

BEHIND THE SCREENS

A Compilation of Case Studies
and Learnings about the Online
Sexual Exploitation of Children



IJM

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Behind The Screens

A Compilation of Case Studies and Learnings about the Online Sexual Exploitation of Children (OSEC)

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End Online Sexual Exploitation of Children

Online sexual exploitation of children (OSEC) includes a range of in-person and online harms that were unimaginable before the digital age. In fact, the trafficking of children to create new child sexual exploitation material, including through livestreaming, is a form of modern slavery growing globally. And this crime is driven and fueled by demand-side sex offenders who pay for, direct, and view the abuse online.



Center to End Online Sexual Exploitation of Children

The Center supports the global movement to protect children from online sexual exploitation by leveraging IJM's proven model to combat online sexual exploitation of children.
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A LETTER FROM THE REGIONAL VICE PRESIDENT

International Justice Mission is the largest anti-slavery organization in the world.

Our mission stands as the basis of everything we do:

To protect people in poverty from violence by rescuing victims, bringing the criminals to justice, restoring survivors to safety and strength, and helping local law enforcement build a safe future that lasts through strengthened justice systems.

Based on our 23 years of experience around the world, when violent offenders are consistently held accountable for their crimes, the abuse of vulnerable victims is dramatically reduced. We have seen this reality in the Philippines. Working alongside our partners, we saw an 80% decrease in the prevalence of minors available for establishment-based commercial sexual exploitation in our project areas in the Philippines¹.

And since 2011, we have exposed other violent offenders to hold them accountable for a form of sex trafficking that is possibly the darkest we have ever seen.

The trafficking of children to create new child sexual exploitation materials, including via livestreamed videos, is a devastating form of modern slavery made possible by the spread of the internet. This is different from in-person child sex trafficking. In livestreamed abuse, child sex offenders from anywhere in the world go online and, in real-time, direct the sexual abuse of young, vulnerable children (most 12 years old or younger) in the Philippines over a live video feed. All they need is an internet connection, messaging and videocall apps, and money transfer services.

The livestreaming of child sexual exploitation has increased in recent years, so much so that the UK National Crime Agency considers it one of the emerging threats to children today. According to the WePROTECT Global Alliance and the Virtual Global Taskforce, livestreaming (as a whole) is expected to grow 15 times over between 2016 and 2021 and account for 13% of internet video traffic by 2021².

But we are also seeing stories of hope. The Philippine Government, IJM, and foreign law enforcement partners have achieved significant success in fighting this crime. As of October 2020, IJM has supported law enforcement partners in the Philippines in 212 operations, leading to the rescue of 702 victims and at-risk individuals, the arrest of 266 suspected traffickers, and the conviction of 101 perpetrators with prosecutions ongoing³.

IJM gives our endless thanks to all of our government and civil society partners. These case studies could not exist without them.

Atty. Samson Inocencio, Jr.
Regional Vice President

IJM Global Hub Against Online Sexual Exploitation of Children

1 See <https://www.ijm.org/studies>.

2 IJM Center to End Online Sexual Exploitation of Children, COVID-19 OSEC Brief (International Justice Mission, Report, September 2020) <<https://osec.ijm.org/news/wp-content/uploads/2020/09/2020-10-IJM-COVID-19-Brief-on-Online-Sexual-Exploitation-of-Children.pdf>>

3 IJM-supported operations since 2011.

A Supply and Demand Crime

Online sex offending against children has many different forms, including possession or distribution of previously produced child sexual exploitation materials (CSEM), enticing children to “self-produce” new CSEM, grooming children for later contact abuse, and more. Supporting an end to all forms of online sexual exploitation of children, IJM has to date focused on protecting children exploited by traffickers who create new CSEM, especially via live streaming video, to satisfy the online demand of child sex offenders. That form of abuse is what is called the online sexual exploitation of children, or “OSEC.”

The OSEC *modus operandi* is as simple as it is brutal. Child sex offenders from around the world seek out traffickers online in countries like the Philippines, paying them to livestream the sexual abuse and exploitation of specific children in specific ways as directed by the remote offender in real time. In IJM’s casework experience from 2011 to 2020, demand-side offenders use popular internet platforms with live video and chat functions to issue these graphic and specific abuse instructions. This sexual abuse is livestreamed for the offender’s sexual consumption on a “pay-per-view” basis and documented in photos and videos.

Demand-side offenders often are from developed countries such as the U.S., U.K., Australia, and Western European/Nordic countries. In the over 200 cases IJM has worked on, the abuse suffered by children at the behest of these offenders is *rarely limited* to erotic displays: It usually includes forcible sexual penetration constituting rape in the Philippines and other jurisdictions. Children are forced to engage in sex acts with other children, sexually abused by an adult, and sometimes harmed in other degrading ways, such as in bestiality. According to IJM’s casework data in the Philippines, over 40% of victims are only 12 years old or younger, including over 100 victims who were 6 years old or younger at the time of rescue¹.

In legal terms, OSEC conduct constitutes child abuse, cybercrime, and “child pornography”² offenses under Philippine law³. It also constitutes a trafficking-in-persons offense and carries a maximum penalty of life in prison (the first 90 convicted Filipino OSEC traffickers

in IJM-supported prosecutions received sentences of 20 years on average). From IJM’s perspective, both criminals are engaging in human trafficking—the demand-side sex offender doing it remotely and “by proxy” in conspiracy with the in-person trafficker. In some cases, the in-person trafficker is like the “agent” doing the dirty work of the demand-side offender, who acts as the “principal.” Either way, the two criminals conspire together to commercially sexually exploit children to create new CSEM for the in-person trafficker’s financial gain and the remote trafficker’s sexual pleasure.

Moreover, this livestreamed abuse and new CSEM rarely remain with the paying offender. Instead, as ECPAT International notes, recorded livestreaming may be “substantially adding to the volume of child sexual abuse materials...available on the web as a whole.”⁴ While exemplary organizations like Internet Watch Foundation (IWF) and others work painstakingly to remove CSEM from the internet, IJM seeks to prevent the production of that CSEM in the first place.

Unless we can seal the dam, children will continue drowning in a deluge of child sexual abuse and exploitation online.

And while IJM has done that primarily at the source-side by supporting the Philippine Government, in collaboration with foreign law enforcement, to rescue victims and hold in-person traffickers accountable through arrest and prosecution,

the livestreaming of child sexual exploitation remains a global crime requiring a global response.

OSEC is a major criminal and social problem with unlimited growth potential globally, affecting an unknown number of vulnerable children in nations with still developing victim identification and protection capabilities. While the Philippines is considered a global hotspot for commercial CSEM production, cases have also, to a much lesser degree, been identified in other nations, including Thailand, India, and Romania, to name a few.

1 As of October 2020.

2 The Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse, also known as the Luxembourg Guidelines, prescribes the use of the term “child sexual abuse material” or “child sexual exploitation material” instead of “child pornography,” except when referencing the name of statute. Sexualized material that depicts or otherwise represents children is a representation, and a form, of child sexual abuse and should not be described as “pornography.”

