person, describes, depicts or represents a person, or part of a person, who is, or appears to be, a child [16 years of age in this context] –
  - (i) in an offensive or demeaning context; or

(ii) being subjected to abuse, cruelty or torture (whether or not in a sexual context).

Child pornography is defined in that section as material that, is in a way likely to offend a reasonable person, and describes, depicts or represents a person, or part of a person, who is, or appears to be a child engaging in sexual activity or in a sexual context.

The [National Strategy to Prevent and Respond to Child Sexual Abuse 2021-2030](#) (Commonwealth of Australia, 2021, p. 57) highlights:

The term 'child pornography', and others like it, are not used. They are inaccurate and harmful. The word 'pornography' is usually used to describe content depicting consenting adults engaging in lawful activity. In most cases, children and young people cannot lawfully consent to these activities, and child abuse material depicts criminal activities. Child abuse material may be used to normalise abuse with children and young people. Framing child sexual abuse materials as 'pornography' may also make it easier for perpetrators to disconnect from the child or young person. This can mean adults see children and young people as willing participants or actors in pieces of acceptable media content, rather than as victims.

Given this, the term 'child pornography' may be used to normalise abuse with children. Although the term is used in WA legislation, there is a growing view that the term 'child abuse material' is more appropriate.

Both child abuse material and adult pornographic material may be used to abuse children by normalising sexual behaviour with children. Exposing children to indecent matter, such as pornography online or in person, constitute criminal offences in WA.

## **Sexting**

Children and young people can also be placed at risk through 'sexting' via online platforms. Sexting involves 'using a mobile phone or the internet to take, ask for, receive, send or share intimate photos or videos (sometimes called "nudes") including where someone is naked, partly naked, posing sexually or doing a sexual act' (Youth Law Australia, 2021). An eSafety survey (Office of the eSafety Commissioner, 2017) found that 90 per cent of young people aged 14-17 years old believed that sexting occurred amongst peers as part of normal courtship behaviour and that one-third had experienced sexting in some form, either through sending, receiving, requesting, being asked, sharing or showing nude images.

In WA, making, sharing, requesting, accessing or possessing offensive images or recordings of a person under the age of 16 in a sexual context or engaging in sexual activity is illegal. Similarly, under national law, it is illegal for these types of images or recordings of a person under the age of 18 (or appears under the age of 18) to be made, shared, requested, accessed or possessed. State and national laws apply to young people under 18 who are able to consent to sexual intercourse and may share images with each other.

In relation to sexting, if a mandatory reporter forms a belief that a child has been or is being sexually abused, a mandatory report must be made. Conversely, if the mandatory reporter does not form a belief that the child has been sexually abused there is no obligation to make a report. For example, the belief may not be formed where a young person has sent, by consent, a sexual image of themselves to another young person with whom they are in a sexual relationship with. An educational approach can be taken where the child is not subject to abuse or exploitation.

## References

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