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Risk of sexual abuse of minors and combating this phenomenon with special activities conducted by the Police

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Tekst jest udostępniony do wykorzystania w ramach dozwolonego użytku.

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Risk of sexual abuse of minors and combating this phenomenon with special activities conducted by the Police.

Abstract:

Sexual abuse of children has been committed for a long time. However, only a few years ago, it stopped being a taboo and has been the area of interest of the general public, the subject of research, studies, publications, films and documentaries. This phenomenon is outrageous for the society, which makes it much more of an interest of the government, as well as local authorities and non-governmental organizations which, within their capabilities and competencies, make various kinds of actions. Sexual violence committed against children and adolescents occurs in every social group, not just in dysfunctional families. Disclosure of sexual abuse cases against children is one of the most difficult tasks that the Police is facing right now. The diverse actions taken by the Police, non-governmental organizations and other institutions have given great results and are raising the need to report crimes of sexual nature, particularly when the victims of such crimes are the minors.

Key words: *Sexual abuse, minors, violence, adults, violence, government and non-government organizations.*

Sexual abuse was defined as present or potential, sexual exploitation of a child or a teenager. A child may be a relative of the offender or a person dependent on him. „The term *sexual abuse* is the inclusion of dependent and immature children and adolescents in sexual activities that they do not fully understand, and to which they are unable to give consent and which violate

social taboos associated with the roles in the family (...)”¹ According to Lew Starowicz (1992), it is a mistake to present a stereotype that sexual abuse against children is committed only by mentally disturbed people. According to him, most perpetrators are people who would never be accused of sexual or psychological disorder.² In the professional terminology, next to „sexual violence against children” there are other terms used interchangeably, such as „sexual exploitation”, „sexual harm”, „sexual harassment” and „sexual abuse”.

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Disclosure of sexual abuse cases against children is one of the most difficult tasks that the Police is facing right now. The diverse actions taken by the Police, non-governmental organizations and other institutions have given great results and are raising the need to report crimes of sexual nature, particularly when the victims of such crimes are the minors. This type of crime finally ceased to be a problem which tends to be deeply concealed.

Undoubtedly, the main cause of a rapid growth in statistics of such crimes is not so much the increase in the frequency of committing, but above all a greater awareness of the law and victimology in society. Social changes which have taken place over the last several years, led the victims of sexual crimes to report such cases to law enforcement authorities. It can be assumed that in the recent years in Poland, the so-called „dark number” of such crimes has decreased, as their victims - with a greater awareness of the law and with

¹ S. Nikodemka, *Przemoc wobec dzieci – przegląd badań*, „Niebieska Linia”, nr 4/2000

² Lew-Starowicz Z., *Przemoc seksualna*, Jacek Santorski & CO, Warszawa 1992.

greater confidence in law enforcement - are increasingly turning to the police to report such events taking place. The most disturbing fact is that almost 50% of victims in all categories of sexual offenses are the minors. It follows the notion that children and teenagers are groups especially vulnerable to becoming a victim of such crimes, which is why they are mainly addressed with prevention and educational endeavors taken by the Police. The conducted analysis indicates that children – in almost half of the cases – are threatened by people from their own family or from their immediate environment. In the case of child sexual abuse by a family member, the situation is more complex, because the obligation to report a crime lies on an adult (parent, guardian), and a child is often emotionally and financially dependent on the perpetrator. Understanding the importance of the problem of sexual violence committed against children and adolescents, Police Headquarters have created a „Concept of policy actions aimed at combating crime against sexual freedom and decency of minors.”³

This document contains a list of efforts to be taken by the Police Headquarters and the proposed activities for the province Police Headquarters, the National Police Headquarters, the District Police Headquarters, the Metropolitan Police Headquarters and the Local Police Headquarters. These activities are diverse in nature: preventive, educational, informational, giving assistance, and they aim to improve the effectiveness of the disclosure and prosecution of such crimes.

1. By the decision of the First Chief of Police No 488 of 05.09.2006 in KGP (the Police Headquarters) a Central Team To Combat Human Trafficking, Pedophilia and Child Pornography was established. a. Its field of expertise should include coordination and supervision of the activities of teams fighting against pedophilia and child pornography established in KWP / KSP (the province Police Headquarters and the National Police Headquarters) in the area of pedophile crime (in a form of current surveillance of the opera-

³ Izabela Ludwicka, *Udział policji w tworzeniu koalicji na rzecz zapobiegania przemocy w tym zjawisku seksualnego wykorzystywania małoletnich*, Zeszyty Naukowe Wyższej Szkoły Pedagogiki i Administracji w Poznaniu Nr 2, Poznań 2006.

tional work carried out by the province teams and by providing them with the necessary assistance, especially international), participation in the organization of international operations to combat crime associated with pedophilia and child pornography.