3 Online Sexual Exploitation of Children may give rise to a combination of criminal violations punished under different statutes in the Philippines, primarily the following: the Expanded Anti-Human Trafficking Act of 2012, the Anti-Child Pornography Act of 2009, the Cybercrime Prevention Act of 2012, and the Special Protection of Children Against Abuse, Exploitation, and Discrimination Act of 1992.

4 Andrea Varrella, ‘Live Streaming of Child Sexual Abuse: Background, Legislative Frameworks and the Experience of the Philippines’ (2017) 12 ECPAT Journal 47, 49.

KEY DEFINITIONS

Online Sexual Exploitation of Children (OSEC) The trafficking of children to create new child sexual exploitation material, including through livestreaming, for demand-side sex offenders who pay for, direct, and view the abuse online.

Child Sexual Exploitation Material (CSEM) Any visual or audio representation of minors under the age of 18 engaged in sexual activity or of minors engaging in lewd or erotic behavior that is recorded, produced and/or published to arouse the viewers' sexual interest.

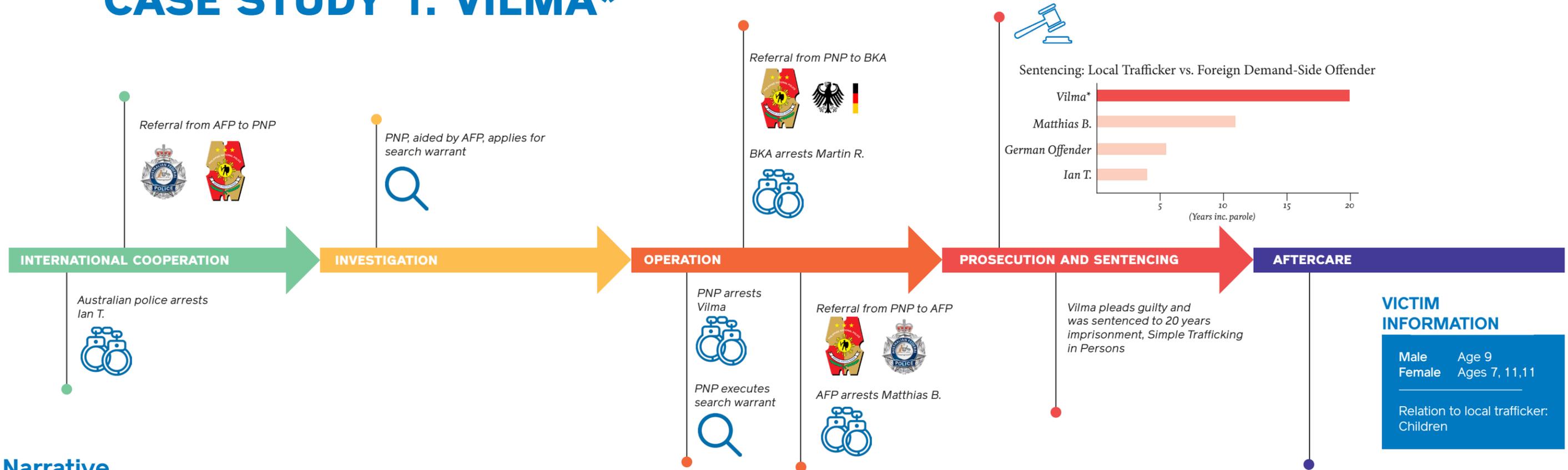
Demand-Side Offender Any person who pays for, directs, and/or views child sexual abuse or exploitation online, including in livestreaming. Demand-side offenders in OSEC cases actively participate in the repeated sexual abuse of children by requesting or dictating specific abuse acts in advance or in real-time as it occurs via livestream.

In-person Trafficker Any person who sexually abuses or exploits a child by creating and selling new CSEM to demand-side offenders. Because that conduct is a trafficking offence in the Philippines, this report uses the term "OSEC trafficker" or "in-person trafficker."

01 CASE STUDIES



CASE STUDY 1: VILMA*



Narrative

In 2016, Australian national Ian T. was arrested for purchasing child sexual exploitation materials (CSEM)—among which were livestreamed videos from Vilma*, a Filipina identified as one of Ian T.’s suppliers. Along with the livestreamed CSEM, Ian T. received pre-recorded videos and images through email. After the arrest, the Australian Federal Police (AFP) forwarded the case to the Philippine National Police - Women and Children Protection Center (PNP-WCPC). Investigations by the Visayas Field Unit of PNP-WCPC revealed that for five to six years, Vilma had been sexually exploiting her children to produce and livestream online CSEM for sex offenders from the U.S., Australia and Germany. This included CSEM depicting the children forced to perform penetrative acts upon themselves.

Vilma charged rates between PHP 500 to PHP 21,000 (roughly USD 10-430)¹. One offender had paid Vilma a total of over PHP 16,000 for multiple livestreams of her children’s sexual abuse. Vilma received and collected money transfers from online offenders at local money remittance agencies using two different identities.

In September 2016, PNP-WCPC executed a search warrant at Vilma’s house, which led to her arrest and the rescue of her children, the four minor victims. Police seized various digital devices such as a smartphone, desktop computer, cameras, and several money transfer receipts. She pled guilty to the offense of simple trafficking in persons and was sentenced to 20 years imprisonment. Other evidence led foreign law enforcement to arrest, and ultimately, convict two more foreign offenders: Matthias B. (Australia) and a German Offender.

When asked how she felt when her mother made her touch her private parts on camera, an 11-year-old survivor said,

“I feel bad. I don’t like it because it’s bad.”

Key Learnings

1. Introducing and/or using the electronic testimony of foreign law enforcement (e.g. AFP’s testimony via videoconferencing), helped in the search warrant application.
2. The financial investigation (e.g. evidence of money transfer receipts) can be maximized to establish that the accused is in the business of

selling children for online sexual exploitation.

3. Convictions can be obtained without victim testimony by maximizing digital evidence and/or using plea agreement.

4. Collaborating with non-government organizations (NGO’s) and local government units ensures effective delivery of aftercare services for survivors and their caregivers.

5. Regular and sustained follow-up and support of survivors by social service professionals fosters continued well-being.

Aftercare

Shelter

After rescue, the victims were placed in the care and custody of the Philippine Department of Social Welfare and Development (DSWD) where they received therapy, counseling, psychosocial sessions, and other rehabilitation services.

Kinship Care

The survivors now live with a kinship foster parent from their extended family. A collaboration between NGOs and various local government aftercare providers, along with DSWD Region 7, extended services to clients to ensure their successful reintegration to the community through Kinship Care. This included livelihood and skills training for the foster carer. Various

local social welfare offices also conducted family monitoring and assistance to the foster family, and also medical, financial and counseling needs to all members of the family.

Education

The child survivors all continued their studies. They received financial assistance from DSWD, NORFIL Foundation Inc., and World Hope International. The local Social Welfare and Development Office was also able to tap Children of Asia’s scholarship program to sponsor the eldest sibling for her education until college.

