# National Study on Online Sexual Abuse and Explotation of Children in the Philippines

## FINAL REPORT

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SOCIAL DEVELOPMENT RESEARCH CENTER · DLSU Manila ·

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# National Study on
# Online Sexual Abuse and Exploitation
# of Children in the Philippines

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During a healing exercise, a girl expresses through drawing in one of the facilities for OSAEC victims.
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# Executive Summary

## Background and Objective

The Philippines has emerged as the center of child sex abuse materials production in the world, with 80% of Filipino children vulnerable to online sexual abuse, some facilitated even by their own parents (UNICEF, 2016). Some of the sociocultural, social, cultural and economic factors contributing to the high concentration of online sexual abuse and exploitation of children (OSAEC) in the country are English language literacy, availability and ease of access to technology, well-established financial transaction facilities, and absence of perceived conflict between sexual exploitation and significant social norms. This study looks into the phenomenon of OSAEC in the Philippines, from the child's exposure and rescue, to the reporting and prosecution of cases, and the intervention provided to the child. The study objectives were classified into four main areas: a) child victims, b) offenders, c) private sector, and d) case resolution and management. This was done to produce a data-driven guide for policy makers and various stakeholders who are invested in preventing and combatting the said phenomenon. The different institutions and agencies that respond and cater to the child

victim survivors and their families may also apply the research team's recommendations when developing better programs and interventions.

## Methodology

This is a qualitative study that employed key informant interviews (KIIs), focus group discussions (FGDs), and document review as data-gathering methods. Twenty-two OSAEC cases coming from four different regions were identified purposively. The research team conducted 129 KIIs and FGDs with key informants who had knowledge and experience in handling OSAEC cases, as well as community members (e.g., parents, youth, teachers) in communities where OSAEC is known to be prevalent. Overall, there were 133 KIIs and 16 FGDs conducted, with a total of 149 transcripts that were coded and prepared for the NVivo analysis. At least two staff coded the transcripts to ensure the reliability of the process. A thematic approach was utilized in analyzing the study findings.

## Key Findings

1.  OSAEC is a complex phenomenon that needs to be tackled from a multi-disciplinary approach through the concerted effort of different government units at the national and local levels, non-government agencies, international agencies and organizations, and inter-agency councils.

2.  The rescue, investigation, and the trial process also affect the child victims. The whole OSAEC experience has an impact on their psychological well-being, sense of safety and control, and view of the world. In many cases, the negative impacts of the rescue and separation from their family are worse than the impact of the actual online exploitation and abuse, especially for those who did not feel harm from online exploitation. The dependence on testimonial evidence in the Philippine court system bears heavily on how OSAEC cases are decided. Several respondents raised concerns about this practice, with particular regard to how the child's recounting of his or her experience when in court can cause trauma. The length of the grooming and the quality of the relationship of the child with the facilitator and/or the perpetrator can also influence the degree of trauma that a child goes through in court.

3.  Offenders, i.e., facilitators and perpetrators entice children to participate in sexual abuse and exploitation both online (using social media and chat rooms) and offline (in school and community settings that child victims consider as familiar and safe).

4.  Free online connectivity, the widespread use of cellphones, the irresponsible use of technology, and insufficient computer literacy of children and their parents pose threats of exposure to OSAEC-related activities. Furthermore, online payment facilities offered by banks and electronic payment services by mobile phone companies are surfacing as the new mode of monetary exchange for the conduct of OSAEC-related activities.

5. Certain cultural beliefs also contribute to the spread of OSAEC such as a) if the children are untouched, they are not harmed; b) OSAEC provides easy money and almost everyone does it; c) children are expected to help the family financially; d) one should not interfere in the affairs of other families; and e) technology is only for the younger generation to learn.

6. Programs such those involving physical and mental health and educational services are essential in nurturing the children involved in OSAEC cases. Child victims who were rescued and provided aftercare services were successfully reintegrated and have even become advocates of OSAEC prevention. However, there is little application of and information on community-based rehabilitation programme for children rescued that requires further study or research.

7. Civil society organizations fill the gaps in the services provided by the local government. They provide additional support such as creating assessment centers, establishing hotlines dedicated to OSAEC, empowering the youth through the roll out program, providing linkages for employment, and ensuring that OSAEC programs will continue even if public officials are changed after elections.

8. The enactment of Republic Act 10929 that allows access to free Wi-Fi in public places is seen by some key informants as posing further problems related to OSAEC, unless some checks and balances are put in place. Despite the increase in risks posed by RA 10929, the private sector considers more Internet access as a good thing. While the "design of the technology itself can make it vulnerable" for exploitation in facilitating the occurrence of OSAEC, some sectors have considered the use of technology to help mitigate the problem. Technology can be used as a medium for raising public awareness about OSAEC, setting up helplines that the community can use to report possible OSAEC activities, filtering content delivered through the web, semi-automated detection of content in materials shared online, and analysis of chat logs.