2. Among the KWP and the KSP (the province Police Headquarters and the National Police Headquarters) there have been established province Teams to Fight Human Trafficking, Child Pornography and Pedophilia⁴. Their main tasks include conducting a reconnaissance of the phenomena and events on the issue of pedophilia and child pornography, and also conducting criminal investigations and operational issues on the subject with the existing operating fund, conducting reconnaissance in the online environment – messengers, chat rooms, forums and mailing lists, as well as participation in international operations linked with pedophilia and child pornography.

Police conducts constant monitoring of websites' content which could possibly violate the law⁵. Submissions and feedback from associations, foundations and individuals which provide information on websites with content prohibited by law are permanently verified. In order to diagnose potential possibilities of determining final users who commit crime using the TOR network, KGP (the Police Headquarters) has partnered with the Agency of Internal Security and CERT NASK.

Since 2008, the Police has been in possession of special software dedicated to monitor the Internet as well as broadcasting and downloading the contents of child pornography on the web. The principle rule which they base on to function is to disclose peer2peer networks (used for direct file exchange) and its users providing or distributing files which contain content that is or may be unlawful, including child pornography. Therefore, subsequent operations are performed periodically nationwide, together with the results of the findings based on the use of this software. This applies to arrangements involving both domestic and foreign users, from whom the materials are regularly

⁴ Uchwała Rady Ministrów z dnia 16 września 2003 r. *Krajowy Program Zwalczenia i Zapobiegania Handlowi Ludźmi*.

⁵ Zarządzenie nr 23 Prezesa Rady Ministrów z dnia 5 marca 2004 r. powołujące międzyresortowy Zespół ds. Zwalczenia i Zapobiegania Handlowi Ludźmi

delivered to the competent, foreign penal prosecution agencies, according to territorial jurisdiction. For example, as part of Operation „SIMONE” (carried out on a national scale in Poland on 03.09 and 14.10, 2008) there were several hundred Internet users found, disseminating pedophile content, in more than a dozen countries around the world. Appropriate documentation of the evidence provided by INTERPOL was delivered to penal prosecution agencies in these countries.

The result of years of police cooperating with other actors involved in prevention of threats in the area of sexual exploitation of children is an increase of awareness of both children and their parents. Police has engaged in the campaigns carried out by such foundations as „Nobody’s Children” and „KIDPROTECT”: „A Child in the Web”, „Safer Internet”, „Safe Internet Day”, „I am Wojtek”, „Inappropriate Touch”⁶. The aim was to protect children from harmful content on the Internet, and an indication of safe behavior patterns, providing addresses of organizations and individuals who help the victims of such crimes. The police pays a lot of attention to educational and technical protection against harmful content and contacts on the Internet. Police participates in the implementation of initiatives to support victims of violence, such as police hotlines, sociotherapeutic common rooms, consulting places and crisis intervention centers. The Police also investigates current recognition of the scale of the phenomenon, revealing pathological families and people who are likely to pose a potential threat. Juvenile specialists insist on the courts to take appropriate action in the cases of negligence of the care and education duties or parental abuse.

Police units also cooperate with the media to broadcast current information on the risks associated with sexual violence, to inform of the consequences of such acts, as well as to indicate where to seek for help and support in case of a need. At the meetings in schools Police officers provide parents, teachers and educators with the information about the dangers of sexual exploitation of children and real opportunities to get help. During the meetings with students, the Police emphasizes the need to pay attention to the risks of

⁶ <http://zlydotyk.pl/wyklad-o-problemie>

sexual exploitation and encourages to notify such cases. Every day actions, conducted by the Police against the perpetrators of sexual violence, are directed mainly at isolating them from the victims, so that the victims regain a sense of security.

Within the framework of the EU project DAPHNE II „Listen to me – a hurt child under special protection”, police officers are trained to recognize signs of sexual violence, and are taught how to work properly with the victims. An overview of programs concerning education, prevention and prosecution of crime against sexual freedom and decency has been conducted within the local units of the police.

Programs particularly worth recommending, after having been thoroughly evaluated, were placed in an online „Bank of Best Practices”⁷. An example of an interesting educational program is the one called „A Safe Preschooler”) developed by KWP (the province Police Headquarters) in Białystok, its main objective is to reduce the number of dangerous incidents involving children⁸. Cooperators of the program are: the Board of Education in Białystok, University in Białystok and WORD in Białystok. One of the elements of the program are classes of «inappropriate touch» aimed at education which could prevent the sexual exploitation of the minors. The program is addressed to children aged 4-6 years, parents and guardians as well as preschooling teaching staff. This program was positively approved by the Foundation «Nobody's Children».