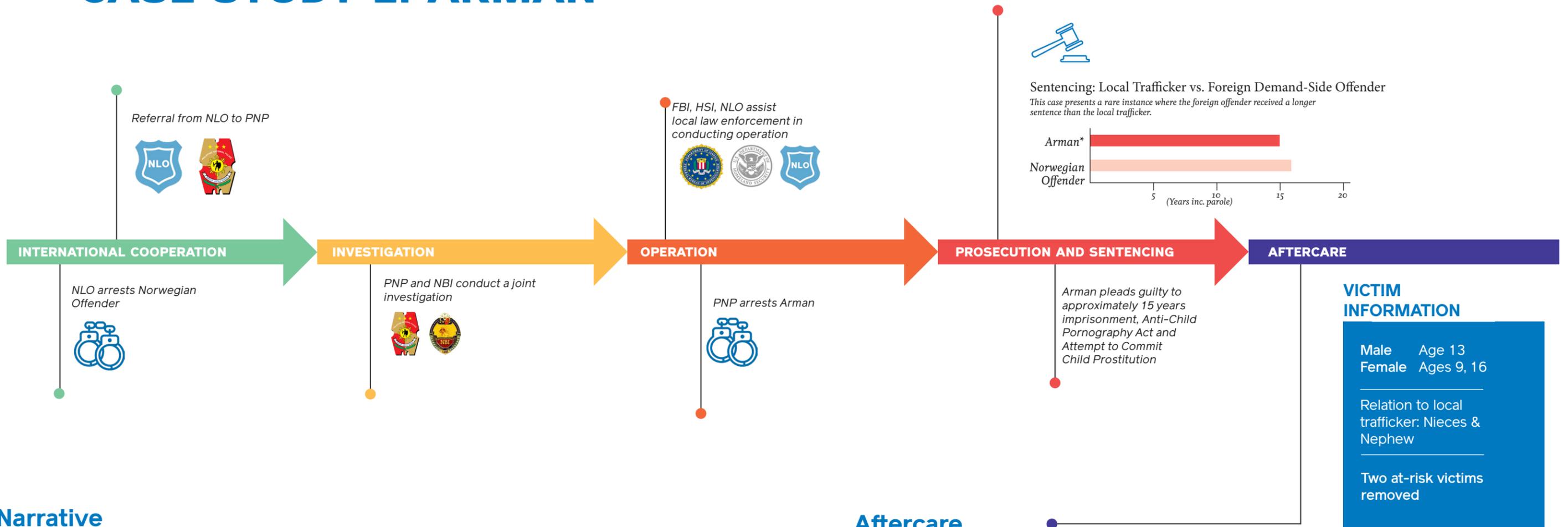
Survivor Restoration

In cases where the perpetrator has accepted responsibility for their crime and pled guilty, social workers providing treatment to survivors can assess whether it is best for the recovery of the survivors that a private family therapy session be held. The social workers treating Vilma’s children decided this was best for their healing. A professional psychologist facilitated the family therapy session between the perpetrator and the four victims. During the session, Vilma—for the first time—acknowledged and apologized for the crimes she committed. According to the victims, seeing Vilma do this has helped with their healing and recovery.

¹All estimated conversions based on November 2020 exchange rate.

*Pseudonyms are used to protect the identity of the victims in this case. The visual representation of case studies does not represent time period of or between stages and events.

CASE STUDY 2: ARMAN*



Narrative

In February 2017, the National Crime Investigation Service in Norway arrested a Norwegian national for purchasing online CSEM. The Nordic Liaison Office found a Filipino male among his list of contacts and the case was forwarded to the Philippine National Police-Women and Children Protection Center (PNP-WCPC).

The PNP-WCPC and the National Bureau of Investigation - Anti-Human Trafficking Division (NBI-AHTRAD) then conducted a joint case investigation. The investigation indicated that Arman had provided CSEM of Arman's nephew and nieces to the Norwegian offender. The material included a video of a child performing oral sex. Arman requested payment between PHP 1,500 to around PHP 5,000 (USD 30-100) for the abuse materials. He had been recording the abuse of children **and exploiting them** for six years. Police also found that other relatives were complicit in the abuse, adding to victim impact.

In March 2018, Arman was arrested and the three child victims were rescued, along with two "at

risk" children. During a search of his residence, authorities found a laptop, a notebook listing pornographic websites and sex toys.

Key Learnings

1. Strong collaboration between foreign and local law enforcement can be effective to apprehend the worst, most dangerous perpetrators.
2. Strong foreign and local law enforcement collaboration from case build-up to operation and rescue leads to better evidence-gathering and a stronger case for the prosecution.
3. Strong digital evidence leads to a strong prosecution case which can support successful plea agreement.
4. The comprehensive therapeutic interventions provided to the survivors by the aftercare shelter caring for them is vital.

Aftercare

Shelter

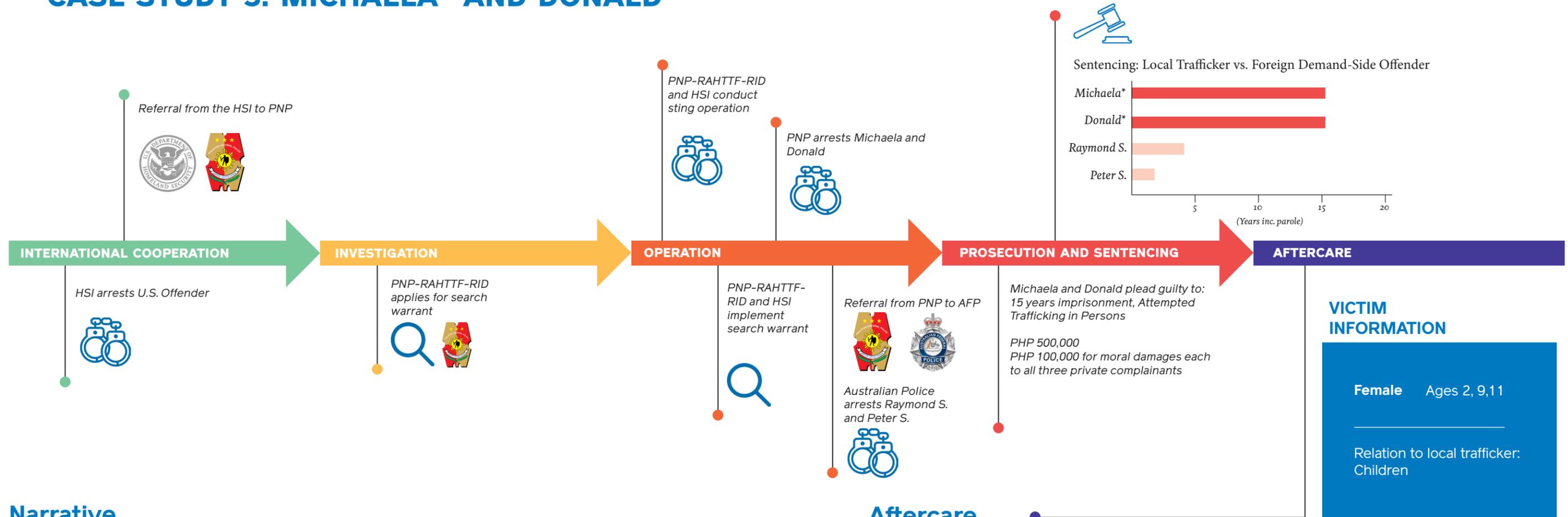
All of the survivors were placed in long-term aftercare shelters. Although the children exhibited symptoms of trauma, individual therapy and counseling led to certain improvements. The aftercare services included counseling, expressive arts therapy sessions, game-based activities, and psychoeducation.

