

**WRITTEN QUESTION TO THE MINISTER FOR CHILDREN AND HOUSING
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ANSWER TO BE TABLED ON TUESDAY 16th JULY 2019**

Question

What policy is in place, and what policy developments are being considered, in relation to the restriction of access to harmful online content, especially illegal content and the sharing of child sexual offences, to ensure that children are protected from illegal online content and criminal activity such as grooming?

Answer

Protecting children from accessing harmful material on-line is a significant challenge in all developed societies, as is the control of child abuse images. In recent years, Jersey has enhanced its legislative provisions to address access to and distribution of this material, made provision for improved international co-operation in this area, and implemented policies to help empower young people to protect themselves on-line.

Restriction of access to illegal content

All of Jersey's domestic telecoms providers are members of the [Internet Watch Foundation](#), which is a not-for-profit organisation supported by the global internet industry and the European Commission, intended to minimise the availability of online child sexual abuse content hosted anywhere in the world.

Membership of this organisation imposes duties on the providers to support the IWF and its work, and also provides access to resources to report, identify and remove online images and videos of child abuse. The IWF both actively searches for child sexual abuse material and offers an anonymous path for the public to report it.

The [Protection of Children \(Jersey\) Law 1994](#) (updated in 2018), provides that any representations of child sexual abuse are illegal to possess, punishable by imprisonment for a term of 5 years and an unlimited fine. Making, copying, distributing or publish that material is punishable by imprisonment for a term of 10 years and an unlimited fine.

The States of Jersey Police treat offences against children as a high priority, and the [Policing Plan 2018-19](#) contains a specific goal to *'Improve the support and response to children and young people where there are concerns regarding Child Sexual Exploitation by working with partners to introduce the MultiAgency Sexual Exploitation process'*.

The protection of children from criminal activity such as grooming

The new [Sexual Offences \(Jersey\) Law 2018](#) improves the protection of children by expanding the treatment of 'grooming' offences to recognise that sexualised communication with a child is an offence in itself, where previously the offence had arisen only from an attempt to meet a child for sexual purposes.

In addition, the [Cybercrime \(Jersey\) Law 2019](#) amended other legislation to strengthen provisions for evidence gathering, retention of evidence and international co-operation in investigating such crimes.

The [Sex Offenders Law 2010](#) also offers a measure of protection against repeat offending by allowing the Courts to order that people convicted of relevant offences may have their on-line access restricted

or monitored for as long as necessary to protect the public, or to protect any particular person. Beaches of such restrictions have resulted in convictions.

In respect of user safety, in September 2018 CYPES developed an updated [online safety policy](#), which applies to schools, youth centres, nurseries and any other educational settings.

This policy reflects the shift away from outdated e-safety warnings against posting any personal information online, which are now almost meaningless as social media is used expressly by many young people to share personal information. It takes a more realistic and pragmatic approach to encourage children and young people to share concerns with a trusted adult, and discuss online safety issues openly.

Young people are encouraged to consider the potential audience for, and context of their posts, and to remember that they must take responsibility for any potential consequences. Critically, they should understand that nothing put online is ever 'private.'

In summary, the policy in this area has seen significant developments in recent years, but the situation is never stable. Due to the speed of technological development and changing patterns of use, the legislation, policy and advice in this area must be kept under continual review.