The province Police Headquarters in Olsztyn developed and conducted «measures to prevent sexual exploitation of children.» Under this project, some procedures for determining the obligation to contact the team of psychologists on duty in KWP (The province Police Headquarters) were created, mostly in the cases when a minor is reporting a sexual exploitation. The compulsory implementation of activities concerning minor victims is now to be held in the so-called «Blue rooms”. Also, a free and anonymous telephone

⁷ http://razembezpiecniej.msw.gov.pl/portals/rb/6/15/5_BANK_DOBRYCH_PRAKTYK.html

⁸ <http://www.edupress.pl/pdf/14/3206.pdf> (04.04.2011).

line, operated by police psychologists, was launched. Actions taken by the Police, as well as information on the risks associated with possible concealment of these crimes and their negative effects on the child's psyche and growth, have been presented in the media. Also, there has been conducted a training for police officers in the field of first contact with a minor victim of sexual violence.

The province Police Headquarters in Szczecin, its department of prevention, together with the Minister of the Rights of Children, TPD in Szczecin and the Municipal Centre of Crisis Intervention organize a campaign carrying the slogan «Harassment – a rape on love.» Children are taught safe behaviors, and during special meetings their parents are given advice on how to speak about the issues of sexual violence with their children, and how to protect them from sexual abuse by other adults. The main purpose of those actions is to teach a child an assertive behavior.

In effect children:

- will say „no” and try to walk away when someone wants to abuse them or propose something that will release their suspicious;
- will not play in remote places and will not open the door to strangers;
- remember that when in danger, they should defend themselves with all available means - fleeing, screaming, crying;
- notify a right adult if they notice any sexual behavior, seeming out of place and when they notice their friends being exposed to this type of abuse.

MSWiA (Ministry of Interior and Administration) coordinates implementation of the government program known as „Safer Together” to reduce crime and anti-social behavior⁹. It was established by a Regulation of the Council of Ministers No. 218 dated December 18, 2006. The program has been planned for years 2007-2015, and the implementation of its tasks was secured under the special reserve which amounts annually to 3 million zlotys. The main objective of the program is to reduce the scale of the phenomena and behaviors which cause widespread opposition and insecurity. This program combines the endeavors of the Police, local government and social partners interested

⁹ Uchwała Rady Ministrów Nr 218 z dn. 18 grudnia 2006 roku.

in improving public safety and order. The basic premise of the program is to encourage citizens to engage in partnerships with the Police and other institutions established for the protection of public safety and order. Combating violence, including the sexual kind against children, is an important element of this program. An important segment of the system's actions aimed at combating prostitution among children is a program called „The Prevention of Social Maladjustment and Crime among Children and Adolescents” adopted by the Council of Ministers in 2003. The implementation of the program, which is coordinated by the Ministry, will last 10 years and its key element are the procedures of teachers proceedings and the methods of cooperation of schools with the Police in emergency situations concerning child and youth crime and further demoralization. Under the program, other activities aiming at raising awareness about the consequences of risky behavior, are being carried out. Along with this program there is a restraining strategy, which purposes are to increase the number of information-contact points and the availability of psychological and pedagogical counseling.

It seems that only such comprehensive and programmatic approach to the issue of preventing and combating sexual violence among children and adolescents will allow for a better recognition and real limitation of the scale of the phenomenon.

Police, despite its preventive, operational and detection activities, is no longer the only solitary actor in the fight against sexual offenders, but is an active and inspiring participant in an organized coalition for child safety. Organized and programmed actions enumerated above, both at central and local levels, significantly increase the effectiveness of measures for the safety of children, also creating an united front of many coalition partners, whose activities were secured with the financial support from the state.

Bibliografia

- Lew-Starowicz Z., *Przemoc seksualna*, Jacek Santorski&CO, Warszawa 1992.
- Nikodemka S., *Przemoc wobec dzieci – przegląd badań*, „Niebieska Linia”, nr 4/2000.
- Izabela Ludwicka, *Udział policji w tworzeniu koalicji na rzecz zapobiegania przemocy w tym zjawisku seksualnego wykorzystywania małoletnich*, Zeszyty Naukowe Wyższej Szkoły Pedagogiki i Administracji w Poznaniu Nr 2, Poznań 2006.
4. Uchwała Rady Ministrów z dnia 16 września 2003 r. Krajowy Program Zwalczania i Zapobiegania Handlowi Ludźmi.
 5. Zarządzenie nr 23 Prezesa Rady Ministrów z dnia 5 marca 2004 r. powołujące międzyresortowy Zespół ds. Zwalczania i Zapobiegania Handlowi Ludźmi
 6. Uchwała Rady Ministrów Nr 218 z dn. 18 grudnia 2006 roku.