Education

They are all in school: one survivor is enrolled in an alternative learning system for special education. They plan to continue their studies.

*Pseudonyms are used to protect the identity of the victims in this case. The visual representation of case studies does not represent time period of or between stages and events.

CASE STUDY 3: MICHAELA* AND DONALD*



Narrative

In 2013, U.S. Homeland Security Investigations (HSI) arrested an online sex offender for possession of CSEM, including videos and photos. HSI teamed up with the National Bureau of Investigation (NBI) and Philippine National Police - Regional Anti-Human Trafficking Task Force, Regional Intelligence Division, Region 7 (PNP-RAHTTF-RID) to conduct a sting and rescue operation simultaneous with the implementation of a search warrant at the home of the suspects. The victims' mother was caught offering to have her children engage in graphic sex acts on each other in exchange for money. The victims' father was also arrested as a co-conspirator.

Social workers from the Department of Social Welfare and Development Region 7 supported the operation by providing immediate crisis care to three rescued children - sisters aged 2, 9 and 11 - taking them under protective custody. The Accused were charged with Qualified Trafficking in Persons and later sentenced to 15 years imprisonment after entering into a plea agreement, which, in turn, protected the children from having to testify in the case.

Further review of evidence led to the arrest and conviction of two Australian offenders, Raymond S. and Peter S.

Key Learnings

1. Strong digital evidence was collected by foreign law enforcement and proved helpful for Philippine investigation and trial.
2. After psychological evaluation, professionals determined that having the survivors testify in court will only bring them more trauma and likely hinder their psychosocial rehabilitation and recovery. To impose life sentences on the two Accused would heap more guilt on the shoulders of the victims and cause additional trauma and deeper emotional damage. So, a plea agreement was utilized on the basis of the best interests of the child survivors.

Aftercare

Shelter

Survivors have been living at a shelter for six years, where they receive attention to their health, social, spiritual and other basic needs.

Education

The shelter provides a home school program. The eldest survivor has just completed Junior High School, and the other two are currently in Grade 9 and Grade 4.

Skills

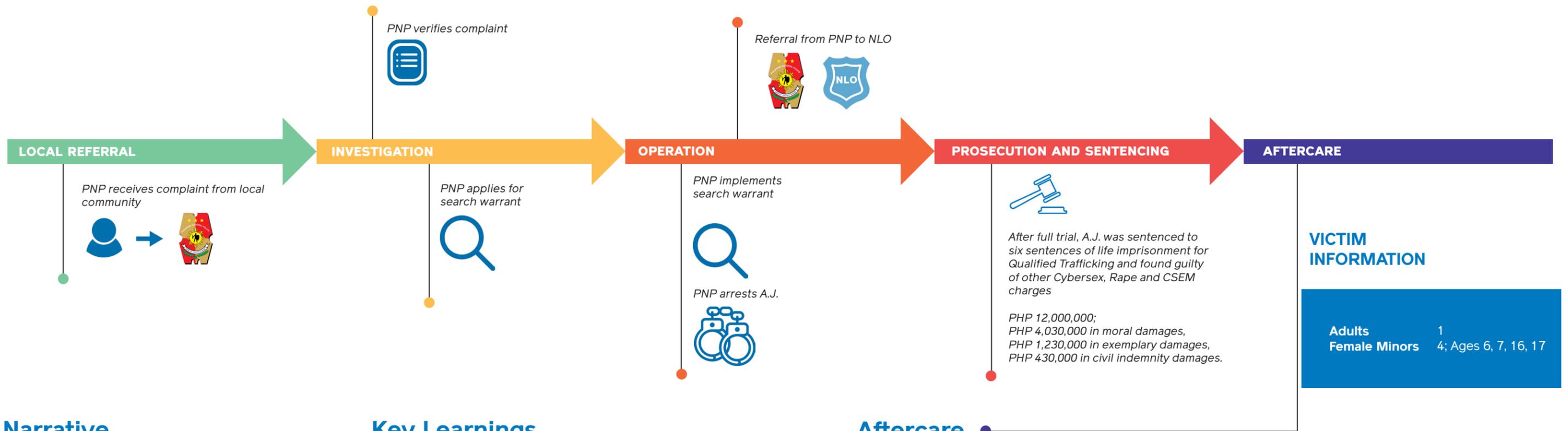
The eldest survivor is undergoing an economic empowerment intervention program, getting her ready for studying in college.

Survivor Restoration

The survivors showed many challenging behaviors to the shelter staff and other aftercare partners due to their traumatization. They have since undergone psychological assessment, psychotherapy and benefited from the family therapy session provided after their parents pled guilty.

*Pseudonyms are used to protect the identity of the victims in this case. The visual representation of case studies does not represent time period of or between stages and events.

CASE STUDY 4: A.J.*



Narrative

In October 2014, the Philippine National Police (PNP) received a complaint alleging that A.J.* was running a human trafficking business for prostitution and online child sexual exploitation. After verifying the complaint, PNP applied for and was granted a search warrant by the court.

The police served the warrant at the suspect's residence and conducted a sting operation at another location. The simultaneous operations led to A.J.'s arrest and the rescue of four children and an adult. During a forensic examination of seized evidence, police found many images, videos, Skype chats and emails containing CSEM on electronic devices.

After a full trial, A.J. was sentenced to life imprisonment with multiple charges of human trafficking; producing and distributing CSEM; and rape.

Key Learnings

1. Digital evidence is critical in establishing the elements of the crime.
2. Consolidation of cases is helpful in minimizing duplicity of prosecution efforts and testimony of witnesses.
3. The ideal scenario is to rely less on victim testimony; but in cases where they must be presented, victims must be prepared well - mentally and emotionally - with the help of social workers.
4. Building a protective and safe environment for victims after the initial rescue is crucial.
5. Strengthening the collaboration and efforts by law enforcers avoids multiple survivor interviews and minimizes re-traumatization.