## Recommendations

**For Protecting Children against OSAEC**

a. Create an integrated framework for responding to OSAEC-related cases covering the continuum of interventions—from prevention, identification, reporting, rescue, trial, and after care —that will involve the review of existing laws and policies and promotion of effective collaboration among different government and non-government agencies. Adopting an integrated framework is a prerequisite for a more efficient and integrative collaborative work of the different stakeholders.

b. Protect children from psychological harm. Develop a child-sensitive rescue protocol that prevents the victim from experiencing more trauma. Temporary shelters for victims—from rescue to inquest—are also needed. During investigation, acceptance of digital evidence presented by law enforcement as sufficient to prosecute the alleged offender can spare the child victim from testifying in court. Children should also be protected from media coverage of OSAEC cases.

c. Have mental health professionals, i.e., licensed psychologists and guidance counselors provide appropriate psychosocial interventions for victims. Strengthen services in halfway homes to quickly provide the children a sense of safety and security even before they are transferred to shelters. More importantly, there is merit to study optimization of relevant laws that encourage community-based approaches such s the Foster Care Act. This ensures that children rescued have other placement options and are not only endorsed in alternative residential facilities but are supported in home environment setting.

### For Family and Community

a. Provide a reform program that aims to rehabilitate parents who were involved in OSAEC cases.

b. Provide sustainable livelihood programs for families in the community and inculcate the value of hard-earned money acquired legally.

c. Conduct programs for families and the community to educate them on how to deal with children who will be reintegrated so that the children will not experience secondary victimization and will thrive despite their OSAEC experience.

d. Spread public awareness across schools, communities, churches, and families on proper Internet use; the nature of OSAEC and its impacts on the child, the family, and the community; and its identification and prevention.

e. At the barangay level, educate leaders on child protection and OSAEC. Strengthen the local council for protection of children and carry out information campaigns on OSAEC-related laws. Have barangay officials visit homes as a measure of prevention and intervention.

### For Case Resolution and Management

a. Allow for less stringent requirements in obtaining search warrants when dealing with OSAEC cases.

b. Provide continuous training
   i. to address relocation of trained law enforcement staff;

   ii. on terminologies and the use of search engines to spot OSAEC cases;

   iii. for investigators on evidence required by courts;

   iv. for prosecutors and judges on OSAEC laws and on authentication of electronic/digital evidence;

   v. for National Bureau of Investigation and the Philippine National Police on protocols for investigating OSAEC;

vi.  for their counterparts in provinces and/or regions to address accuracy of reports on detection, investigation, and case build-up;

vii.  for lawyers on effective presentation of digital evidence so it can become admissible in court; and

viii. for social workers on enhancing the design of intervention programmes from the rescue to aftercare, which could include placement of children.

c.  Propose rules to make OSAEC cases an exception to the Anti-Wiretapping Act because some evidence is deemed inadmissible with respect to this law.

d.  Significantly increase efficiency in securing evidence, rescuing victims, and coordinating with other agencies.

e.  Adopt standard terminologies that cut across government and non-government service providers, making clear how child pornography, cyber-bullying, and online grooming are defined and reflected in law. This is to ensure that stakeholders have a harmonized understanding of the various forms of online sexual abuse and exploitation of children.

f.  Protocols for each phase of the case management system (from reporting to aftercare with specific roles of all involved parties) should be explicitly defined, understood, and followed across the country to make OSAEC response sustainable. Internal protocols in organizations may exist but may not be clear as to when the case is to be taken to the next phase or service provider (e.g., referral of a small NGO to the police). One area that can be studied is on aftercare where children are in community-based rehabilitation programmes, in order to understand the level of support and security that must be given for children rescued and the homes that will care for them.

**For Government and International Partners**

a.  Enhance information-sharing of all agencies involved (including courts) on OSAEC cases through a centralized database system for prevention and monitoring.

b.  Strengthen secretariat and coordinative functions of the Inter-Agency Council Against Child Pornography (IACACP) to ensure facility in information-sharing, resource mobilization, and linking with other like-minded organizations and councils; provision of support to member organizations; and monitoring of the implementation of the council's strategic plan.

c.  Provide logistical support for law enforcement agencies dealing with OSAEC (i.e., increase operational budget and budget for purchase of needed equipment).

d.  Expand OSAEC-related satellite offices in the regions (e.g., address congested facilities).

e. Provide debriefing and regular psychosocial services for first responders and child advocates (including house parents in shelters) to prevent secondary trauma or vicarious traumatization and burnout among those involved in OSAEC.

f. Enforce provisions in the law requiring financial institutions and remittance centers to act on OSAEC-related transactions.

## For UNICEF

a. Continue to conduct research on OSAEC so that more evidence-based recommendations for prevention, identification, and response can be made, including the impact and application of community-based rehabilitation programmes as opposed to alternative residential facilities.

b. Support awareness-raising and capacity-building programs for regional, local service providers, and local officials (from provincial to barangay levels).

c. Support advocacy and information campaigns for targeted stakeholders who are not aware of OSAEC but are in a position to influence change.

d. Support the production of a more harmonized, integrated guidebook in handling OSAEC cases to include non-government players, based on a more focused and in-depth study of case management processes.