Aftercare

Adoption

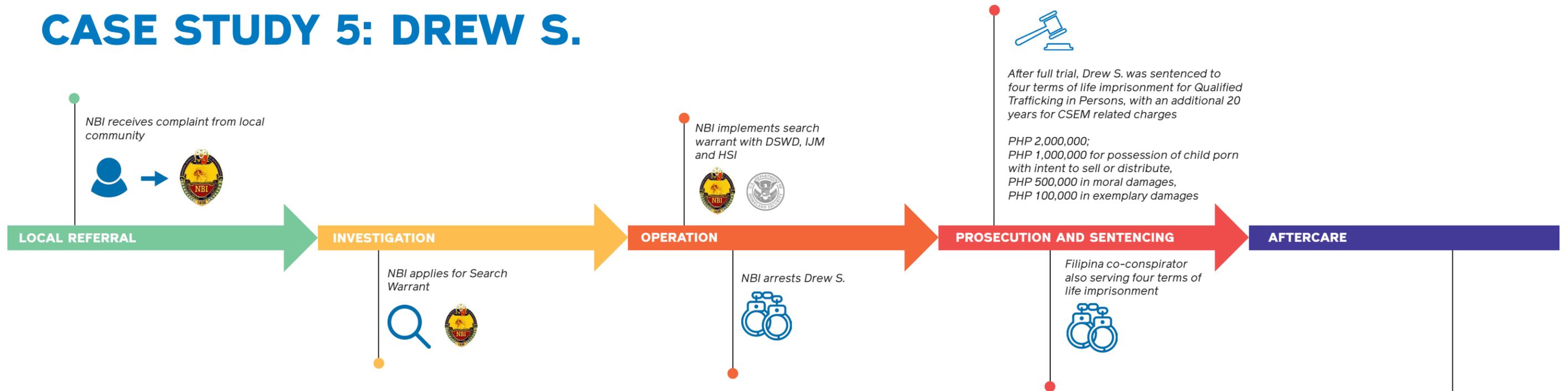
One of the victims was adopted through inter-country adoption.

Kinship Care

Two of the survivors have reintegrated in the community, one with a foster carer. Another survivor is now living at a shelter, run by a local non-government organization.

*Pseudonyms are used to protect the identity of the victims in this case. The visual representation of case studies does not represent time period of or between stages and events.

CASE STUDY 5: DREW S.



Narrative

Some cases of livestreamed child sexual exploitation take the form of foreign nationals coming or residing in the Philippines to engage in contact abuse.

In March 2013, four young women filed a complaint with the National Bureau of Investigation (NBI) against Drew S., an Australian citizen living in the Philippines. These four minors stated that they, and others, had been sexually exploited by Drew S.

In April 2013, NBI implemented a search warrant in coordination with the Department of Social Welfare and Development (DSWD) - Region 7, IJM and US-Homeland Security Investigations (HSI) at the Australian offender's apartment. The implementation revealed that Drew S. possessed CSEM, including images and videos depicting his sexual abuse of minor girls. He had also distributed these CSEM by uploading them to an online forum, where he boasted on various chat boards about sexually abusing minors in the Philippines.

As a result of this operation, Drew S. was arrested for violating the Philippine Anti-Child Pornography Act and the Anti-Trafficking in Persons Act. Additionally, 16 victims were rescued, including three minors, ages 14, 15 and 16.

The visual representation of case studies does not represent time period of or between stages and events.

In February 2018, a Cebu City Trial Court found the Australian perpetrator guilty of four counts of Qualified Trafficking, sentencing him to four terms of life imprisonment. He was also convicted of charges related to CSEM, adding 20 years to his sentence. His Filipina co-conspirator was also sentenced to four terms of life imprisonment for Qualified Trafficking.

Key Learnings

1. Collaboration with foreign law enforcement led to successful forensic examination of seized evidence during the search warrant implementation. Because of continued collaboration, foreign law enforcement are now helping train and build the capacity of local police in digital forensic examination.
2. Child survivors testified through written affidavits so that they did not have to tell their story again in open court, limiting re-traumatization.
3. Trial judge highlighted the utility and strong impact of digital evidence (see quote).

“[Defense] miserably failed in the face of the computer forensic examinations conducted by experts which yielded several pornographic photographs of children posing in a lewd and sexually explicit manner...The photos speak for themselves.”

- Trial Judge

Aftercare

Shelter

Survivors placed in shelters received group and individual therapy, vocational training, education support from high school to college and medical check-ups.

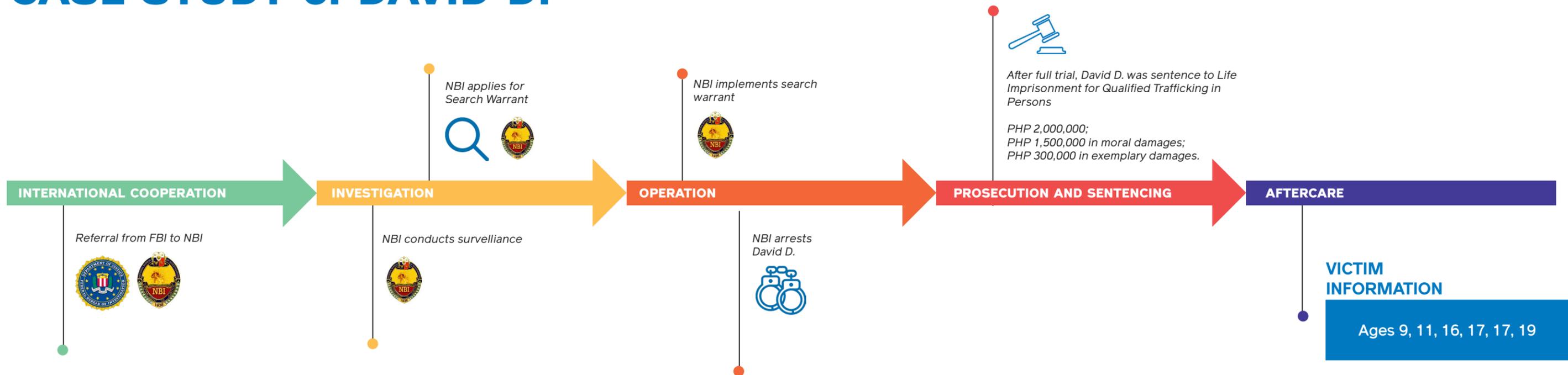
Psychosocial

One survivor was able to receive psychosocial services, especially to prepare for appearing in court. She testified through a written affidavit, which prevented re-traumatization as she did not have to narrate her full story in open court. Well-prepared, emotionally and psychologically, the survivor was able to get through her court appearance for cross-examination.

VICTIM INFORMATION

16 victims were rescued, including three minors ages 14, 15, and 16.

CASE STUDY 6: DAVID D.



Narrative

In January 2017, the NBI-AHTRAD received a referral from the U.S. FBI, stating that American national David D., who was living in the Philippines, was engaged in the production and distribution of CSEM, with five possible victims. In February 2017, NBI-AHTRAD started conducting surveillance of David D. and successfully obtained a search warrant.

When law enforcement executed the warrant at the perpetrator's residence, NBI-AHTRAD found and rescued two minors—different victims from those identified in the FBI referral. David D. was arrested and NBI-AHTRAD seized his computers and other devices he used to distribute CSEM.

After the search warrant implementation, NBI-AHTRAD successfully located the five victims in the referral. One survivor disclosed that in 2015, David D. had convinced her to work for him as a house helper. The survivor shared that the perpetrator coerced her into becoming his 'lover'. He would force her to perform sex shows in front of a webcam to other foreigners in online chat rooms. David D. would also beat her.

The American offender also arranged for the victim's four cousins to visit under the pre-tense that they would be helping the victim with her household duties, even providing their travel fare. Upon arrival, however, David D. cut off their

connection to the outside world and they were also forced to perform online sex shows. The cousins had no way to afford travel back home. Three of the cousins were minors.

In May 2020, in a hearing conducted via videoconferencing during the pandemic, David D. was found guilty of Qualified Trafficking in Persons and sentenced to life imprisonment.

Key Learnings

1. The support and special attention given to this case by the FBI really mattered. It allowed local authorities to trace the offender's victims from years ago who boldly testified in court with no expectations of being compensated and steered only by their ardent desire to see that justice is served. Also, solid international law enforcement co-operation strengthened the plethora of evidence against David D., ensuring his conviction.

2. Collaboration among many different agencies is possible and helped in gaining the trust of survivors. At first, the survivors were distrustful and hesitant of being helped by IJM and government partners. However, over time and through the persistence of local authorities, the survivors were able to engage with aftercare service providers and help with the prosecution of their trafficker.

3. The promulgation of judgement occurred during COVID-19 lockdown via videoconferencing. Perpetrator accountability and justice for survivors are possible in the time of social distancing through electronic hearing arrangements. This case was also cited by the Supreme Court Public Information Office to highlight the initial success of videoconferencing hearings in authorized courts nationwide.

4. Because some survivors were already adults at the time of trial, they were required to give witness testimony. With strong support from social workers and prosecutors throughout the legal process, and through their own personal strength, they became empowered witnesses. It also helped that the case was presided by a trauma-informed judge.

Aftercare

OSEC Awareness Education

Social workers found that survivors would benefit from educational sessions on human trafficking issues and their harmful effects.

Assessed and qualified guardians of these survivors were also provided with psychoeducation sessions to increase their knowledge on the nature of online sexual exploitation of children, gain their support towards the plight of the survivors and

improve their capacity for protection.

Financial Economic Empowerment

Survivors were able to access services under the DSWD Recovery and Reintegration Program for Trafficked Persons to improve their housing and economic conditions.

During the onset of COVID-19 pandemic, survivors and their families were provided with emergency financial assistance to address their needs for food and medicines, among others. They were also linked to their respective local government units for assistance during the pandemic.

Survivors were also assisted and provided with services in terms of their education since access to it during this season has been quite challenging.

Reintegration

The child survivors who were rescued the day of the operation were placed in a shelter for protective custody and psychosocial services. In the process of their recovery while in the shelter, social workers coordinated for family interventions and home assessments. The child survivors have now been reintegrated back into their community and are safe with their families.

02
DEMAND-SIDE OSEC
OFFENDERS



Demand-Side Case Studies: A Focus on Sentencing

The end of impunity requires effective law enforcement and appropriate sentencing to disrupt criminal conduct and restrain sexually motivated offenders from harming more children.

Today, demand-side sex offenders are proliferating a criminal industry by commissioning, directing, and producing new CSEM from the comfort of their own homes. They direct and cause live sexual abuse by paying and directing in-person traffickers to violate children of specific ages, at specific times, in specific ways.

On the source-side, livestreamed child sexual abuse is a crime perpetrated for financial gain, by traffickers who find it lucrative. Demand-side offenders exploit the financial disparity between them and source-side traffickers to abuse children by offering money. By doing so, they leverage and abuse their financial power to produce livestreams, videos and photos documenting the sexual abuse of vulnerable children. Plainly put, demand-side offenders are the minds and money behind the most horrific abuse imaginable.

Yet, while traffickers convicted in the Philippines can face life sentences and are often sentenced to a minimum of 15 years imprisonment, demand-side sex offenders often receive sentences a fraction of this length as if they only hold a fraction of the culpability. But they don't.

In its 2019 Global Threat Assessment, the WePROTECT Global Alliance noted a trend of low sentences for demand-side offenders that "undermine the gravity of their serious, repeated and sometimes violent" child exploitation and abuse offenses.¹ WePROTECT further noted that the trend in low sentencing also appears to:

1. Fail to provide justice for vulnerable victims, including those from developing nations;
2. Fail to sufficiently restrain these offenders; and
3. Be less likely to disrupt or deter the offender population.²

These low sentences are handed down despite the strong, time-consuming, complex and resource intensive investigations of law enforcement in both demand-side and source countries.

A recent IJM review of cases involving UK offenders revealed that on average they will spend 2 years, 4 months in prison for directing and paying for livestreamed child sexual abuse of Filipino children.

Average Sentence
Years (including prison and parole term)

Norway	14.3
Sweden	8
Canada	7.3
Australia	6.3
Germany	5.5
U.K.	4.3

Further, it is reported that 39% of convicted sex offenders in Australia evade jail time entirely.³ It is in this landscape that the Australian Government recently amended child sex offenses legislation to better capture livestreaming crimes, increase penalties and introduce mandatory sentences for OSEC and CSEM offending.⁴

Some sentences, such as in the Matthias B. case and Philip C. cases are significant steps forward in demand-side jurisprudence. It should be noted, however, that most offenders will not serve their entire sentence in prison but are often released into the community after serving half or another portion of their sentence in prison.

SENTENCES THAT FIT THE CRIME WILL:

- End impunity** for demand-side sex offenders
- Provide justice** for survivors
- Protect children** globally from online sexual exploitation by disrupting and restraining offenders
- Change societal norms** by reflecting the gravity of online sexual exploitation of children

¹ WeProtect Global Alliance, Threat Assessment 2019, (Report, WePROTECT Global Alliance) 37. <<https://static1.squarespace.com/static/5630f48de4b00a75476ecf0a/t/5deecb0f4c5ef23016423cf/1575930642519/FINAL+-+Global+Threat+Assessment.pdf>>.

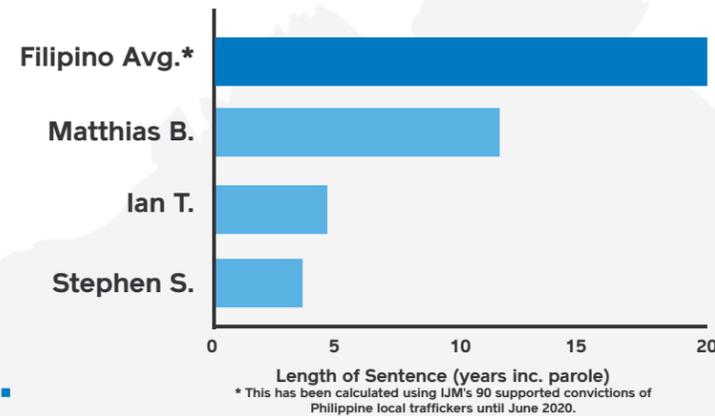
² WePROTECT Global Alliance, , 36-37.

³ Paul Karp, 'Labour waves through bill creating mandatory minimum sentences for child sexual abuse offences', The Guardian, (online), 16 June 2020. <<https://www.theguardian.com/australia-news/2020/jun/16/labor-waves-through-bill-creating-mandatory-minimum-sentences-for-child-sexual-abuse-offences>>.

⁴ In response, the Australian Government has recently passed the Crimes Legislation Amendment (Sexual Crimes Against Children and Community Protection Measures) Bill 2019 (Cth), which introduces: new offences, better encapsulating OSEC offending; increased penalties; and mandatory minimums (see IJM AU summary here).

AUSTRALIAN OFFENDERS

IN COMPARISON



2015.

Ian T.
Offender, Vilma Case
Sentence: 4 years, 6 months

Ian T. was the online offender who directed and paid Vilma* to sexually exploit her four children (aged 7 to 11) to create CSEM for him. While Ian T. was convicted on seven different counts punishable by 10 years, 9 months' imprisonment, due to Australian sentencing principles, Ian T. will serve his sentences concurrently. His actual time served will be 4 years, 6 months.

2016.

Stephen S.
Sentence: 3 years

Stephen S. directed and paid for livestreamed child sexual abuse over five years, beginning when the Filipino victim was 10 years old. He was convicted of eight different counts punishable by 7 years, 6 months' imprisonment. Stephen S. was ordered to serve these sentences concurrently by spending 3 years in prison. However, he was unfortunately released after serving only one year in prison with a AUD 500 payment (roughly USD 360)¹, on a good behavior bond. As of October 2020, Stephen S. is now back in custody for further offending and breaching probation orders.

¹ All estimated conversions based on November 2020 exchange rate.

ON STEPHEN'S CASE

"[Stephen S.] may as well have been in the room with the kids. The fact he was seeing it in the virtual world is irrelevant... what happened to those kids happened because of him."

- Former Detective-Inspector Jon Rouse, Queensland Taskforce Argos (Manager Operations - Victim Identification, Australian Centre to Counter Child Exploitation)

2019.

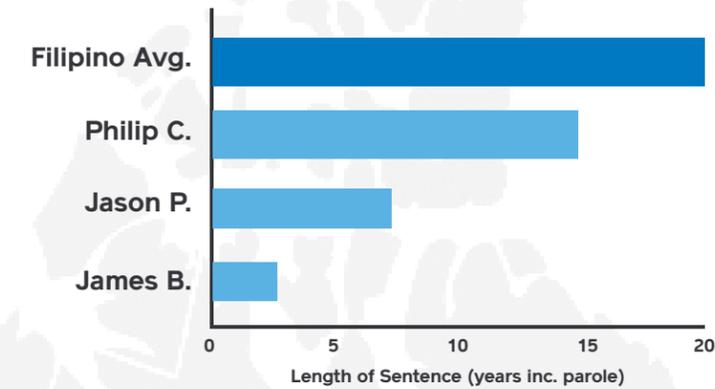
Matthias B.
Offender, Vilma Case
Sentence: 11 years and 4 months; non-parole 7 years and 4 months

Matthias B. paid Filipino trafficker Vilma more than AUD 26,000 (roughly USD 18,870) to livestream the sexual abuse of two of her daughters for over 4 years. He also met Vilma and the victims twice in person. Matthias B. appealed his case to the New South Wales Criminal Court of Appeal, who dismissed his case and upheld his sentence of 11 years and 4 months. Notably, Matthias B. was already a convicted child sex offender, having served two years of a four-year sentence in 1992 for sexually abusing his 13-year-old stepdaughter. Unfortunately, he was neither effectively restrained, deterred nor rehabilitated. He reoffended by paying for and directing the abuse of Vilma's daughters.



CANADIAN OFFENDERS

IN COMPARISON



2015.

Jason P.
Sentence: 7 years

Jason P. paid a Filipino woman to livestream the sexual abuse of her daughter and recorded the livestreams to further create CSEM. He made more than 50 money transfers to his overseas contacts over two years.

ON JASON P'S CASE

"There is really no limit to the negative superlatives that can be used to describe what one can only conclude is **depravity**."

- Sentencing Judge



2017.

Philip C.
Sentence: 12 years, 15 years on appeal

1. Prohibitions on interactions with people under 16
2. Prohibitions on internet use for period of 10 years
3. Registered sex offender for life

Philip C. pled guilty to 40 charges after sending CAD 23,000 (roughly USD 17,500) to direct the livestreamed sexual abuse of children in the Philippines and Romania for six years. In 2017, the PNP-WCPC rescued 9 victims, aged 2 to 9 years old, in the Philippines. His CSEM collection included screenshots of livestream abuse and material depicting torture of children. He was originally sentenced to 12 years with a non-parole period of 4 years. This was appealed by the Crown Prosecution, arguing that the sentence was not proportionate to the gravity of the offense and the degree of responsibility of the offender. On October 16, 2019, the Saskatchewan Court of Appeal raised Chicoine's penalty to 15 years.



2018.

James B.
Sentence: 3 years & 20-year prohibition from:

1. Communicating or being in position of authority over anyone under 16; and
2. Being in public settings where anyone under 16 is present

In 2018, James B. pled guilty to three charges. He lured a Filipino child victim over the Internet. James B. also possessed, and widely distributed, a collection of CSEM that included the victimization of very young children, as well as material categorized as most serious (i.e. sadism or bestiality).

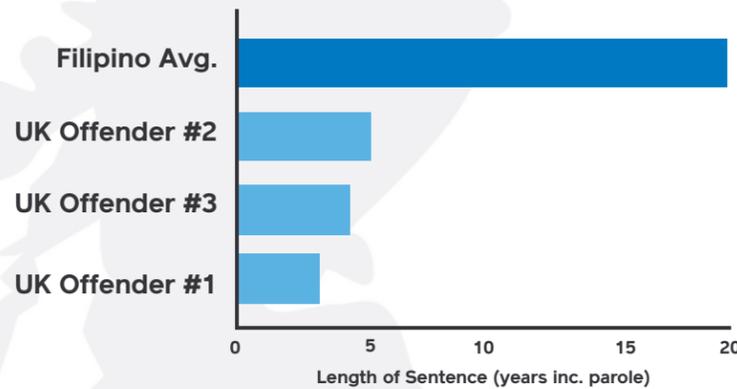
ON PHILIP C'S CASE

"[Philip C. had] by far the **'most depraved collection'** I've ever seen

- Cpl. Jared Clarke, Investigator, Internet Child Exploitation unit

UK OFFENDERS

IN COMPARISON



2019.

UK Offender #1¹

Sentence: 3 years, 2 months;
Release from prison after 1 year, 7 months

A 70-year-old retired British Army officer made 49 payments totaling GBP 8,584 (roughly USD 11,290) to direct the livestreamed sexual abuse of children in the Philippines, including a nine-year-old girl, for two and a half years.

ON UK OFFENDER #1 CASE

"[UK Offender #1] was directly responsible for the soul-destroying abuse of children thousands of miles away from him. He thought he could get away with **abusing Filipino children** from the comfort of his own home."

- Gary Fennelly, UK NCA

2019.

UK Offender #2

Sentence: 5 years;
Release from prison after 2 years, 6 months
5-year foreign travel ban

A 42-year-old British music teacher sent at least 15 money transfers between August 2017 and June 2018 to known Filipino traffickers who livestreamed child sexual abuse. This offender coached mothers how to abuse their daughters and directly groomed underage girls to pose for sexually explicit photographs. He also tried to arrange travel to the Philippines with traffickers using messaging applications so he could sexually abuse girls in person.

2019.

UK Offender #3

Sentence: 4 years, 8 months
Release from prison after 3 years (upon parole board review)

This 56-year-old offender made 36 overseas transactions worth GBP 2,000 (roughly USD 2,630) for the purpose of creating and purchasing CSEM. He specifically sought out CSEM of Filipino girls aged five to 12 years old and created CSEM by recording and distributing "indecent images" of these children. He also requested that these young children have sex with adult males but there is no evidence this happened.

"[UK Offender #3] systematically targeted women in the Philippines to have access to children. They were susceptible to the offers [he was] making."

- Sentencing Judge

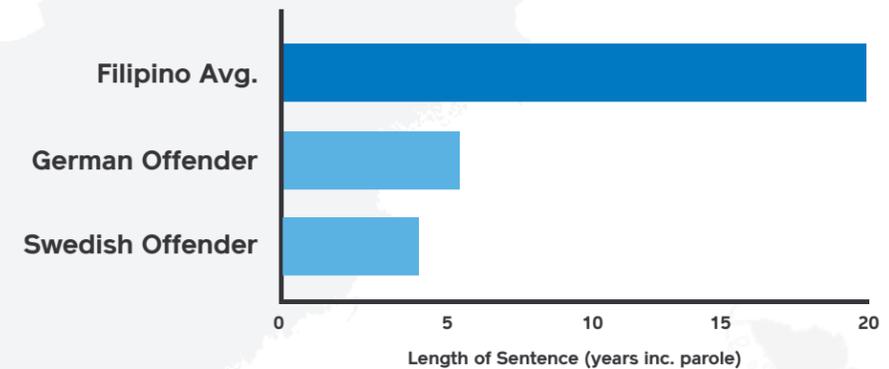
£26,000

¹ Names of European offenders withheld in compliance with the European General Data Protection Regulation.



GERMAN AND SWEDISH OFFENDERS

IN COMPARISON



2013.

Swedish Offender

Sentence: 4 years, 6 months

In 2013, a Swedish offender received an eight-year sentence for instructing Filipino and Romanian traffickers to rape children five to eight years old, sometimes accompanied by violence, and to livestream the abuse to him. Included in the cases against him were 11 instances of where he procured Filipino children for rape, by paying the children's relatives to abuse them, as he watched in real-time. The offender also created further CSEM by taking screenshots of the livestreamed video. However, the Skane and Blekinge Court of Appeal reduced his sentence to four years and six months and reduced the amount of restitution he was required to pay to the victims.

ON SWEDISH OFFENDER'S CASE

Swedish court of appeal reduced 8-year-sentence to 4 years and 6 months

€10,000

2018.

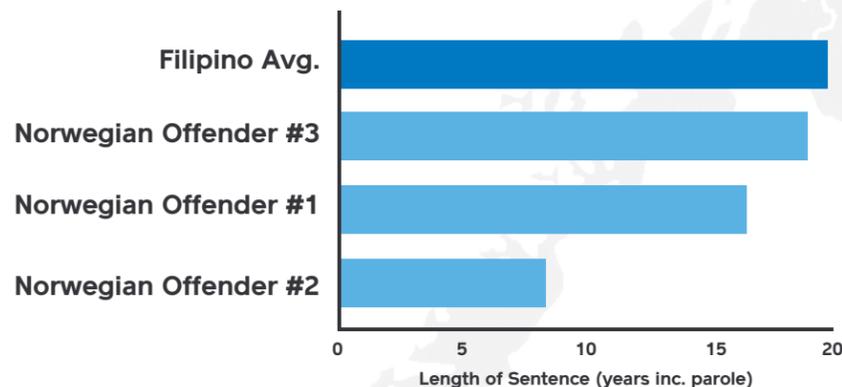
German Offender

Offender, Vilma Case
Sentence: 5 years, 6 months

A 48-year-old German offender transferred over EUR 10,000 (roughly USD 11,800) to a Filipino trafficker between 2014 and 2016. The offender commissioned the livestreamed sexual abuse of three children; two girls and a boy. At the start of the abuse, the two girls were aged four and eight and the boy was seven-years-old. Evidence against the offender included 120 pages of chatlogs, as well as photos and videos. Judge Jürgen Zenkel remarked that in the past "it took considerable effort" to engage in child sex tourism, but now the internet had "made it easy" and "the risk of discovery is not high either." The Filipino trafficker was sentenced to serve 20 years.

NORWEGIAN OFFENDERS

IN COMPARISON



2016.

Norwegian Offender #1

Offender, Arman Case
Sentence: 16 years

This Norwegian offender was convicted and sentenced to 16 years in Norway for his role in directing and paying for a series of child sexual assaults in the Philippines, Romania and an undisclosed African country. This offender would instruct adults to film themselves sexually abusing children.

2016.

Norwegian Offender #2

Sentence: 8 years

A 66-year-old Norwegian man received an eight-year sentence for the livestreamed sexual abuse of 62 children, including 20 Filipino children. The convicted offender had previously served 10 months in prison on other abuse charges.

62
children
abused

2017.

Norwegian Offender #3

Sentence: 19 years

This Norwegian offender provided detailed instructions to traffickers to livestream the sexual abuse of children in countries such as the Philippines, Romania and Madagascar.

"Online sexual exploitation of children is a crime that thrives in the shadows, hidden in private chats and livestreams on the internet. But to protect children around the world who are vulnerable to exploitation online right now, everyone must do the hard work that brings OSEC into the light."

- John Tanagho, Director of IJM's Center to End Online Sexual Exploitation of Children



IJM

ABOUT INTERNATIONAL JUSTICE MISSION

International Justice Mission (IJM) is a global organization that protects people in poverty from violence. IJM and our partners are helping local authorities protect more than 400 million people from violence. As the largest anti-slavery organization in the world, IJM partners with local authorities in 21 program offices in 13 countries to combat slavery, violence against women and children, and other forms of abuse against people who are poor. Our model works side-by-side with local authorities and governments to rescue and restore survivors, hold perpetrators accountable in local courts, and strengthen the public justice system so it can better protect people from violence. This model is replicable and has worked to reduce modern day slavery and violence in programs against commercial sexual exploitation of children, among others.

ABOUT IJM'S CENTER TO END ONLINE SEXUAL EXPLOITATION OF CHILDREN

IJM's Center to End Online Sexual Exploitation of Children partners with governments, industries, NGOs, and other stakeholders to expose, neutralize, and deter the online sexual exploitation of children around the world. Leveraging practices proven effective in IJM's ongoing program against OSEC in the Philippines, the Center helps (1) improve technology and financial sector platforms detection and reporting of livestreamed sexual abuse, (2) strengthen international collaboration in law enforcement and prosecution, and (3) support effective justice system (law enforcement, prosecution, and aftercare) responses in source and demand-side countries, resulting in sustainable protection for children and accountability for perpetrators.

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